



CITY OF CENTRAL POINT

Oregon

City Council Meeting Agenda Thursday, January 27, 2022

Next Res(1696) Ord (2083)

- I. **REGULAR MEETING CALLED TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL**
- IV. **PUBLIC COMMENTS**

Public comment is for non-agenda items. If you are here to make comments on a specific agenda item, you must speak at that time. Please limit your remarks to 3 minutes per individual, 5 minutes per group, with a maximum of 20 minutes per meeting being allotted for public comments. The council may ask questions but may take no action during the public comment section of the meeting, except to direct staff to prepare a report or place an item on a future agenda. Complaints against specific City employees should be resolved through the City's Personnel Complaint procedure. The right to address the Council does not exempt the speaker from any potential liability for defamation.

- V. **CONSENT AGENDA**
 - A. **Approval of January 13, 2022 City Council Minutes**
- VI. **ITEMS REMOVED FROM CONSENT AGENDA**
- VII. **PUBLIC HEARING**

Public comments will be allowed on items under this part of the agenda following a brief staff report presenting the item and action requested. The presiding officer may limit testimony.

- A. Resolution Authorizing Exemption from Competitive Solicitation - RH2 Engineering, Inc. (Dreyer)

VIII. **ORDINANCES, AND RESOLUTIONS**

- A. Ordinance No. _____, An Ordinance amending Central Point Municipal Code Chapter 13.20 in Part Regarding Backflow Prevention Devices (Samitore)
- B. Ordinance No. _____, An Ordinance Amending in Part Central Point Municipal Code Chapters 5.34.010 and 5.34.020 Pawnbrokers and Secondhand Dealers (Dreyer)
- C. Ordinance No. _____, An Ordinance Establishing a Franchise Agreement Between United States Cellular Operating Company of Medford for Use of the Public Right of Way Relating to Small Cell Wireless Facilities (Dreyer)
- D. Public Hearing and First Reading - An Ordinance Amending the Transportation System Plan (TSP) of the Central Point Comprehensive Plan to Add Road Diet Improvements to Project No. 230 (Holtey)

Mayor
Hank Williams

Ward I
Neil Olsen

Ward II
Kelley Johnson

Ward III
Melody Thueson

Ward IV
Tanea Browning

At Large
Rob Hernandez

At Large
Michael Parsons

IX. BUSINESS

- A. ARPA Project Eligibility Update (Weber)
- B. Discussion of 2022 Water Rates (Samitore)

X. MAYOR'S REPORT

XI. CITY MANAGER'S REPORT

XII. COUNCIL REPORTS

XIII. DEPARTMENT REPORTS

XIV. EXECUTIVE SESSION

The City Council will adjourn to executive session under the provisions of ORS 192.660. Under the provisions of the Oregon Public Meetings Law, the proceedings of an executive session are not for publication or broadcast.

XV. ADJOURNMENT

Individuals needing special accommodations such as sign language, foreign language interpreters or equipment for the hearing impaired must request such services at least 72 hours prior to the City Council meeting. To make your request, please contact the City Recorder at 541-423-1026 (voice), or by e-mail to Deanna.casey@centralpointoregon.gov.

Si necesita traductor en español o servicios de discapacidades (ADA) para asistir a una junta publica de la ciudad por favor llame con 72 horas de anticipación al 541-664-3321 ext. 201

CITY OF CENTRAL POINT

Oregon

City Council Meeting Minutes Thursday, January 13, 2022

I. REGULAR MEETING CALLED TO ORDER

The meeting was called to order at 7:00 PM by Mayor Hank Williams

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Attendee Name	Title	Status	Arrived
Hank Williams	Mayor	Present	
Neil Olsen	Ward I	Late	
Kelley Johnson	Ward II	Remote	
Melody Thueson	Ward III	Present	
Taneea Browning	Ward IV	Remote	
Rob Hernandez	At Large	Present	
Michael Parsons	At Large	Remote	

Staff members present: City Manager Chris Clayton (Remote); City Attorney Sydnee Dreyer (Remote); Police Chief Kris Allison (Remote); Police Captain Dave Croft; Parks and Public Works Director Matt Samitore; Planning Director Stephanie Holtey (Remote); IT Director Jason Richmond; City Recorder Deanna Casey; and Accounting Business Services Coordinator Rachel Neuenschwander

IV. PUBLIC COMMENTS

V. CONSENT AGENDA

A. Approval of December 16, 2021 City Council Minutes

Neil Olsen arrived at 7:03 p.m.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Rob Hernandez, At Large
SECONDER:	Melody Thueson, Ward III
AYES:	Williams, Johnson, Thueson, Browning, Hernandez, Parsons
ABSENT:	Neil Olsen

VI. ITEMS REMOVED FROM CONSENT AGENDA

VII. PUBLIC HEARING

A. Ordinance No. _____, An Ordinance Establishing a Franchise Agreement Between United States Cellular Operating Company of Medford for Use of the Public Right of Way Relating to Small Cell Wireless Facilities

Minutes Acceptance: Minutes of Jan 13, 2022 7:00 PM (CONSENT AGENDA)

City Attorney Sydnee Dryer presented the first reading of the ordinance establishing a franchise agreement with US Cellular with a 5G wireless service. This is the first franchise agreement that the City has had with this nature. The installation, operation and maintenance of small cell wireless facilities in the public ways of the City. Council is requested to consider approval of a non-exclusive franchise with USCC for small wireless facilities in the public right-of-way.

The franchisee would pay a \$500 one-time, non-recurring application fee for up to five small wireless facilities, with an additional \$100 non-recurring application fee for each facility beyond five, plus a \$1,000 non-recurring fee for a new pole (i.e., not a collocation). The franchisee would also pay \$270 per small wireless facility per year.

Small cell wireless facilities used to support the new 5G cellular data network are smaller but more numerous than traditional wireless telecommunication towers. For this reason, small cell wireless facilities are oftentimes placed in the public right-of-way, frequently on existing poles in the right-of-way, instead of in a dedicated tower on a dedicated parcel of land. The proposed franchise does not regulate the design of small cell facilities; rather, this will be handled through uniform standards under the CPMC applicable to all small cell facilities, including provisions regarding aesthetics, collocation on existing poles, and permissible locations.

Mike Parsons moved to approve the first reading of Ordinance Establishing U.S. Cellular Franchise Agreement.

RESULT:	1ST READING [UNANIMOUS]
	Next: 1/27/2022 7:00 PM
MOVER:	Michael Parsons, At Large
SECONDER:	Melody Thueson, Ward III
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

B. Ordinance No. _____, An Ordinance Amending in Part Central Point Municipal Code Chapters 5.34.010 and 5.34.020 Pawnbrokers and Secondhand Dealers

City Attorney Sydnee Dryer presented the first reading of an Ordinance Amending CPMC Chapter 5.34 Pawnbrokers and Secondhand Dealers. Currently, the CPMC requires pawnbrokers and secondhand dealers to maintain a report of all property received on deposit, pledged or purchased and to submit that electronic report to the City. However, there is no requirement that said businesses photograph the property upon receipt. As a result, the Central Point Police Department has found that it can be difficult to track stolen property and return it to its rightful owner. Additionally, requiring a digital photo of property received could help discourage certain unethical business activities as it would deter the purchase of new products in the original packaging, which has been an issue with some businesses over the years. The proposed revisions would require the addition of a digital photo at the time the property is received, and would require that a clear digital photograph be uploaded to the City's electronic pawn reporting system, which is already utilized by pawnbrokers and secondhand dealers, though excludes any property that is simply pledged as collateral for a loan.

Minutes Acceptance: Minutes of Jan 13, 2022 7:00 PM (CONSENT AGENDA)

It was asked if this was a current issue in the City of Central Point; Dave Croft explained that this would help officers in investigations when there is not a thorough description of the item. This will allow this to put more responsibility on pawnshops so that there is a better description and a photo.

Melody Thueson moved to approve the first reading of Ordinance Amending CPMC Chapter 5.34 Pawnbrokers and Secondhand Dealers In Part.

RESULT:	1ST READING [UNANIMOUS]
	Next: 1/27/2022 7:00 PM
MOVER:	Melody Thueson, Ward III
SECONDER:	Rob Hernandez, At Large
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

C. Ordinance No. _____, An Ordinance amending Central Point Municipal Code Chapter 13.20 in Part Regarding Backflow Prevention Devices

Parks & Public Works Director Matt Samitore presented to the Council the first reading of an Ordinance to amend Section 13 Water for Backflow Prevention Devices. In reviewing the ordinance, it was determined that some devices are not being installed correctly or are not good enough to protect the overall system. The City of Central Point has a very successful backflow prevention program. Still, our water division has noticed some lesser quality devices being installed that do not protect the overall city water system over the past few years. Backflow Prevention Assemblies (BPA) are devices that are installed on homes with in-ground sprinkler systems. The device disallows water to back charge into the overall City water System. There are some financial differences, the devices that are currently allowed are very cheap and easy to install, going for around \$150 to the devices we want to require are about \$250.

We would like to put in some additional changes that match the Medford Water Commission that put the responsibility on the property owner to provide and keep required backflow prevention assemblies in good working condition at all times.

Therefore, staff suggests adding language that would restrict the type of devices installed in new construction and add additional language about homeowner responsibility and pre-existing assemblies.

Melody Thueson moved to approve the first ready of Ordinance to amend section 13: Water for Backflow Prevention Devices.

RESULT:	1ST READING [UNANIMOUS]
	Next: 1/27/2022 7:00 PM
MOVER:	Melody Thueson, Ward III
SECONDER:	Michael Parsons, At Large
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

VIII. ORDINANCES, AND RESOLUTIONS

A. Resolution Ratifying Opioid Settlement Agreements

City Attorney Sydnee Dreyer presented the Resolution Ratifying Opioid Settlement Agreements. The State of Oregon entered into settlement agreements with Distributors McKesson, Cardinal Health, AmerisourceBergen and J&J as of July 21, 2021, regarding the opioid litigation. Pursuant to those agreements, the state is to receive 45% of settlement proceeds and participating subdivisions, including the City of Central Point, share in 55% of the settlement proceeds. The state's share of the proceeds is to be deposited into a Prevention, Treatment and Recovery Fund to be used solely for approved abatement purposes.

The participating subdivisions' shares, including the City, must also be used for specified abatement purposes. The City's share will be paid directly to the County unless the City notifies the Settlement Fund Administrator that it requests direct payment of the proceeds. Given the restrictions on using the funds, it is likely that the City will not seek direct payment. However, 15% of the funds appear to have more broad permissible uses, and as such, if the City determines in the future that it desires to receive a portion of those funds directly, it may be able to do so either through application to the fund administrator or via an agreement with the County.

The proposed participation agreements and distribution agreements were sent to the City and other participating subdivisions right before the holiday, with a deadline to sign by January 2, 2021. As such, the City Attorney proceeded with the execution of the agreements, subject to Council ratification of same, as have many other jurisdictions have given time constraints.

City Manager Chris Clayton stated that the nationwide settlement was \$26 billion, which came to the State of Oregon \$329 Million. Initially talked to the County about an MOU to split the funds with the County to fund services that meet the criteria and things the City would be interested in funding. The reporting requirements are substantial and so in talking with Danny Jordan at the County, the City will look for opportunities to that the County could fund services that could meet the criteria and things that Central Point would be interested in funding and the reporting requirements will remain with the County.

A question was brought up regarding the opportunity to get back the 15% were still up to be determined. City Manager Chris Clayton stated that some programs that funds might be eligible for use are the City's DARE program and the Rogue Retreat Agreement. When these agreements are approved, it will be a while before the County receives these funds. The requirements to spend these funds are narrow that unless you are a county or a large city in Oregon that is already providing treatments

for inpatient care, it will be pretty challenging to do. The County seems open to working on something with the City if we can come to an agreement.

City Attorney Sydnee Dryer stated that Portland might be taking a broad stroke on how these funds can be used, so arguably, if other Cities wanted to do the same, they could. Portland is a much larger city with more significant problems on its hands. They provide more services than the City of Central Point does, and if the City receives any of these funds directly, we would have to report to the Attorney General every year for how these funds are used. The funds may be dilled out on an annual basis, the cities election on whether to receive funds directly or not, it is to be made each time the settlement administrator is going to make a payment. The MOU with the County may be the more efficient approach and agree upon where the City would like to utilize the funds.

Rob Hernandez moved to approve Resolution 1694 Ratifying Opioid Settlement Agreements.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rob Hernandez, At Large
SECONDER:	Taneea Browning, Ward IV
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

B. Consideration of a Resolution of Intent to Annex three (3) properties along the Bear Creek Greenway for wildfire prevention and parks and recreation use. The subject properties total 7.45 and are identified on the Jackson County Assessor’s Map as 3702W11A-TL102 and 28100, and 3702W12B-TL501.

Planning Director Stephanie Holtey presented the Resolution of Intent to Annex 3 properties along the Bear Creek Greenway. The September 2019 wildfire along the Bear Creek Greenway posed a significant risk to the entire community. Although the Bear Creek Greenway is within the City’s Urban Growth Boundary and adjacent to developed city lands, at the time of the fires, most of the affected area was owned by Jackson County and the City of Medford. Following the fires, the City started working with Jackson County and the City of Medford to transfer ownership of the Greenway properties to the City as part of a larger plan to mitigate fire risk and create a park and recreation amenity for the community. To fund the design and construction projects as well as implement more standardized maintenance, the properties must be within the city limits. City records indicate that three (3) may already be in the city limits, and three (3) will need to be annexed (Attachment “A”). On January 4, 2022, the City closed on the transfer of properties owned by Jackson County. The transfer of Medford properties is in progress and is anticipated to close within the first quarter of 2022. At this time, staff is requesting Council’s authorization to prepare the annexation documents and initiate the application as necessary to expedite the annexation process once all of the affected Bear Creek Greenway properties are under City ownership.

City Manager Chris Clayton, the properties from Jackson County, has closed; Medford will follow shortly. The next step is to, and then at the January 27 Development Commission meeting, we will be asking to approve the consulting agreement to amend our Urban Renewal Plan to bring these lands into the Central Point Urban Renewal District. This will be the mechanism to fund capital

improvements related to the project's design.

Mike Parsons moved to approve Resolution No. 1695 Declaring the City of Council's Intent to Annex City-Owned Properties Along the Bear Creek Greenway within the Fire Area Master Plan Area Including 372W11A-TL 102 and 28100, and 272W12B-TL501, 600, 699; and 372W12C-301.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Parsons, At Large
SECONDER:	Taneea Browning, Ward IV
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

IX. BUSINESS

A. Planning Commission Report (Holtey)

Planning Director Stephanie Holtey explained the January 11, 2022 Planning Commission Report.

- The Planning Commission conducted a public hearing and considered a proposed Comprehensive Plan Amendment to the Transportation System Plan (TSP).
- Staff provided a brief verbal update about one development inquiry in the City related to property that is for sale on Snowy Butte Road near Ash and South Haskell Street.
- Staff provided an overview of two (2) long range planning projects: 1) Transportation System Plan (TSP) update and 2) Potential Urban Heat Island Mapping project.
- It was reported by the Chair that there is a Planning Commission vacancy. Staff stated that a recruitment will begin soon.
- Commissioners confirmed their desire to have a study session to better understand transportation planning matters, most specifically related to warrants and new climate rules.

RESULT:	ANNOUNCED
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X. MAYOR'S REPORT

Mayor Hank Williams reported that:

- He attended the Sponsor Dinner for the Bull Riding at the Expo with Mike Parsons.
- He skipped the Fair Board Meeting, COVID is going through his family in Arizona and he chose to not attend this meeting.

XI. CITY MANAGER'S REPORT

City Manager Chris Clayton reported that:

- COVID 19 continues to be a challenge for the City of Central Point, a lot more spread and outbreak in recent times.
- The Mail Tribune article on the Horse Blanket, the article was fair and pointed out some issues, the Building Dept. is working with the building owner to try to get an evaluation done from the structural engineer as soon as possible. Once we have that in hand we will do every effort to work with them on getting that repaired or if they choose to take the structure down.
- The Planning Commission and a Community Advisory Committee both have vacancies that need to be filled.
- January 24th Study Session there will be two items;
 - o Tour of the new Public Works Operations Facility and will meet on site at 4:30 p.m.
 - o Dinner and the Police Department will have a presentation on a program of interest.
- Senior Center hot topic on the news and on social media. In early February the Rogue Valley Council of Governments board will be asked to approve the purchase of the property and then we will move forward with the sale agreement will be presented at a February meeting. Parks & Rec staff have been working with the Senior Center and RVOG to make the transition as easy as possible. The next steps of how we can partner and expand services for the Senior community as soon as possible.
- Public Works Operation Center, the financing package is wrapping up bond council has just about finished their work. That will be getting approved shortly.
- House bill 5006 funded recovery from the wild fires on property tax, counties that were impacted by fires were being made whole by the state legislature on property taxes that were not coming in because of damaged or destroyed properties. Jackson County was included and the City of central point got an additional \$40,000 in property tax revenue just recently.
- Community Center Design at the Expo continues and it is really starting to take shape and we are on to something good. Matt Samitore and Rob Hernandez have been attending the design meetings, and providing input as well, we are getting closer in terms of cost and a facility that everyone will be happy with.
- The TSP amendment that was made by the planning commission as it relates to the Hwy 99 and Scenic Ave upgrade. When the Crater Rail Crossing was approved part of that was a negotiation with Jackson county and we had to agree to do several things, closing the Seven Oaks Crossing, compensate land owners that were impacted by the seven oaks crossing and we had to upgrade the intersection of Scenic and Hwy 99 and make it safe which is why we are doing the TSP amendment and ODOT will be starting the project in the near future. The city has satisfied all the requirements with the county. Chris will be working with Sydnee to draft a letter to the Jackson county commissioners letting them know with the completion of the intersection upgrade we have satisfied that board order and we have done our part so to speak.

XII. COUNCIL REPORTS

Council Member Tanea Browning reported that:

- She attended two Medford Water meetings, and to quote “what we are seeing has not been seen before historic below average water shed storage numbers”. Found it interesting that even though we were seeing a lot of moisture it wasn’t being retained as much as we have had in the past.
- She was asked to join the state infrastructure implementation cabinet by a representative from the governor’s office.
- She has been spending time in special meetings with the LOC, specifically to address the public conduct of the executive director appointment interim, permanent executive recruitment process, and the strategic plan will be rolling and focusing on the tours in those small cities.

Council Member Mike Parsons reported that;

- He attended the Challenge of Champions Bull riding sponsor dinner with the Mayor.
- He attended the Challenge of Champions Bull Riding event at the expo. The Challenge of Champions truly appreciates the City’s yearly sponsorship.

Council Member Neil Olsen reported that he attended the Planning Commission Meeting.

Council Member Melody Thueson reported that she attended the School Board Meeting.

Council Member Rob Hernandez reported that:

- He attended the Zoom Jackson County Community Center Meeting.
- Attended a SOREDI board meeting.

Council Member Kelley Johnson had nothing to report.

XIII. DEPARTMENT REPORTS

Parks and Public Works Director Matt Samitore reported that working on tree removal and tree upkeep at the cemetery, there are several trees that have branches growing over to the houses in Central Point East the residents have been very nice but are wanting things taken care of.

Police Captain Dave Croft reported that:

- Chris Wasner graduated from the Police Academy and is now in field training.
- Last Friday there was CSO testing in the council chambers the written test, there were 13 applicants those have been sent back to the testing company.

□ There were two robberies one at Purple Parrot where a firearm that was displayed no property was obtained on that one, Medford is working a Purple Parrot robbery with the same description and MO. Last week there was a robbery at the Peoples Bank where a note was presented the individual was able to leave with cash we have some good photos on that one and are real confident they will be able to identify the suspect. The robberies do not seem to be related.

XIV. EXECUTIVE SESSION ORS 192.660(2)(i) Employment Evaluations

Mike Parsons moved to adjourn to Executive Session under ORS 192.660 (2)(I) Employee Evaluations at 7:55 p.m. Tanea Browning seconded. All said aye and the meeting was adjourned to executive session.

A. **Motion to:** Approval to extend City Manager Contract

Council returned to regular session at 8:14 p.m.

There was discussion regarding the length of the contract which expires December 31, 2022.

Council feels confident extending the contract for three years to expire or be renewed by December 31, 2025 continuing with the annual performance evaluation. The Council discussed a 5% increase in pay with 3.4% going towards a salary increase and the remaining split between 457 and HRA benefits.

Mike Parsons moved to extend the term of the City Manager contract to December 31, 2025, approve an increase in benefits and salary with \$1000 increase to his 457 plan, 3.4% to his base salary and the rest going to his HRA account. Tanea Browning seconded.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Parsons, At Large
SECONDER:	Tanea Browning, Ward IV
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

XV. ADJOURNMENT

Rob Hernandez moved to adjourn. All said aye and the meeting was adjourned at 8:29 p.m.

The foregoing minutes of the January 13, 2022, Council meeting were approved by the City Council at its meeting of _____, 2022.

Dated:

Mayor Hank Williams

ATTEST:

City Recorder

Minutes Acceptance: Minutes of Jan 13, 2022 7:00 PM (CONSENT AGENDA)



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO:	City Council	DEPARTMENT:	City Attorney
FROM:	Sydnee Dreyer, City Attorney		
MEETING DATE:	January 27, 2022		
SUBJECT:	Resolution Authorizing Exemption from Competitive Solicitation - RH2 Engineering, Inc.		
ACTION REQUIRED:		RECOMMENDATION:	
Motion		Approval	
Public Hearing			
Resolution			

BACKGROUND INFORMATION:

The subject contract for which an exemption is sought is a Design and Engineering contract for the improvements to the Central Point Little League Field Property. Much of the work toward these improvements was previously completed by RH2, the City's engineer, on the basis of previously authorized contracts for a conceptual plan, detailed cost estimate, project schedule and summary of tasks to be performed to complete the project.

The estimated cost for the design and engineering work is \$275,858.00 (scope and project estimate attached). Exempting this project is likely to result in significant cost savings given that the initial conceptual plan, budget and detailed summary of tasks has already been prepared by RH2, which result in lower costs to finalize the design and engineering of the improvements. Additionally, this project is subject to significant time restraints given that a portion of the funding is subject to the American Rescue Plan Act (ARPA) guidance. Awarding the contract to RH2 will allow the design and engineering to be completed much more quickly as RH2 is already in possession of a portion of the information, analysis and survey it will need to finalize these plans.

Exempting this project is unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts as:

- a) RH2 has the specialized technical skills, expertise and resources to provide the City with a cost-effective Design and Engineering plan for the Improvements.
- b) RH2 is uniquely qualified with in-depth knowledge of the City's existing Conceptual Plan and project requirements.
- c) RH2 was under contract with the City and completed the Conceptual Plan in 2021 as well as a detailed cost estimate for the improvements and detailed summary of tasks to complete the improvements.
- d) RH2 is a qualified consultant and has the personnel resources available to ensure completion of the Design and Engineering Plan within the next 6-12 months.

Exempting this project is reasonably expected to result in substantial cost savings to the contracting agency or to the public:

- a. RH2's familiarity with the City's Conceptual Plan enables it to efficiently provide detailed a Design and Engineering Plan that will result in significant cost savings for the City.
- b. Cost savings are achieved through the continuity of using the same team which has familiarity with the Conceptual Plan, the updates and the future needs of the City.
- c. Any change of contractor to update the Plan would require a substantial time effort by the contractor to learn the existing Plan and prior analysis that resulted in such plan.
- d. Any change of contractor would likely result in significant time delays as RH2 has detailed familiarity with this project and a significant amount of information which will be utilized in the final plan

FINANCIAL ANALYSIS:

The Design of the Central Point Little League Property Improvements has been included in the 2021-2023 City of Central Point Budget. More specifically, the City created a new fund dedicated to receiving and expending funds related to the American Rescue Plan Act (ARPA), and the associated design proposal would be funded from this budgetary location.

LEGAL ANALYSIS:

CPMC 2.40.110(B)(1) authorizes the Council, as the contract review board, to exempt from competition the award of a specific contract upon finding that such exemption meets the criteria of 2.40.110(B)(1). The City Attorney has reviewed the findings which support the exemption of the proposed contract from competitive solicitation if Council chooses.

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Community Investment, Goal 2 "Be a city filled with happy, healthy people who are thriving."

Community Investment, Goal 2, Strategy 5 is to "Plan, design, build, and maintain a comprehensive system of sustainable facilities, trails, and park spaces, (setting the highest standards) to provide attractive places people will use and enjoy. Acquire additional lands for active and passive recreation use based on current deficiencies and public demands created by increasing population or the environmental and recreational significance of the area. (Be mindful of the budget and plan trail locations)."

Community Investment, Goal 3 is to "Provide opportunities for youth education, recreation, and support. (Kids are the future. Happy, well-adjusted kids are the canary in the coal mine for true community/ family wellbeing)."

Community Investment, Goal 3, Strategy 4 is to "Expand on existing recreation programming to reach a broader and more diverse audience. Research successful recreation programs to ensure that we are offering activities that will best meet the current and future needs of our citizens."

STAFF RECOMMENDATION:

Open public hearing and following close of public hearing and consideration of any testimony, make a motion to approve, approve with amendments, or reject proposed exemption.

RECOMMENDED MOTION:

I move to approve Resolution No. _____, a Resolution adopting finding authorizing an exemption from competitive solicitation and awarding a contract to RH2 Engineering, Inc. for Design and Engineering of Little League Fields.

ATTACHMENTS:

1. RESO for Public K Exemption - Design & Eng Little League Fields
2. CPLL Design Information

RESOLUTION NO. _____

A RESOLUTION ADOPTING FINDINGS AUTHORIZING AN EXEMPTION FROM
COMPETITIVE SOLICITATION AND AWARDING A CONTRACT TO RH2
ENGINEERING, INC. FOR DESIGN AND ENGINEERING OF LITTLE LEAGUE FIELDS

Recitals:

A. RH2 Engineering, Inc., a foreign business corporation (“RH2”) is currently the City’s contract engineering firm.

B. The City is in the process of purchasing and improving the Little League Fields for future management as a designated sports park allowing Little League and other City uses (the “Property”).

C. RH2 is a qualified consultant and has already performed significant work in developing the conceptual design, cost estimates, and summary of necessary tasks to be completed for the planned improvements to the Property.

D. RH2 has personnel resources ready to complete the design and engineering for the Property Improvements with the next 6-12 months.

E. The City held a duly noticed public hearing on January 27, 2022 at 7:00pm in which interested members of the public were provided an opportunity to appear and present comment on the proposed exemption from competitive solicitation.

F. Following the public hearing, the City finds that an exemption from competitive solicitation to award a contract to RH2 meets the requirements of CPMC 2.40.110(B) for special procurements, as provided in those findings attached hereto as Exhibit A.

THE CITY OF CENTRAL POINT RESOLVES AS FOLLOWS:

Section 1. The findings attached hereto as Exhibit A are hereby adopted and an exemption from competitive solicitation is authorized.

Section 2. A contract in the form attached hereto as Exhibit B is hereby awarded to RH2 Engineering, Inc. for up to \$275,858.00 for design and engineering of the Little League Field property.

Section 3. This exemption is granted under the provisions of CPMC 2.40.110(B)(1).

Passed by the Council and signed by me in authentication of its passage this ____ day of January 2022.

Mayor Hank Williams

ATTEST:

City Recorder

Attachment: RESO for Public K Exemption - Design & Eng Little League Fields (1503 : Resolution Authorizing Exemption from Competitive

RESOLUTION NO. ____ - EXHIBIT A

FINDINGS

Pursuant to CPMC 2.40.110(B)(1) – Special Procurements, the following facts support an exemption from competitive solicitation for awarding the Design and Engineering Contract to RH2 Engineering, Inc.:

- A. The subject contract for which an exemption is sought is a Design and Engineering contract for the improvements to the Little League Field Property. Much of the work toward these improvements was previously completed by RH2, the City’s engineer, on the basis of previously authorized contracts for a Conceptual Plan, detailed cost estimate, and summary of tasks to be performed to complete the project.
- B. The estimated cost for the design and engineering work is \$275,858.00.
- C. Exempting this project is likely to result in significant cost savings given that the initial conceptual plan, budget and detailed summary of tasks has already been prepared by RH2, which result in lower costs to finalize the design and engineering of the improvements. Additionally, this project is subject to significant time restraints given the requirements of the American Rescue Plan Act guidance. Awarding the contract to RH2 will allow the design and engineering to be completed much more quickly as RH2 is already in possession of the information, analysis and survey it will need to finalize these plans.
- D. Exempting this project is unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts as:
 - a) RH2 has the specialized technical skills, expertise and resources to provide the City with a cost-effective Design and Engineering plan for the Improvements.
 - b) RH2 is uniquely qualified with in-depth knowledge of the City’s existing Conceptual Plan and project requirements.
 - c) RH2 was under contract with the City and completed the Conceptual Plan in 2021 as well a detailed cost estimate for the improvements and detailed summary of tasks to complete the improvements.
 - d) RH2 is a qualified consultant and has the personnel resources available to ensure completion of the Design and Engineering Plan within the next 6-12 months.
- E. Exempting this project is reasonably expected to result in substantial cost savings to the contracting agency or to the public:

- a. RH2's familiarity with the City's Conceptual Plan enables it to efficiently provide detailed a Design and Engineering Plan that will result in significant cost savings for the City.
 - b. Cost savings are achieved through the continuity of using the same team which has familiarity with the Conceptual Plan, the updates and the future needs of the City.
 - c. Any change of contractor to update the Plan would require a substantial time effort by the contractor to learn the existing Plan and prior analysis that resulted in such plan.
 - d. Any change of contractor would likely result in significant time delays as RH2 has detailed familiarity with this project and a significant amount of information which will be utilized in the final plan.
- F. Public notice of the approval of a special procurement must be given:
- a. Public notice of the exemption from competitive solicitation was published on City's website beginning January 21, 2022.
 - b. Public notice of the proposed exemption from competition solicitation was published in the Medford Mail Tribune on January 26, 2022.
 - c. A public hearing was held on January 27, 2022 with an opportunity for interested persons to appear and comment.



RH2 ENGINEERING, INC.
3553 Arrowhead Drive, Suite 200
Medford, OR 97504
541.665.5233 or 800.720.8052
Fax: 541.665.5266

Letter of Transmittal

TO: City of Central Point
140 South Third Street
Central Point OR 97502

Sent Via: Email

DATE: January 14, 2022	JOB NO.: CPT1015.093
ATTENTION: Chris Clayton, City Manager	
RE: City of Central Point General Services Agreement Task Authorization No. 18 – Revised Hanley Baseball Complex for Signature	

WE ARE SENDING YOU THE FOLLOWING:

<input checked="" type="checkbox"/>	Attached	Under Separate Cover Via:			
	Shop Drawings	Prints	Plans	Samples	Specifications
	Copy of Letter	Change Order	Submittals		

CONTENTS:

COPIES	DATE	NO.	DESCRIPTION
1	1/14/22	10 pages	Task Authorization No. 18 – Hanley Baseball Complex Project for signature.

THESE ARE TRANSMITTED AS CHECKED BELOW:

<input type="checkbox"/>	For approval	<input type="checkbox"/>	Approved as submitted	<input type="checkbox"/>	Resubmit copies for approval
<input type="checkbox"/>	For your use	<input type="checkbox"/>	Approved as noted	<input type="checkbox"/>	Submit ___ copies for distribution
<input type="checkbox"/>	As requested	<input type="checkbox"/>	Returned for corrections	<input type="checkbox"/>	Return ___ corrected prints
<input type="checkbox"/>	For your information	<input checked="" type="checkbox"/>	Signature		
<input type="checkbox"/>	For review and comment	<input type="checkbox"/>	For bids due:	<input type="checkbox"/>	Prints returned after loan to us

REMARKS:

Enclosed is the original Task Authorization No. 18 to the General Services Agreement for the above-referenced project. Please sign and return to jballard@rh2.com or to Contracts@rh2.com. Upon receipt RH2 will sign and return a fully executed original for your files. Please remit invoices to ap@rh2.com:

RH2 Engineering, Inc.
Attn: Accounting
22722 29th Drive SE, Suite 200
Bothell, WA 98021

COPY TO: Jeff Ballard

SIGNED:

Attachment: CPLL Design Information (1503 : Resolution Authorizing Exemption from Competitive Solicitation - RH2)

Task Authorization No. 18
City of Central Point
General Services Agreement
Hanley Baseball Complex

January 2022
RH2 Project No. CPT 1015093.00.0018

In accordance with our General Services Agreement dated August 4, 2015, this Task Authorization outlines the Scope of Work for the Hanley Baseball Complex. The work will be performed and invoiced in compliance with the terms and conditions listed in the governing Agreement and any issued Contract Amendments.

Background

The City of Central Point (City) has identified the opportunity to enhance the facilities for youth in the community by upscaling the existing baseball/softball facilities on Central Point Little League owned property located at 2935 Hanley Road in Central Point, Oregon.

The proposed project will encompass approximately 14.5 acres of improvements, including updated playing fields, irrigation, fencing, landscaping, walking paths, playground, restrooms, lighting, parking, and miscellaneous amenities at the facility. The project will include two artificial turf fields. Each of the artificial turf fields will be fenced. One artificial turf field will be 250 feet long and the other will be 300 feet long from home plate to the edge of the outfield. Each of the facilities will include the substructure and hardscapes necessary for the construction of the fields. Each of the fields will have complete designs for dugouts, fences, and lighting.

The project also will include the creation of dirt and grass fields for little league softball, baseball, and tee-ball. These facilities will include four separate fields, including drainage, irrigation, lighting, landscaping, fencing, dugouts, and scoreboards.

The additional amenities planned for design at the facility will be restrooms, a storage building, limited concessions, food truck parking, playground, and facility parking, including stormwater detention and treatment.

The project location is currently not served by the City's water system. This project will include extending water service south down Hanley Road to supply City water to the site. The waterline extension will be approximately 1,500 linear feet (LF) of 8-inch ductile iron pipe.

RH2 Engineering, Inc., (RH2) has been working with the City on the project planning and coordination. The City asked RH2 to prepare this Scope of Work and Fee Estimate to provide the design for the planned facilities based on existing knowledge of the project and the site constraints.

Project Understanding and Assumptions

The following outlines RH2's understanding of the City's responsibilities and the overall project goals. Assumptions made in preparing this Scope of Work also are identified, as appropriate.

The City will be responsible for the following:

- *Provide a project manager who is responsible for overall project management and will provide coordination between RH2, Central Point Little League, and the City.*
- *Provide RH2 with available, relevant utility as-built plans, reports, and studies pertinent to the project.*
- *Provide timely review and comment on all reports, drawings, and specifications submitted by RH2 to the City for review and approval.*
- *Maintain records and process consultant invoices.*
- *Provide legal review of all construction contracts, bid forms, and real property.*
- *Provide notifications as necessary to the public and business community regarding the nature and timing of the work to be completed.*
- *Direct the consultant on amenities for the facility.*
- *Coordination with Jackson County on required permitting and payment of any permitting fees.*
- *City will prepare and submit funding applications.*

In preparing this Scope of Work, the following assumptions were made:

- *RH2 will rely on the accuracy and completeness of any data, information, or materials generated or provided by the City or others in relation to this Scope of Work.*
- *Deliverables will be submitted in electronic format (PDF) unless otherwise noted.*
- *Environmental permitting will not be required.*
- *Submittals to Central Point Little League will be coordinated by the City.*
- *Geologic review will only include stormwater infiltration rates.*
- *The project may be completed in phases as funding is available.*
- *RH2 will provide figures and project information for funding applications.*

Scope of Work

RH2 will perform the following tasks per the attached Fee Estimate. If needed, additional effort shall be mutually negotiated between the City and RH2.

Task 1 – Project Administration Services

Objective: Provide coordination of the project team, including communication with City staff, progress reporting, monthly billing, and updates to the project scope, schedule, and budget.

Approach:

- 1.1 Monitor RH2's scope, budget, and schedule of the project. Provide updates and monthly invoices to the City.
- 1.2 Coordinate with the City to facilitate the project and attend up to ten (10) project meetings. Prepare agenda and minutes for each project meeting.

Assumptions:

- *It is assumed Task 1 will be necessary for the duration of the project.*

RH2 Deliverables:

- Monthly invoices and schedule updates.
- Attendance at ten (10) project meetings.
- Agenda and minutes for project meetings.

Task 2 – Coordinate City Project with Central Point Little League Requirements and Public Meetings

Objective: Review City-designed improvements for conformance with Central Point Little League requirements.

Approach:

- 2.1 Provide conceptual figures to the City for submittal to Central Point Little League.
- 2.2 Finalize conceptual figures to begin design and obtain concurrence from the City and Central Point Little League.
- 2.3 Prepare for and attend up to four(4) public meetings.

Assumptions:

- *Project coordination meetings with the City for the work in Task 3 are included in the up to ten (10) meetings designated in subtask 1.2.*

RH2 Deliverables:

- Draft and final conceptual figures of the planned facility improvements.

Task 3 – Landscaping

Objective: Subcontract with Terrain Landscape Architecture (Terrain) and coordinate landscaping work.

Approach:

- 3.1 Coordinate with Terrain as a subconsultant to RH2 to provide landscaping services for the Hanley Baseball Complex. *Terrain will provide planting plans, irrigation plans, hardscape consultation, central courtyard design, and playground design.*
- 3.2 Coordinate with Terrain to incorporate the landscaping design into the plans for the Hanley Baseball Complex. Attend up to three (3) meetings with Terrain.

Assumptions:

- *Coordination with Terrain will overlap with the design tasks (Tasks 5, 6, 7, and 8).*

Provided by the City:

- Available information, as needed for design.

RH2 Deliverables:

- Plans provided by Terrain will be compiled into the final design.
- Coordination with Terrain, including attendance at up to three (3) meetings.

Task 4 – 30-Percent Design

Objective: Prepare preliminary plans for the proposed 8-inch waterline extension down Hanley Road and for the Hanley Baseball Complex.

Approach:

- 4.1 Prepare 30-percent design plans with horizontal and vertical alignment detail of the waterline, sewer line extension and plans of the Hanley Baseball Complex.
- 4.2 Coordinate with surveyor for topographic and control survey plan integration.
- 4.3 Provide and present 30-percent design, including preliminary plan/profile sheets, for City review and comment. Attend one (1) review meeting with City staff and prepare meeting agenda and minutes. *The City will provide comments as written summary or as redline markups on the plans.*

Assumptions:

- *City will be responsible for any permit application fees and will submit the final applications to the necessary agencies.*

RH2 Deliverables:

- 30-percent waterline plan and profile sheets and Hanley Baseball Complex plans.
- Attendance at one (1) 30-percent design review meeting. Meeting agenda and minutes as required.

Task 5 – 60-Percent Design

Objective: Prepare 60-percent design plans and a preliminary estimate of probable construction cost for the proposed 8-inch waterline extension down Hanley Road, sewer line extension for the Hanley Baseball Complex.

Approach:

- 5.1 Prepare 60-percent design plans with horizontal and vertical alignment detail of the waterline and design plans of the Hanley Baseball Complex, including grading plans. Develop a preliminary estimate of probable construction cost for the 60-percent design review submittal.
- 5.2 Provide and present 60-percent design, including 8-inch waterline plan/profile sheets, preliminary connection details, Hanley Baseball Complex design plan sheets and grading plans, and preliminary estimate of probable construction cost for City review and comment. Attend one (1) review meeting with City staff and prepare meeting agenda and minutes. *The City will provide comments as written summary or as redline markups on the plans.*

RH2 Deliverables:

- 60-percent waterline plan and profile sheets.
- 60-percent Hanley Baseball Complex plan sheets, including grading plan.
- Preliminary estimate of probable construction cost.
- Attendance at one (1) 60-percent design review meeting. Meeting agenda and minutes as required.

Task 6 – 90-Percent Design

Objective: Prepare 90-percent design plans, 90-percent estimate of probable construction cost, and specifications for the proposed 8-inch waterline extension down Hanley Road and sewer line extension for the Hanley Baseball Complex.

Approach:

- 6.1 Prepare 90-percent design plans with horizontal and vertical alignment detail of the waterline and design plans of the Hanley Baseball Complex, including grading plans. Develop a 90-percent estimate of probable construction cost and specifications for the 90-percent design review submittal.
- 6.2 Provide and present 90-percent design, including 8-inch waterline plan/profile sheets, connection details, Hanley Baseball Complex design plan sheets and grading plans, an estimate of probable construction cost, and specifications for City review and comment. Attend one (1) review meeting with City staff and prepare meeting agenda and minutes. *The City will provide comments as written summary or as redline markups on the plans.*

RH2 Deliverables:

- 90-percent waterline plan and profile sheets, Hanley Baseball Complex plan sheets, including grading plan, estimate of probable construction cost, and specifications.
- Attendance at one (1) 90-percent design review meeting. Meeting agenda and minutes as required.

Task 7 – Bid-Ready Design

Objective: Develop bid-ready plans, specifications, and Engineer's Estimate of probable construction cost for the proposed 8-inch waterline extension, and sewer line extension for the Hanley Baseball Complex.

Approach:

- 7.1 Prepare plans, specifications, and Engineer's Estimate of probable construction cost incorporating internal quality assurance and quality control (QA/QC) and City 90-percent review comments for bidding and construction. Provide one (1) set of construction contract documents in hard copy with plans in 11-inch by 17-inch format for use in reproduction of bidding documents.

RH2 Deliverables:

- Bid-ready documents, including technical specifications, plans, and Engineer's Estimate of probable construction cost in electronic formats (PDF, Word, Excel, and AutoCAD).
- One (1) hard copy set of construction contract bid-ready documents for reproduction in 8½-inch by 11-inch and 11-inch by 17-inch format.

Task 8 – Services During Bidding

Objective: Provide engineering services during the bidding phase of the project to assist the City with answering questions from contractors bidding on the project.

Approach:

- 8.1 Respond to bidder questions received through the City as requested.
- 8.2 Issue addendum to clarify, revise, or change construction plans or technical specifications during the bidding process. Prepare addendum determined necessary by the City during the bidding process and provide to the City for distribution to the bidders. *It is assumed that up to one (1) addendum may be needed.*

Assumptions:

- *The City will be the main point of contact during bidding and will be responsible for advertising the project for bids.*
- *The City will produce and distribute the bidding documents. The City will pay for any advertising fees directly.*
- *The City will coordinate with bidders.*

RH2 Deliverables:

- One (1) addendum, as needed.

Task 9 – Services During Construction

Objective: Provide construction contract administration services during project construction to support the City. *As the engineer of record, RH2 will provide periodic observation of construction, as requested by the City, to review whether those elements of construction that are observed by RH2 conform to the project plans and specifications.*

Approach:

- 9.1 Perform periodic construction observations, as requested by the City. *The Fee Estimate includes thirty-five (35) hours for this subtask. If more time is needed, an amendment to this Scope of Work and Fee Estimate will be mutually negotiated between RH2 and the City.*
- 9.2 Review written requests for information (RFIs) and change order proposals and provide written responses to the City.

- 9.3 Review contractor submittals, shop drawings, and field testing per the project documents. Coordinate with the City regarding substitute and “or-equal” items proposed for use by the contractor.
- 9.4 Provide record drawings representative of the as-constructed project. *Record drawings will be completed based upon contractor and inspector red-lined markups to as-bid drawings. Record drawings will be completed per City standards.*

Assumptions:

- *The contractor will be responsible for providing construction surveying and staking for field control and as-built surveying for use in preparing record drawings.*
- *The City will coordinate directly with the contractor for waterline testing, system shutdowns, and connections.*
- *The City will perform day-to-day inspections and provide measurement quantities.*
- *RH2 is not responsible for site safety, or for determining means and methods or directing the contractor in the work.*

RH2 Deliverables:

- Construction observation and correspondence with the City and contractor, as needed, within the budgeted hours authorized.
- RFI responses, and change order reviews and documentation, if required.
- Record drawings in PDF and AutoCAD DWG format, including external references, prepared in accordance with City standards.

Project Schedule

RH2 will commence with the design work upon written authorization from the City and will continue until completion of construction and record drawings. It is anticipated that the project will be completed by September 2022.

Subconsultants

- Terrain Landscape Architecture

City of Central Point
General Services Agreement

Task Authorization No. 18
Hanley Baseball Complex

Fee for Services

Refer to the attached **Exhibit A – Fee Estimate** for a breakdown of costs associated with each task and **Exhibit B – Schedule of Rates and Charges**.

RH2 Engineering, Inc.

City of Central Point

Signature

Signature

Print Name/Title

Print Name/Title

Date

Date

Attachment: CPLL Design Information (1503 : Resolution Authorizing Exemption from Competitive Solicitation - RH2)

EXHIBIT A
Fee Estimate
Task Authorization No. 18
City of Central Point
General Services Agreement
Hanley Baseball Complex
Jan-22

Description		Total Hours	Total Labor	Total Subconsultant	Total Expense	Total Cost
Task 1	Project Administration Services	33	\$ 7,063	\$ -	\$ 263	\$ 7,326
1.1	Monitor scope, budget, and schedule and provide invoices	23	\$ 4,703	\$ -	\$ 118	\$ 4,821
1.2	Coordinate with City and attend up to ten (10) meetings	10	\$ 2,360	\$ -	\$ 146	\$ 2,506
Task 2	Coordinate City Project with Central Point Little League Requirements	122	\$ 20,712	\$ -	\$ 2,381	\$ 23,093
2.1	Provide conceptual figures to the City	70	\$ 11,664	\$ -	\$ 1,323	\$ 12,987
2.2	Finalize conceptual figures to begin design	30	\$ 4,888	\$ -	\$ 644	\$ 5,532
2.3	Prepare for and attend up to four (4) public meetings	22	\$ 4,160	\$ -	\$ 414	\$ 4,574
Task 3	Landscaping	28	\$ 4,819	\$ 40,825	\$ 120	\$ 45,764
3.1	Coordinate with Terrain to provide landscaping services	3	\$ 649	\$ 40,825	\$ 16	\$ 41,490
3.2	Incorporate landscaping design into plans and attend up to three (3) meetings	25	\$ 4,170	\$ -	\$ 104	\$ 4,274
Task 4	30-Percent Design	345	\$ 59,829	\$ -	\$ 5,954	\$ 65,783
4.1	Prepare 30-percent design	329	\$ 57,149	\$ -	\$ 5,636	\$ 62,785
4.2	Coordinate with surveyor for topographic and control survey integration	10	\$ 1,554	\$ -	\$ 235	\$ 1,789
Task 5	60-Percent Design	231	\$ 42,147	\$ -	\$ 3,265	\$ 45,412
5.1	Prepare 60-percent design and estimate	228	\$ 41,584	\$ -	\$ 3,212	\$ 44,796
5.2	Provide and present 60-percent design and attend design review meeting	3	\$ 563	\$ -	\$ 53	\$ 616
Task 6	90-Percent Design	127	\$ 22,162	\$ -	\$ 2,067	\$ 24,229
6.1	Prepare 90-percent design, estimate, and specifications	121	\$ 21,036	\$ -	\$ 1,983	\$ 23,019
6.2	Provide and present 90-percent design and attend design review meeting	6	\$ 1,126	\$ -	\$ 83	\$ 1,209
Task 7	Bid-Ready Design	54	\$ 9,893	\$ -	\$ 748	\$ 10,641
7.1	Prepare bid-ready design documents	54	\$ 9,893	\$ -	\$ 748	\$ 10,641
Task 8	Services During Bidding	33	\$ 5,984	\$ -	\$ 452	\$ 6,436
8.1	Respond to bidder questions	20	\$ 3,786	\$ -	\$ 232	\$ 4,018
8.2	Issue up to one (1) addendum	13	\$ 2,198	\$ -	\$ 220	\$ 2,418
Task 9	Services During Construction	114	\$ 20,185	\$ -	\$ 1,909	\$ 22,094
9.1	Perform periodic construction observations	35	\$ 6,122	\$ -	\$ 705	\$ 6,827
9.2	Review and respond to RFIs and change orders	28	\$ 4,976	\$ -	\$ 399	\$ 5,375
9.3	Review contractor submittals, shop drawings, and field testing	23	\$ 3,757	\$ -	\$ 479	\$ 4,236
9.4	Provide record drawings	28	\$ 5,330	\$ -	\$ 326	\$ 5,656
Subtotal Hanley Baseball Complex Tasks		1087	\$ 192,794	\$ 40,825	\$ 17,161	\$ 250,780
Contingency (10%)		-	\$ 19,279	\$ 4,083	\$ 1,716	\$ 25,078
PROJECT TOTAL		1087	\$ 212,073	\$ 44,908	\$ 18,877	\$ 275,858

Attachment: CPLL Design Information (1503 : Resolution Authorizing Exemption from Competitive Solicitation - RH2)

EXHIBIT B		
RH2 ENGINEERING, INC.		
2022 SCHEDULE OF RATES AND CHARGES		
RATE LIST	RATE	UNIT
Professional I	\$150	\$/hr
Professional II	\$164	\$/hr
Professional III	\$177	\$/hr
Professional IV	\$195	\$/hr
Professional V	\$207	\$/hr
Professional VI	\$224	\$/hr
Professional VII	\$236	\$/hr
Professional VIII	\$246	\$/hr
Professional IX	\$246	\$/hr
Control Specialist I	\$136	\$/hr
Control Specialist II	\$147	\$/hr
Control Specialist III	\$161	\$/hr
Control Specialist IV	\$177	\$/hr
Control Specialist V	\$187	\$/hr
Control Specialist VI	\$200	\$/hr
Control Specialist VII	\$213	\$/hr
Control Specialist VIII	\$224	\$/hr
Technician I	\$113	\$/hr
Technician II	\$124	\$/hr
Technician III	\$142	\$/hr
Technician IV	\$152	\$/hr
Technician V	\$167	\$/hr
Technician VI	\$183	\$/hr
Technician VII	\$198	\$/hr
Technician VIII	\$207	\$/hr
Administrative I	\$75	\$/hr
Administrative II	\$88	\$/hr
Administrative III	\$103	\$/hr
Administrative IV	\$123	\$/hr
Administrative V	\$145	\$/hr
CAD/GIS System	\$27.50	\$/hr
CAD Plots - Half Size	\$2.50	price per plot
CAD Plots - Full Size	\$10.00	price per plot
CAD Plots - Large	\$25.00	price per plot
Copies (bw) 8.5" X 11"	\$0.09	price per copy
Copies (bw) 8.5" X 14"	\$0.14	price per copy
Copies (bw) 11" X 17"	\$0.20	price per copy
Copies (color) 8.5" X 11"	\$0.90	price per copy
Copies (color) 8.5" X 14"	\$1.20	price per copy
Copies (color) 11" X 17"	\$2.00	price per copy
Technology Charge	2.50%	% of Direct Labor
Mileage	\$0.585	price per mile (or Current IRS Rate)
Subconsultants	15%	Cost +
Outside Services	at cost	

Attachment: CPLL Design Information (1503 : Resolution Authorizing Exemption from Competitive Solicitation - RH2)



City of Central Point **Staff Report to Council**

ISSUE SUMMARY

TO:	City Council	DEPARTMENT: Public Works
FROM:	Matt Samitore, Parks and Public Works Director	
MEETING DATE:	January 27, 2022	
SUBJECT:	Ordinance No. _____, An Ordinance amending Central Point Municipal Code Chapter 13.20 in Part Regarding Backflow Prevention Devices	
ACTION REQUIRED:	Ordinance 2nd Reading	RECOMMENDATION: Approval

BACKGROUND INFORMATION:

The City of Central Point has a very successful backflow prevention program. Still, our water division has noticed some lesser quality devices being installed that do not protect the overall city water system over the past few years. Backflow Prevention Assemblies (BPA) are devices that are installed on homes with in-ground sprinkler systems. The device disallows water to back charge into the overall City water System.

In reviewing the ordinance, it was determined that some devices are not being installed correctly or are not good enough to protect the overall system. Therefore, staff suggests adding language that would restrict the type of devices installed in new construction and also adding additional language about homeowner responsibility and pre-existing assemblies.

FINANCIAL ANALYSIS:

The change will disallow the lowest cost backflow devices that range from \$100-\$175 currently. The most common and functional devices start at approximately \$250.00.

LEGAL ANALYSIS:

Legal counsel has reviewed the proposed ordinance modifications.

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

GOAL 5 - Plan, design, and construct modern and efficient infrastructure in all areas and systems

STRATEGY 1 – Continually update infrastructure plans.

STAFF RECOMMENDATION:

Staff recommends approval of the first reading of the ordinance.

RECOMMENDED MOTION:

Approve Ordinance No. _____, An Ordinance Amending Central Point Municipal Code Chapter 13.20 in Part Regarding Backflow Prevention Devices.

ATTACHMENTS:

1. Ord Amending 13.20 in part

ORDINANCE NO. _____

AN ORDINANCE AMENDING CENTRAL POINT MUNICIPAL CODE CHAPTER 13.20 IN PART REGARDING BACKFLOW PREVENTION DEVICES

Recitals:

- A. Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B. Upon review, the staff determined that amendment to Chapter 13.20 is advisable to correct the following deficiencies: the existing code allows for certain backflow devices that are no longer viable choices for adequate protection of the City Water System; and the current code does not adequately address homeowner responsibility for the backflow devices.
- C. Words ~~lined through~~ are to be deleted and words **in bold** are added.

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter 13.20 of the Central Point Municipal Code is amended in part as set forth below.

13.20.020 Definitions

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

“Approved backflow prevention assembly” or “backflow assembly” or “assembly” means an assembly to counteract backpressure or prevent backflow or back siphonage. This assembly must appear on the list of approved assemblies issued by the Oregon Health Division and be as specified in the city’s PWD standards. These assemblies include:

A. Air-Gap. A physical vertical separation between the free-flowing discharge end of a potable water supply piping and/or appurtenance and an open or nonpressure receiving vessel, plumbing fixture or other device. An “approved air-gap separation” shall be at least double the diameter of the supply pipe measured vertically above the overflow rim of the vessel, plumbing fixture or other device--in no case less than one inch.

B. Reduced Pressure Principle Backflow Prevention Assembly or Reduced Pressure Principle Assembly or RPBA Assembly or RP. An assembly containing two independently acting, approved check valves together with a hydraulically operated, mechanically independent pressure differential relief valve located between the check valves and at the

same time below the first check valve. The assembly shall include properly located test cocks and tightly closing shut-off valves at the inlet and outlet ends of the assembly.

C. Reduced Pressure Principle Detector Backflow Prevention Assembly or Reduced Pressure Detector or RPDA. An assembly composed of a line-size approved reduced pressure principle assembly with a bypass containing a specific water meter and an approved reduced pressure principle backflow prevention assembly. The meter shall register accurately in cubic feet or gallonage for very low rates of flow.

D. Double Check Valve Backflow Prevention Assembly DCVA or Double Check Valve Assembly or Double Check or DCA. An assembly which consists of two independently operating check valves which are spring-loaded or weighted. The assembly comes complete with a shut-off valve on each side of the check valves, as well as test cocks to test the check valves for tightness.

E. Double Check Detector Backflow Prevention Assembly or Double Check Detector Assembly or DCDA. An assembly composed of a line-size approved double check assembly with a bypass containing a specific water meter and an approved double check valve assembly. The meter shall register accurately in cubic feet or gallonage for very low rates of flow.

F. Pressure Vacuum Breaker Backflow Prevention Assembly PVBA or Pressure Vacuum Breaker or PVB. An assembly which provides protection against back siphonage, but does not provide adequate protection against backpressure backflow. The assembly is a combination of a single check valve with an air inlet valve, which can be used with downstream shut-off valves. In addition, the assembly has suction and discharge shut-off valves and test cocks which allows the full testing of the assembly. **PVBA or PVB are not allowed for new residential construction.**

“Auxiliary water supply” means any water source other than the city’s water system, including, but not limited to, domestic water wells and irrigation water sources.

“Backflow” means the flow in the direction opposite to the normal flow or the introduction of any foreign liquids, gases, or substances into the city’s water system.

“Backpressure” means any elevation of pressure in the downstream piping system above the supply pressure at the point of consideration which would cause, or tend to cause, a reversal of the normal direction of flow and the introduction of fluids, mixtures or substances from any source other than the intended source.

“Back siphonage” means the flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply system from any source other than its intended source caused by a sudden reduction of pressure in the potable water supply system.

“BPA” means any backflow prevention assembly approved by the city.

“City” means the city of Central Point, Oregon, or its designee.

“City water system” means the system for providing piped water for human consumption to the public (“potable”), owned and operated by the city.

“Contamination” means the entry or presence in a public water supply system of any substance which may be harmful to health or the quality of the water.

“Cross-connection” means any unprotected actual or potential (direct or indirect) connection or physical arrangement through which it is possible to introduce into any part of the drinking water system any liquid or substance other than the intended unused potable water, by backflow, backpressure, or back siphonage.

“Degree of hazard” means the low or high hazard classification that shall be attached to all actual or potential cross-connections.

A. High Hazard. The classification assigned to an actual or potential cross-connection where a substance which, if allowed to backflow into the city water system, could cause illness or death.

B. Low Hazard. The classification assigned to an actual or potential cross-connection that could allow a substance which, if allowed to backflow into the city water system, would be objectionable but not a hazard to human health.

“Mobile units” means any mobile equipment that uses water obtained through the city water system. Mobile units include, but are not limited to, carpet-cleaning vehicles or machines, water-hauling vehicles, street-cleaning vehicles or machines that use water, pressure washers, portable toilet-hauling and water-service vehicles, and septic tank-cleaning and hauling vehicles that use water.

“Point-of-use isolation” means the appropriate backflow prevention within the consumer’s water system at the point where the actual or potential cross-connection exists.

“Premises” means any property to which water service is provided, including but not limited to all residential, commercial, or industrial improvements; hospitals; clinics; parks; recreational sites; and any other land improvement that is served by the city water system.

“Premises isolation” means the appropriate backflow prevention assembly installed at the point of service connection between the city water system and the customer’s water system, or other approved installation point.

“Public works department (PWD)” means the department of the city responsible for operation and maintenance of the city water system.

“PWD standards” means the standard specifications and details of the city’s public works department.

“Representative of the city” means any person designated by the city to perform cross-connection control duties that shall include, but are not limited to, testing, cross-connection inspections and water-use surveys.

“Residential use” means and includes, but is not limited to, single-family or multifamily dwellings, manufactured housing, and apartments where the individual units are each on a separate meter; or where two or more units are served by one meter.

“Service connection” means the portion of the water system that conveys water from the distribution main to the outlet side of the city’s meter.

“Tester” means a person certified as an OHD backflow prevention assembly tester who is registered with and approved by the city to perform the required testing, maintenance, repair, and replacement of the assembly.

13.20.050 Installation Requirements.

The following minimum requirements shall apply to the installation of BPAs:

- A. A BPA installer must obtain the required plumbing permits and any other permit required by the city; be licensed by the state for the installation of BPAs; have a valid city business license; and have the installation inspected by the city.
- B. No part of a BPA shall be submerged in water or installed in a location subject to flooding, without the approval of the city public works department.
- C. All BPAs are required to have brass or plastic threaded pipe plugs installed in all test cocks. Galvanized plugs in test cocks are not allowed.
- D. BPAs which are installed to isolate premises from the city water system shall be installed on the downstream side of the meter at or near the property line, or be installed immediately inside the building being served; but in any case must be installed before the first branch line. BPAs that are installed or located within city’s rights-of-way are the responsibility of the property owner.
- E. All vertical installations of BPAs must be as expressly approved by the city.
- F. The BPA shall be installed in accordance with city PWD standards and the specifications, requirements, and recommendations of the BPA’s manufacturer.
- G. All BPAs shall be available for inspection, as a minimum, during the hours of eight a.m. to five p.m., Monday through Friday, or as otherwise required and approved by the city.

H. BPAs installed inside a building, five feet or more above the floor, shall be equipped with a rigid and permanently-installed platform with railing acceptable to the city. This installation shall also meet the requirements established by the U.S. Occupational Safety and Health Administration and the State of Oregon Occupational Safety and Health Codes.

I. All facilities that require continuous uninterrupted water service, and are required to have a BPA, shall make provisions for the parallel installation of BPAs so that testing, repair, maintenance, or replacement can be performed on one of the two BPAs, while still providing minimum flow requirements with only one of the two service lines in operation.

J. In the event a point-of-use BPA has not had the testing or repair work as required by this chapter, a premises isolation BPA or approved air-gap may be required.

K. Upon completion of any BPA installation, the city shall be notified by the property owner. The city will then conduct an inspection. If the installation is approved by the city, the property owner shall have the BPA tested by an authorized tester. Test results shall be provided by the property owner or tester to the city.

L. All BPAs must be registered with the city. Registration shall consist of address and physical location of BPA; date of installation; manufacturer's name, model, type, size, and serial number; and a copy of the initial test report.

M. Bypass lines (that are not an integral part of the BPA) are prohibited. Pipe fittings which could be used for connecting bypass lines shall not be installed.

N. BPA information nameplate and serial number must be attached to the BPA, be readily visible, and be designed to be permanent and resilient to environmental conditions.

O. Pressure vacuum breaker BPAs may be utilized only in single-zone irrigation systems.

P. BPAs shall be sized to provide an adequate supply of water and pressure for the premises being served. Consult manufacturer's specifications for specific performance data such as flow characteristics.

Q. New Residential Construction are not allowed to install a PVBA or a PVA backflow assembly.

Variances from these specifications will be evaluated by the city manager or his designee on a case-by-case basis. Any variances must have prior written approval by the city.

13.20.080 Existing Assemblies.

Backflow Prevention assemblies installed before the effective date of these Rules which were approved at the time they were installed but are not on the current list of approved assemblies maintained by the State of Oregon Department of Human Services, shall be permitted to remain in service provided they are property

maintained, are commensurate with the degree of hazard, tested at least annually, and perform satisfactorily. When assemblies of this type are moved, or require more than minimum maintenance, or are on services that are modified, changed in size or remodel, they shall be replaced with assemblies on the current State of Oregon Department of Human Services list of approved assemblies.

13.20.250 Property Owner Responsibility

A. It shall be the responsibility of the owner of the property served to provide and keep required backflow prevention assemblies in good working condition at all times. It shall also be the responsibility of the owner of the property at any premise where backflow prevention assemblies are installed to have all assemblies tested at least once a year by a certified backflow assembly tester approved by the City as a competent backflow assembly tester.

Backflow Prevention Assemblies shall be repaired, overhauled or replaced promptly at the expense of the owner of the property whenever they are found to be defective. Non-compliance may cause water service to be denied or discontinued.

SECTION 2. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Recitals A-C) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

SECTION 3. Effective Date. The Central Point City Charter states that an ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

PASSED by the Council and signed by me in authentication of its passage this ___ day of _____ 2022.

Mayor Hank Williams

ATTEST:

City Recorder

Attachment: Ord Amending 13.20 in part (2022-3 : Ordinance to amend section 13: Water)



City of Central Point **Staff Report to Council**

ISSUE SUMMARY

TO:	City Council	DEPARTMENT: City Attorney
FROM:	Sydnee Dreyer, City Attorney	
MEETING DATE:	January 27, 2022	
SUBJECT:	Ordinance No. _____, An Ordinance Amending in Part Central Point Municipal Code Chapters 5.34.010 and 5.34.020 Pawnbrokers and Secondhand Dealers	
ACTION REQUIRED:	Motion Ordinance 2nd Reading	RECOMMENDATION: Approval

BACKGROUND INFORMATION:

Currently the CPMC requires pawnbrokers and secondhand dealers to maintain a report of all property received on deposit, pledged or purchased and to submit that electronic report to the City. However, there is no requirement that said businesses photograph the property upon receipt. As a result, the Central Point Police Department has found that it can be difficult to track stolen property and to return it to its rightful owner.

Additionally, requiring a digital photo of property received could help discourage certain unethical business activities as it would deter the purchase of new products in original packaging which has been an issue with some businesses over the years.

The proposed revisions would require the addition of a digital photo at the time the property is received, and would require that a clear digital photograph be uploaded to the City's electronic pawn reporting system, which is already utilized by pawnbrokers and secondhand dealers, though excludes any property that is simply pledged as collateral for a loan.

FINANCIAL ANALYSIS:

N/A

LEGAL ANALYSIS:

The City Attorney has reviewed the proposed ordinance amendments.

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

City of Central Point 2040 Strategic Plan

Strategic Priority – Responsible Governance

GOAL 5 - Continue to develop and foster the city's community policing program.

STRATEGY 1 – Build relationships with the community through interactions with local agencies, stakeholders, and members of the public, creating partnerships and programs for reducing crime and disorder.

STAFF RECOMMENDATION:

Consider proposed amendment and 1) forward the ordinance to a second reading; or 2) make revisions and forward the ordinance to a second reading.

RECOMMENDED MOTION:

Approve Ordinance No. _____, An Ordinance Amending in Part the Central Point Municipal Code Chapters 5.34.010 and 5.34.020 Pawnbrokers and Second Hand Dealers.

ATTACHMENTS:

1. ORD Amending Ch 5.34 Pawnbrokers

ORDINANCE NO. _____
AN ORDINANCE AMENDING IN PART CENTRAL POINT MUNICIPAL CODE
CHAPTERS 5.34.010 AND 5.34.020 PAWNBROKERS AND SECONDHAND
DEALERS

RECITALS:

- A.** Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B.** Upon review, the Central Point Police Department has recommended a requirement that pawnbrokers and secondhand dealers be required to take digital photographs of all purchased property to assist in locating and recovering stolen property sold to such establishments and to deter the purchase of such property.
- C.** Words ~~lined through~~ are to be deleted and words **in bold** are added.

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter 5.34.010 is amended in part as set forth below and incorporated herein by reference.

As used in Sections [5.34.020](#) to [5.34.090](#) the following words have the following meanings:

- A.** “Pawnbroker” means a person engaged in conducting, managing, or carrying on the business of loaning money for himself or for any other person upon personal property, personal security, pawns or pledges, or the business of purchasing articles of personal property and reselling or agreeing to resell such articles to the vendors or their assigns at prices agreed upon at or before the time of such purchase.
- B.** “Pawnshop” means any room, store, or place in which a pawnbroker is engaged in, carries on, or conducts his business.
- C.** “Secondhand dealer” means a person who, as indicated by business dollar volume is primarily in, conducting, managing, or carrying on the business of buying, selling, or otherwise dealing in secondhand goods, wares, or merchandise.
- D.** “Weekday” means any day falling between Monday and Friday, inclusive.
- E.** **“Digital Photograph” means an image produced using a digital camera and stored as an electronic file.**

SECTION 2. Chapter 5.34.020 is amended in part as set forth below and incorporated herein by reference.

A. Every person engaged in the business of a pawnbroker or dealer in secondhand goods shall keep an electronic record utilizing the electronic reporting system in use by the city of all articles purchased or received. The record shall at all times during business hours be open to the inspection of the chief of police, his agents, or any other police officer of this state.

B. Except as provided in subsection C of this section, every **person involved in the business of a pawnbroker and secondhand dealer** shall utilize the city's electronic pawn reporting system to make an electronic report and the report shall be a full, true, and complete report of all goods, wares, merchandise, or things received on deposit, pledged or purchased. The report shall show the hour of the day when the article was received on deposit, pledged or purchased, and the number of the pawn ticket, amount loaned, amount purchased, a complete description of each article left on deposit, pledged or purchased, **the digital photograph of the item as described in subsection C below**, and the name and address of the person from whom the article was acquired. No item shall be received unless the person from whom the article is acquired exhibits a driver's license or state-issued ID card and the identifying number is recorded on the report. Each pawn ticket issued shall be numbered consecutively, and if stubs are used in connection with the pawn ticket, each stub shall be numbered consecutively to conform to the ticket. If any article so left on deposit, pledged or purchased has engraved thereon a number, word or initial, or contains settings of any kind, the description of the article in the report shall contain the number, word or initial, and shall show the kind of settings and the number of each kind. ~~The electronic pawn reporting system will provide for an upload of a complete electronic report described in this section. Each pawnbroker and secondhand dealer shall, at the end of each business day, provide an electronic upload to the pawn reporting system of all transactions that occurred during that business day.~~

C. In addition to the requirements of section B above, every person engaged in the business of a pawnbroker or dealer in secondhand dealer shall provide a clear digital photograph of all purchased property taken at the time of receipt of such property. The digital photograph shall be uploaded into the city's electronic pawn reporting system. This requirement does not apply to property pledged as collateral for a collateral loan made by a pawnbroker.

D. **The electronic pawn reporting system will provide for an upload of a complete electronic report described in this section. Each pawnbroker and secondhand dealer shall, at the end of each business day, provide an electronic upload to the pawn reporting system of all transactions that occurred during that business day**

E. No secondhand dealer shall be required to furnish a description of property purchased from manufacturers or wholesale dealers having an established place of business, or of a purchase or purchases in the open market or secured from a person

doing business, and having an established place of business in the city, but such goods shall be accompanied by a bill of sale or other evidence of legitimate purchase and must be shown to the chief of police, his agents, or any police officer of this state.

SECTION 3. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Recitals A-C) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

SECTION 4. Effective Date. The Central Point City Charter states that an ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

PASSED by the Council and signed by me in authentication of its passage this ____ day of _____, 2022.

Mayor Hank Williams

ATTEST:

City Recorder

Attachment: ORD Amending Ch 5.34 Pawnbrokers (2022-2 : Ordinance Amending CPMC Chapter 5.34 In Part)



City of Central Point **Staff Report to Council**

ISSUE SUMMARY

TO: City Council

DEPARTMENT:
City Attorney

FROM: Sydnee Dreyer, City Attorney

MEETING DATE: January 27, 2022

SUBJECT: Ordinance No. _____, An Ordinance Establishing a Franchise Agreement Between United States Cellular Operating Company of Medford for Use of the Public Right of Way Relating to Small Cell Wireless Facilities

ACTION REQUIRED:
Motion
Ordinance 2nd Reading

RECOMMENDATION:
Approval

BACKGROUND INFORMATION:

United States Cellular Operating Company of Medford (“USCC”) provides cellular service in the City. As part of its provision of cellular service, USCC plans to move forward in the near future with fifth generation (5G) wireless service, which requires the installation, operation and maintenance of small cell wireless facilities in the public ways of the City. Council is requested to consider approval of a non-exclusive franchise with USCC for small wireless facilities in the public right-of-way.

FINANCIAL ANALYSIS:

The franchisee would pay a \$500 one-time, non-recurring application fee for up to five small wireless facilities, with an additional \$100 non-recurring application fee for each facility beyond five, plus a \$1,000 non-recurring fee for a new pole (i.e., not a collocation). Franchisee would also pay \$270 per small wireless facility per year.

LEGAL ANALYSIS:

Small cell wireless facilities used to support the new 5G cellular data network are smaller, but more numerous than traditional wireless telecommunication towers. For this reason, small cell wireless facilities are oftentimes placed in the public right-of-way, frequently on existing poles in the right-of-way, instead of in a dedicated tower on a dedicated parcel of land.

The proposed franchise does not regulate the design of small cell facilities; rather this will be handled through uniform standards under the CPMC applicable to all small cell facilities, which will include provisions regarding aesthetics, collocation on existing poles and permissible locations.

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

City of Central Point 2040 Strategic Plan

Strategic Priority – Community Investment

GOAL 1 - Build a strong city that is fiscally sustainable and provides enhanced services and small-town nuance.

STRATEGY 3 – Partner with telecom and utility companies to offset infrastructure costs.

STAFF RECOMMENDATION:

Staff recommends forwarding the ordinance to second reading.

RECOMMENDED MOTION:

Move to approve Ordinance No. _____, An Ordinance Establishing a Franchise Agreement Between United States Cellular Operating Company of Medford for Use of the Public Right of Way Relating to Small Cell Wireless Facilities

ATTACHMENTS:

1. USCC and Central Point Franchise Agreement - Final 12.21.21

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A FRANCHISE AGREEMENT BETWEEN UNITED STATES CELLULAR OPERATING COMPANY OF MEDFORD FOR USE OF THE PUBLIC RIGHT OF WAY RELATING TO SMALL CELL WIRELESS FACILITIES

RECITALS:

- A. United States Cellular Operating Company of Medford (“USCC”) is a subsidiary of United States Cellular, Inc., a Delaware corporation, wireless cellular service coverage to the citizens of the City of Central Point, Oregon (the “City”), and other surrounding areas;
- B. Providing cellular service, particularly 5G wireless service, requires the installation, operation and maintenance of small cell wireless facilities to located within the public ways of the City;
- C. The City desires to set forth the terms and conditions by which United States Cellular Operation Company of Medford shall use the public ways of the City.

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

Section 1. As used in this ordinance, the following words and phrases shall mean:

City: The City of Central Point, Oregon.

City Manager: The City Manager or his or her designee.

Facilities: Antennas and any associated utility or equipment boxes, transmitters, receivers, radios, amplifiers, ancillary fiber-optic cables and wiring, and ancillary equipment for the transmission and reception of Grantee’s wireless communication signals for voice and other data transmission, including the means and devices used to attach such equipment to poles, peripherals, and wiring, cabling, and power feeds.

Grantee: USCC, its successors and assigns.

Public Way or Right of Way: Any highway, street, road, alley, public right-of-way or utility easement for public use under control of the City within the corporate limits of the City now existing and as annexed during the term of this Franchise.

Section 2. A reliable source for wireless communications services is in the public interest of the City and its inhabitants. Therefore, subject to the provisions and restrictions of this ordinance and the CPMC, the City grants to Grantee the non-exclusive privilege to locate, construct, install, replace, operate and maintain its Facilities over, in, on or under current or future Rights of Way within the City. This includes the privilege to construct new poles or collocate said Facilities within the Public Way or Right of Way on City owned property—such as light poles, utility poles, or

other City structures—or on private facilities under separate agreement, provided proper approval is received in advance.

Section 3. Except as provided in this section, Grantee’s Facilities shall be installed underground except along those routes existing at the time of enactment of this ordinance or where infeasible and except to the extent that Grantee’s Facilities must remain above-ground to operate. The City must process all applications on a nondiscriminatory basis and may deny an application subject to this Chapter if the proposed small wireless facility or new, modified, or replaced pole: (1) Materially and demonstrably interferes with the safe operation of traffic control equipment; (2) Materially and demonstrably interferes with sight lines or clear zones for transportation or pedestrians; (3) Materially fails to comply with the Americans with Disabilities Act or similar federal, state, or local laws, standards and regulations regarding pedestrian access or movement; (4) Fails to comply with applicable codes, standards and regulations, including the City’s design standards; or (5) Fails to comply with the provisions in the City of Central Point Municipal Code. It shall be lawful for Grantee to make all necessary excavations in any public way for the purpose of locating, constructing, operating and maintaining its facilities. Grantee's use of the Public Way and all construction by Grantee shall comply with the standard specifications and special provisions of the City and all other applicable Federal, State and local laws and regulations, and Grantee and the City shall comply with the applicable requirements of the Oregon Utility Notification Law, ORS Chapter 757 (2013), and the related rules and administrative regulations promulgated thereunder in OAR Chapter 952. No work affecting the Public Way shall be done by the Grantee without first obtaining the permits required by the City, which may include plan submittal and approval before work begins. During the approval process, Grantee shall bear the burden of proof regarding the infeasibility of installing facilities underground along new routes when requesting customary above-ground Facilities; under such circumstances, the City and Grantee will work together in good faith to reach a mutually agreeable solution consistent with this Section 3.

Section 4. New plans will be furnished promptly for any additions or modifications. Plans for Facilities already existing on the effective date of this Franchise that Grantee has not already provided to the City under previous agreement or ordinance shall be furnished to City within 60 days after the effective date of this Franchise.

Section 5. Nothing in this Ordinance shall be construed in any way to prevent the City from constructing and maintaining any public improvement in any Public Way. In its construction and maintenance of public improvements, the City shall endeavor not to obstruct or prevent the free use by Grantee of its Facilities; however, the City’s rights shall be paramount, subject to applicable state and federal law.

Section 6. The City shall have the right to require Grantee to change the location of any Facility within the Public Way when the City determines that a necessary public improvement project requires such change, and the expense thereof shall be paid by Grantee, provided the City’s request is (a) not unreasonable or discriminatory in nature, (b) is consistent with a lawful exercise of the City’s police power, and (c) subject to applicable state and federal law.

-2-Ordinance No. _____

If the City requires Grantee to relocate its Facilities located within the City, the City will make a reasonable effort to provide Grantee with an alternate location for its Facilities within the Public Way. City shall give Grantee written notice to relocate its Facilities at least 120 days prior to the date established by the City as the deadline for relocation. Within 30 days receipt of such notice, Grantee shall do any necessary field investigation and furnish the City with a plan showing the exact location of all of Grantee's Facilities in the construction area and showing necessary adjustments and reasonable time requirements. Thereafter, the City will furnish Grantee with final improvement plans and a schedule which allows Grantee a reasonable time to complete the relocation of its Facilities.

Should Grantee, due to its negligence, fail to relocate any such Facilities by the date established by the above-referenced final improvement plans and schedule, the City may effect such relocation at its own risk. The work shall be done by a qualified contractor. The reasonable and verifiable expense thereof shall be paid by Grantee. Grantee shall pay the City's charges for such work within 30 days after receipt of City's statement of charges, subject to Grantee's rights to pursue legal and equitable remedies.

Section 7. Should it ever become necessary to temporarily rearrange or temporarily relocate Grantee's Facilities at the request of a private person or business, as a condition of City permit requirements or other City-required reasons, Grantee shall perform such temporary rearrangement or relocation as expeditiously as possible upon receipt of reasonable written notice from the person or business desiring the temporary change of the Facilities if such notice meets all of the following requirements:

- (a) approved by the City Manager in writing,
- (b) provides all necessary information about the project,
- (c) provides that the costs incurred by Grantee in making the change be borne by the person or business giving said notice,
- (d) provides that the person or business giving notice shall indemnify and hold harmless the Grantee and City of and from any and all damages or claims of whatsoever kind or nature caused directly or indirectly from such change of Grantee's Facilities, and
- (e) accompanied by a cash deposit or a good and sufficient bond to pay any and all of the Grantee's estimated costs as estimated by Grantee, unless Grantee provides written confirmation that it waives such requirement.

Section 8. Grantee shall at all times maintain all of its Facilities in a good state of repair. Any damage to the Public Way caused by Grantee shall be promptly repaired by Grantee at no cost to the City. Grantee shall have a local representative available at all times through the local utility coordinating notification center, whether it be the Rogue Basin Utilities Coordinating Council, the Oregon Utility Notification Center, or any such successor authority, to locate Grantee's facilities for persons who need to excavate in the Public Way. Should Grantee fail to maintain or repair any such Facilities by the date established by the City, the City may affect such repair at its own risk,

-3-Ordinance No. _____

and the reasonable and verifiable expense thereof shall be paid by Grantee within thirty (30) days after receipt of an invoice therefor. Procedures and costs shall be as in Section 6 above.

Section 9. Grantee shall indemnify and hold harmless the City from any and all damages of any kind or character to the extent caused by the location, installation, operation and maintenance of the Grantee's Facilities in the City by Grantee or its contractors, except to the extent caused by the City's or a third party's negligence, recklessness or willful misconduct. Grantee or City shall promptly advise the other in writing of any known claim or demand against Grantee or the City related to or arising out of Grantee's activities in the Public Way.

Section 10. The Federal Communications Commission issued an order, *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, Declaratory Ruling and Third Report and Order* (September 26, 2018) (the "FCC Order") that limits the charges a local government can impose on small cell wireless facilities ("SWF") within the Right of Way. As Grantee's Facilities within the Right of Way will be SWF, pursuant to the FCC Order, as to any SWF installed or operated under this Franchise, Grantee shall pay to City a fee of \$270 per year for each SWF in City Rights-of-Way (the "Franchise Fee"). In addition to the Franchise Fee, Grantee shall pay a non-recurring application fee of \$500 for up to five SWFs, and an additional \$100 for each application for a SWF beyond five. In the event that a new pole is required, Grantee shall pay an application fee of \$1,000 for such installation.

The Franchise Fee shall be due and payable beginning on the first day of the month following the installation of the SWF, and thereafter on January 1 of each year. For any partial year in which the payment of the Franchise Fee commences, such fee will be prorated for the remainder of the calendar year.

The Franchise Fee shall not be in addition to any other special license, occupation, franchise or excise taxes or charges which might otherwise be levied or collected by the City from Grantee with respect to Grantee's wireless communications business or the exercise of this Franchise within the corporate limits of the City, and the amount due to the City under any other special license, occupation, franchise or excise taxes or other charges for corresponding periods shall be reduced by deducting therefore the amount of said Franchise Fee paid hereunder. A deductible "special" tax or charge is one that is levied only on Grantee or only on utility companies.

Grantee shall not deduct any general business taxes or general sales taxes levied or collected by the City. Grantee shall not deduct charges and penalties imposed by the City for noncompliance with charter provisions, ordinances, resolutions or permit conditions from the Franchise Fee payment required by this section. This provision does not exempt the property of Grantee from lawful ad valorem taxes, local improvement district assessments, or conditions, exactions, fees and charges that are generally applicable during Grantee's real property development or use outside of the right-of-way or use as required by City ordinances. Except as required by the City's moratorium on pavement cuts, Grantee shall not be required to pay any permit fees or similar charges for street opening, installations, construction and the like.

Payment not received within thirty (30) days from the due date shall be assessed interest at the rate

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Attachment: USCC and Central Point Franchise Agreement - Final 12.21.21 (2022-1 : Ordinance Establishing U.S. Cellular Franchise Agreement)

of five percent (5%) of the annual Franchise Fee. Except as otherwise required or allowed by law or rule, no portion of the Franchise Fee shall be noted separately on any bill to any customer or user of services or commodities furnished by Grantee.

Section 11. Payment of the Franchise Fee shall not exempt Grantee from the payment of any other license fee, tax or charge on the business, occupation, property or income of Grantees that may be imposed by the City, except as may otherwise be provided in the ordinance or ordinances imposing such other license fee, tax or charge, and subject to applicable state and federal law.

Section 12. This Franchise shall commence on the date of full execution and shall continue to be in force for a period of 10 years. At least 120 days prior to the expiration of this Franchise, USCC and the City shall agree to either extend the term of this Franchise for a mutually acceptable period of time or the parties shall use best faith efforts to renegotiate a replacement Franchise.

This Franchise may also be terminated at any time upon 45 days written notice for failure to pay the Franchise Fee pursuant to Section 10 of this ordinance or comply with other material provisions of this Franchise or the CPMC unless such failure is remedied within the 45-day period. Grantee may terminate this Franchise at any time for convenience provided it gives at least 45 days written notice prior to the termination date.

If the City elects to adopt a new right-of-way ordinance that regulates and sets fees for the use of the Right of Way by wireless communications carriers for the same purpose as set forth herein (“New Ordinance”), provided such New Ordinance is in compliance with state and federal laws, this Franchise will terminate on January 1 of the first calendar year following the effective date of that ordinance. Thereafter, Licensee’s use of the Right of Way will be governed by the New Ordinance. The City will engage Licensee in the discussion and review of the New Ordinance and allow Licensee the opportunity to provide comment. The City’s agreement to engage Licensee in establishing the New Ordinance is a material inducement to Licensee agreeing to the termination right set forth herein.

Otherwise, if a New Ordinance is not established or the New Ordinance is not in full compliance with state and federal law, this Franchise shall remain in effect.

If USCC contends that the New Ordinance is in violation of state or federal law, USCC must give City written notice of the dispute. Such notice will result in this Franchise Agreement remaining in effect for USCC for an additional 120 days, instead of the New Ordinance going into effect as scheduled. It is contemplated that during that window, the parties shall attempt negotiation, mediation, or other alternative dispute resolution; and/or USCC may approach the Jackson County Circuit Court for the State of Oregon, or the United States District Court for the District of Oregon, seeking a preliminary injunction or other judicial intervention. Those two courts shall be the exclusive venue for litigating whether the New Ordinance is in violation of state or federal law.

Section 13. This Franchise is not transferable. Nothing herein shall be interpreted to limit Grantee’s rights to use contractors, nor its right or responsibility, as applicable, to allow other

-5-Ordinance No. _____

entities to use portions of its wireless communication system; in such instances, neither notice to nor consent from the City shall be required.

Notwithstanding anything to the contrary within the terms of this Franchise, Grantee shall have the right to assign its rights and interest under the Franchise to its subsidiaries, affiliates or successor legal entities, to the subsidiaries or affiliates of Grantee, or to any entity which acquires all or substantially all of Grantee’s wireless communications assets in the market defined by the Federal Communications System in which the City is located, without notice or consent.

Section 14. The City Manager is authorized to act for the City in all matters pertaining to this Franchise. Grantee may appeal any action of the City Manager to the City Council by giving written notice thereof within twenty-one (21) days after Grantee was notified of such action. The City Council will hear the appeal and render a final decision within thirty (30) days after the notice of appeal is given.

Section 15. Whenever any notice is to be given pursuant to this ordinance, it shall be effective on the date it is sent in writing by registered or certified mail, addressed as follows:

To the City: City Manager
City of Central Point
140 South 3rd Street
Central Point, OR 97502

To Grantee: United States Cellular Operating Company of Medford
Attention: Real Estate Lease Administration
8410 W. Bryn Mawr Avenue
Chicago, Illinois 60631

Copy to:

USCC Services, LLC
Attention: Real Estate Lease Administration
8410 W. Bryn Mawr Avenue
Chicago, Illinois 60631

Notice of change of address may be given in the same manner as any other notice.

Section 16. This Franchise supersedes all prior franchises between City and Grantee, if any.

Section 17. Proprietary information as identified and provided by the Grantee to the City under this Ordinance is entitled to protection as trade secrets and shall be governed by confidentiality procedures pursuant to ORS 192.501, ORS 192.502 and under any other applicable State or Federal laws.

-6-Ordinance No. _____

Attachment: USCC and Central Point Franchise Agreement - Final 12.21.21 (2022-1 : Ordinance Establishing U.S. Cellular Franchise Agreement)

Section 18. This ordinance shall be governed by Oregon law. Nothing in this Ordinance is intended to be inconsistent with the State or Federal Law and further neither the City nor Grantee waives any rights granted under State or Federal Law by agreeing to this Ordinance. If any clause, sentence, or section of this Ordinance, or any portion thereof, shall be held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder, as a whole or any part thereof, other than the part declared invalid.

PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2022 (the “Effective Date”).

ATTEST: _____
City Recorder

Mayor

APPROVED: _____, 2022.

Mayor

-7-Ordinance No. _____

Attachment: USCC and Central Point Franchise Agreement - Final 12.21.21 (2022-1 : Ordinance Establishing U.S. Cellular Franchise Agreement)



City of Central Point **Staff Report to Council**

ISSUE SUMMARY

TO:	City Council	DEPARTMENT:	Community Development
FROM:	Stephanie Holtey, Planning Director		
MEETING DATE:	January 27, 2022		
SUBJECT:	Public Hearing and First Reading - An Ordinance Amending the Transportation System Plan (TSP) of the Central Point Comprehensive Plan to Add Road Diet Improvements to Project No. 230		
ACTION REQUIRED:	Public Hearing Ordinance 1st Reading	RECOMMENDATION:	Approval

BACKGROUND INFORMATION:

On January 11, 2022, the Planning Commission unanimously approved Resolution No. 892 recommending the City Council approve a Major Amendment to the Transportation System Plan (TSP), to add road diet improvements to Project No. 230. As currently written, Project No. 230 is to install a traffic signal at the intersection of Scenic Avenue and Highway 99 *when warrants are met*. The project is identified in the TSP to address safety issues at the intersection. A traffic report performed by the Oregon Department of Transportation (ODOT) documented 36 accidents over a 10-year period that resulted in serious injuries and one (1) fatality. The traffic analysis shows that the current five (5) lane road configuration does not meet warrants and that adding road improvements reconfiguring Highway 99 to three (3) lanes allows signal warrants to be met as needed for the project to proceed.

During deliberations, the Planning Commission discussed concerns associated with potential impacts of the road diet on emergency evacuations and future traffic volume increases. These concerns were addressed in the Staff Report dated January 11, 2022 and during the meeting. The Planning Commission's recommendation reflects resolution of the issues and is based on the documented need to address unsafe conditions at the intersection and findings of fact and conclusions of law that demonstrate the proposed amendment is consistent with applicable state and local criteria.

At the January 27, 2022 City Council meeting staff will present the proposed amendment for public hearing and first reading of the ordinance approving the amendment.

FINANCIAL ANALYSIS:

There is no cost for the proposed amendment other than in-kind staff expenses associated with processing the application. It is important to note, however, that approval of the proposed amendment will allow ODOT to apply grant funds authorized through the All Roads Transportation Safety (ARTS) Program to construct Project No. 230 improvements. The total project cost is \$3M and the City, per a revised Intergovernmental Agreement, is contributing

\$650K. The City was previously obligated to fund the project in its entirety as a condition for opening a new railroad crossing in Twin Creeks. Approval of the proposed TSP Amendment will allow grant fund disbursement allowing the City meet its obligation for the Twin Creeks Rail Crossing at significant cost savings.

LEGAL ANALYSIS:

The proposed Comprehensive Plan Amendment to the TSP is subject to the approval criteria in CPMC 17.96.500 for Major Amendments. To approve a Major Amendment, the City Council must find that it is consistent with applicable Statewide Planning Goals, the City of Central Point Comprehensive Plan and the State Transportation Planning Rule. As demonstrated in the Findings of Fact and Conclusions of Law, the proposed amendment is consistent with the applicable state and local criteria.

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

The proposed TSP Amendment is consistent with the following goals and strategies in the 2040 Strategic Plan:

- Community Investment, Goal 5 - Plan, design and construct modern and efficient infrastructure in all areas and systems.

The current configuration at the intersection of Highway 99 and Scenic Avenue is skewed and has not been upgraded to urban standards. The proposed urban upgrade improvements are generally consistent with Goal 5 and specifically Strategy 3, which has to do with seeking partnerships with the County and ODOT to eliminate infrastructure deficiencies and build for the future. This proposed amendment will allow the City to capitalize on partnerships with ODOT and the County to fund needed improvements to the intersection.

- Responsible Governance, Goal 1 – Maintain a strong financial position that balances the need for adequate service levels and capital requirements against the affordability that is desired by our citizens.

Strategies 2 and 3 address working with and soliciting support from partnering agencies for the purpose of maximizing efficiency and maintaining a robust financial position. The proposed amendment supports the City's ability to partner with ODOT and the County to design and build improvements that maximize cost savings to City will providing improvements needed to minimize traffic and hazards and provide connectivity for vehicle, bicycle, pedestrian and railroad transportation modes.

- Vibrant Economy, Goal 1. Manage growth to provide a timely and orderly provision of facilities and services.

This goal recognizes the connection between transportation, land use and the City's ability to support a vibrant economy. The proposed amendment will allow an identified and needed project in the TSP to be built for the benefit of existing and new development within the City's UGB.

STAFF RECOMMENDATION:

Consider the first reading of the Ordinance Approving a Major Amendment to the Comprehensive Plan Adding Road Diet Improvements to Project No. 230 in the Transportation System Plan and forward it to a second reading without changes.

RECOMMENDED MOTION:

I move to forward the Ordinance Approving a Major Amendment to the Comprehensive Plan Adding Road Diet Improvements to Project No. 230 in the Transportation System Plan and forward it to a second reading without changes.

ATTACHMENTS:

1. TSP Amendment Ordinance (First Reading)
2. Exhibit 1 to CC Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE TRANSPORTATION SYSTEM PLAN (TSP) OF THE CENTRAL POINT COMPREHENSIVE PLAN TO ADD ROAD DIET IMPROVEMENTS TO PROJECT NO. 230.

Recitals:

- A. Words ~~lined through~~ are to be deleted and words **in bold** are added.
- B. The City of Central Point (City) is authorized under Oregon Revised Statute (ORS) Chapter 197 to prepare, adopt and revise comprehensive plans and implementing ordinances consistent with the Statewide Land Use Planning Goals.
- C. The City has coordinated its planning efforts with the State in accordance with ORS 197.040(2)(e) and OAR 660-030-0060 to assure compliance with goals and compatibility with City Comprehensive Plans.
- D. Pursuant to the requirements set forth in CPMC Chapter 17.96.100 Comprehensive Plan and Urban Growth Boundary Amendments – Purpose and Chapter 17.05.500, Type IV Review Procedures, the City has initiated an application and conducted the following duly advertised public hearings to consider the proposed amendment:
 - a) Planning Commission hearing on January 11, 2022
 - b) City Council hearing on January 27, 2022.

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

Section 1. Amendments to TSP Chapter 7 – Street System, 2008-2030 to read:

Table 7.4 Transportation Projects, 2008-2030

Ref. No.	Project Location	Improv. Category	Project Description
230	Hwy. 99 & Scenic Av. Intersection	major	Install a traffic signal when signal warrants are met and reconfigure from 5 to 3 lanes from MP 1.95 to the Exit 35 Interchange at MP 0.35.

Section 2. Amendments to TSP Chapter 12 – Transportation System Financing Program to read:

Table 12.5. Tier 1 – Long Term Projects

Ref. No.	Project Location	Improv. Category	Project Description
230	Hwy. 99 & Scenic Av. Intersection	major	Install a traffic signal when signal warrants are met and reconfigure from 5 to 3 lanes from MP 1.95 to the Exit 35 Interchange at MP 0.35.

Section 3. Evidence. Based on all the information received, the City Council adopts Planning Commission Resolution No. 892 and its attachments (Exhibit 1) as evidence that justifies adoption of the TSP Amendment as set forth in Sections 1 and 2 of this Ordinance.

Section 4. The City Manager is directed to conduct post acknowledgement procedures defined in ORS 197.610 et seq. upon adoption of the TSP Amendment.

Section 5. Effective Date. The Central Point City Charter states that an ordinance enacted by the council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

Passed by the Council and signed by me in authentication of its passage this _____ day of _____, 20____.

Mayor Hank Williams

ATTEST:

City Recorder

PLANNING COMMISSION RESOLUTION NO. 892

A RESOLUTION OF THE PLANNING COMMISSION FORWARDING A FAVORABLE RECOMMENDATION TO THE CITY COUNCIL TO AMEND THE COMPREHENSIVE PLAN TO ADD ROAD DIET IMPROVEMENTS TO PROJECT NO. 230 IN THE TRANSPORTATION SYSTEM PLAN

(File No: CPA-20001)

WHEREAS, on January 11, 2022 the City of Central Point Planning Commission held a duly-noticed public hearing, reviewed staff reports, findings of fact and heard public testimony on a Major Revision to the Central Point Comprehensive Plan, Transportation System Plan; and

WHEREAS, the Planning Commissions determined that the revisions as proposed were in the public interest and that the general welfare of the public will benefit by the proposed revisions to improve safety at the Highway 99/Scenic Avenue intersection; and

WHEREAS, after reviewing the requested proposal and considering public testimony it is the determination of the Central Point Planning Commission that the proposed amendment as set forth in attached Exhibit "A" dated January 11, 2022 are adjustments that do not alter, or otherwise modify the uses and character of development and land use within the City of Central Point, and is therefore determined to be consistent with all of the goals, objectives, and policies of the City's Comprehensive Plan and State Planning Goals.

NOW, THEREFORE, BE IT RESOLVED that the City of Central Point Planning Commission by Resolution No. 892 does hereby accept, and forward to the City Council a recommendation that the City Council favorably consider amending the City of Central Point Comprehensive Plan, Transportation System Plan (TSP) as set forth in the attached Exhibit "A" including Attachments "A" through "E" provided therein.

PASSED by the Planning Commission and signed by me in authentication of its passage this 11th day of January, 2022.

[Signature]
Planning Commission Chair

ATTEST:

[Signature]
City Representative

Approved by me this 11th day of January, 2022.

[Signature]
Planning Commission Chair

Attachment: Exhibit 1 to CC Ordinance (1500 : Transportation System Plan Amendment (Project No. 230 - Scenic Ave/Hwy 99))



Staff Report

Transportation System Plan (TSP) Amendment (Project No. 230)
File No. CPA-20001

January 11, 2022

Item Summary

Consideration of a Comprehensive Plan Text Amendment to the Transportation System Plan (TSP) concerning improvements at and around Scenic Avenue and Highway 99 (Project No. 230). Applicant: City of Central Point.

Staff Source

Stephanie Holtey, Planning Director

Background

The Oregon Department of Transportation applied and received funding through the All Road Transportation Safety (ARTS) Program to signalize the intersection at Highway 99 and Scenic Avenue and apply a road diet (i.e. 5 lanes to 3 lanes with a center turn lane from the Exit 35 interchange (MP 0.35) to MP 1.95 just south of Brookhaven Drive) (Attachment "A" and "C"). This project addresses known traffic safety issues by reducing the number and severity of traffic accidents at this location (Attachment "B"). The project is consistent with the City of Central Point TSP Project No. 230 with the exception of the road diet improvements. Based on current volumes and the five (5) lane configuration on Highway 99, signal warrants are not met. Adding the road diet will allow signal warrants to be met as needed for the project to proceed. At the request of ODOT, staff introduced a proposed revision to the TSP at the October 5th Planning Commission meeting to add the road diet to Project No. 230. After asking questions and expressing some concerns, the Planning Commission directed staff to schedule a public hearing to consider the proposed TSP Amendment.

At the January 11, 2022 Planning Commission meeting staff will present the proposed amendment to the TSP for a public hearing. The proposed revision is a Major Revision to the Central Point Comprehensive Plan. At the conclusion of the public hearing, the Planning Commission will consider the revision relative to the approval criteria in CPMC 17.96.500 and make a recommendation to the City Council for final decision.

Issues

At the October 5, 2021 Planning Commission meeting there was discussion and some concern that applying a road diet would worsen the ability of residents to evacuate the city in the event of wildfire. There were also concerns relating to heavy traffic volumes on Highway 99, particularly related to incoming traffic from Highway 62. Provided below is information related to the issues of evacuation safety and traffic volume on Highway 99.

Evacuation: The proposed TSP Amendment adding a road diet will reduce the number of lanes in the city limits but not the pavement width. Based on consultation with Public Works, the full pavement width can be used during times of emergency to evacuate residents if necessary. The City is in the process of updating its TSP. As part of that planning effort, the consultant will be looking at transportation needs and mitigation measures during times of emergency to look at community concerns related to wildfire evacuations. In the meantime, the City has created Neighborhood Evacuation Zones to phase evacuations based on location to minimize congestion and facilitate more orderly traffic movements during emergencies.

Traffic Volume: ODOT prepared a Traffic Report that looks that traffic volumes on Highway 99 now and in 2040 (Attachment "D"). The report found that there are 6,800 Average Daily Trips currently with 18.5% being heavy vehicle traffic. In 2040 this is forecast to increase to 8,870 Average Daily Trips. This is much less than other arterials in the City. Public Works reported that Pine Street has 21,000; Beall Lane has 15,000 and Twin Creeks Crossing has 5,000 Average Daily Trips. Based on this data, the impacts from traffic volume are not likely to negatively impact this transportation facility in the next 20-years. However, if the conditions change, the Highway 99 can be reconfigured back to five (5) lanes.

Findings of Fact & Conclusions of Law

The Major Comprehensive Plan Amendment to the TSP has been evaluated against the applicable criteria set forth in CPMC 17.96 and found to comply as evidenced in the Planning Department Findings of Fact and Conclusions of Law (Attachments "D").

Attachments

- Attachment "A" – Proposed TSP Amendment (Tables 7.4 and 12.5)
- Attachment "B" – Project Location Map
- Attachment "C" – Proposed Project Plans (Sheets A01, QB01-QB10)
- Attachment "D" – ODOT Traffic Report
- Attachment "E" – Planning Department Findings of Fact and Conclusions of Law
- Attachment "F" – Draft Planning Commission Resolution No. 892

Action

Consider the proposed Major Comprehensive Plan Amendment to the TSP and 1) approve; 2) approve with revisions; or 3) deny the application.

Recommendation

Approve Resolution No. 892 recommending the City Council approve the TSP Amendment without revisions per the Staff Report dated January 11, 2022 including all attachments.

ATTACHMENT "A" – Proposed Transportation System Plan Revisions

Table 7.4, Transportation Projects, 2008-2030

Ref. No.	Project Location	Improv. Category	Project Description	Vehicle	Bicycle	Pedestrian	Transit	Freight	Access	Economic	Safety	Operations	Truck Traffic	Urban Upgrade	Year	ODOT	County	Central Point	Medford	Other
230	Hwy. 99 & Scenic Av. Intersection	major	Install a traffic signal when signal warrants are met and reconfigure from 5 to 3 lanes from MP 1.95 to the Exit 35 Interchange at MP 0.35.	•	•	•					√			√	2012	♦	♦	♦		

Table 12.5, Tier 1 – Long Term Projects

Ref. No.	Project Location	Improv. Category	Project Description	Vehicle	Bicycle	Pedestrian	Transit	Freight	Access	Economic	Safety	Operations	Truck Traffic	Urban Upgrade	Tier	ODOT	County	Central Point	Medford	Other	Total Project Cost
230	Hwy. 99 & Scenic Av. Intersection	major	Install a traffic signal when signal warrants are met and reconfigure from 5 to 3 lanes from MP 1.95 to the Exit 35 Interchange at MP 0.35.	■	■	■					√			√	Tier 1, Long	♦	♦	♦			\$2,737,300



Attachment: Exhibit 1 to CC Ordinance (1500 : Transportation System Plan Amendment (Project No. 230 - Scenic Ave/Hwy 99))



TSP Amendment: Project No. 230 (Highway 99/Scenic Avenue)

ATTACHMENT "B"

Project Location Map (Approximate)
CPA-20001

ATTACHMENT "C"

STATE OF OREGON
DEPARTMENT OF TRANSPORTATION
 PLANS FOR PROPOSED PROJECT
GRADING, PAVING, CURB RAMPS, SIGNING & SIGNALS
OR99: I-5 TO SCENIC AVE SECTION
ROGUE VALLEY HIGHWAY
 JACKSON COUNTY
 SEPTEMBER 2022

INDEX OF SHEETS	
SHEET NO.	DESCRIPTION
A01	Title Sheet
A02	Index Of Sheets Cont. & Std. Day: Nos.

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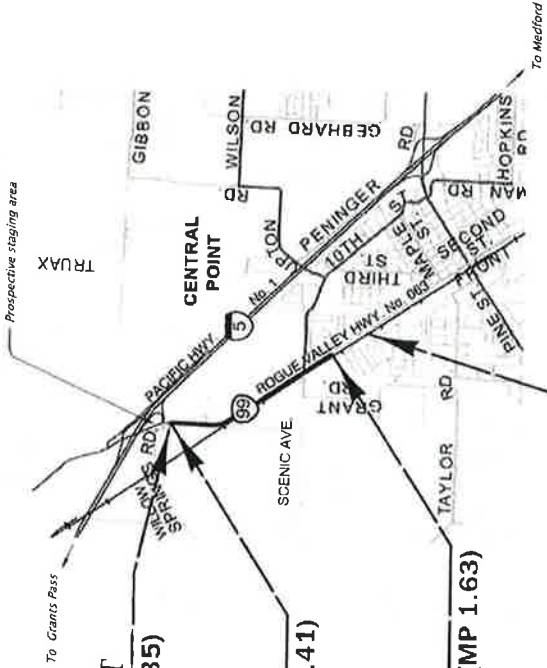


Overall Length Of Project - 1.54 Miles

ATTENTION:
 Oregon Law Requires That All Plans Adopted
 By The Oregon Utility Notification Center
 Through OAR 552-001-0100.
 You May Obtain The "Call Before You Dig"
 The Center Those Plans For The "Call Before"
 The Oregon Utility Notification Center is
 (503) 232-1987.

LET'S ALL
 WORK TOGETHER
 TO MAKE THIS
 JOB SAFE

**PRELIMINARY COPY
 INFORMATION ONLY**



T. 36 S., R. 2 W., W.M.
 T. 37 S., R. 2 W., W.M.



BEGINNING OF CONTRACT
STA. "99 RW" 457+88.19 (MP 0.35)

BEGINNING OF PROJECT
STA. "99 RW" 460+95.94 (MP 0.41)

END OF PROJECT
STA. "99 RW" 526+12.43 (MP 1.63)

END OF CONTRACT
STA. "99 RW" 542+87.69 (MP 1.95)

OREGON TRANSPORTATION COMMISSION
 CHAIR: Robert Van Brocklin
 COMMISSIONER: John B. Smith
 COMMISSIONER: Susan Smith
 COMMISSIONER: Victoria W. Sirender
 DIRECTOR OF TRANSPORTATION: Victoria W. Sirender
 These plans were developed using ODOT design standards
 and approved by the ODOT Chief Engineer or their delegate
 authority.

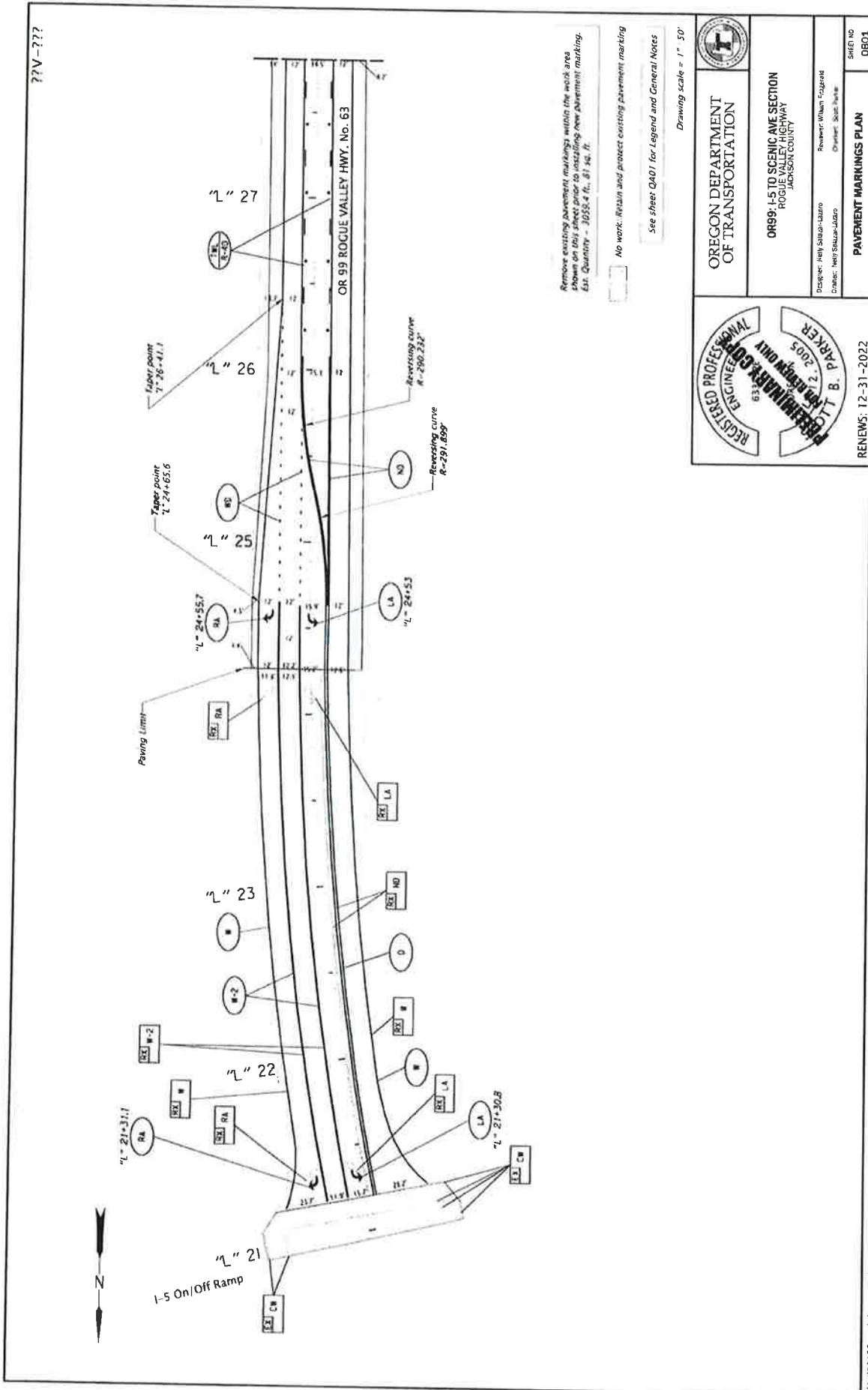
Approving Authority: _____
 Signature & date
 Mark Thompson, Reg. J. Tech. Cr. Manager
 Print name and title

Concurrence by ODOT Chief Engineer: _____

OR99: I-5 TO SCENIC AVE SECTION ROGUE VALLEY HIGHWAY JACKSON COUNTY	
FEDERAL HIGHWAY ADMINISTRATION	PROJECT NUMBER
OREGON DIVISION	K20385
SHEET NO.	A01

FINAL ELECTRONIC DOCUMENT
 AVAILABLE UPON REQUEST
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See sheet Q401 for Legend and General Notes

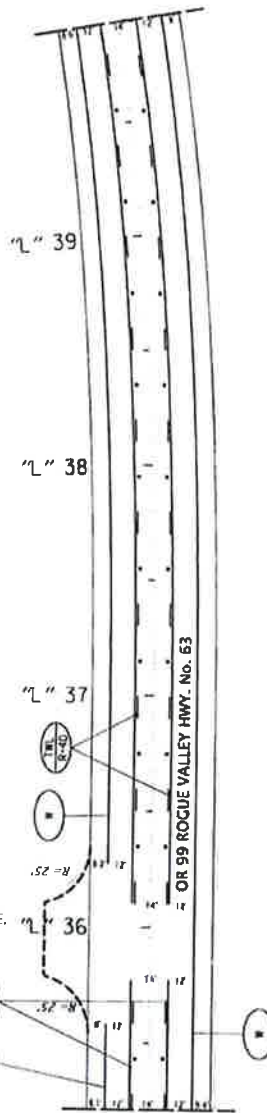
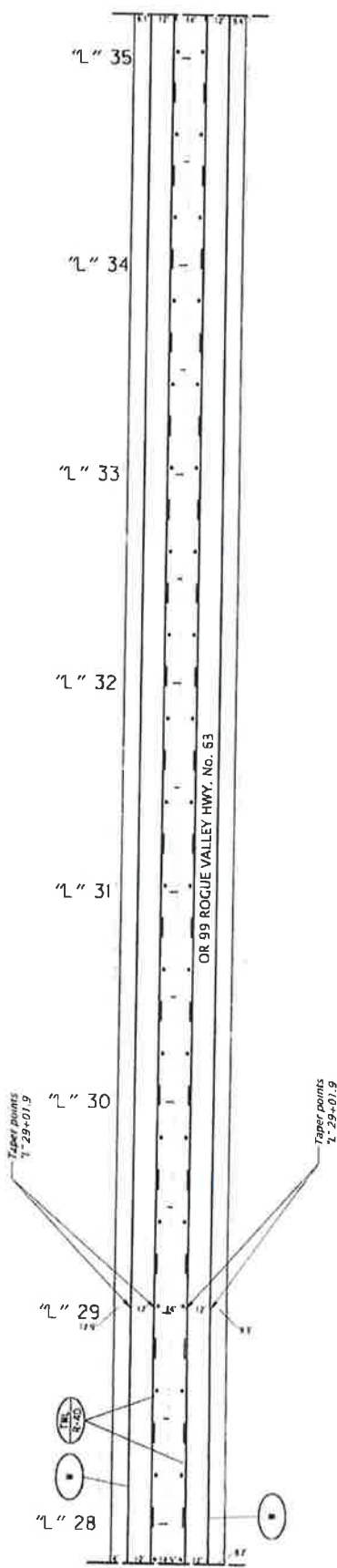
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<p>OREGON DEPARTMENT OF TRANSPORTATION</p>	<p>OR99: I-5 TO SCENIC AVE SECTION ROGUE VALLEY HIGHWAY JACKSON COUNTY</p>	<p>Designer: Amy Salomon-Laurio Checker: Scott Taylor</p>	<p>SHEET NO Q801</p>
		<p>REVIEWER: William Fitzgerald</p>	<p>PAVEMENT MARKINGS PLAN</p>

REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. 1187
 B. PARKER
 9/2/2005
 603 EAST BROADWAY
 PORTLAND, OREGON 97232
 REVISIONS: 12-31-2022
 T.M. ELECTRONIC DRAWING & PLOTTING

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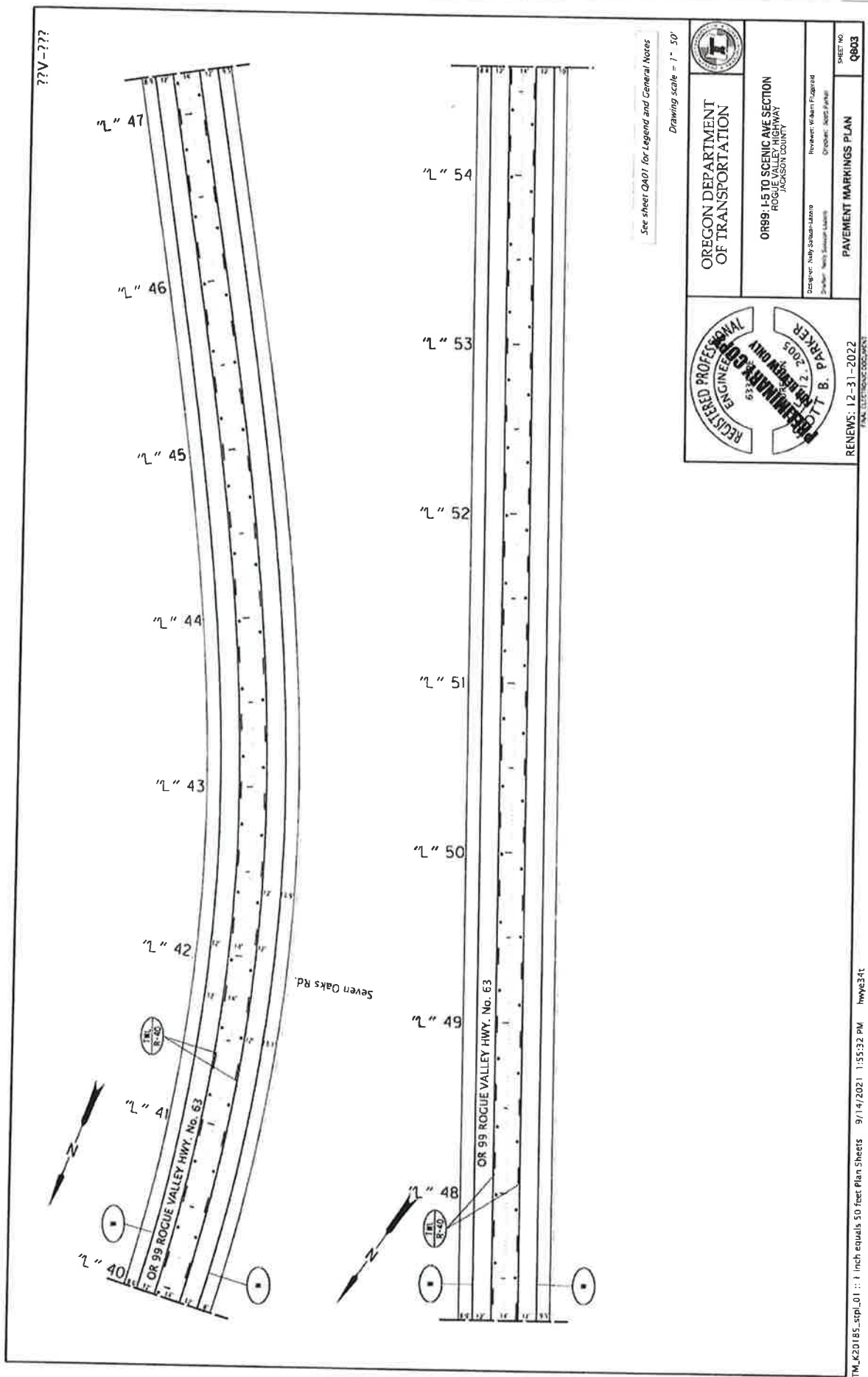
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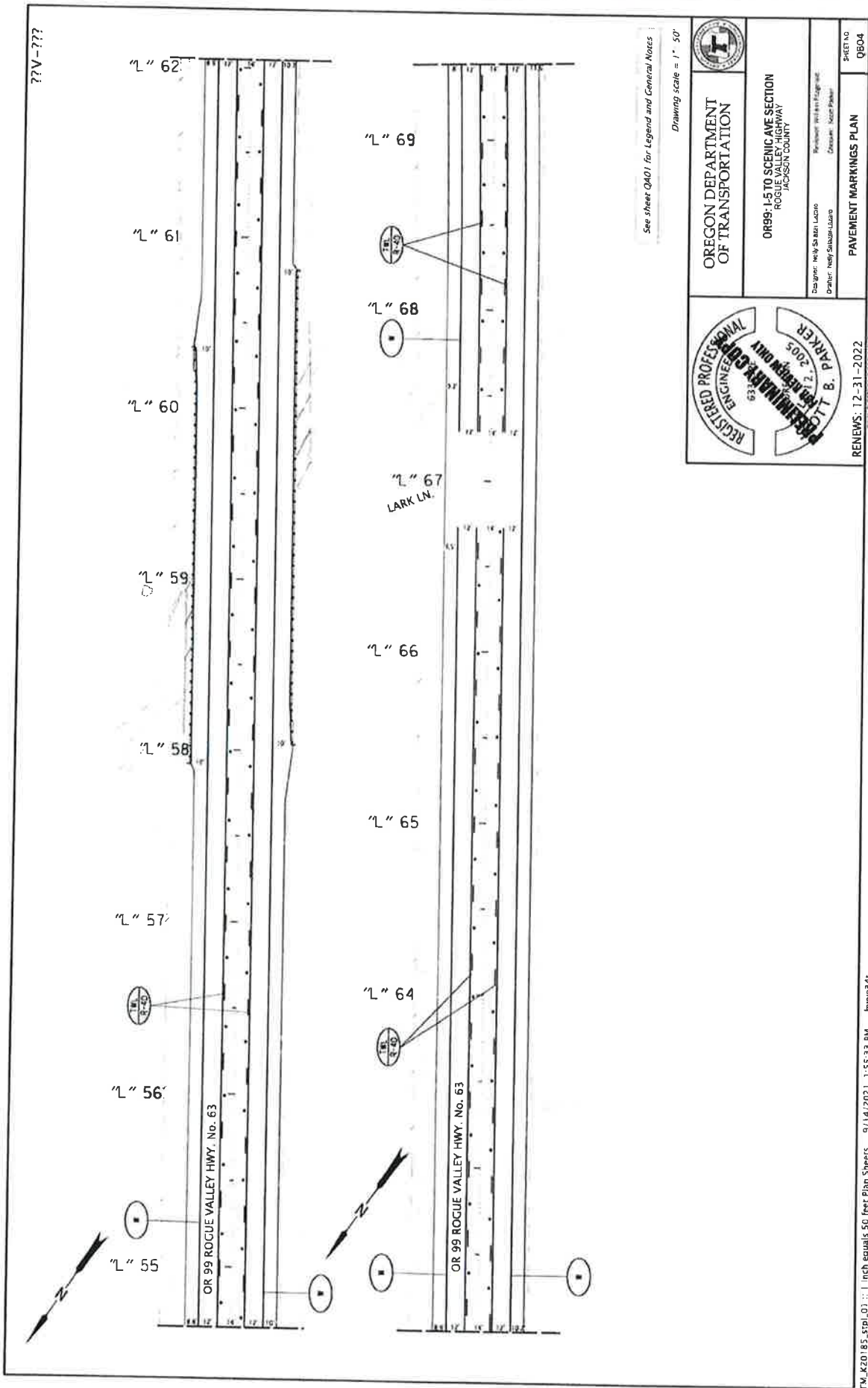
	OREGON DEPARTMENT OF TRANSPORTATION
	OR99: L5 TO SCENIC AVE SECTION ROGUE VALLEY HIGHWAY JACKSON COUNTY
Designer: Mark Swanson-Labare Checker: Scott Parker	PROJECT: PAVEMENT MARKINGS PLAN SHEET NO: Q802
RENEWS: 12-31-2022 <small>FOR LATEST STATE DOCUMENTS VISIT: WWW.ORSOS.ORG</small>	

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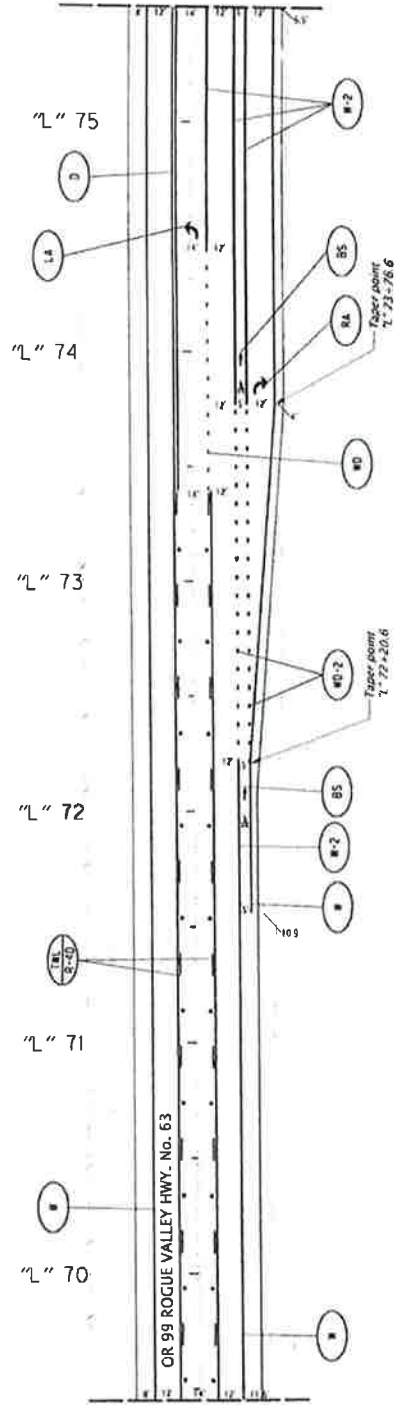


Attachment: Exhibit 1 to CC Ordinance (1500 : Transportation System Plan Amendment (Project No. 230 - Scenic Ave/Hwy 99))



Attachment: Exhibit 1 to CC Ordinance (1500 : Transportation System Plan Amendment (Project No. 230 - Scenic Ave/Hwy 99))

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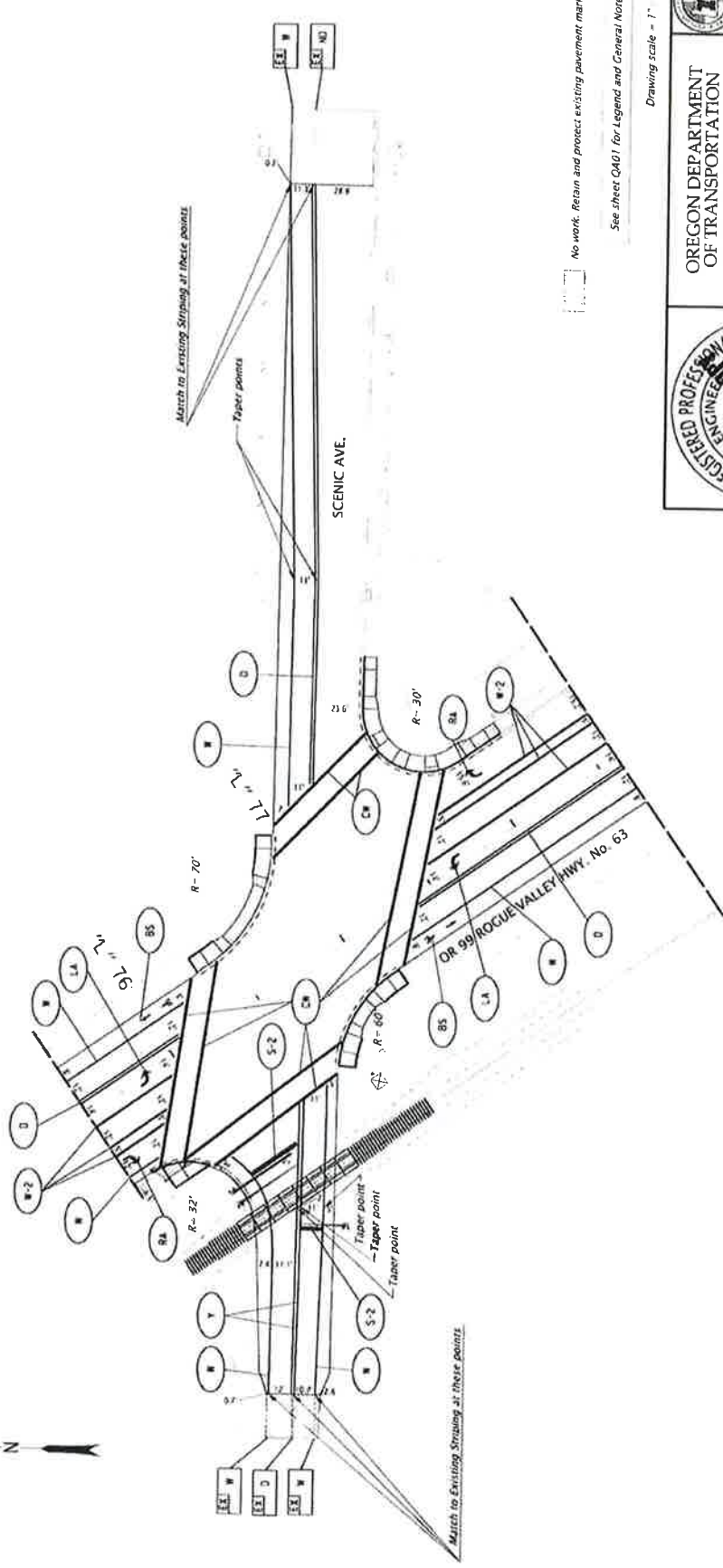
See sheet Q401 for Legend and General Notes

Drawing scale = 1" = 50'

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	OR99-LS TO SCENIC AVE SECTION ROGUE VALLEY HIGHWAY JACKSON COUNTY
Designer: Kelly Sautter-Allen Checker: Kelly Sautter-Allen	Designer: William Fiddell Checker: Scott Parker
REGISTERED PROFESSIONAL ENGINEER BRETT PARKER LICENSE NO. 12-31-2022 STATE OF OREGON	SHEET NO. Q905 PAVEMENT MARKINGS PLAN
RENEWS: 12-31-2022 <small>FOR E-DESIGN DOCUMENT AVAILABILITY REQUIREMENT</small>	RATION: 0' Scale: 1"=50'

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No work. Retain and protect existing pavement marking

See sheet Q401 for Legend and General Notes

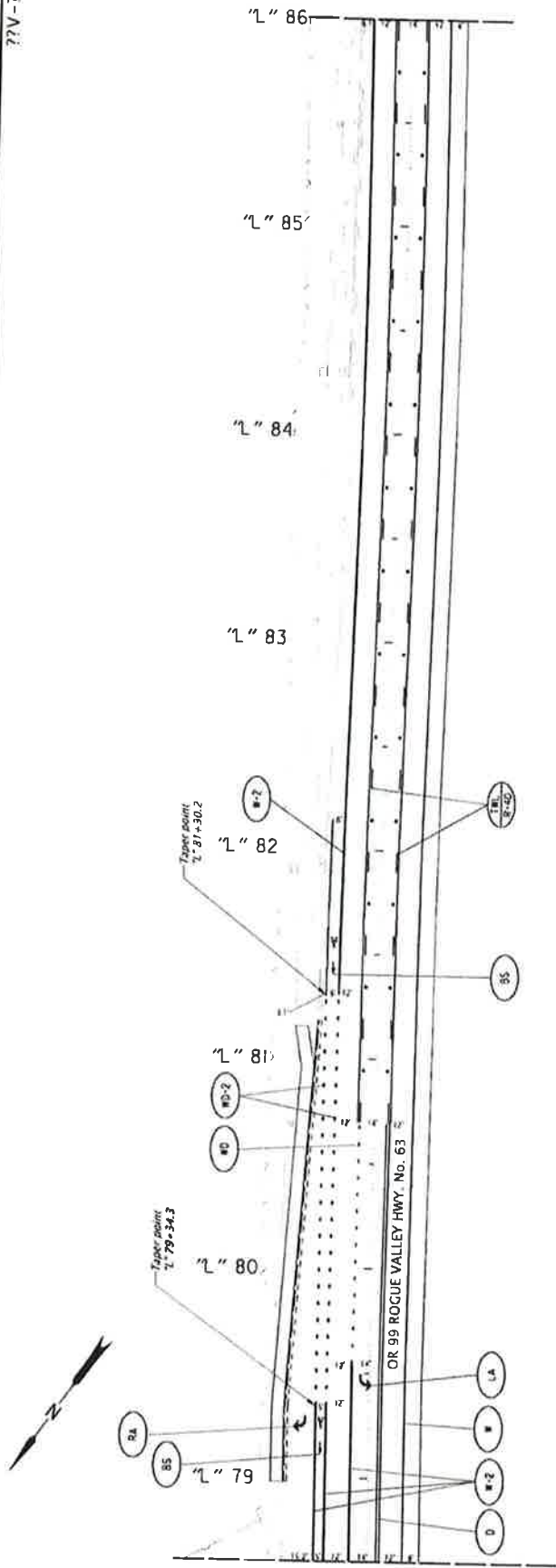
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	OREGON DEPARTMENT OF TRANSPORTATION
	OR99: I-5 TO SCENIC AVE SECTION ROGUE VALLEY HIGHWAY JACKSON COUNTY
Designer: Nelly Salazar-Lopez Checker: Scott Phelan	RENEWS: 12-31-2022
REGISTERED PROFESSIONAL ENGINEER BRETT PARKER LICENSE NO. 63 STATE OF OREGON	SHEET NO. Q405 PAVEMENT MARKINGS PLAN

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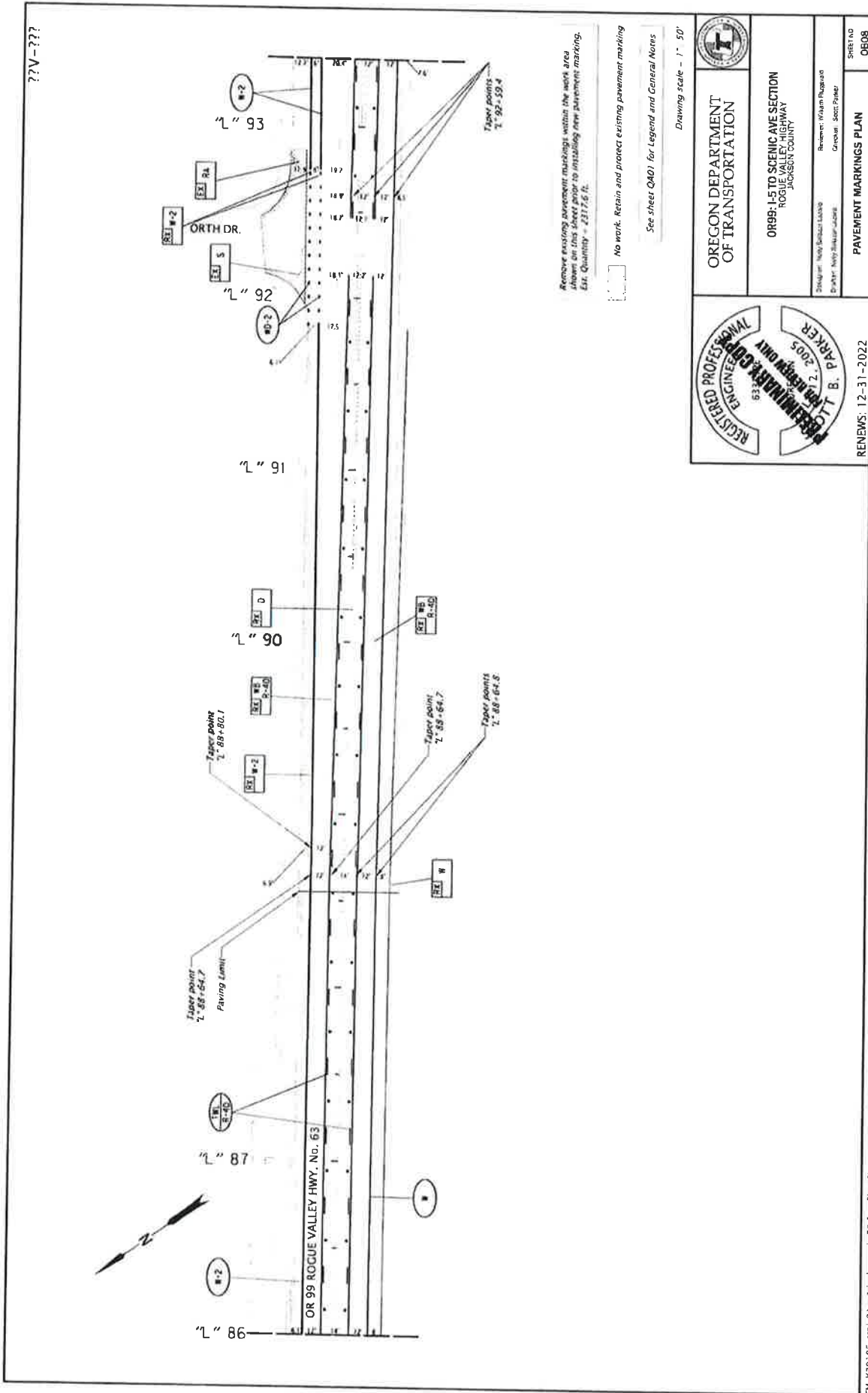
See sheet Q401 for Legend and General Notes

Drawing scale = 1" = 50'

	OREGON DEPARTMENT OF TRANSPORTATION OR99 - LE TO SCENIC AVE SECTION ROGUE VALLEY HIGHWAY JACKSON COUNTY
Designer: Andy Salsman/Laura Checker: Scott Pinner	Designer: Adam Ferguson Checker: Scott Pinner
RENEWS: 12-31-2022 <small>ALL ELECTRICAL SYMBOLS MUST BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE</small>	SHEET NO. Q407 SHEET NAME: PAVEMENT MARKINGS PLAN

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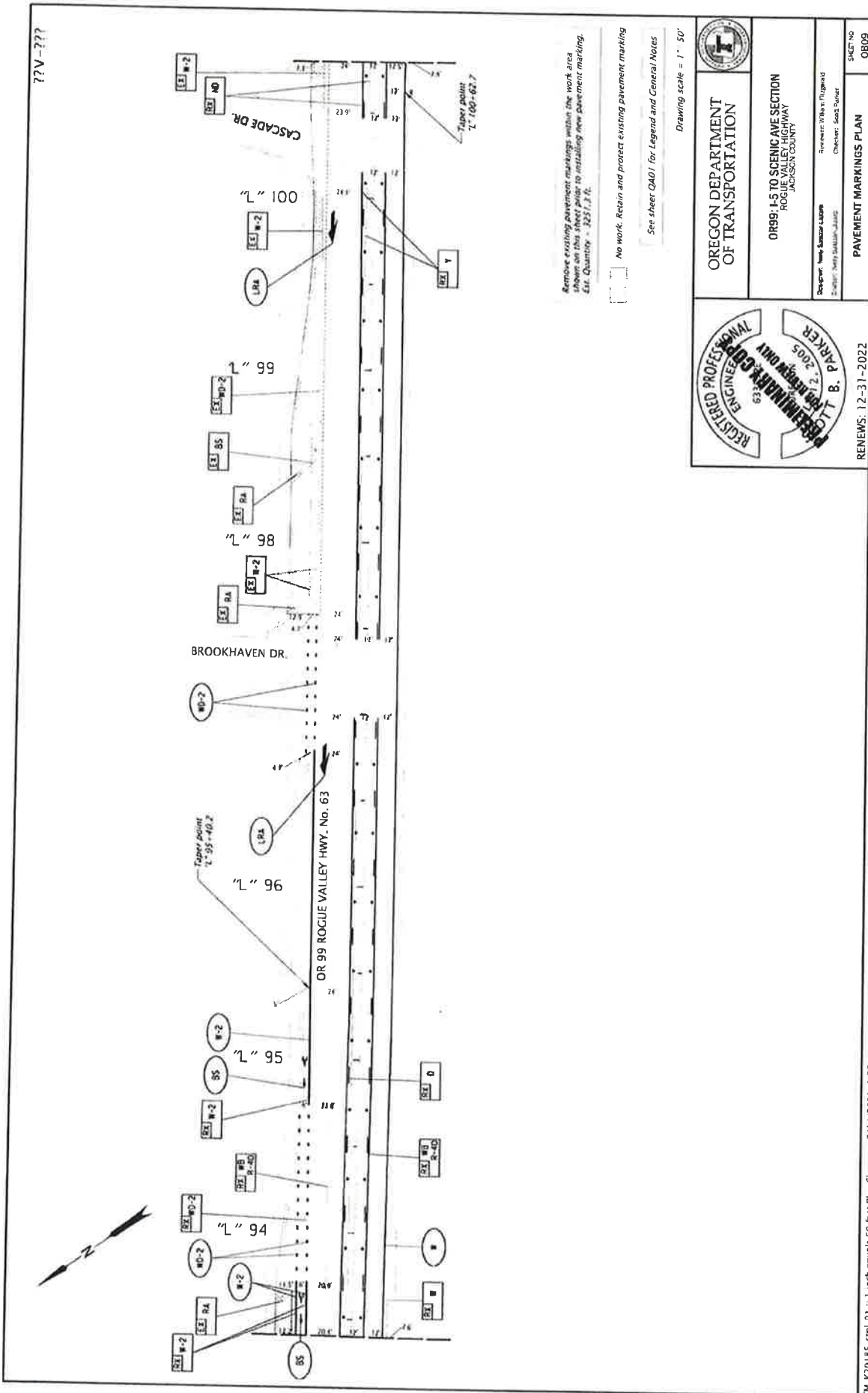
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See sheet Q401 for Legend and General Notes

Drawing scale - 1" = 50'

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	DESIGNER: William B. Parkers, Inc. DRAWN: Scott Parker	PAVEMENT MARKINGS PLAN

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Remove existing pavement markings within the work area shown on this sheet prior to installing new pavement marking. Est. Quantity - 3251.3 fl.

No work. Retain and protect existing pavement marking

See sheet Q401 for Legend and General Notes

Drawing scale = 1" = 50'

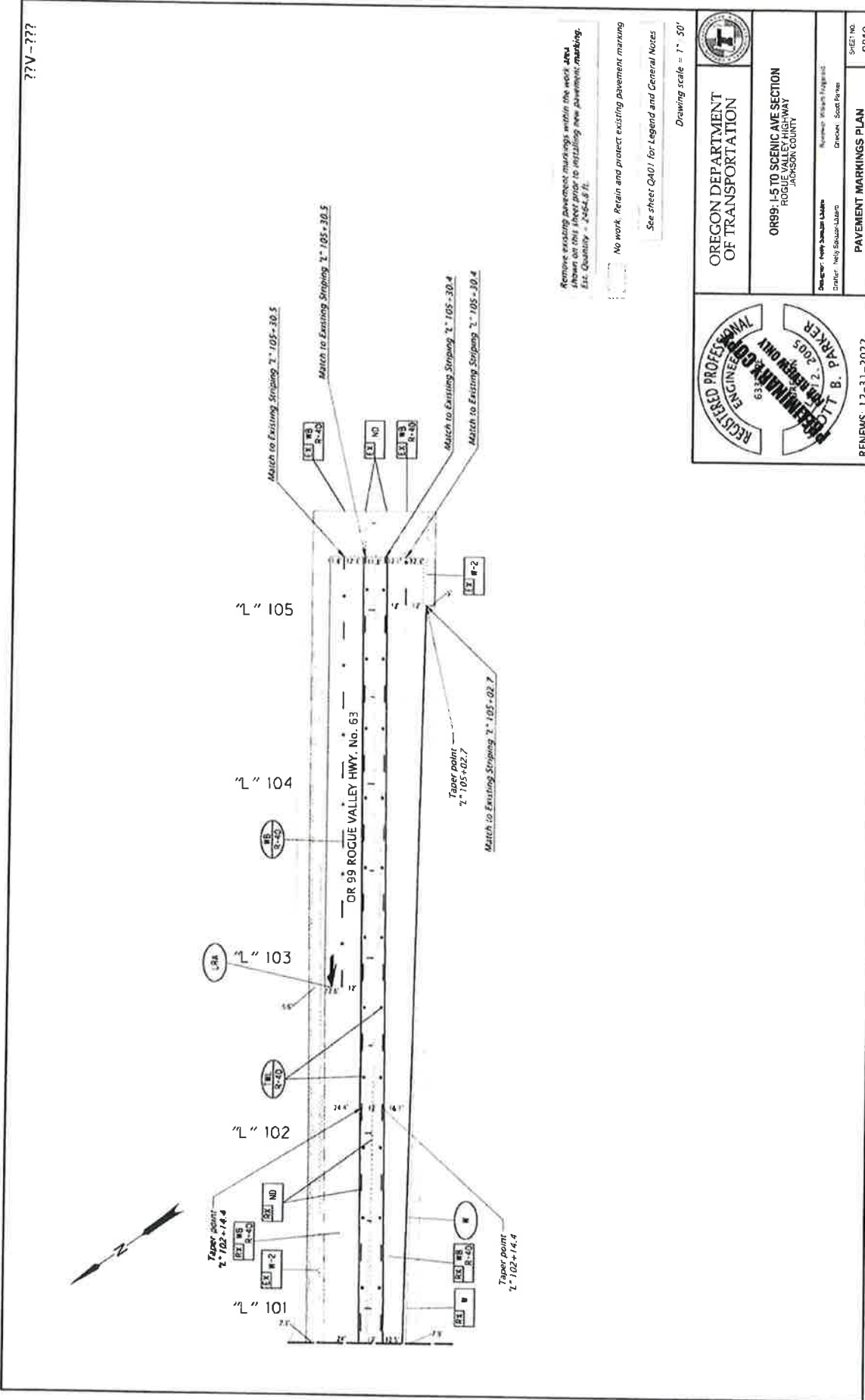
 OREGON DEPARTMENT OF TRANSPORTATION	OR99: I-5 TO SCENIC AVE SECTION ROGUE VALLEY HIGHWAY JACKSON COUNTY	Designer: New, Susan Larson Checker: Gabe Pomeroy	SHEET NO Q809
		Reviewer: William Fitzgerald Date: 12/31/2022	PROJECT NO PAVEMENT MARKINGS PLAN

REGISTERED PROFESSIONAL ENGINEER
 Brett Parker
 License No. 1110
 State of Oregon
 Exp. 12/31/2025

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 RENEWS: 12-31-2022
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 Rotation: 0°

Attachment: Exhibit 1 to CC Ordinance (1500 : Transportation System Plan Amendment (Project No. 230 - Scenic Ave/Hwy 99))

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Remove existing pavement markings within the work area shown on this sheet prior to installing new pavement markings. Etc. Quantity = 2484.6 ft.

No work. Retain and protect existing pavement marking.

See sheet Q401 for Legend and General Notes.

Drawing scale = 1" = 50'

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	Designer: Kevin Scharlach Checker: Nels Scharlach Reviewer: William Fitzgerald Encoder: Scott Perle
PAVEMENT MARKINGS PLAN	
SHEET NO. Q810 RENEWS: 12-31-2022	SCALE: 1" = 50' ROTATION: 0°

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Oregon

Kate Brown, Governor

Department of Transportation

**Region 3 Traffic
District # 8**

100 Antelope Rd
White City, OR 97502
Phone 541-774-6359

Traffic Report

**OR 99: I-5 to Scenic
Rogue Valley Highway No. 63 M.P. 0.42 – 1.64
KN 20185
Jackson**

Prepared By:

William Fitzgerald, PE
Traffic Operation Engineer



Attachment: Exhibit 1 to CC Ordinance (1500 : Transportation System Plan Amendment (Project No. 230 - Scenic Ave/Hwy 99))

Traffic Data

On OR 99, there are two lanes in each direction of travel between MP 0.42 and 1.64. Average Annual Daily Traffic (AADT) in this section is 6800 vehicles with approximately 18.5% heavy vehicles. Future (2040) AADT is projected to be 8870 vehicles. The project limits are shown in the figure below.



Figure 1 Area Map.

Introduction

This project will install a road diet along OR 99 throughout this section of highway. There will be a grind inlay to facilitate the road diet. A signal will be installed at the intersection of OR 99 @ Scenic Ave. This project is a safety project due to the number of severe crashes that have been occurring along this section of highway. This is an ARTS funded safety project. Traffic section control The Example Project brief scoping level description including type of work (paving, etc.), reason for project and other current known details. Indicate funding source, and especially emphasize if project is a safety related project and the Traffic section's involvement/intentions.

Safety Analysis

In the past 10 years there have been 37 recorded crashes within the project limits, a summary of crash types and injury severity are shown in the table below. Leading crash causes included: *Almost all of the crashes were due to failure to yield ROW.*

Crash Severity	
Fatal	1
Inj A	3
Inj B	15
Inj C	6
No<5	0
PDO	12

Crash Types	
Fixed Object	6
Sideswipe-Meeting	1
Rear-End	1
Non Collision	0
Other	0
Angle	19
Turning Movement	10
Head-On	0
Parking Maneuver	0
Pedestrian	0

The majority of these crashes occurred at the Scenic @ OR 99 intersection. The failure to yield ROW cause of the crashes occur when drivers take inadequate gaps in traffic. Crashes were occurred from 5 am to 10 pm with spikes at 8 am and 1pm to 5 pm. These spikes are likely due to peak hour traffic and peak school traffic. Scenic Middle school is very close by which leads to peak queuing in the morning and afternoon. The signal portion of this project will reduce the angle type crashes by 67%. All but one of the Injury A crashes are angle type and the fatal is angle type, so the installation of the signal should reduce the severity of crashes as well. The road diet will help reduce all crashes on this section of roadway by about 29%. Considering the improvements being installed this project should help reduce the number of crashes on this section of roadway.

Traffic Operations Analysis

Existing year traffic operates at a Level of Service (LOS) A on the highway straight away sections and LOS F and a V/C of 1.42 for the Scenic Ave intersection during the peak hours. The LOS F for the Scenic Ave intersection is due traffic peaking on Scenic Ave during the AM, School and PM peak hours. Traffic has a difficult time existing Scenic onto OR 99 due to the low number of gaps, high speed of the highway and number of lanes. This problem has led to the inclusion of a traffic signal in this project. An analysis of the intersection shows that a traffic signal is not warranted with the existing 5 lane section. Due to the road diet being included in the project the warrant analysis can be completed using the proposed three lane section. A traffic signal is warranted with the proposed three lane section. With a traffic signal installed at the intersection of OR 99 and Scenic Ave the LOS improves to B and with a V/C ratio of 0.70. The LOS of the straight away section is reduced from LOS A to B with the road diet. Future year (2040) traffic is expected to operate at a LOS B with a B/C ratio of 0.77

Attachment: Exhibit 1 to CC Ordinance (1500 : Transportation System Plan Amendment (Project No. 230 - Scenic Ave/Hwy 99))

at the intersection of Scenic Ave and OR 99. The addition of the traffic signal will reduce the LOS and V/C ratio for both existing and future conditions at the intersection of Scenic Ave and OR 99. The existing straight away section will have slightly lowered LOS with a slightly higher V/C but still within acceptable 20 year design life. Table 1 below provides the V/C, LOS, and 95th queue length for build, no build conditions and provides the same data for the future year (2040) scenario.

Table 1						
No Build						
Direction	2020			2040		
	V/C	LOS	95th Queuing	V/C	LOS	95th Queuing
WBL	1.54	F	580	4.8	F	840
WBT						
WBR						
EBL	0.77	F	100	1.64	F	170
EBT						
EBR						
NBL	0.06	A	10	0.08	A	20
NBT	~		~	~		~
NBR	~		~	~		~
SBL	0.08	A	10	0.11	A	20
SBT	~		~	~		~
SBR	~		~	~		~
Road Diet w/Signal						
Direction	2020			2040		
	V/C	LOS	95th Queuing	V/C	LOS	95th Queuing
WBL	0.55	B	80	0.66	B	210
WBT						
WBR						
EBL	0.26	B	45	0.31	B	100
EBT						
EBR						
NBL	0.14	B	10	0.19	B	35
NBT	0.70		100	0.77		160
NBR	0.27		40	0.30		45
SBL	0.21	B	30	0.30	B	40
SBT	0.50		90	0.56		120
SBR	0.05		25	0.06		25

Attachment: Exhibit 1 to CC Ordinance (1500 : Transportation System Plan Amendment (Project No. 230 - Scenic Ave/Hwy 99))

Traffic Control

Traffic volumes allow for the roadway to be reduced to a single lane with alternating bidirectional traffic during the day, recommended lane restrictions are shown below.

Recommended Lane Restrictions – 00220.40(e)(1)

1. Closed Lanes – One traffic lane may be closed in each direction when allowed, shown, or directed during the following periods of time except as indicated in 00220.40(e-2).

- 7:00 p.m. Sunday through 3:00 p.m. Friday

Estimated Delay:

- *<5 minutes of average additional travel time is expected when following the closure recommendations.*

Conclusion

There are safety and capacity concerns at the intersection of OR 99 and Scenic Ave. Crash data revealed there are many angle and turning crashes that are occurring on this section of highway. The addition of a traffic signal and road diet will reduce the number of those types of crashes. The side street traffic entering the highway from Scenic Ave has a difficult time finding a gap. A traffic signal will allow safe gaps in highway traffic to allow traffic to exit Scenic Ave. The mainline traffic on OR 99 will not have queuing, LOS or capacity concerns with the addition of a traffic signal. With the addition of the road diet work may occur during day hours, weekly.

ATTACHMENT "E"

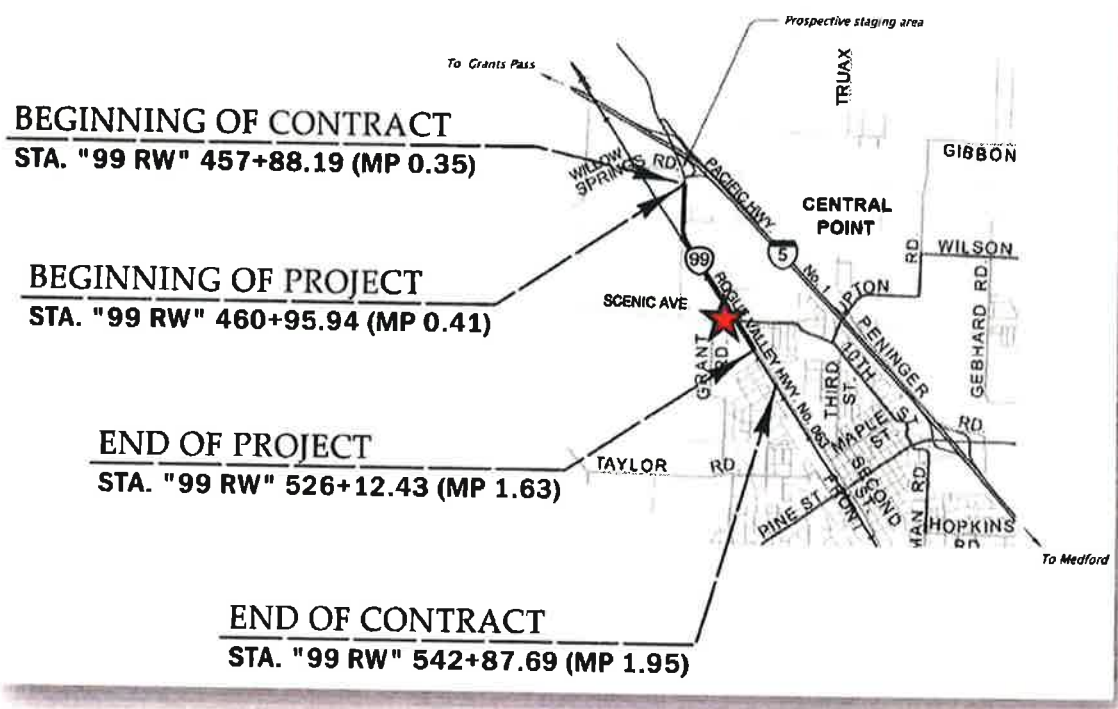


Findings of Fact & Conclusions of Law
 Major Comprehensive Plan Amendment: TSP Project No. 230
 Applicant: City of Central Point
 File No. CPA-20001

I. Introduction

The City of Central Point ("City") is proposing a Major Revision to the Transportation System Plan (TSP), an Element of the Comprehensive Plan ("TSP Amendment"). The proposed revision adds road diet improvements to Highway 99 as part of Project No. 230. As currently written, Project No 230 is to install a traffic signal at the Scenic Avenue intersection with Highway 99 when warrants are met.

Figure 1 - Project Location



The purpose of this project is to meet signal warrants as needed to install a traffic signal at the intersection of Scenic Avenue and Highway 99 to reduce the number and severity of traffic accidents at that location. The road diet, including tapering improvements, will extend from the Interstate 5 Exit 35 (Mile Post (MP) 0.35 to just south of Cascade Drive in the city limits (MP

Attachment: Exhibit 1 to CC Ordinance (1500 : Transportation System Plan Amendment (Project No. 230 - Scenic Ave/Hwy 99))

1.95). Most of the project is along portions of Highway 99 that are owned and operated by the Oregon Department of Transportation (ODOT).

The proposed TSP Amendment is 1.6 miles in length and crosses jurisdictional boundaries. Based on the scope of the project and the potential impacts beyond the Scenic Avenue intersection, it is considered a Major Revision in accordance with CPMC 17.96.300. The TSP Amendment has been processed using Type IV (Legislative) procedures set forth in CPMC 17.05.500.

These Findings of Fact and Conclusions of Law are presented in six (6) parts as follows:

1. Introduction
2. Statewide Planning Goals
3. Transportation Planning Rule
4. Central Point Comprehensive Plan
5. CPMC 17.96.500
6. Summary Conclusion

II. Statewide Planning Goals

Major Comprehensive Plan Amendments must address compliance with the Statewide Planning Goals. Due to Central Point's geographic location outside the Willamette Valley and coastal areas, Goals 15-19 do not apply and are not addressed further. Findings relative to the TSP Amendment are set forth below.

Goal 1 – Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding, Goal 1: The proposed TSP Amendment was developed and processed in accordance with the City's citizen involvement program. The Citizen's Advisory Committee (CAC) considered a possible TSP Amendment on August 11, 2020 early in the planning process. At that time, the CAC unanimously forwarded a recommendation to the Planning Commission to consider a TSP Amendment necessary to improve safety along this corridor and at the Scenic Avenue and Highway 99 intersection. On October 5, 2021, staff presented a proposed TSP Amendment to the Planning Commission at which time the Planning Commission voted to direct staff to schedule a public hearing. A duly noticed legislative hearing was held on January 11, 2022 and January 27, 2022. Notice was published in the Mail Tribune and mailed to property owners within 250-feet of the intersection.

Conclusion, Goal 1: Consistent.

Goal 2 – Land Use

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual basis for such decisions and actions.

Finding, Goal 2: The TSP amendment follows the land use review procedures outlined in Central Point Municipal Code and these findings provide an adequate factual basis for action. The TSP amendment therefore conforms to the established land use planning process and framework consistent with Goal 2.

Conclusion, Goal 2: Consistent.

Goal 3 – Agricultural Lands

To preserve and maintain agricultural lands.

Finding, Goal 3: The proposed TSP amendment does not involve or otherwise affect lands designated for agricultural use.

Conclusion, Goal 3: Not applicable.

Goal 4 – Forest Lands

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Finding, Goal 4: The proposed TSP amendment does not involve or otherwise affect lands designated for forest use.

Conclusion, Goal 4: Not applicable.

Goal 5 – Open Space, Scenic and Historic Areas, and Natural Resources

To protect natural resources and conserve scenic and historic areas and open spaces.

Finding, Goal 5: Public road projects are required to comply with provisions under the Endangered Species Act (ESA) for aquatic species that exceed the Goal 5 and associated Central Point Municipal Code requirements for riparian protection. As such, by complying with the ESA, such public road projects also will adequately address riparian protections otherwise required by regulations applicable to riparian area development. The treatment of other resources regulated under Goal 5 will not change because of the TSP amendment, and therefore the goal is otherwise not relevant to this transportation system plan amendment.

Conclusion, Goal 5: Consistent.

Goal 6 – Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

Finding, Goal 6: The proposed TSP amendment does not involve or otherwise affect local, state, or federal regulations managing the quality of air, water and land resources.

Conclusion, Goal 6: Not applicable.

Goal 7 – Areas Subject to natural Hazards and Disasters.

To protect people and property from natural hazards.

Finding, Goal 7: The proposed TSP amendment does not involve or otherwise affect regulations protecting the citizens of Central Point from natural hazards.

Conclusion, Goal 7: Not applicable.

Goal 8 – Recreation Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities.

Finding, Goal 8: The proposed TSP amendment does not involve or otherwise affect the City's provision of necessary recreational facilities.

Conclusion, Goal 8: Not applicable.

Goal 9 – Economy of the State

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare and prosperity of Oregon's citizens.

Finding, Goal 9: The proposed TSP amendment will add a lane reconfiguration project to an already listed signal project and will provide for the continued orderly development of the City's road network, which is a vital infrastructure component necessary to support continued economic development.

Conclusion, Goal 9: Consistent.

Goal 10 – Housing

To provide for the housing needs of citizens of the state.

Finding, Goal 10: The proposed TSP amendment does not involve or otherwise affect the City's ability to provide needed housing to the citizens of Central Point or the state of Oregon.

Conclusion, Goal 10: Not applicable.

Goal 11 – Public Facilities and Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding, Goal 11: Transportation facilities are identified as public facilities under this goal. It is acknowledged by the TSP, by reference, is part of the City's Comprehensive Plan Public Facilities Element. The addition of the lane reconfiguration project allows for orderly and timely provision of needed transportation facilities to provide for safe and reliable transportation along Highway 99 and in particular at the intersection with Scenic Avenue.

Conclusion, Goal 11: Consistent.

Goal 12 – Transportation

To provide and encourage a safe, convenient and economic transportation system.

Finding, Goal 12: Transportation, directs state and local jurisdictions "to provide and encourage a safe, convenient and economic transportation system." It establishes that a transportation plan consider all modes of transportation, be based upon an inventory of local, regional and state transportation needs, consider the differences in social consequences that would result from utilizing differing combinations of transportation

modes, avoid principal reliance upon any one mode of transportation, minimize adverse social, economic and environmental impacts and costs, conserve energy, meet the needs of the transportation disadvantaged by improving transportation services, facilitate the flow of goods and services so as to strengthen the local and regional economy, and conform with local and regional comprehensive land use plans.

The City's TSP (2008) currently lists the signal at OR 99 and Scenic Avenue as Project No. 230, when signal warrants are met. The amendment to the TSP is to include the road diet from MP .42 to MP 1.64. The Traffic Report indicated that the traffic signal is not warranted with the existing 5-lane section of roadway. However, with the road diet a traffic signal is warranted. The functional classification of OR 99 through this section remains as an Urban Principal Arterial. ODOT completed a Traffic Report that supports the road diet. The Traffic Report concluded that the addition of a traffic signal and road diet would reduce the number of angle and turning crashes that are occurring on this section of OR 99. The Report concluded that the mainline traffic on OR 99 would not have queuing (LOS or capacity) concerns with the addition of the traffic signal or the road diet.

Conclusion, Goal 12: Consistent.

Goal 13 – Energy

To conserve energy.

Finding, Goal 13: The proposed TSP amendment does not involve, or otherwise affect development standards or regulations that address conservation of energy.

Conclusion, Goal 13: Not applicable.

Goal 14 – Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Finding, Goal 13: The proposed TSP amendment addresses the multi-modal transportation needs for a project that is already listed in the TSP. The proposed project will address transportation for all modes by addressing the lack of bicycle lanes in the urban area.

Conclusion, Goal 13: Consistent.

III. Transportation Planning Rule (OAR 660-012)

The purpose of the Transportation Planning Rule (TPR) is to facilitate implementation of Statewide Planning Goal 12 (Transportation). It sets forth the requirements for preparation of local TSPs.

Finding OAR 660-012: The City's adopted TSP (Ordinance No. 1922) is based on and complies with the TPR. The proposed amendment is limited to the addition of a lane reconfiguration improvements as part of Project No. 230, which includes installing a signal at the intersection of Highway 99 and Scenic Avenue when warrants are met. The proposed amendment is in response to a Traffic Report that found significant safety concerns at the intersection of Highway 99 and Scenic Avenue and a finding that the signal installation is not warranted with the existing five (5) lane configuration of Highway 99. The proposed addition of a

road diet will allow signal warrants to be met as needed to address a project identified in the TSP. The Traffic Report found that the impacted transportation facilities will not experience any change in functional classification. The proposed amendment will improve intersection performance and reduce angle and turning movement collisions that have resulted in 1 fatality and several injuries in the past ten (10) years. Finally the proposed revision implements Project KN 20185 in the State Transportation Improvement Plan (STIP) and is consistent with the Regional Transportation Plan and Jackson County Transportation Plan. As such, the City finds that there are no changes the TSP's compliance with OAR 660-012 and that no further discussion of TPR compliance is necessary.

Conclusion: OAR 660-012. The proposed TSP Amendment adding the road diet to Project No. 230 does not alter the TSPs compliance with OAR 660-012 and the proposed amendment is based on technical data that resolves a safety issue and allows an existing TSP project (230, intersection signal installation) to be implemented.

IV. Central Point Comprehensive Plan

The City's Comprehensive Plan addresses compliance with Statewide Planning Goals and establishes the goals and polices to carry out the City's mission and vision as articulated in the City's Strategic Plan. The adopted TSP (Ordinance No. 1922) was prepared based on the land use classification and distribution in the City's Land Use Element of the Comprehensive Plan. The proposed amendment addresses transportation facilities in the TSP. Applicable policies are limited to 5.1.1 and 7.1.11 in the TSP, which is part of the Public Facilities Element. These are addressed below:

TSP Policy 5.1.1

The City shall make every effort to maintain mobility standards that result in a minimal level of service (LOS) "D." The City defines LOS D as the equivalent to a volume to capacity ratio of 0.9.

Finding, TSP Policy 5.1.1: According the Traffic Report prepared by the Oregon Department of Transportation (ODOT) for STIP Project No. KN 20185, the Scenic Avenue intersection with Highway 99 operates at a LOS F and a volume to capacity ratio of 1.42 during peak hours. The report states that these conditions are due to school related traffic and this has caused a signal to be included in the STIP Project KN 20185 as well as the City of Central Point Project No. 230 in the adopted TSP. The traffic signal must meet warrants to be installed. Per the traffic report this occurs when the Highway 99 street section is reconfigured to three (3) lanes. Analysis shows that implementation of the revised project improves the intersection operation to a LOS B and a volume to capacity ration of 0.70, which brings this facility into compliance with the City's mobility standards. Without the road reconfiguration, the intersection would continue to operate at an unacceptable LOS and volume to capacity ratio.

Conclusion, TSP Policy 5.1.1: The proposed amendment is necessary to install a traffic signal and meet the City's mobility standards at the intersection of Scenic Avenue and Highway 99 consistent with this policy.

TSP Policy 7.1.11

The City shall place a higher priority on funding and constructing street projects that address identified vehicular, bicycle and pedestrian safety problems than those projects that solely respond to automotive capacity deficiencies in the street system. Exceptions are those capacity improvements that are designed to also resolve identified safety problems.

Finding, TSP Policy 7.1.11: Based on the ODOT Traffic Report, there have been 37 crashes recorded within the project limits during the past 10 year period. The proposed revision adding a road diet is in response to the safety concerns. By adding the road diet, signal warrants can be met as needed to reduce the number and severity of collisions at this intersection. Funding has been obtained by ODOT through the All Road Transportation Safety (ARTS) Program to implement the project. The City finds that this TSP Amendment is consistent with prioritizing projects that address safety concerns.

Conclusion, TSP Policy 7.1.11: Consistent.

V. CPMC 17.96, Comprehensive Plan and Urban Growth Boundary Amendments.

This chapter establishes the procedures and approval criteria for amending the Comprehensive Plan. The type of amendment and procedures applied are addressed in Section I of these findings. The approval criteria set forth in CPMC 17.96.500 are addressed below:

CPMC 17.96.500(A)

Approval of the request is consistent with the applicable statewide planning goals;

Finding, CPMC 17.96.500(A): See Section II Findings.

Conclusion, CPMC 17.96.500(A): Consistent.

CPMC 17.96.500(B)

Approval of the request is consistent with the Central Point comprehensive plan;

Finding, CPMC 17.96.500(1): See Section IV Findings.

Conclusion, CPMC 17.96.500(1): Consistent.

CPMC 17.96.500(C)

For urban growth boundary amendments findings demonstrate that adequate public services and transportation networks to serve the property are either available, or identified for construction in the city's public facilities master plans (major and minor amendments); and

Finding, CPMC 17.96.500(C): The proposed TSP Amendment does not involve a UGB Amendment.

Conclusion, CPMC 17.96.500(1): Not applicable.

CPMC 17.96.500(D)

The amendment complies with OAR 660-012-0060 of the Transportation Planning Rule.

Finding, CPMC 17.96.500(1): See Section III Findings.

Conclusion, CPMC 17.96.500(1): Consistent.

VI. Summary Conclusion

The TSP Amendment as presented in Exhibit 1 is consistent with all applicable approval criteria as demonstrated herein.

EXHIBIT 1 - Transportation System Plan Revisions

Table 7.4, Transportation Projects, 2008-2030

Ref. No.	Project Location	Improv. Category	Project Description	Vehicle	Bicycle	Pedestrian	Transit	Freight	Access	Economic	Safety	Operations	Truck Traffic	Urban Upgrade	Year	ODOT	County	Central Point	Medford	Other
230	Hwy. 99 & Scenic Av. Intersection	major	Install a traffic signal when signal warrants are met and reconfigure from 5 to 3 lanes from MP 1.95 to the Exit 35 Interchange at MP 0.35.	•	•	•					√			√	2012	♦	♦	♦		

Table 12.5, Tier 1 – Long Term Projects

Ref. No.	Project Location	Improv. Category	Project Description	Vehicle	Bicycle	Pedestrian	Transit	Freight	Access	Economic	Safety	Operations	Truck Traffic	Urban Upgrade	Tier	ODOT	County	Central Point	Medford	Other	Total Project Cost
230	Hwy. 99 & Scenic Av. Intersection	major	Install a traffic signal when signal warrants are met and reconfigure from 5 to 3 lanes from MP 1.95 to the Exit 35 Interchange at MP 0.35.	■	■	■					√			√	Tier 1, Long	♦	♦	♦			\$2,737,300



City of Central Point Staff Report to Council

ISSUE SUMMARY

TO:	City Council	DEPARTMENT:	Finance
FROM:	Steven Weber, Finance Director		
MEETING DATE:	January 27, 2022		
SUBJECT:	ARPA Project Eligibility Update		
ACTION REQUIRED:	Information/Direction	RECOMMENDATION:	Not Applicable

BACKGROUND INFORMATION:

At the September 9, 2021 City Council meeting, staff presented a revised spending plan based on the City's updated allocation (\$4.184 million) of the American Rescue Plan Act (ARPA) stimulus package that was approved by the Federal Government. The spending plan was compiled based staff's interpretation of the U.S. Treasury guidelines issued at the time. For two of the projects, staff sought input from legal counsel that the projects are permitted under the referenced categories in the guidelines. The attached memo describes the projects and the eligible use categories.

FINANCIAL ANALYSIS:

The American Rescue Plan Act (ARPA) award is included in the City's 2021-23 biennial budget.

LEGAL ANALYSIS:

The City attorney has reviewed the staff opinion and concurs that these projects are permitted under the ARPA funds.

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Central Point 2040 Strategic Plan

Strategic Priority – Community Investment

Public and private investments in Central Point include physical (i.e., new buildings, streets, waterlines, businesses, parks, etc.); social (e.g., programs and services that support people: families, youth, retirees, etc.); and economic (i.e., programs and facilities that foster new growth and development necessary to fuel the local economy and provide jobs for residents).

STAFF RECOMMENDATION:

N/A

RECOMMENDED MOTION:

N/A

ATTACHMENTS:

1. ARPA Project Eligibility

City of Central Point, Oregon
 140 S Third Street, Central Point, OR 97502
 541.664.3321 Fax 541.664.6384
www.centralpointoregon.gov



Finance Department
 Steve Weber, Finance Director

December 16, 2021

To: ARPA File
 Re: Explanation of project eligibility

The basic premise is that local governments are to spend American Rescue Plan Act (ARPA) funds within the four (4) eligible use categories: (1) Public Health and Negative Economic Impacts; (2) Premium Pay for Eligible Workers; (3) Government Services to the Extent of Revenue Loss; and (4) Investments in Water, Sewer, and Broadband Infrastructure. Within each of these categories, there are various subcategories.

At the April 8, 2021, City Council meeting, staff presented a draft list that identified suggested areas of use for the initial ARPA allocation of \$3,841,860 based on the interim final rule issued by the U.S. Department of the Treasury. The City Council approved that list to be included with the proposed 2021-23 biennial budget presented to the Budget Committee. The 2021-23 biennial budget was formally adopted by City Council at the June 24, 2021 meeting.

A revised spending plan was presented to and approved by City Council at the September 9, 2021 meeting based on an updated funding allocation of \$4,184,000.

Here are two of the identified projects:

Dennis Richardson Memorial Project

Dennis Richardson was the primary catalyst for the construction of the Oregon Fallen War Heroes Memorial at Don Jones Park in the City of Central Point. The memorial has been a tourist attraction since it was constructed. The City of Central Point has designed an expansion of the war memorial site to create a memorial to Dennis Richardson's impact to the community of Central Point and the State of Oregon as a whole. With the additional park space created with this memorial, the park should see an increase in travelers coming to the Central Point area, which should help both the tourism and hospitality industries; both of which have been impacted by the coronavirus pandemic. This project also provides additional safe outdoor space for children to enjoy. Lastly, the cost estimates for this project have dramatically increased due to inflation as a result of the continued pandemic. These funds will allow for this project to get going before cost increases put the project in jeopardy.

Eligible Categories:

1. Tourism, Travel or Hospitality Industry – 2.11
2. Healthy Childhood Environment (additional park space) – 3.9

Central Point Little League Renovation Project

The existing Central Point Little League complex is in a state of despair and has not been updated in more than 50 years. The coronavirus pandemic caused a cancellation of the 2020 season as well as shortened the 2021 season. This has caused further delays to any type of field maintenance due to a lack of revenue. Recently, the City of Central Point was presented with a public/private partnership opportunity that would benefit the League by providing the needed resources for the renovation and expansion of the complex. The expansion portion of this project would allow a partnership with the City of Medford's U.S. Cellular Community Park fields to promote additional regional and statewide tournament opportunities. This project helps several areas that have been impacted by the coronavirus pandemic; the Central Point Little League (nonprofit), tourism and hospitality industry (more travelers to local hotels and eateries through tournament expansion), and the health and well-being of children within the City of Central Point (expanded participation in local little League). Lastly, part of this project will include adding water, sewer, and broadband infrastructure. This piece of the project will ensure greater access to information, the efficient delivery of clean water to the public, and the promotion of safe and efficient ways to dispose of waste.

Eligible Categories:

1. Aid to Nonprofit Organizations – 2.10
2. Tourism, Travel or Hospitality Industry – 1.11
3. Healthy Childhood Environment – 3.9
4. Clean Water: Other Sewer Infrastructure – 5.5
5. Clean Water: Stormwater – 5.6
6. Drinking-Water: Other Water Infrastructure – 5.15
7. Broadband: Other Projects – 5.17

Conclusion:

Based on our understanding of the four eligible use categories and the eligible categories sub-schedule associated with the American Rescue Plan Act funds, we feel the above projects qualify as eligible uses.



City of Central Point
Staff Report to Council

ISSUE SUMMARY

TO: City Council **DEPARTMENT:** Public Works
FROM: Matt Samitore, Parks and Public Works Director
MEETING DATE: January 27, 2022
SUBJECT: Discussion of 2022 Water Rates
ACTION REQUIRED: Information/Direction **RECOMMENDATION:** Approval

BACKGROUND INFORMATION:

The Medford Water Commission recently performed a long-term annual rate review/analysis (analysis performed by HDR Engineering) and determined that the “other cities” water rate category, which includes the City of Central Point, should be increased by 4.0% beginning March 1, 2021. This adjustment equates to an additional \$50,000 in estimated cost for bulk water purchase during FY 2022-2023. The Water Commission’s rates directly impact the City’s water rate structure.

With this new information, which assumes a 4% MWC increase annually for the next several years, the City rehired the FCS group to determine what rate structure adjustments the City of Central Point would need for the next decade. The revised rate would be based upon four dynamics. The first is the projected annual increases from the MWC. The second is that we did not achieve our water fund revenue projections/targets for FY 2020-2021. The Third dynamic involves the increasing price for goods and services. And fourth, with the UGB expansion forthcoming (and the associated need for a new reservoir), we need to plan for retiring debt service from the Vilas Pump Station and Reservoir in 2031, two years before what was initially planned.

Understanding all of these factors, the consultants are recommending the following schedule:

the-Board Rate Schedule	ATB 2022 4/1/2022	ATB 2023 4/1/2023	ATB 2024 4/1/2024	ATB 2025 4/1/2025	ATB 2026 4/1/2026	ATB 2027 4/1/2027	ATB 2028 4/1/2028	ATB 2029 4/1/2029	ATB 2030 4/1/2030
System-Wide Rate Increase	5.00%	4.00%	4.00%	4.00%	4.00%	3.00%	3.00%	3.00%	4.00%

FINANCIAL ANALYSIS:

City/Public Works staff has prepared an update to the City Water Rates based upon the past three years of rate increases. The increase is split consistently between the base rate and the consumptive rate.

Residential						
Meter Size	Monthly Base Charge	Monthly R & R Charge	Total Monthly Fixed Charge	Volume Charge First 8 ccf	Volume Charge 8 - 22 ccf	Volume Charge Over 22 ccf
5/8"	14.57	1.00	15.57	0.98	1.90	3.04
1"	19.96	2.45	22.41	0.98	1.90	3.04
1.5"	25.34	8.15	33.49	0.98	1.90	3.04
2"	36.12	11.15	47.27	0.98	1.90	3.04
3"	57.68	25.25	82.93	0.98	1.90	3.04
4"	79.24	43.85	123.09	0.98	1.90	3.04
6"	149.30	86.00	235.30	0.98	1.90	3.04
8"	230.14	139.50	369.64	0.98	1.90	3.04

*Current City of Central Point Water Rates

2022 5% Residential						
Meter Size	Monthly Base Charge	Monthly R & R Charge	Total Monthly Fixed Charge	Volume Charge First 8 ccf	Volume Charge 8 - 22 ccf	Volume Charge Over 22 ccf
5/8"	15.30	1.00	16.30	1.03	2.00	3.19
1"	20.96	2.45	23.41	1.03	2.00	3.19
1.5"	26.61	8.15	34.76	1.03	2.00	3.19
2"	37.93	11.15	49.08	1.03	2.00	3.19
3"	60.56	25.25	85.81	1.03	2.00	3.19
4"	83.20	43.85	127.05	1.03	2.00	3.19
6"	156.77	86.00	242.77	1.03	2.00	3.19
8"	241.65	139.50	381.15	1.03	2.00	3.19

*Proposed City of Central Point Rates (Option 1)

Based upon this methodology, the Base Rate will increase by \$0.73 and the Consumptive rates by \$0.05 for Tier 1, \$0.10 for Tier 2 and \$0.15 for Tier 3.

Option 2:

We could also look at a more significant base rate increase in year one, eliminating the need to adjust water rates for an extended period. This option would increase the base rate from \$15.57 to \$17.65, with the next potential increase in March of 2026.

LEGAL ANALYSIS: N/A

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

City of Central Point 2040 Strategic Plan – Strategic Priority – Responsible

Governance

GOAL 1 - Maintain a strong financial position that balances the need for adequate service levels and capital requirements against the affordability that is desired by our citizens.

STRATEGY 1 – Continually update the City’s long-term financial plan/strategy.

STRATEGY 2 – Work with partner agencies and stakeholders to eliminate redundancy and maximize efficiency in all areas.

STRATEGY 3 – Solicit support from partner agencies in our effort to maintain a robust financial position.

STAFF RECOMMENDATION: No recommendation.

RECOMMENDED MOTION: Not Applicable.

ATTACHMENTS:

1. Water Utility Rate Analysis

Central Point
Utility Rate Study: Water Utility
Rate Schedule

Across-the-Board Rate Schedule	ATB 2022 4/1/2022	ATB 2023 4/1/2023	ATB 2024 4/1/2024	ATB 2025 4/1/2025	ATB 2026 4/1/2026	ATB 2027 4/1/2027	ATB 2028 4/1/2028	ATB 2029 4/1/2029	ATB 2030 4/1/2030
Annual System-Wide Rate Increase	5.00%	4.00%	4.00%	4.00%	4.00%	3.00%	3.00%	3.00%	2.00%
Fixed Charge by Class and Meter									
Residential									
5/8"	\$ 15.90	\$ 16.53	\$ 17.20	\$ 17.88	\$ 18.60	\$ 19.16	\$ 19.73	\$ 20.32	\$ 20.73
1"	22.92	23.83	24.79	25.78	26.81	27.61	28.44	29.29	29.88
1.5"	34.39	35.77	37.20	38.69	40.24	41.44	42.69	43.97	44.85
2"	48.53	50.47	52.49	54.59	56.78	58.48	60.23	62.04	63.28
3"	85.31	88.73	92.28	95.97	99.80	102.80	105.88	109.06	111.24
4"	126.82	131.89	137.17	142.65	148.36	152.81	157.40	162.12	165.36
6"	242.50	252.20	262.29	272.78	283.69	292.20	300.97	310.00	316.20
8"	381.08	396.33	412.18	428.67	445.82	459.19	472.97	487.15	496.90
Senior Housing									
5/8"	\$ 23.36	\$ 24.30	\$ 25.27	\$ 26.28	\$ 27.33	\$ 28.15	\$ 29.00	\$ 29.87	\$ 30.46
1"	46.73	48.59	50.54	52.56	54.66	56.30	57.99	59.73	60.92
1.5"	70.09	72.89	75.81	78.84	81.99	84.45	86.99	89.60	91.39
2"	93.45	97.19	101.08	105.12	109.32	112.60	115.98	119.46	121.85
3"	116.81	121.49	126.34	131.40	136.65	140.75	144.98	149.33	152.31
4"	140.18	145.78	151.61	157.68	163.98	168.90	173.97	179.19	182.77
6"	163.54	170.08	176.88	183.96	191.32	197.06	202.97	209.06	213.24
8"	186.90	194.38	202.15	210.24	218.65	225.21	231.96	238.92	243.70
Multi-Family Residential									
5/8"	\$ 28.67	\$ 29.82	\$ 31.01	\$ 32.25	\$ 33.54	\$ 34.55	\$ 35.58	\$ 36.65	\$ 37.38
1"	38.23	39.75	41.35	43.00	44.72	46.06	47.44	48.87	49.84
1.5"	47.78	49.69	51.68	53.75	55.90	57.58	59.30	61.08	62.30
2"	57.34	59.63	62.02	64.50	67.08	69.09	71.16	73.30	74.76
3"	66.90	69.57	72.35	75.25	78.26	80.61	83.02	85.51	87.22
4"	76.45	79.51	82.69	86.00	89.44	92.12	94.88	97.73	99.69
6"	86.01	89.45	93.03	96.75	100.62	103.64	106.75	109.95	112.15
8"	95.56	99.39	103.36	107.50	111.80	115.15	118.61	122.16	124.61
Commercial & Standby									
5/8"	\$ 14.25	\$ 14.82	\$ 15.41	\$ 16.03	\$ 16.67	\$ 17.17	\$ 17.69	\$ 18.22	\$ 18.58
1"	18.70	19.45	20.23	21.04	21.88	22.54	23.21	23.91	24.39
1.5"	26.19	27.24	28.33	29.46	30.64	31.56	32.51	33.48	34.15
2"	34.99	36.39	37.85	39.36	40.94	42.17	43.43	44.73	45.63
3"	58.77	61.12	63.57	66.11	68.76	70.82	72.94	75.13	76.63
4"	86.53	89.99	93.59	97.34	101.23	104.27	107.39	110.62	112.83
6"	159.94	166.34	172.99	179.91	187.11	192.72	198.50	204.46	208.55
8"	248.87	258.83	269.18	279.95	291.15	299.88	308.88	318.14	324.51
Irrigation									
5/8"	\$ 16.42	\$ 17.08	\$ 17.76	\$ 18.47	\$ 19.21	\$ 19.79	\$ 20.38	\$ 21.00	\$ 21.42
1"	24.70	25.69	26.72	27.78	28.90	29.76	30.66	31.58	32.21
1.5"	34.92	36.32	37.77	39.28	40.85	42.08	43.34	44.64	45.53
2"	51.53	53.59	55.73	57.96	60.28	62.09	63.95	65.87	67.18
3"	88.20	91.73	95.40	99.21	103.18	106.28	109.47	112.75	115.01
4"	126.98	132.06	137.34	142.83	148.55	153.00	157.59	162.32	165.57
6"	244.60	254.38	264.56	275.14	286.15	294.73	303.57	312.68	318.93
8"	380.56	395.78	411.61	428.08	445.20	458.56	472.31	486.48	496.21
Hydrant	51.08	53.13	55.25	57.46	59.76	61.55	63.40	65.30	66.61
Expo	-	-	-	-	-	-	-	-	-
Volume Charge by Class and Tier									
Residential									
Tier 1 (0-8 CCF)	\$ 1.00	\$ 1.04	\$ 1.08	\$ 1.12	\$ 1.17	\$ 1.20	\$ 1.24	\$ 1.28	\$ 1.30
Tier 2 (8-22 CCF)	1.93	2.01	2.09	2.17	2.26	2.33	2.40	2.47	2.52
Tier 3 (Over 22 CCF)	3.10	3.22	3.35	3.48	3.62	3.73	3.84	3.96	4.04
Senior Housing (uniform rate)									
	\$ 1.75	\$ 1.82	\$ 1.90	\$ 1.97	\$ 2.05	\$ 2.11	\$ 2.18	\$ 2.24	\$ 2.29
Multi-Family Residential									
	\$ 1.75	\$ 1.82	\$ 1.90	\$ 1.97	\$ 2.05	\$ 2.11	\$ 2.18	\$ 2.24	\$ 2.29
Commercial & Standby									
	\$ 1.75	\$ 1.82	\$ 1.90	\$ 1.97	\$ 2.05	\$ 2.11	\$ 2.18	\$ 2.24	\$ 2.29
Irrigation									
Tier 1 (0-8 CCF)	\$ 1.00	\$ 1.04	\$ 1.08	\$ 1.12	\$ 1.17	\$ 1.20	\$ 1.24	\$ 1.28	\$ 1.30
Tier 2 (8-22 CCF)	1.93	2.01	2.09	2.17	2.26	2.33	2.40	2.47	2.52
Tier 3 (Over 22 CCF)	3.10	3.22	3.35	3.48	3.62	3.73	3.84	3.96	4.04
Hydrant	1.75	1.82	1.90	1.97	2.05	2.11	2.18	2.24	2.29
Expo	1.75	1.82	1.90	1.97	2.05	2.11	2.18	2.24	2.29
Hardship Discount (Applies to both Fixed and Volume)									
Outside City Factor (Applies to both Fixed and Volume)									

Note: "Across-the-Board" (ATB) means that all stated rates increase by the same percentage (both the fixed and volume charges), which maintains the existing rate structure.

Attachment: Water Utility Rate Analysis (1501 : 2022 Water Rates)