

Kent Taylor Civic Hall 200 NE Second Street McMinnville, OR 97128

City Council Meeting Agenda Tuesday, December 14, 2021 5:15 p.m. – City Council EXECUTIVE SESSION (CLOSED TO THE PUBLIC) 6:00 p.m. - City Council Work Session 7:00 p.m. - City Council Regular Meeting

REVISED 12/13/2021

Welcome! Civic Hall will be closed to the public. Until improvements of COVID cases in Yamhill County improve meetings will be held via Zoom and live broadcast ONLY.

The public is strongly encouraged to relay concerns and comments to the Council in one of three ways:

- Email at any time up to 12 p.m. the day of the meeting to Claudia. Cisneros@mcminnvilleoregon.gov;
- If appearing via telephone only please sign up prior to the meeting by emailing the City Recorder at Claudia.Cisneros@mcminnvilleoregon.gov as the chat function is not available when calling in zoom;
- Join the zoom meeting; send a chat directly to City Recorder, Claudia Cisneros, to request to speak and use the raise hand feature in zoom to request to speak, once your turn is up we will announce your name and unmute your mic. You will need to provide your First and Last name, Address, contact information (email or phone) to the City Recorder. You do not need to state your address for the record when called to speak.

You can live broadcast the City Council Meeting on cable channels Xfinity 11 and 331, Frontier 29 or webstream here: www.mcm11.org/live

CITY COUNCIL WORK SESSION AND CITY COUNCIL REGULAR MEETING:

You may join online via Zoom Meeting:

https://mcminnvilleoregon.zoom.us/j/81031088042?pwd=ZXZRMFpMTEtUY3RBekxyNIJjZXJQZz09

Zoom ID: 810 3108 8042 Zoom Password: 641216 Or you can call in and listen via zoom: 1-253-215-8782

ID: 810 3108 8042

5:15 PM – CITY COUNCIL EXECUTIVE SESSION – VIA ZOOM (NOT OPEN TO THE PUBLIC)

- 1. CALL TO ORDER
- 2. Executive Session pursuant to ORS 192.660(2)(h): To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.
- 3. Executive Session pursuant to ORS 192.660(2)(d): To conduct deliberations with persons designated by the governing body to carry on labor negotiations.
- 4. ADJOURNMENT

6:00 PM – COUNCIL WORK SESSION – VIA ZOOM AND LIVE BROADCAST ONLY

- 1. CALL TO ORDER
- 2. CODE UPDATE REGARDING TOWING OF VEHICLES DISCUSSION

3. ADJOURNMENT

Amended on 12.15

7:00 PM - REGULAR COUNCIL MEETING - VIA ZOOM AND LIVE BROADCAST ONLY

- 1. CALL TO ORDER & ROLL CALL
- 2. PLEDGE OF ALLEGIANCE
- 3. CEREMONIES
 - a. Lifesaving Award.
- 4. INVITATION TO COMMUNITY MEMBERS FOR PUBLIC COMMENT The Mayor will announce that any interested audience members are invited to provide comments. Anyone may speak on any topic other than: a matter in litigation, a quasi-judicial land use matter; or a matter scheduled for public hearing at some future date. The Mayor may limit comments to 3 minutes per person for a total of 30 minutes. The Mayor will read comments emailed to City Recorded and then any citizen participating via Zoom.

5. PUBLIC HEARING

 Public Hearing to consider Resolution No. 2021-58, adopting findings by the Contract Review Board to engage in a Construction Management/General Contractor procurement method for the Navigation Center Project.

6. ADVICE/INFORMATION ITEMS

- a. Reports from Councilors on Committee & Board Assignments
- b. Department Head Reports
 - 1. Consider Authorization of the Assistant to Firefighters Grant (AFG) application for 2021 Fire Chief Leipfert Memo (in packet).
 - Consider Authorizing the City Attorney to enter into agreements on behalf of the City regarding settlement of the national opioid litigation against Opioid Distributors and Janssen.

7. CONSENT AGENDA

- a. Consider **Resolution No. <u>2021-57</u>**: A Resolution appointing and re-appointing members to the City's various Boards, Committees, and Commissions. (*Updated on 12/13/2021*)
- b. Consider **Resolution No. <u>2021-59</u>**: A Resolution appointing Jerry Hart and Victoria Ernst as representatives of the City of McMinnville Budget Committee.
- c. Consider **Resolution No. <u>2021-60</u>**: A Resolution of the City of McMinnville Approving the First Amendment to Personal Services Contract with Erskine Law Practice LLC to Provide City Prosecutorial Services.
- d. Consider **Resolution No. 2021-61**: A Resolution ratifying a collective bargaining agreement between the City of McMinnville and the International Association of Fire Fighters Local 3099 for the period starting July 1, 2021.
- e. Consider the Minutes of the August 11, 2020 City Council Work Session & Regular Meeting.
- f. Consider the Minutes of the August 18, 2020 City Council Work Session Meeting.
- g. Consider the Minutes of the August 25, 2020 City Council Regular Meeting.

Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice: Kent Taylor Civic Hall is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made a least 48 hours before the meeting to the City Recorder (503) 435-5702 or Claudia.Cisneros@mcminnvilleoregon.gov.

8. NEW BUSINESS (Action Item)

a. McMinnville Water and Light Commission Appointment.

9. RESOLUTION

a. Consider **Resolution No. 2021-58**: A Resolution by the McMinnville Contract Review Board adopting findings to utilize a Construction Manager/General Contractor as an alternative procurement method for the Navigation Center.

10. ORDINANCE

- a. Consider first reading with a possible second reading of **Ordinance No. <u>5107</u>**: An Ordinance Adopting the OR 99W (Linfield to McDonald) Active Transportation Concept Plan as a supplemental document to the McMinnville Transportation System Plan and Amending Chapter 6 of the McMinnville Transportation System Plan.
- b. Consider first reading with a possible second reading of **Ordinance No. 5108**: An Ordinance Adopting the Yamhill County Transit Area Transit Development Plan as a supplemental document to the McMinnville Transportation System Plan.

11. ADJOURNMENT OF REGULAR MEETING



City of McMinnville City Attorney's Office

230 NE Second Street McMinnville, OR 97128 (503) 434-7303

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: November 30, 2021

Jeff Towery, City Manager TO: FROM: Tim Symons, Police Captain

Amanda Guile-Hinman, City Attorney

MMC Title 10 Updates re: Towing of Abandoned Vehicles **SUBJECT:**

Report in Brief:

Staff seeks feedback regarding proposed revisions to further clarify the McMinnville Municipal Code (MMC) provisions concerning abandoned vehicles and to identify the process for appealing a tow of an abandoned vehicle. The proposed draft revisions are attached hereto as Attachment 1.

II. **Background and Discussion:**

In 2018, the City adopted Ordinance No. 5049, which updated certain chapters in Title 10 of the McMinnville Municipal Code relating to the parking of recreational vehicles, motor trucks, and abandoned vehicles. Ordinance No. 5049 developed out of a City Council discussion to address the increased presence of recreational vehicles and abandoned vehicles on the City's right-of-way for extended periods of time. See Attachment 2 attached hereto that provides the prior staff reports regarding the Council discussion and adoption of Ordinance No. 5049. Attached hereto as Attachment 3 is Ordinance No. 5049.

Ordinance No. 5049 did three key things: (1) codified a recreational vehicle parking permit program to allow recreational vehicles to park on public rights-of-way if certain conditions were met; (2) created a definition for an "abandoned vehicle;" and

(3) established a definitive timeframe for declaring a vehicle abandoned. Prior to Ordinance No. 5049, if a vehicle located within the public right-of-way was moved within 72 hours of being cited, it often could not be towed, despite being repeatedly cited. This created a loophole where owners of non-operable, uninsured, and/or unregistered vehicles could avoid having their vehicles towed. Ordinance No. 5049 sought to clarify that a vehicle could still be considered abandoned even if it was moved, and thus subject to towing.

In reviewing Ordinance No. 5049 and the Oregon Revised Statutes (ORS) concerning abandoned vehicles (ORS Chapter 819), staff has found that further clarification to establish whether a vehicle is abandoned and the appeal process to challenge a tow are necessary.

A. Establishing Whether a Vehicle Is Abandoned

1. Definition of Abandoned Vehicle

The draft revisions to Title 10 clarify whether a vehicle is considered abandoned. The current definition created some confusion whether a vehicle is considered abandoned in two ways. First, the current definition begins by stating that an abandoned vehicle is a vehicle that "remains in violation for more than 24 hours" and also meets one of several conditions. The definition thus suggests that the two components to determine whether a vehicle is abandoned is if (1) it is in violation; and (2) it meets one of the listed conditions. What "in violation" means is not currently explained in Title 10.

In reviewing the prior information from the adoption of Ordinance No. 5049, the apparent intent was that if a vehicle was on a public street and met one of the listed conditions, it is considered abandoned. For example, if a vehicle was parked in the right-of-way for more than 24 hours and during that entire period did not have current registration, then it qualified as an abandoned vehicle. The wording of the definition, however, suggested that in addition to not being registered, some other violation must be occurring.

The proposed revisions clarify that the two components for determining whether a vehicle is abandoned are: (1) is it parked on a public right-of-way for 24 hours; and (2) does it meet any one of 5 conditions?

The second confusing element of the definition of abandoned vehicle is that under the current list of existing conditions, item 1 includes issues relating both registration and insurance. Item 1 is somewhat confusing as to whether the vehicle must be unregistered and uninsured or could either exist for the vehicle to be considered abandoned. To clarify this issue, the proposed revisions list vehicle registration from vehicle insurance as separate existing conditions so that if a vehicle is either unregistered or uninsured, it could be considered abandoned.

2. Clarifications to Chapter 10.28

Staff also reviewed other provisions that discuss "abandoned vehicles" and found that Chapter 10.28 could also be clarified to be consistent with the proposed definition (and apparent intent) of the definition of "abandoned vehicle." The proposed code provisions revise Section 10.28.090 to clarify that the 72-hour rule for parking is separate from the abandoned vehicle prohibition since different time frames apply.

B. Process for Appealing a Tow

ORS 819.190 allows a person who has an interest in a vehicle to contest the validity of a tow but requesting a hearing with the appropriate authority. The authority must hold a hearing and receive evidence from both the entity that towed the vehicle and the person with an interest in the vehicle to determine whether the tow was valid.

MMC Title 10 does not expressly state the process for this hearing, such as to whom a person should request a hearing, what type of information should be provided, and who is designated as the authority to decide whether a tow is valid. The draft amendments to MMC Chapter 10.44 propose to use the same appeal provisions in MMC Title 2 that are utilized for the other code violations/enforcement actions.

III. Attachments:

Attachment 1: Proposed revisions to MMC Chapters 10.04, 10.28, and 10.44

Attachment 2: 2018 staff reports regarding abandoned vehicles and adoption of

Ordinance No. 5049

Attachment 3: Ordinance No. 5049

IV. <u>Fiscal Impact:</u>

N/A

Chapter 10.04 GENERAL PROVISIONS

Sections:

10.04.010	Short title.
10.04.020	Applicability of state traffic laws.
10.04.030	Definitions.

10.04.010 Short title.

The ordinance codified in this title may be cited as "the city of McMinnville uniform traffic ordinance." (Ord. 3629 §1, 1972).

10.04.020 Applicability of state traffic laws.

Violations <u>under the Oregon Vehicle Code adopted by the of ORS Chapters 801 through 823 as now-constituted</u>, <u>amended and revised by the 1983 and 1985</u>-Oregon State Legislatures shall be an offense against the city. (Ord. 4400 §2, 1987).

10.04.030 Definitions.

In addition to those definitions contained in the ORS chapters set forth in Section <u>10.04.020</u>, the following words or phrases, except where the context clearly indicates a different meaning, shall be defined as follows:

"Abandoned vehicle" means a vehicle that remains <u>parked or kept on a public right-of-way in violation</u> for more than 24 hours, <u>without having been issued a permit pursuant to Section 10.28.205</u>, and one or more of the following conditions exist:

- 1. The vehicle does not have a lawfully affixed, unexpired registration plate, or fails to display current registration;
- 2. The vehicle or fails to have vehicle insurance as required by the state of Oregon;
- 23. The vehicle appears to be inoperative or disabled;
- 34. The vehicle appears to be wrecked, partially dismantled or junked; or

45. The vehicle appears to have been abandoned by its owner.

"Bicycle" means a nonmotorized vehicle designed to be ridden, propelled by human power, and having two or more wheels the diameter of which are in excess of 10 inches or having two or more wheels where any one wheel has a diameter in excess of 15 inches.

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

"Holiday" means New Year's Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and any other day proclaimed by the council to be a holiday.

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

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

"Park" or "parking" means the condition of:

- 1. A motor vehicle that is stopped while occupied by its operator with the engine turned off;
- 2. A motor vehicle that is stopped while unoccupied by its operator whether or not the engine is turned off.

"Pedestrian" means a person on the public right-of-way except:

- 1. The operator or passenger of a motor vehicle or bicycle;
- 2. A person leading, driving or riding an animal or animal-drawn conveyance.

"Recreational vehicle" means a vehicular-type unit that:

- 1. Contains sleeping facilities;
- 2. Is designed or used:
 - a. For human occupancy; and
 - b. As temporary living quarters for recreational, seasonal, or emergency use; and
- 3. Has its own motive power or is mounted on or towed by another vehicle.

"Stand" or "standing" means the stopping of a motor vehicle while occupied by its operator with the engine running except stopping in obedience to the instructions of a traffic officer or traffic-control device or for other traffic.

"Stop" means complete cessation of movement.

"Street" and "other property open to public travel":

- 1. When used in this title or in the ORS chapters incorporated in this title, shall be considered synonymous, unless the context precludes such construction. "Street," as defined in this title and the ORS chapters incorporated by reference in this title, includes alleys, sidewalks, grass or parking strips, and parking areas and accessways owned or maintained by the city.
- 2. "Other property open to public travel" means property whether publicly or privately owned and whether publicly or privately maintained, upon which the public operates motor vehicles either by express or implied invitation other than streets as defined in subsection (1) of this definition, and excepting public school property, county property, or property under the jurisdiction of the State Board of Higher Education. Other property open to public travel shall include but not be limited to parking lots, service station lots, shopping center and supermarket parking lots, and other accessways and parking areas open to general vehicular traffic, whether or not periodically closed to public use.

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

"Traffic-control device" means a device to direct vehicular or pedestrian traffic, including but not limited to a sign, signaling mechanism, barricade, button or street or curb marking installed by the city or other authority.

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

"Vehicle" means any device in, upon or by which any person or property is or may be transported or drawn upon a public highway and includes vehicles that are propelled or powered by any means. "Vehicle," as used in subsequent sections of this title, includes bicycles. (Ord. 5049 §1 (Exh. 1 §1), 2018; Ord. 3623 §3, 1972).

Chapter 10.28

STOPPING, STANDING AND PARKING*

Sections:	
10.28.010	Parking – Two-hour and 30-minute zones created.
10.28.015	Parking – Ten and 15 minute zones.
10.28.020	Parking or standing – Exemptions for certain official vehicles.
10.28.030	Parking or standing – Prohibited in designated locations.
10.28.040	Parking – Adams Street restrictions.
10.28.050	Parking – Third Street restrictions.
10.28.060	Parking – Highway North 99W restrictions.
10.28.070	Violation of Sections 10.28.040 through 10.28.060 – Penalty.
10.28.080	Parking – For sale, repair or storage prohibited when.
10.28.090	Overtime parking prohibited – Fines.
10.28.100	Calculation of Maximum Parking Time Limits.
10.28.110	Parking or standing – Methods and restrictions.
10.28.120	Lights on parked vehicle.
10.28.130	Parked vehicle – Removing ignition key required when.
10.28.140	Parked vehicle – Police authorized to remove ignition key when.
10.28.150	Vehicles parked near fire – Removal requirements.
10.28.160	Buses and taxicabs – Parking and standing restrictions generally.
10.28.170	Buses and taxicabs – Use of facilities by other vehicles restricted.
10.28.180	Loading zone – Commercial vehicle regulations.
10.28.190	Parking permit for certain commercial or service vehicles.
10.28.200	Courtesy Parking permits.
10.28.205	Recreational vehicle parking permit.
10.28.210	Parking permit – Display required.
10.28.220	Parking permit – Not transferable.
10.28.230	Illegally parked vehicle – Citation requirements.
10.28.240	Citation – Owner responsibility.
10.28.250	Citation – Registered owner presumption.
10.28.260	Citation – Failure to comply.
10.28.270	Parking Fine Schedule. Repealed.
10.28.280	Multiple Parking Violations.
10.28.400	Towing and moving vehicles parked in violation of temporary restrictions.

^{*} For statutory provisions on city power to control parking, see ORS 487.890.

10.28.010 Parking – Two-hour and 30-minute zones created.

Parking zones of two hours' and of 30 minutes' duration are created within the central business district and residential zones in those areas designated by the city manager or his or her designee. No vehicle as defined by ORS 801.590, shall be allowed to be parked in excess of the time limit in these zones without authorization under this chapter. (Ord. 4788 §2, 2003; Ord. 3727 §2, 1974).

10.28.015 Parking – Ten and 15 minute zones.

The city manager or his or her designee may designate 10 and 15 minute parking zones within the central business district and residential zones. No vehicle, as defined by ORS <u>801.590</u>, shall be allowed to be parked in excess of the time limit in these zones without authorization under this chapter. (Ord. 4788 §2, 2003; Ord. 4716 §3, 2000).

10.28.020 Parking or standing – Exemptions for certain official vehicles.

The provisions of this title regulating the parking or standing of vehicles shall not apply to a vehicle of the city, county or state or public utility while necessarily in use for construction or repair work on a street, or a vehicle owned by the United States while in use for the collection, transportation or delivery of mail. (Ord. 3629 §33, 1972).

10.28.030 Parking or standing – Prohibited in designated locations.

In addition to the state motor vehicle laws prohibiting parking, no person shall park or leave standing, in the following places:

- A. A vehicle upon a bridge, viaduct or other elevated structure used as a street, or within a street tunnel, unless authorized by state statute, by this code, or by the chief of police or his or her designee.
- B. A vehicle in an alley, other than for the expeditious loading or unloading of persons or materials but in no case for a period in excess of 30 consecutive minutes.
- C. A motor truck, as defined by ORS <u>801.355</u>, on a street between the hours of 9:00 p.m. and 7:00 a.m. of the following day unless a revocable permit is obtained from the city police department. The permit shall be for a six-month or a 12-month period and may be renewed. The cost of the permit will be set by resolution determined by the McMinnville city council. In the event a complaint(s) is received from a resident in the area

of the parked truck, the chief of police or his or her designee shall investigate the complaint and may revoke said permit, and the cost of the permit shall be forfeited by the permittee.

- D. A vehicle upon a parkway or freeway, except as authorized by state statute, by this code, or by the chief of police or his or her designee.
- E. A vehicle on a curb painted yellow, except as specifically authorized by signage.
- F. A vehicle within the area between the curb or roadway and sidewalk line commonly known as the planting strip, except where improved parking areas have been approved and marked by the city engineering department.
- G. A vehicle in such a manner that the vehicle blocks all or any part of any driveway.
- H. A vehicle in such a manner that the vehicle blocks all or any part of a public sidewalk.
- I. A recreational vehicle on any public highway, road, street, or right-of-way within the city, except for the immediate loading or unloading of persons or property, or by permit issued pursuant to Section <u>10.28.205</u>.
- J. A vehicle in any area where parking is permanently prohibited by order of the city manager or their designee, pursuant to Section 10.08.020.
- K. A vehicle in any area where parking has been temporarily prohibited by order of the city manager pursuant to Section 10.08.020 and traffic control devices have been installed to provide notice of the prohibition. (Ord. 5055 §1 (Exh. 1 §1), 2018; Ord. 5049 §1 (Exh. 1 §2), 2018; Ord. 4788 §2, 2003; Ord. 3874 §1, 1977; Ord. 3629 §24, 1972).

10.28.040 Parking – Adams Street restrictions.

It is unlawful for any person to park any vehicle on the east side of Adams Street north of Twelfth Street for a distance of one hundred feet. (Ord. 4788 §2, 2003; Ord. 3063 §1, 1962).

10.28.050 Parking – Third Street restrictions.

It is unlawful for any person to park any vehicle on Third Street between Adams Street and Johnson Street in the city from three a.m. to six a.m. of any day. (Ord. 4788 §2, 2003; Ord. 3092 §1, 1963).

10.28.060 Parking – Highway North 99W restrictions.

It is unlawful for any person to park any vehicle on either side of Highway North 99W from Seventeenth Street to Lafayette Avenue. (Ord. 3555 §1, 1971).

10.28.070 Violation of Sections 10.28.040 through 10.28.060 – Penalty.

Any person violating any of the provisions of MMC <u>10.28.040</u> through <u>10.28.060</u> shall, upon conviction be fined in an amount not to exceed three hundred dollars. (Ord. 4788 §2, 2003; Ord. 3555 §2, 1971; Ord. 3092 §2, 1963; Ord. 3063 §2, 1962).

10.28.080 Parking – For sale, repair or <u>abandoned</u> storage prohibited when.

No operator shall park and no owner shall allow a vehicle to be parked upon a street for the principal purpose of:

- A. Displaying the vehicle for sale;
- B. Repairing or servicing the vehicle, except repairs necessitated by an emergency;
- C. Displaying advertising from the vehicle;
- D. Selling merchandise from the vehicle, except when authorized by this code or by the chief of police or his or her designee; or
- E. Abandoning the vehicle. <u>A vehicle that meets the definition of "abandoned vehicle"</u> <u>Abandoned vehicles</u> may be tagged for tow immediately. <u>Abandoned vehicles may be towed 24 Twenty-four (24)</u> hours after the notice has been affixed to the vehicle, <u>the abandoned vehicle may be towed</u> at the owner's expense; <u>or</u>
- F. Storing a vehicle, as prohibited under MMC 10.28.090.- (Ord. 5049 §1 (Exh. 1 §3), 2018; Ord. 4788 §2, 2003; Ord. 4400 §1, 1987; Ord. 4320 §1, 1985; Ord. 3987 §1, 1979; Ord. 3629 §5, 1972).

10.28.090 Overtime parking prohibited – Fines.

For vehicles other than abandoned vehicles (which are subject to MMC 10.28.080(E)) or recreational vehicles with a valid permit under MMC 10.28.205, The owner of a vehicle shall not permit the vehicle to remain parked upon a public street for longer than 72 hours unless different parking time limits have been indicated by official city signs. A vehicle parked for longer than 72 hours shall be considered as being "stored;" "junk," for

purposes of enforcing MMC <u>10.28.080</u> and <u>MMC Chapter 10.44</u> (Ord. 4788 §2, 2003; Ord. 4320 §2, 1985; Ord. 3727 §3, 1974).

10.28.100 Calculation of Maximum Parking Time Limits.

Where a maximum parking time limit is designated by sign, the time period shall begin at the first instance that the vehicle is parked along a block face or within a parking lot during a parking day. Any vehicle parked within the same block face or parking lot after the expiration of the maximum parking time limit during a single parking day shall be in violation of the parking time limit, notwithstanding that the vehicle may have been moved to another location within the same block face or parking lot, or that the vehicle may have departed and returned to the same block face or parking lot during that parking day.

- A. "Block face" is defined as one side of the street between two intersecting streets.
- B. "Parking day" is defined as a single calendar day between the hours of 9 a.m. and 6 p.m. (Ord. 5007, 2016; Ord. 4985, 2014; Ord. 3629 §32, 1972).

10.28.110 Parking or standing – Methods and restrictions.

- A. No person shall park or leave a vehicle in a street, other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the curbside wheels of the vehicle within 12 inches of the edge of the curb, except where the street is marked or signed for angle parking.
- B. Where parking space markings are placed on a street, no person shall park or leave standing a vehicle other than in the indicated direction and, unless the size or shape of the vehicle makes compliance impossible, within a single marked space.
- C. The operator who first begins maneuvering his or her vehicle into a vacant parking space on a street shall have priority to park in that space, and no other vehicle operator shall attempt to deprive him or her of his or her priority or block his or her access. (Ord. 4788 §2, 2003; Ord. 3629 §23(1—3), 1972).

10.28.120 Lights on parked vehicle.

No lights need be displayed upon a vehicle that is parked in accordance with this chapter upon a street where there is sufficient light to reveal a person or object at a distance of at least five hundred feet from the vehicle. (Ord. 3629 §31, 1972).

10.28.130 Parked vehicle – Removing ignition key required when.

No operator or person in charge a motor vehicle shall park it or allow it to be parked on a street, on other property open to public travel, or on a new or used car lot without first stopping the engine, locking the ignition, removing the ignition key from the vehicle and effectively setting the brake. If the vehicle is attended, the ignition key need not be removed. (Ord. 4788 §2, 2003; Ord. 3629 §27, 1972).

10.28.140 Parked vehicle – Police authorized to remove ignition key when.

Whenever a police officer finds a motor vehicle parked unattended with the ignition key in the vehicle in violation of MMC <u>10.28.130</u>, the police officer is authorized to remove the key from vehicle and deliver the key to the police department. (Ord. 4788 §2, 2003; Ord. 3629 §28, 1972).

10.28.150 Vehicles parked near fire – Removal requirements.

Whenever the operator of a vehicle discovers that his or her vehicle is parked close to a building to which the fire department has been summoned, he or she shall immediately remove the vehicle from the area, unless otherwise directed by police or fire officers. (Ord. 4788 §2, 2003; Ord. 3629 §23(4), 1972).

10.28.160 Buses and taxicabs – Parking and standing restrictions generally.

The operation or a bus or taxicab shall not park or leave standing the vehicle upon a street in a business district at a place other than a bus stop or taxicab stand, respectively, except that this provision shall not prevent the operator of a taxicab from temporarily stopping his vehicle outside a traffic lane while loading or unloading passengers. (Ord. 4788 §2, 2003; Ord. 3629 §29, 1972).

10.28.170 Buses and taxicabs – Use of facilities by other vehicles restricted.

No person shall stand or park a vehicle other than a taxicab in a taxicab space, or a bus in a bus stop, except that the operator of a passenger vehicle may temporarily stop for the purpose of and while actually engaged in loading or unloading passengers, when stopping does not interfere with a bus or taxicab waiting to enter or about to enter the restricted space. (Ord. 4788 §2, 2003; Ord. 3629 §30, 1972).

10.28.180 Loading zone – Commercial vehicle regulations.

- A. The use of loading zones is restricted to commercial vehicles, and no person shall park or leave standing a commercial vehicle for any purpose or length of time, other than for the expeditious loading or unloading of persons or materials, in a place designated as a loading zone, when the hours applicable to that loading zone are in effect. If no time limits are posted, then the use of the zone shall not exceed 30 minutes.
- B. "Commercial vehicle" means a vehicle identified by permanent lettering conspicuously painted on the body of the vehicle or identified by the use of electromagnetic sign plates, either of which must be on the exterior of the vehicle, or a vehicle registered with the state and displaying a valid Oregon State Motor Vehicle Public Utilities Commission license plate issued for said vehicle. (Ord. 4788 §2, 2003; Ord. 3741 §1, 1975; Ord. 3629 §26, 1972).

10.28.190 Parking permit for certain commercial or service vehicles.

A. Downtown Resident Parking Permits. Residents who reside in the downtown core area may apply for a "Downtown Residential Parking Permit" to avoid receiving over-time parking citations. All outstanding parking citations must be paid before a permit will be issued. There will be a limited number of residential parking spaces available in the downtown core area. Permits will be issued on a first com, first served basis. No more than one parking permit will be issued to any residential address in the downtown area. No more than two permits will be issued in a one block area. The chief of police or his or her designee will determine the location(s) in which permitted vehicles will be parked. Vehicles parked under this section will not be exempt from MMC 10.28.080.

The following information must be presented when applying for a permit:

- 1 A valid automobile registration showing the automobile is registered to the applicant.
- 2 A valid driver's license or identification card; and
- 3 Proof of residency (e.g., a gas, electric, or telephone bill).

The residential parking permit must be prominently displayed in or on the vehicle. The issuance of a residential permit does not guarantee that there will be a parking space available for the permit holder. Permits area assigned to a particular vehicle and are not transferable. Permits are on a first come, first served basis. The cost of the parking permit will be set by resolution determined by the McMinnville city council.

B. Commercial/delivery permits. Business owners in the downtown core area whose business consists of delivering consumer goods at minimum twice per day on business days may apply for a commercial/delivery parking permit. All outstanding parking citations must be paid prior to a permit being issued. Only one permit shall be allowed per business. Subject to the provisions of this section, a vehicle prominently displaying a commercial/delivery parking permit may be parked in a regular parking space. Commercial/delivery permits

are not valid in loading zones or parking spaces with a time limit of less than two hours. The chief of police or his or her designee will assign the location for the permitted vehicle to be parked. Vehicles parked under this section will not be exempt from MMC 10.28.080. The cost of the commercial/delivery permit will be set by resolution determined by the McMinnville city council.

The following information must be presented when applying for a permit:

- 1 A valid automobile registration showing the vehicle is registered to the owner of the business or to a designated employee;
- 2 Proof of business necessity for permit; and
- 3 Proof that vehicle is "commercially marked."
 - a "Commercial vehicle" means a vehicle identified by any of the following:
 - i Permanent lettering conspicuously painted on the body of the vehicle;
 - ii Electromagnetic sign plates, which may be on the exterior of the vehicle, of not less than 120 square inches in size;
 - iii The vehicle is registered with the state and displays valid Oregon State Motor Vehicle Public Utility Commission license plates issued for the vehicle.

A commercial/delivery permit must be prominently displayed in or on the vehicle. The issuance of a commercial/delivery permit does not guarantee that there will be a parking space available for the permit holder. Permits are assigned to a particular vehicle and are not transferable.

C. Residential Permit Parking Zone Permits. Residential parking permits in a form prescribed and issued by the chief of police or his or her designee may be issued to residents who would not otherwise be allowed to park near their residence due to restricted parking. No more than two permits will be issued to any residential address in a restricted residential zone as determined by the McMinnville city council. The cost of the permit will be set by resolution determined by the McMinnville city council.

The following information must be presented when applying for a permit:

- 1 A valid driver's license or identification card; and
- 2 Proof of residency (e.g., a gas, electric, or telephone bill).

A residential permit must be prominently displayed. The issuance of a permit does not guarantee that there will be a parking space available for the permit holder.

D. Service/repair permits. Parking permits in a form prescribed and issued by the chief of police or his or her designee shall be issued to commercial and service vehicles for use in conjunction with work being performed or services being rendered within two hundred feet of a parking space. Permits may be used for construction,

installation, relocation, maintenance, or repair of streets, sidewalks, alleyways, parking lots, buildings, structures, or landscaping or other work on communication, power, gas, water, sewer, or other utility cables, mains, or pipelines. The permit must be prominently displayed. The issuances of a permit does not guarantee that there will be a parking space available for the permit holder. Permits are assigned to a particular vehicle and are not transferable. The chief of police or his or her designee will determine the locations for the vehicle to be parked. The cost of the permit will set by resolution of the McMinnville city council. (Ord. 4788 §2, 2003).

10.28.200 Courtesy Parking permits.

The chief of police or his or her designee may, in his or her discretion, make courtesy permits available to visitors of the city. Such permits shall be valid for not more than three days and shall be without cost to the visitors. These permits, if properly displayed in accordance with the direction prescribed by the chief of police, shall authorize the permittee to park his or her vehicle without regard to time limits and without having to pay the meter fees in any parking space allowing over 30 minutes of continuous parking. (Ord. 4788 §2, 2003; Ord. 3629 §73, 1972).

10.28.205 Recreational vehicle parking permit.

Upon application and payment of the established permit fee, the chief of police or their designee will issue a parking permit allowing for a recreational vehicle to be parked on any public highway, road, street, or right-of-way within the city, if the following conditions are met:

- A. The permit will be valid for not more than 72 consecutive hours;
- B. The permit must be displayed on a recreational vehicle that is parked within 200 feet of residential real property owned or leased by the permit applicant;
- C. A single recreational vehicle may not be issued more than four parking permits during a calendar year, regardless of location parked;
- D. The starting time for recreational vehicle parking permit may not be less than 72 hours after the expiration time of a previous permit issued for the same recreational vehicle;
- E. The permit does not allow for parking of a recreational vehicle in excess of any posted time limit for parking. (Ord. 5049 §1 (Exh. 1 §4), 2018).

10.28.210 Parking permit – Display required.

It shall be the duty of the person parking a vehicle with a properly issued permit to display the identification card in plain sight within the driver's compartment of the vehicle for which the card was issued. (Ord. 3629 §71, 1972).

10.28.220 Parking permit – Not transferable.

No person shall use an identification card for a vehicle other than the vehicle for which it was issued nor while using the licensed vehicle for any purpose other than that authorized by the permit. Willful violation of these previsions will result in forfeiture of the permit and denial of future permits. (Ord. 3629 §72, 1972).

10.28.230 Illegally parked vehicle – Citation requirements.

Whenever a vehicle without an operator is found parked in violation of a restriction imposed by this chapter, the officer or other individual charged with the duty of enforcing the parking regulations of this title shall take its license number and any other information displayed on the vehicle which may identity its owner, and shall conspicuously affix to the vehicle a parking citation for the operator to answer to the charge against him or her, or pay the penalty imposed during the hours and at a place specified in the citation. (Ord. 4788 §2, 2003; Ord. 3727 §4, 1974; Ord. 3629 §56, 1972).

10.28.240 Citation – Owner responsibility.

The owner of a vehicle placed in violation of a parking restriction shall be responsible for the offense, except where the use of the vehicle was secured by the operator without the owner's consent. (0rd. 3629 §58, 1972).

10.28.250 Citation – Registered owner presumption.

In a prosecution of a vehicle owner, charging a violation of a restriction on parking, proof that the vehicle at the time of the violation was registered to the defendant shall constitute a presumption that he or she was then the owner in fact. (Ord. 4788 §2, 2003; Ord. 3629 §59, 1972).

10.28.260 Citation – Failure to comply.

If the operator does not respond to a parking citation affixed to the vehicle within a period of ten days, the city will increase the fine. If the operator does not respond to this increased fine, a summons shall be issued. (Ord. 4788 §2, 2003; Ord. 3727 §5, 1974; Ord. 3629 §57, 1972).

10.28.270 Parking Fine Schedule.

Repealed by Ord. 4788 §2, 2003.

10.28.280 Multiple Parking Violations.

Each violation of the maximum lawful parking time designated for a metered or limited time parking zone shall constitute a separate offense. Each 24-hour period during which a vehicle is parked in violation of MMC 10.28.030 and 10.28.080(A) through (D) shall constitute a separate offence. (Ord. 4788 §2, 2003; Ord. 4716 §2, 2000).

10.28.400 Towing and moving vehicles parked in violation of temporary restrictions.

- A. The provisions of this section apply only when parking has been temporarily prohibited on a street for:
 - 1. Street or utility maintenance, repair, or rehabilitation purposes.
 - 2. Construction activities on public or private property adjacent to the street.
 - 3. Public events on streets authorized by city permit.
- B. Any vehicle parked on a street in violation of Section $\underline{10.28.030}$ may be towed according to the provisions of this section, upon the order of the city manager, or designee, without prior notice to the owner of the vehicle, when removal of the vehicle is required to provide immediate access for a purpose described in subsection $\underline{\Lambda}$ of this section.
- C. The city manager or designee may:
 - 1. Order a vehicle to be towed to a legal parking space on a street within the vicinity of the prohibited area, in which case the cost of towing the vehicle will be paid by the city if requested by the city, or the permittee if requested by the permittee.

2. If, not less than 24 hours prior to the effective time and date of the prohibition, the city has installed and maintained traffic control devices giving notice of the parking prohibition, the city manager or designee may order the vehicle to be towed and stored as set forth in ORS <u>98.812</u>. (Ord. 5055 §1 (Exh. 1 §2), 2018).

Chapter 10.44 ABANDONED VEHICLES

Sections: 10.44.010 Impoundment – police department's duty. 10.44.020 Identification of owner. 10.44.030 Notice to owner. 10.44.040 Return to owner - Conditions. 10.44.045 Hearing. 10.44.050 Sale - Notice publication required. 10.44.060 Sale - To highest bidder. 10.44.070 Sale – Disposition of proceeds. 10.44.080 Sale - Certificate. 10.44.090 Delivery to purchaser. Payment to owner following sale - Conditions. 10.41.100 Applicability of chapter provisions. 10.44.110

10.44.010 Impoundment – police department's duty.

It shall be the duty of the police department of the city, whenever a motor vehicle is found abandoned on the streets of the city, or is found without an owner claiming the same, or by reason of arrest or in any other manner comes into the hands of the police department without a claimant, to either place the same upon property of the city for further disposition or store the same with some reputable motor vehicle storage yard or garage pending investigation into the ownership of said motor vehicle. (Ord. 1980 §1, 1939).

10.44.020 Identification of owner.

The chief of police, upon finding any vehicle as specified in MMC 10.44.010, or coming into possession of the same, shall make diligent inquiry of all available persons as to the name and address of the owner, conditional vendor or mortgagee, or any other person interested therein, and shall examine said motor vehicle for the license number, motor number, serial number, make and style, and for any other information which will aid in the identification of the owner, conditional vendor, mortgagee or other interested person. (Ord. 1980 §2, 1939).

10.44.030 Notice to owner.

After having acquired all available information, the chief of police shall immediately transmit the same to the secretary of state of Oregon with an inquiry for the name and address of the owner, conditional vendor, mortgagee or other interested person. If the owner, conditional vendor, mortgagee or other person interested in found and identified, he shall immediately be notified by registered letter that the motor vehicle is held by the chief of police of the city and will be sold at public auction at a definite place in the city on a day certain at ten a.m. in the morning of such day to the highest and best bidder for cash, which such sale shall not be held until ten days have elapsed from the receipt by the owner of the registered notice. (Ord. 1980 §3, 1939).

10.44.040 Return to owner – Conditions.

If the owner, conditional vendor, mortgagee or other person interested applied to the chief of police, before a sale has taken place, for the return of the motor vehicle, specified in MMC 10.44.010, submits to the chief of police satisfactory evidence of his interest therein, and tenders with said application the cost in the seizing, keeping and making sale of said motor vehicle, the chief of police, upon being satisfied that the claim is rightful, shall surrender the same to the claimant. (Ord. 1980 §5, 1939).

10.44.045 Hearing.

Formatted: Font: 13 pt

A. The owner(s) and any other persons who reasonably appear to have an interest in the abandoned vehicle are, upon timely application filed pursuant to Section 2.50.510(B)(2), entitled to request a hearing to contest the validly of the tow or intended tow of the vehicle.

Formatted: Font: 10.5 pt

B. A person requesting a hearing must submit such request within 5 days from the mailing date of the notice. The 5-day period does not include City-recognized holidays, Saturdays or Sundays.

C. Failure to timely request a hearing and/or failure to submit the required information will result in the summary denial of the request by the City.

Formatted: Indent: Left: 0", Hanging: 0.5"

10.44.050 Sale – Notice publication required.

If the owner, conditional vendor, mortgagee or other person interested cannot be found after due diligence as set forth in this chapter, then the chief of police shall cause to be published in some newspaper of general circulation published in the county a notice embodying the foregoing information, which shall be published

two times, the first publication of which shall be made more than ten days before such proposed sale. (Ord. 1980 §4, 1939).

10.44.060 Sale – To highest bidder.

If no claim has been made before the time set for sale of the vehicle, the chief of police shall, at the time and place appointed, within view of the motor vehicle to be sold, offer for sale and shall sell said motor vehicle to the highest and best bidder for cash, and in default of bids from others for a greater sum, shall bid the same in for the city at the amount of its costs incurred in its seizing, keeping and offering for sale of the same. (Ord. 1980 §6, 1939).

10.44.070 Sale – Disposition of proceeds.

The proceeds of the sale shall be first applied to the payment of costs incurred in the seizing, keeping and making such sale, and the balance, if any, shall be paid to the treasurer of the city to be credited to the general fund. (Ord. 1980 §7, 1939).

10.44.080 Sale – Certificate.

At the time of payment of the purchase price, the chief of police shall execute a certificate of sale, in duplicate, the original of which shall be delivered to the purchaser, and a copy thereof filed with the recorder of the city, which certificate of sale shall be substantially in the following form:

"CERTIFICATE OF SALE

-		-		e notice of time and place of sale I
did on the	day of	, 19	, sell at public auction to	
		for	the sum of \$, cash, he being the
			d best sum bid therefore, the fo	
property, to wit: (Brief description of p	property)		. And in
consideration of t	he payment of said s	um of \$	receipt who	ereof is hereby acknowledged, I
have this day deli	vered to said purchas	er the foregoir	ng property. Dated this	day of
,19				

Note: The city of McMinnville assumes no responsibility as to the condition of title of the above described property. In case this sale shall for any reason be invalid the liability of the city is limited to the return of the purchase price."

(Ord. 1980 §8, 1939).

10.44.090 Delivery to purchaser.

Upon such sale being consummated, the chief of police shall deliver the possession of the motor vehicle and the certificate of sale to the purchaser. Such sale and conveyance shall be without redemption. (Ord. 1980 §9, 1939).

10.41.100 Payment to owner following sale – Conditions.

At any time within one year after such sale, the owner of any property sold as provided in this chapter shall Se untitled to have the balance of the proceeds of such sale paid to him out of the general fund upon making application therefor to the council and presenting satisfactory proof of ownership. (Ord. 1980 §10, 1939).

10.44.110 Applicability of chapter provisions.

This chapter shall apply to all motor vehicles and parts thereof now in possession of the chief of police as well as to all such as may hereafter be taken into possession. (Ord. 1980 §1, 1939) and charges have been paid. Vehicles impounded under authority of this section shall be disposed of in the same manner as provided in MMC 10.48.020. (Ord. 3629 §60(5), 1972).

ATTACHMENT 2



City of McMinnville
Police Department
121 SW Adams Street
McMinnville, OR 97128
(503) 434-7307

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: February 16, 2018

TO: Jeff Towery, City Manager

FROM: Matt Scales, Chief of Police; Tim Symons, Police Captain

SUBJECT: RV's and Vehicular Camping

Report in Brief:

This is the first report to the McMinnville City Council regarding recreational vehicles (RV's), campers & vehicle camping that has been affecting our city and citizens for a number of years now. Information contained in the work session will include codified city codes obtained from other Oregon cities that provide avenues to address current vehicular camping concerns our city is struggling with. In addition, this report will discuss City costs in addressing these situations, and provide you with context to how frequently the police department (code enforcement and police officers) deal with these types of calls for service, and provide information about why current City code language makes it extremely difficult to act in a timely manner on these types of complaints.

Background:

Over the last number of months McMinnville has dealt with a growing issue in regards to people living/camping in their RV's, campers, trailers, and vehicles. This is occurring on city streets, public right-of-ways and publicly owned property (i.e. surface parking lots and the parking structure). These situations have caused a significant increase in calls for service to the police department throughout the city. Whether it is in a residential, industrial or commercial zone, the Police Department has been called to deal with people living out of their RV's, campers or vehicles. During recent City Council sessions there have been numerous citizens voicing concerns that the inaction by the City has impacted the livability of their neighborhoods or their businesses. The citizens voiced concerns that people sleeping in these vehicles are causing safety issues with loose dogs running around, littering, public urination, defecation, or in general public health issues.

Worth noting is that in responding to these complaints, the problems mentioned at city council meetings do exist, however these issues do not exist with every complaint we go to, or every vehicular camper we contact. The testimony from the citizens should not be taken as all inclusive, there are some vehicular campers who do obey the laws and respect the neighborhood or areas they are parked in.

It is the police department's belief that proposals made to City Council regarding ordinance language will be done in a thorough and thoughtful manner. Additions or changes to existing McMinnville Municipal Code will be recommended based on the direction City Council wishes to proceed from information provided.

Discussion:

It was extremely difficult to obtain real numbers regarding the number of RV's, campers, and vehicle camping calls for service the police department responds to. Prior to this report, the associated calls for service were either coded as Ordinance Violations, Parking Complaints or Abandoned Vehicles. Unfortunately, this coding doesn't provide actual context to how many calls for service and what the related work product is since all information in each of the listed designations would need to be gone through individually to mine out the needed information. Recently a specific code has been established in YCOM to be able to appropriately parse out the needed information. The new established code is RVORD and should be able to provide a more realistic number of how many calls are received on a daily, weekly, monthly and yearly basis.

Data gathered from YCOM regarding the calls for service specific to abandoned vehicles, which would include calls involving RV's, campers, and vehicle camping showed that the police department responded to 401 complaints from January 1, 2017 to February 8, 2018. Of those abandoned vehicle complaints, 13 were known locations where RV, campers, trailers & vehicle camping complaints have been made. This seems like a relatively small number, however a large portion of these complaints come directly to code enforcement. There have been multiple occasions where a complaint will come in via email or phone call to a specific employee at the police department and passed along to the code enforcement workgroup. Historically, unless it's reached the timeframe established in current City Code to be tagged as an abandoned vehicle, the information wasn't relayed through YCOM to start a tracking mechanism on how many calls for service are generated. The current process has been updated to reflect any time staff respond to a related issue they are providing that information to YCOM for tracking purposes.

It should also be noted that a majority of the enumerated calls involve multiple RV's, campers, and vehicle camping at a single location, but only reflect a singular location and call for service. Even with this information, not all of the complaints are captured.

Humanitarian Impact

Although we often times simply speak of the impact to the complainants of these RV's, campers, and trailers. We would be remiss if we didn't mention the impact to those who either desire to live out of their vehicle, or they have been forced into the situation due to the circumstances beyond their control. We deal with single persons, married couples, families with children and their pets.

This is a very complex issue with many moving parts to consider. If after the City Council discusses this situation and decides to take a more aggressive approach to enforcing vehicular camping to include RV's, there needs to be discussions in where these campers are going if/when their RV's and vehicular campers are going, and how they move forward with their lives. This will be a major event in their lives and will obviously affect their lives for an extended amount of time.

City Costs

From the data captured in CAD, we estimate that Code Enforcement alone responds to approximately eight (8) abandoned vehicle complaints per week during the listed time above. Each abandon vehicle complaint is estimated to take approximately 90 minutes per call at a cost of \$27.50 per hour *without employee rollups*. The salary alone of one Code Enforcement officer to deal with these complaints is roughly \$17,160 a year. This doesn't account for secondary staff time costs such as supervisors time to review the work product, and provide direction to the code enforcement employee.

Current Issues with Existing Ordinances:

You have heard from code enforcement and myself describing the current City Ordinances that deal with these problems as full of loopholes and that they are antiquated ordinances.

The existing city ordinance language does not allow for adequate or timely enforcement of vehicular camping complaints. In addition, it is extremely labor and time intensive as it relates to these issues.

For example, our current RV ordinance, which is defined as "trailer houses" are addressed in current city code using language which needs to be updated to reflect the changes that have occurred since it was initially codified in 1960. Currently when the existing code was attempted to be enforced it was deemed to be invalid due to language effectively making it unenforceable. Our McMinnville Municipal Court ruled in order for the RV's or "trailer house" to be in violation of the current City Ordinance needed to be observed occupied for 4 consecutive hours. The code enforcement team does not have the capacity to do this due to workloads and time constraints. See below for the current City Ordinance.

MMC 15.28.010 Trailer house defined. The term "trailer house" means a vehicle or mobile home used for living or sleeping purposes, which is or has been equipped with wheels for the purpose of transporting the same upon the public streets or highways, and constructed in such a manner as to permit occupancy as a dwelling or sleeping quarters for one or more persons. The term "trailer house" also includes any self-propelled living quarters.

MMC 15.28.030 Parking for more than four hours – Permit required – exceptions.

A. It is unlawful to park or place any trailer house used for sleeping or living purposes within the city for a period of time exceeding four hours, excepting in a trailer court or within any commercial or industrial zone as designated by the zoning ordinances after obtaining a nontransferable permit from the council as set forth in this chapter. The parking of trailer houses in the city which are not used for sleeping or living quarters are not regulated by this chapter but are regulated by the general ordinances of the city regulating vehicular parking when parked on the city street or alleys.

It is our recommendation that the code will need to be updated to current best practice standards to provide enforcement tools for staff. Specifically definitions contained in the current ordinance need to be updated as well as any restrictions, exemptions, time frames and what action is to be taken if there isn't voluntary compliance.

With the RV "trailer house" essentially becoming unenforceable. The City's code enforcement workgroup turned to the abandon vehicle ordinance in an attempt to gain compliance with RV's, trailers and vehicle campers. As you have heard from my statements during recent City Council meetings. The current abandon vehicle ordinance is also filled with loopholes and is antiquated. As you will read below, from the initial 72 hours vehicles are allowed to park on the City street it will take an additional 144 consecutive hours (totaling 9 days) before RV's, trailers, and vehicle campers are eligible to be clock starts towed from a location. In addition, if the vehicle moves over 300' or more during this time frame, the over.

To provide an idea of how labor and time intensive the current abandoned vehicle city code is, to qualify a vehicle must per;

MMC 10.28.080 Parking – For Sale, repair or storage prohibited when.

(E) Storage or as junk for <u>more than seventy-two hours</u>. After a vehicle has been stored on a public street for more than one hundred forty-four consecutive hours and has received two

parking citations for storage or junk, the Chief of Police of his or her designee may cause the vehicle to be towed and stored at the owner's expense. The owner shall be liable for the costs of towing and storing, notwithstanding that the vehicle was parked by another.

- 1. For purpose of this subsection the following definition is adopted: "storage" means leaving a vehicle parked upon a public street for more than seventy-two
- 2. Moving a vehicle to a new location more than three hundred feet (as measured in straight line from the site where the violations occurred) shall interrupt the running of the seventy-two hour period.

The areas emphasized; more than seventy-two hours, more than one hundred forty-four consecutive hours and moving three hundred feet interrupting the running time period make it so we currently have to account for an extended period of time prior to being able to remove a vehicle that the owner fails to voluntarily comply with city parking code. If the vehicle is moved to another location that is more than 300' from the initially identified location the time starts over again, but the problem or issue has not resolved itself. More to the point, it has simply moved to a different location that will have an adverse effect on that new location.

Looking Forward to Update City Codes:

We have provided a matrix of City Codes that deal with RV's, trailers, vehicle camping and abandoned vehicle from various jurisdictions in Oregon. Those jurisdictions are; Oregon City, Forest Grove, Newberg, Gresham, Lincoln City, Washington County, Albany and Redmond. None of these jurisdictions have the same city ordinance language with respect to dealing with these issues, but each provides a good idea of how other jurisdictions have dealt with this problem. The only commonalities they each have is that they all seek **voluntary compliance** from the person that is presenting the issue. In fact, all of the jurisdictions that I've been able to speak with have indicated they have not had to "force" a move for those who are in violation of their Recreational Vehicle, camper, trailer and vehicle camping City Codes. The only jurisdiction that has had to "force" a move was Oregon City and that was a number of years ago. To this point, it was so long ago they weren't able to provide any specifics as to what occurred, other than they had to tow the vehicle in question.

Workload Impact

With respect to workload impacts to police department personnel, we do not anticipate seeing a significant increase in work. We are already receiving these calls for service and dealing with them to the best of our ability. If it is the desire of the City Council to move forward with changes to city ordinances this should not impact delivery of other city services.

Attachments:

1. Jurisdictional matrix for Abandoned Vehicle, RV & Camper, Trailer and Vehicle camping City Codes along with fee assessments and permitting language, if any.

Recommendation:

Staff recommends that the City Council take a thoughtful comprehensive review of vehicular camping codes and abandoned vehicle codes from other jurisdictions. Once this review is completed, the Police Department and City Attorney's office will need direction with how best to proceed in drafting an updated ordinance for possible Council consideration.

Jurisdiction	Abandoned Vehicle Ordinance	Duration parked on street		Duration parked on street	Consequences	Permit	Fine per occurrence	Notes
Oregon City	yes	24 hours	yes	no time	citations, no movement, boot and/or abandoned vehicle procedure	business purposes last for 6 months	\$15 per day	Code enforcement officers will work with citizens who are parking their RV's in front of their residence to get them set for weekend trips, but only if they are parked in front of their residence and are actively being loaded for a close in time trip. No other exceptions are made for on the street parking of RV's. The permit covers trailers for construction purposes. Attempt to gain voluntary compliance first. If officers continue to issue tickets they will eventually start the abandoned vehicle process of 7 consecutive business days and then tow or boot.
Forest Grove	yes	72 hours	yes	no time	citations	none	\$100 per day	Code enforcement officers will work with citizens to gain voluntary compliance. If none then they continue to place citations on the vehicle for RV Stay violations. There is no time identified for RV's on city streets, making it illegal to park them on the street.
Newberg	yes	72 hours	yes	48 hours	citations then into abandoned vehicle tow if not moved.	none	\$500	No RV shall be parked at the curb of any city street for more than 48 hours. Nothing contained herin shall prevent the parking of unoccupied recreational vehicles not in daily use on the owner's property; except the vehicle may not be parked in the required front yard setback for more than 48 hours

Jurisdiction	Abandoned Vehicle Ordinance	Duration parked on street		Duration parked on street	Consequences	Permit	Fine per occurrence	Notes
Gresham	yes	24 hours	yes	72 hours w/ permit	citations	72 hours 6 times per year	\$250	Permits not to exceed 72 hours. Permits will allow for parking immediately adjacent to the property. Only the lawful owner/tenant of the property will be issued a permit. No more than 6 permits in a 12 month period. Parking without permit subjects the vehicle to be towed with no less than 24 hours notice.
Lincoln City	yes	72 hours	camping Ord		citations	none	\$125 fine for camping	Failure to comply with parking citations. If the operator does not respond to a parking citation attached to the vehicle within 7 working days the municipal court clerk will send a letter to the owner of the vehicle informing them of the violation and giving notice that if the citation is disregarded for a period of 30 days; A. the fine will be doubled; and B. IF the vehicle has 3 or more outstanding citations or \$50.00 or more in unpaid fines, it may be impounded and an impounded vehicle shall not be released until all outstanding fines and charges are paid.

Jurisdiction	Abandoned Vehicle Ordinance	Duration parked on street	RV/Camper	Duration parked on street	Consequences	Permit	Fine per occurrence	Notes
Washington County	yes	24 hours	yes	48 hours w/in 2 mile radius	citations, then into tag and tow		\$250 for first time offense, \$500 for each subsequent offense	No person shall park a RV on a residential street within the Enhanced Sheriff's Patrol District for a period in excess of 4 consecutive days (96 consecutive hours) in a 28 day period. Each day is a new violation for the offending vehicle.
Albany	yes	24 hours	yes	48 hours adjacent to property owner	citations	up to 90 permit with approval from city and adjacent neighbors to alleviate a temporary housing hardship	\$2,500	48 hour allowance with the consent of adjacent property owners on the street. A 90 day allowance can be made to alleviate temporary housing hardships. Stored or junked vehicles not on the street for more than 24 hours. Seeking voluntary compliance and haven't had to force an issue.
Redmond	yes	no more than 7 days in a 6 month period	yes	No more than 72 hours in a 6 month period being used to sleep in, in a residential zone or area	citation	no permit		Abandoned vehicle defined as a vehicle left unoccupied and unclaimed, unregistered or uninsured, inoperable or could not be lawfully operated on the streets or highway, or in a damaged or dismantled condition upon the streets or alleys of the City and includes motor vehicles, boats, trailers or other personal property

City of McMinnville
Police Department
121 SW Adams Street
McMinnville, OR 97128
(503) 434-7307

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: March 21, 2018

TO: Jeff Towery, City Manager **FROM:** Matt Scales, Chief of Police

SUBJECT: City Ordinance updates for RV's and Abandoned Vehicles

Report in Brief:

This is a follow up report from the City Council Work Session that took place on February 21st, 2018. Our comprehensive initial report to the McMinnville City Council surrounded the antiquated City Code dealing with vehicular camping in recreational vehicles (RV's) and abandoned vehicles.

As you will recall, recreational vehicles parked in areas throughout the City of McMinnville have been affecting the livability and functionality of citizens and businesses for a number of years. Information provided during the Work Session outlined what the current situation looks like in McMinnville, and how we as a Police Department are dealing with it using our existing City Code. Our presentation included codified City Codes obtained from other Oregon cities that provide alternatives to our current outdated codes that do not address the issues in a timely and effective manner.

After a lengthy discussion the City Council directed staff to return with an effective updated City Ordinance addressing both RV's and abandoned vehicles. Staff has prepared an updated Ordinance which should satisfy the City Council's request. Staff recommends adoption of the updated RV and Abandoned Vehicle Ordinance and repeal of the existing antiquated Code, Chapter 15.28 "Trailer Houses".

Background:

Over the last number of months McMinnville has dealt with a growing issue in regards to people living/camping in their RV's, campers, trailers, and vehicles. This is occurring on City streets, public right-of-ways and publicly owned property (i.e. surface parking lots and the parking structure). These situations have caused a significant increase in calls for service to the Police Department throughout the City. Whether it is in a residential, industrial or commercial zone, the Police Department has been called to deal with people living out of their RV's, campers or vehicles. During recent City Council public comment sessions there were numerous citizens voicing concerns that the inaction by the City has impacted the livability of their neighborhoods or their businesses. The citizens voiced concerns that people sleeping in these vehicles are causing safety issues with loose dogs running around, littering, public urination, defecation, or in general public health issues.

Again, worth noting is that in responding to these complaints, the problems mentioned at City Council meetings do exist, however these issues do not exist with every complaint we go to, or every vehicular camper we contact. The testimony from the citizens should not be taken as all inclusive, there are

some vehicular campers who do obey the laws and respect the neighborhood or areas they are parked in.

Current Issues with Existing Ordinances:

The existing City Ordinance language does not allow for adequate or timely enforcement of vehicular camping complaints. In addition, it is extremely labor and time intensive as it relates to these issues.

For example, our current RV Ordinance, which is defined as "trailer houses" are addressed in current City Code using language which needs to be updated to reflect the changes that have occurred since it was initially codified in 1960. Currently when the existing code was attempted to be enforced it was deemed to be invalid due to language effectively making it unenforceable. Our McMinnville Municipal Court ruled in order for the RV's or "trailer house" to be in violation of the current City Ordinance needed to be observed occupied for four consecutive hours. The code enforcement team does not have the capacity to do this due to workloads and time constraints. See below for the current City Code.

MMC 15.28.010 Trailer house defined. The term "trailer house" means a vehicle or mobile home used for living or sleeping purposes, which is or has been equipped with wheels for the purpose of transporting the same upon the public streets or highways, and constructed in such a manner as to permit occupancy as a dwelling or sleeping quarters for one or more persons. The term "trailer house" also includes any self-propelled living quarters.

MMC 15.28.030 Parking for more than four hours – Permit required – exceptions.

A. It is unlawful to park or place any trailer house used for sleeping or living purposes within the city for a period of time exceeding four hours, excepting in a trailer court or within any commercial or industrial zone as designated by the zoning ordinances after obtaining a nontransferable permit from the council as set forth in this chapter. The parking of trailer houses in the city which are not used for sleeping or living quarters are not regulated by this chapter but are regulated by the general ordinances of the city regulating vehicular parking when parked on the city street or alleys.

With the RV "trailer house" essentially becoming unenforceable, the City's code enforcement workgroup turned to the Abandoned Vehicle Ordinance in an attempt to gain compliance with RV's, trailers and vehicle campers. As you have heard from my statements during recent City Council meetings, the current Abandoned Vehicle Code is also filled with loopholes and is antiquated. As you will read below, from the initial 72 hours vehicles are allowed to park on the City street it will take an additional 144 consecutive hours (totaling 9 days) before RV's, trailers, and vehicle campers are eligible to be clock starts towed from a location. In addition, if the vehicle moves over 300' or more during this time frame, the time starts over.

MMC 10.28.080 Parking – For Sale, repair or storage prohibited when.

(E) Storage or as junk for <u>more than seventy-two hours</u>. After a vehicle has been stored on a public street for <u>more than one hundred forty-four consecutive hours</u> and has received two parking citations for storage or junk, the Chief of Police of his or her designee may cause the vehicle to be towed and stored at the owner's expense. The owner shall be liable for the costs of towing and storing, notwithstanding that the vehicle was parked by another.

- 1. For purpose of this subsection the following definition is adopted: "storage" means leaving a vehicle parked upon a public street for more than seventy-two hours.
- 2. Moving a vehicle to a new location more than three hundred feet (as measured in straight line from the site where the violations occurred) shall interrupt the running of the seventy-two hour period.

The areas emphasized; more than seventy-two hours, more than one hundred forty-four consecutive hours and moving three hundred feet interrupting the running time period make it so we currently have to account for an extended period of time prior to being able to remove a vehicle that the owner fails to voluntarily comply with City Parking Code. If the vehicle is moved to another location that is more than 300' from the initially identified location the time starts over again, but the problem or issue has not resolved itself. More to the point, it has simply moved to a different location that will have an adverse effect on that new location.

Update City Ordinance:

At City Council's request, staff has prepared an updated City Ordinance which will provide PD employees the ability to deal with both RV's and Abandoned Vehicles in a more timely and effective manner. As mentioned earlier, the antiquated City Code dealing with "Trailer Houses" is recommended to be repealed, and updated definitions of "Abandoned Vehicle", "Recreational Vehicle" and "Vehicle" were added to the current City Code Section 10.04.030.

In addition, Section 10.28.030 is recommended to be amended with respect to RV's. Under the recommended code adoption, RV's are prohibited from parking on any public highway, road, street, or right-of-way within the City, except for the immediate loading or unloading of persons or property.

Section 10.28.080 is recommended to be amended with regards to Abandoned Vehicles. Staff recommends updating the Ordinance, so that abandoned vehicles may be tagged with a tow notice immediately, and subsequently towed 24 hours after the notice has been affixed to the vehicle at the owner's expense if certain criteria is met.

Lastly, language reference "Motor Trucks" was made clearer. The City Code is recommended to be changed so that any motor truck that was parked on a city street between 9:00 p.m. and 7:00 a.m. the following day, is required to obtain a permit from the city Police Department, regardless of location.

Recommendation:

Staff recommends that the City Council adopt the updated City Ordinance related to RV's and Abandoned Vehicles and repeal the existing Code, Chapter 15.28 "Trailer Houses".

ORDINANCE 5049 EXHIBIT 1

Section 1. MMC Section 10.04.030 will be amended as follows:

<u>10.04.030</u> <u>Definitions</u>. In addition to those definitions contained in the ORS chapters set forth in Section 10.04.020, the following words or phrases, except where the context clearly indicates a different meaning, shall be defined as follows:

- A. <u>"Abandoned Vehicle" means a vehicle that remains in violation for more than 24 hours and one</u> or more of the following conditions exist:
- (1) The vehicle does not have a lawfully affixed, unexpired registration plate, fails to display current registration or fails to have vehicle insurance as required by the State of Oregon;
 - (2) The vehicle appears to be inoperative or disabled;
 - (3) The vehicle appears to be wrecked, partially dismantled or junked; or
 - (4) The vehicle appears to have been abandoned by its owner.
- B. "Bicycle" means a non-motorized vehicle designed to be ridden, propelled by human power, and having two or more wheels the diameter of which are in excess of ten inches or having two or more wheels where any one wheel has a diameter in excess of fifteen inches.
- C. "Bus stop" means a space on the edge of a roadway designated by sign for use by buses loading or unloading passengers.
- D. "Holiday" means New Year's Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and any other day proclaimed by the council to be a holiday.
- E. "Loading zone" means a space on the edge of a roadway designated by sign for the purpose of loading or unloading passengers or materials during specified hours of specified-days.
- F. "Motor vehicle" means every vehicle that is self-propelled, including tractors, fork-lift trucks, motorcycles, road building equipment, street cleaning equipment and any other vehicle capable of moving under its own power, notwithstanding that vehicle may be exempt from licensing under the motor vehicle laws of the state.
 - G. "Park" or "parking" means the condition of:
 - (1) A motor vehicle that is stopped while occupied by its operator with the engine turned off;
 - (2) A motor vehicle that is stopped while unoccupied by its operator whether or not the engine is turned off.
 - H. "Pedestrian" means a person on the public right-of-way except:
 - (1) The operator or passenger of a motor vehicle or bicycle;
 - (2) A person leading, driving or riding an animal or animal-drawn conveyance.
- I. <u>"Recreational Vehicle"</u> (RV) means any vehicle with or without motive power that is designed for human occupancy and to be used temporarily for recreational, seasonal or emergency purposes and as further defined, by rule, by the director.
- J. "Stand" or "standing" means the stopping of a motor vehicle while occupied by its operator with the engine running except stopping in obedience to the instructions of a traffic officer or traffic-control device or for other traffic.
 - K. "Stop" means complete cessation of movement.
 - L. "Street" and "other property open to public travel":
 - (1) When used in this title or in the ORS chapters incorporated in this title, shall be considered synonymous, unless the context precludes such construction. "Street," as defined in this title and the ORS chapters incorporated by reference in this title, includes alleys, sidewalks, grass or parking strips, and parking areas and accessways owned or maintained by the city.

- (2) "Other property open to public travel" means property whether publicly or privately owned and whether publicly or privately maintained, upon which the public operates motor vehicles either by express or implied invitation other than streets as defined in subsection A of this section, and excepting public school property, county property, or property under the jurisdiction of the State Board of Higher Education. Other property open to public travel shall include but not be limited to parking lots, service station lots, shopping center and supermarket parking lots, and other accessways and parking areas open to general vehicular traffic, whether or not periodically closed to public use.
- M. "Taxicab stand" means a space on the edge of a roadway designated by sign for use by taxicabs.
- N. "Traffic-control device" means a device to direct vehicular or pedestrian traffic, including but not limited to a sign, signaling mechanism, barricade, button or street or curb marking installed by the city or other authority.
 - O. "Traffic lane" means that area of the roadway used for the movement of a single line of traffic.
- P. <u>"Vehicle" means any device in, upon or by which any person or property is or may be transported or drawn upon a public highway and includes vehicles that are propelled or powered by any means.</u> "Vehicle," as used in subsequent sections of this title, includes bicycles.

Section 2. MMC Section 10.28.030 will be amended as follows:

- <u>10.28.030</u> Parking or standing—Prohibited in designated locations. In addition to the state motor vehicle laws prohibiting parking, no person shall park or leave standing, in the following places:
- A. A vehicle upon a bridge, viaduct or other elevated structure used as a street, or within a street tunnel, unless authorized by state statute, by this Code, or by the Chief of Police or his or her designee;
- B. A vehicle in an alley, other than for the expeditious loading or unloading of persons or materials but in no case for a period in excess of thirty consecutive minutes;
- C. A motor truck, as defined by ORS 801.355, on a street between the hours of nine p.m. and seven a.m. of the following day in front of or adjacent to a residence, motel, apartment house, hotel or other sleeping accommodation unless a revocable permit is obtained from the city Police Department. The permit shall be for a six month or a twelve-month period and may be renewed. The cost of the permit will be set by resolution determined by the McMinnville City Council. In the event a complaint(s) is received from a resident in the area of the parked truck, the Chief of Police or his or her designee shall investigate the complaint and may revoke said permit, and the cost of the permit shall be forfeited by the permittee;
- D. A vehicle upon a parkway or freeway, except as authorized by state statute, by this Code, or by the Chief of Police or his or her designee.
- E. A vehicle on a curb painted yellow, except as specifically authorized by signage.
- F. A vehicle within the area between the curb or roadway and sidewalk line commonly known as the planting strip, except where improved parking areas have been approved and marked by the City engineering department.
- G. A vehicle in such a manner that the vehicle blocks all or any park of any driveway.
- H. A vehicle in such a manner that the vehicle blocks all or any part of a public sidewalk.
- <u>I</u>. A recreational vehicle (RV) on any public highway, road, street, or right-of-way within the city, except for the immediate loading or unloading of persons or property.

Section 3. MMC Section 10.28.080 will be amended as follows:

<u>10.28.080</u> Parking—For sale, repair or storage prohibited when. No operator shall park and no owner shall allow a vehicle to be parked upon a street for the principal purpose of:

- A. Displaying the vehicle for sale;
- B. Repairing or servicing the vehicle, except repairs necessitated by an emergency;
- C. Displaying advertising from the vehicle;
- D. Selling merchandise from the vehicle, except when authorized by this Code or by the Chief of Police or his or her designee;
- Abandoning the vehicle. Abandoned Vehicles may be tagged for tow immediately. Abandoned vehicles may be towed 24 hours after the notice has been affixed to the vehicle at the owner's expense. Storage or as junk for more than seventy-two hours. After a vehicle has been stored on a public street for more than one hundred forty-four consecutive hours and has received two parking citations for storage or junk, the Chief of Police or his or her designee may cause the vehicle to be towed and stored at the owner's expense. The owner shall be liable for the costs of towing and storing, notwithstanding that the vehicle was parked by another.
 - 1. For purposes of this subsection the following definition is adopted: "storage" means leaving a vehicle parked upon a public street for more than seventy-two hours.
 - 2. Moving a to a new location more than three hundred feet (as measured in a straight line from the site where the violations occurred) shall interrupt the running of the seventy-two hour period.

Section 4. MMC Chapter 15.28 will be repealed:

Chapter 15.28 TRAILER HOUSES

Sections:

15.28.010	Trailer house defined.
15.28.020	License required—Requirements.
15.28.030	Parking for more than four hours—Permit required—Exceptions.
15.28.040	Parking permit applicability.
15.28.050	Wheel removal or placement on foundation not to affect applicability of
	provisions.
15.28.060	Sanitary disposal system use regulation.
15.28.070	Violation—Penalty.

15.28.010 Trailer house defined. The term "trailer house" means a vehicle or mobile home used for living or sleeping purposes, which is or has been equipped with wheels for the purpose of transporting the same upon the public streets or highways, and constructed in such a manner as to permit occupancy as a dwelling or sleeping quarters for one or more persons. The term "trailer house" also includes any self-propelled living quarters. (Ord. 2931 §1, 1960).

15.28.020 License required-Requirements.

A. No person shall park or place any trailer house used for sleeping or living purposes within any commercial or industrial zone within the city without first obtaining a license from the city. An application for a license shall be filed with the city recorder. The application shall contain a general description of the trailer, year, model and make, and the purpose for which the trailer will be used and exact location thereof. Upon the filing of the application the building inspector shall inspect the premises upon which the trailer house will be located and the general layout as to sewer and water facilities.

B. The council reserves the right to reject any application or refuse to grant the permit. If the council is satisfied that the location of said trailer house will not violate any of the sanitary rules or regulations or disturb or become a nuisance to the residents of the area in which the trailer house will be located, the council may grant a nontransferable permit for a period of not exceeding two years in which such applicant may place or park said trailer house and use the same for living or sleeping purposes. Such permit may upon proper application be renewed or extended by the council. Upon the filing of the application, the applicant shall pay to the city recorder a filing fee of ten dollars. (Ord. 3341 §1, 1967; Ord. 2931 §3, 1960).

15.28.030 Parking for more than four hours—Permit required—Exceptions.

A. It is unlawful to park or place any trailer house used for sleeping or living purposes within the city for a period of time exceeding four hours, excepting in a trailer court or within any commercial or industrial zone as designated by the zoning ordinances after obtaining a nontransferable permit from the council as set forth in this chapter. The parking of trailer houses in the city which are not used for sleeping or living quarters are not regulated by this chapter but are regulated by the general ordinances of the city regulating vehicular parking when parked on the city street or alleys. (Ord. 4660 §1.b, 1998; Ord. 2931 §2, 1960).

15.28.040 Parking permit applicability. Subsection A of Section 15.28.030 shall not apply to those trailer houses outside trailer courts and within the residential zones of the city which as of August 1, 1960, were being used as a place of residence; provided, however, that should any such trailer house be moved from its present location, it shall immediately lose its classification under this chapter; and provided, further, the council reserves the right to order the discontinuance within a reasonable time of the use of a trailer house for sleeping or living purposes within a residential zone upon reasonable notice or by amendment of this chapter. (Ord. 2931 §5, 1960).

<u>15.28.050</u> Wheel removal or placement on foundation not to affect applicability of <u>provisions</u>. The removal of the wheels or the placement of a trailer house on posts, footings or permanent or temporary foundation shall not be considered as removing said trailer house from the regulations contained in this chapter. (Ord. 2931 §4, 1960).

<u>15.28.060</u> Sanitary disposal system use regulation. It is unlawful for any person occupying or using any trailer house within the city to use any toilet, sink, lavatory or similar equipment therein unless the same are connected with a public sewer or an approved septic tank in accordance with the ordinances of the city. (Ord. 2931 §6, 1960).

15.28.070 <u>Violation—Penalty</u>. Any person, firm or corporation violating any provision of this chapter, or failing to comply thereto, shall, upon conviction, in the recorder's court, be subject to a fine not exceeding three hundred dollars and to imprisonment in the city jail not exceeding ten days. Each day during which the violation continues shall be considered a separate violation hereunder. (Ord. 2931 §7, 1960).

ORDINANCE NO. 5049

An Ordinance relating to the parking of Recreational Vehicles, Motor Trucks and Abandoned Vehicles; amending McMinnville Municipal Code (MMC) Chapters 10.04, 10.28, and repealing MMC Chapter 15.28.

RECITALS:

The parking of Recreational Vehicles, Motor Trucks, and Abandoned Vehicles in the public right-of-way can have a negative impact on the livability and safety of neighborhoods throughout the City.

Current City ordinances do not provide timely response in the case of abandoned vehicles and do not adequately regulate the parking of Recreational Vehicles or Motor Trucks within the City, resulting in negative impacts that may occur when such vehicles are parked in and near residential neighborhoods or for extended period of time in any location.

There is an immediate need to address these issues through ordinance revisions, as the parking of Recreational Vehicles, Motor Trucks, and Abandoned Vehicles within the City presents an immediate threat to the public health, welfare and safety.

Now, therefore, THE COMMON COUNCIL FOR THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

- 1. The provisions set forth in the attached Exhibit 1, which are incorporated by this reference, are hereby adopted.
- 2. An emergency is hereby declared, and this ordinance will take effect at 12:00 p.m. (noon) on Wednesday, April 4, 2018.

Passed by the Council on	, 20, by the following votes:
Ayes:	
Nays:	
Approved on, 20_	
	MAYOR
Approved as to form:	Attest:
CITY ATTORNEY	CITY RECORDER



City of McMinnville City Attorney's Office 230 NE Second Street McMinnville, OR 97128 (503) 434-7303

www.mcminnvilleoregon.gov

MEMORANDUM

DATE: April 10, 2018

TO: Jeff Towery, City Manager **FROM:** David Koch, City Attorney

SUBJECT: ORD 5049 – Recreational Vehicles, Motor Trucks and Abandoned Vehicles

On March 27, 2018, the City Council had a first reading for proposed Ordinance 5049. Following review and discussion by the Council, the ordinance was passed to a second reading with instruction to staff to make certain amendments to the ordinance.

The following amendments are proposed to the Ordinance

- (1) Amend the ordinance with respect to the definition of the term Recreational Vehicle. The amendment is similar to the language that was provided to the Council at the meeting on March 27th, with changes to reflect Council discussion.
- (2) Provisions were added to allow for a Recreational Vehicle Parking Permit program to be administered by the Police Department. The program would allow for a 72-hour parking permit to be issued not more than 4 times per calendar year to a single Recreational Vehicle. The Permit must be displayed in the window of the vehicle and the vehicle must be parked within 200 feet (approximately 1 block) of property owned or leased by the applicant. Consecutive permits could not be obtained.

Staff intends to bring forward the topic of parking fines and parking enforcement options, to include a program for booting and/or towing vehicles, for discussion at a future Council meeting.

Attachments:

Ordinance 5049

Recommendation:

Adopt Ordinance 5049

ORDINANCE 5049 EXHIBIT 1

Section 1. MMC Section 10.04.030 will be amended as follows:

<u>10.04.030</u> <u>Definitions</u>. In addition to those definitions contained in the ORS chapters set forth in Section 10.04.020, the following words or phrases, except where the context clearly indicates a different meaning, shall be defined as follows:

- A. <u>"Abandoned Vehicle" means a vehicle that remains in violation for more than 24 hours and</u> one or more of the following conditions exist:
- (1) The vehicle does not have a lawfully affixed, unexpired registration plate, fails to display current registration or fails to have vehicle insurance as required by the State of Oregon;
 - (2) The vehicle appears to be inoperative or disabled;
 - (3) The vehicle appears to be wrecked, partially dismantled or junked; or
 - (4) The vehicle appears to have been abandoned by its owner.
- B. "Bicycle" means a non-motorized vehicle designed to be ridden, propelled by human power, and having two or more wheels the diameter of which are in excess of ten inches or having two or more wheels where any one wheel has a diameter in excess of fifteen inches.
- C. "Bus stop" means a space on the edge of a roadway designated by sign for use by buses loading or unloading passengers.
- D. "Holiday" means New Year's Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and any other day proclaimed by the council to be a holiday.
- E. "Loading zone" means a space on the edge of a roadway designated by sign for the purpose of loading or unloading passengers or materials during specified hours of specified-days.
- F. "Motor vehicle" means every vehicle that is self-propelled, including tractors, fork-lift trucks, motorcycles, road building equipment, street cleaning equipment and any other vehicle capable of moving under its own power, notwithstanding that vehicle may be exempt from licensing under the motor vehicle laws of the state.
 - G. "Park" or "parking" means the condition of:
 - (1) A motor vehicle that is stopped while occupied by its operator with the engine turned off;
 - (2) A motor vehicle that is stopped while unoccupied by its operator whether or not the engine is turned off.
 - H. "Pedestrian" means a person on the public right-of-way except:
 - (1) The operator or passenger of a motor vehicle or bicycle;
 - (2) A person leading, driving or riding an animal or animal-drawn conveyance.
 - I. <u>"Recreational vehicle" means a vehicular-type unit that:</u>
 - (1) Contains sleeping facilities;
 - (2) Is designed or used:
 - (a) for human occupancy, and
 - (b) as temporary living quarters for recreational, seasonal, or emergency use; and,
 - (3) Has its own motive power or is mounted on or towed by another vehicle.
- J. "Stand" or "standing" means the stopping of a motor vehicle while occupied by its operator with the engine running except stopping in obedience to the instructions of a traffic officer or traffic-control device or for other traffic.
 - K. "Stop" means complete cessation of movement.
 - L. "Street" and "other property open to public travel":
 - (1) When used in this title or in the ORS chapters incorporated in this title, shall be considered synonymous, unless the context precludes such construction. "Street," as defined in this title and

ORD. 5049, Exhibit 1 Page **1** of !

the ORS chapters incorporated by reference in this title, includes alleys, sidewalks, grass or parking strips, and parking areas and accessways owned or maintained by the city.

- (2) "Other property open to public travel" means property whether publicly or privately owned and whether publicly or privately maintained, upon which the public operates motor vehicles either by express or implied invitation other than streets as defined in subsection A of this section, and excepting public school property, county property, or property under the jurisdiction of the State Board of Higher Education. Other property open to public travel shall include but not be limited to parking lots, service station lots, shopping center and supermarket parking lots, and other accessways and parking areas open to general vehicular traffic, whether or not periodically closed to public use.
- M. "Taxicab stand" means a space on the edge of a roadway designated by sign for use by taxicabs.
- N. "Traffic-control device" means a device to direct vehicular or pedestrian traffic, including but not limited to a sign, signaling mechanism, barricade, button or street or curb marking installed by the city or other authority.
 - O. "Traffic lane" means that area of the roadway used for the movement of a single line of traffic.
- P. <u>"Vehicle" means any device in, upon or by which any person or property is or may be</u>
 <u>transported or drawn upon a public highway and includes vehicles that are propelled or powered by</u>
 <u>any means.</u> "Vehicle," as used in subsequent sections of this title, includes bicycles.

Section 2. MMC Section 10.28.030 will be amended as follows:

- <u>10.28.030</u> Parking or standing—Prohibited in designated locations. In addition to the state motor vehicle laws prohibiting parking, no person shall park or leave standing, in the following places:
- A. A vehicle upon a bridge, viaduct or other elevated structure used as a street, or within a street tunnel, unless authorized by state statute, by this Code, or by the Chief of Police or his or her designee;
- B. A vehicle in an alley, other than for the expeditious loading or unloading of persons or materials but in no case for a period in excess of thirty consecutive minutes;
- C. A motor truck, as defined by ORS 801.355, on a street between the hours of nine p.m. and seven a.m. of the following day in front of or adjacent to a residence, motel, apartment house, hotel or other sleeping accommodation unless a revocable permit is obtained from the city Police Department. The permit shall be for a six month or a twelve-month period and may be renewed. The cost of the permit will be set by resolution determined by the McMinnville City Council. In the event a complaint(s) is received from a resident in the area of the parked truck, the Chief of Police or his or her designee shall investigate the complaint and may revoke said permit, and the cost of the permit shall be forfeited by the permittee;
- D. A vehicle upon a parkway or freeway, except as authorized by state statute, by this Code, or by the Chief of Police or his or her designee.
- ${\mathbb E}$. A vehicle on a curb painted yellow, except as specifically authorized by signage.
- F. A vehicle within the area between the curb or roadway and sidewalk line commonly known as the planting strip, except where improved parking areas have been approved and marked by the City engineering department.
- G. A vehicle in such a manner that the vehicle blocks all or any park of any driveway.
- H. A vehicle in such a manner that the vehicle blocks all or any part of a public sidewalk.
- A Recreational Vehicle on any public highway, road, street, or right-of-way within the city, except for the immediate loading or unloading of persons or property, or by permit issued pursuant to MMC Section 10.28.205.

ORD. 5049, Exhibit 1 Page **2** of **5**

Section 3. MMC Section 10.28.080 will be amended as follows:

<u>10.28.080</u> Parking—For sale, repair or storage prohibited when. No operator shall park and no owner shall allow a vehicle to be parked upon a street for the principal purpose of:

- A. Displaying the vehicle for sale;
- B. Repairing or servicing the vehicle, except repairs necessitated by an emergency;
- C. Displaying advertising from the vehicle;
- D. Selling merchandise from the vehicle, except when authorized by this Code or by the Chief of Police or his or her designee;
- Abandoning the vehicle. Abandoned Vehicles may be tagged for tow immediately.

 Abandoned vehicles may be towed 24 hours after the notice has been affixed to the vehicle at the owner's expense. Storage or as junk for more than seventy-two hours. After a vehicle has been stored on a public street for more than one hundred forty-four consecutive hours and has received two parking citations for storage or junk, the Chief of Police or his or her designee may cause the vehicle to be towed and stored at the owner's expense. The owner shall be liable for the costs of towing and storing, notwithstanding that the vehicle was parked by another.
 - 1. For purposes of this subsection the following definition is adopted: "storage" means leaving a vehicle parked upon a public street for more than seventy-two hours.
 - 2. Moving a to a new location more than three hundred feet (as measured in a straight line from the site where the violations occurred) shall interrupt the running of the seventy two hour period.

Section 4. MMC Section 10.28.205 will be added:

- 10.28.205 Recreational Vehicle Parking Permit. Upon application and payment of the established permit fee, the Chief of Police or their designee will issue a Parking Permit allowing for a Recreational Vehicle to be parked on any public highway, road, street, or right-of-way within the city, if the following conditions are met:
 - 1. The permit will be valid for not more than 72 consecutive hours;
- 2. The permit must be displayed on a Recreational Vehicle that is parked within 200 feet of residential real property owned or leased by the permit applicant;
- 3. A single Recreational Vehicle may not be issued more than four (4) parking permits during a calendar year, regardless of location parked;
- 4. The starting time for Recreational Vehicle parking permit may not be less than 72-hours after the expiration time of a previous permit issued for the same Recreational Vehicle;
- 5. The permit does not allow for parking of a Recreational Vehicle in excess of any posted time limit for parking.

Section 5. MMC Chapter 15.28 will be repealed:

Chapter 15.28
TRAILER HOUSES

Sections:

15.28.010 Trailer house defined.

ORD. 5049, Exhibit 1 Page **3** of **5**

15.28.020	License required—Requirements.
15.28.030	Parking for more than four hours—Permit required—Exceptions.
15.28.040	Parking permit applicability.
15.28.050	Wheel removal or placement on foundation not to affect applicability of
	provisions.
15.28.060	Sanitary disposal system use regulation.
15.28.070	Violation—Penalty.

15.28.010 Trailer house defined. The term "trailer house" means a vehicle or mobile home used for living or sleeping purposes, which is or has been equipped with wheels for the purpose of transporting the same upon the public streets or highways, and constructed in such a manner as to permit occupancy as a dwelling or sleeping quarters for one or more persons. The term "trailer house" also includes any self-propelled living quarters. (Ord. 2931 §1, 1960).

15.28.020 License required-Requirements.

A. No person shall park or place any trailer house used for sleeping or living purposes within any commercial or industrial zone within the city without first obtaining a license from the city. An application for a license shall be filed with the city recorder. The application shall contain a general description of the trailer, year, model and make, and the purpose for which the trailer will be used and exact location thereof. Upon the filing of the application the building inspector shall inspect the premises upon which the trailer house will be located and the general layout as to sewer and water facilities.

B. The council reserves the right to reject any application or refuse to grant the permit. If the council is satisfied that the location of said trailer house will not violate any of the sanitary rules or regulations or disturb or become a nuisance to the residents of the area in which the trailer house will be located, the council may grant a nontransferable permit for a period of not exceeding two years in which such applicant may place or park said trailer house and use the same for living or sleeping purposes. Such permit may upon proper application be renewed or extended by the council. Upon the filing of the application, the applicant shall pay to the city recorder a filing fee of ten dollars. (Ord. 3341 §1, 1967; Ord. 2931 §3, 1960).

15.28.030 Parking for more than four hours—Permit required—Exceptions.

A. It is unlawful to park or place any trailer house used for sleeping or living purposes within the city for a period of time exceeding four hours, excepting in a trailer court or within any commercial or industrial zone as designated by the zoning ordinances after obtaining a nontransferable permit from the council as set forth in this chapter. The parking of trailer houses in the city which are not used for sleeping or living quarters are not regulated by this chapter but are regulated by the general ordinances of the city regulating vehicular parking when parked on the city street or alleys. (Ord. 4660 §1.b, 1998; Ord. 2931 §2, 1960).

15.28.040 Parking permit applicability. Subsection A of Section 15.28.030 shall not apply to those trailer houses outside trailer courts and within the residential zones of the city which as of August 1, 1960, were being used as a place of residence; provided, however, that should any such trailer house be moved from its present location, it shall immediately lose its classification under this chapter; and provided, further, the council reserves the right to order the discontinuance within a reasonable time of the use of a trailer house for sleeping or living purposes within a residential zone upon reasonable notice or by amendment of this chapter. (Ord. 2931 §5, 1960).

ORD. 5049, Exhibit 1 Page **4** of **5**

Wheel removal or placement on foundation not to affect applicability of provisions. The removal of the wheels or the placement of a trailer house on posts, footings or permanent or temporary foundation shall not be considered as removing said trailer house from the regulations contained in this chapter. (Ord. 2931 §4, 1960).

Sanitary disposal system use regulation. It is unlawful for any person occupying or using any trailer house within the city to use any toilet, sink, lavatory or similar equipment therein unless the same are connected with a public sewer or an approved septic tank in accordance with the ordinances of the city. (Ord. 2931 §6, 1960).

15.28.070 Violation—Penalty. Any person, firm or corporation violating any provision of this chapter, or failing to comply thereto, shall, upon conviction, in the recorder's court, be subject to a fine not exceeding three hundred dollars and to imprisonment in the city jail not exceeding ten days. Each day during which the violation continues shall be considered a separate violation hereunder. (Ord. 2931 §7, 1960).

ORD. 5049, Exhibit 1

ORDINANCE NO. 5049

An Ordinance relating to the parking of Recreational Vehicles, Motor Trucks and Abandoned Vehicles; amending McMinnville Municipal Code (MMC) Chapters 10.04, 10.28, and repealing MMC Chapter 15.28.

RECITALS:

The parking of Recreational Vehicles, Motor Trucks, and Abandoned Vehicles in the public right-of-way can have a negative impact on the livability and safety of neighborhoods throughout the City.

Current City ordinances do not provide timely response in the case of abandoned vehicles and do not adequately regulate the parking of Recreational Vehicles or Motor Trucks within the City, resulting in negative impacts that may occur when such vehicles are parked in and near residential neighborhoods or for extended period of time in any location.

There is an immediate need to address these issues through ordinance revisions, as the parking of Recreational Vehicles, Motor Trucks, and Abandoned Vehicles within the City presents an immediate threat to the public health, welfare and safety.

Now, therefore, THE COMMON COUNCIL FOR THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

- 1. The provisions set forth in the attached Exhibit 1, which are incorporated by this reference, are hereby adopted.
- 2. An emergency is hereby declared, and this ordinance will take effect at 12:00 p.m. (noon) on Wednesday, April 18, 2018.

Passed by the Council on _	, 20, by the following votes:
Ayes:	
Nays:	
Approved on	_, 20
	MAYOR
Approved as to form:	Attest:
CITY ATTORNEY	CITY RECORDER

ATTACHMENT 3

ORDINANCE NO. 5049

An Ordinance relating to the parking of Recreational Vehicles, Motor Trucks and Abandoned Vehicles; amending McMinnville Municipal Code (MMC) Chapters 10.04, 10.28, and repealing MMC Chapter 15.28.

RECITALS:

The parking of Recreational Vehicles, Motor Trucks, and Abandoned Vehicles in the public right-of-way can have a negative impact on the livability and safety of neighborhoods throughout the City.

Current City ordinances do not provide timely response in the case of abandoned vehicles and do not adequately regulate the parking of Recreational Vehicles or Motor Trucks within the City, resulting in negative impacts that may occur when such vehicles are parked in and near residential neighborhoods or for extended period of time in any location.

There is an immediate need to address these issues through ordinance revisions, as the parking of Recreational Vehicles, Motor Trucks, and Abandoned Vehicles within the City presents an immediate threat to the public health, welfare and safety.

Now, therefore, THE COMMON COUNCIL FOR THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

- 1. The provisions set forth in the attached Exhibit 1, which are incorporated by this reference, are hereby adopted.
- 2. An emergency is hereby declared, and this ordinance will take effect at 12:00 p.m. (noon) on Wednesday, April 18, 2018.

Passed by the Council on April 10, 2018, by the following votes:

Ayes: Garvin, Menke, Peralta, R	uden, Stassens
Nays: <u>Drabkin</u>	
Approved on April 10, 2018.	Santa Him MAYOR
Approved as to form:	Attest:
- Du ho	Meline shace CITY RECORDER

ORDINANCE 5049 EXHIBIT 1

Section 1. MMC Section 10.04.030 will be amended as follows:

<u>10.04.030</u> <u>Definitions.</u> In addition to those definitions contained in the ORS chapters set forth in Section 10.04.020, the following words or phrases, except where the context clearly indicates a different meaning, shall be defined as follows:

- A. <u>"Abandoned Vehicle" means a vehicle that remains in violation for more than 24 hours and one or more of the following conditions exist:</u>
- (1) The vehicle does not have a lawfully affixed, unexpired registration plate, fails to display current registration or fails to have vehicle insurance as required by the State of Oregon;
 - (2) The vehicle appears to be inoperative or disabled;
 - (3) The vehicle appears to be wrecked, partially dismantled or junked; or
 - (4) The vehicle appears to have been abandoned by its owner.
- B. "Bicycle" means a non-motorized vehicle designed to be ridden, propelled by human power, and having two or more wheels the diameter of which are in excess of ten inches or having two or more wheels where any one wheel has a diameter in excess of fifteen inches.
- C. "Bus stop" means a space on the edge of a roadway designated by sign for use by buses loading or unloading passengers.
- D. "Holiday" means New Year's Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and any other day proclaimed by the council to be a holiday.
- E. "Loading zone" means a space on the edge of a roadway designated by sign for the purpose of loading or unloading passengers or materials during specified hours of specified-days.
- F. "Motor vehicle" means every vehicle that is self-propelled, including tractors, fork-lift trucks, motorcycles, road building equipment, street cleaning equipment and any other vehicle capable of moving under its own power, notwithstanding that vehicle may be exempt from licensing under the motor vehicle laws of the state.
 - G. "Park" or "parking" means the condition of:
 - (1) A motor vehicle that is stopped while occupied by its operator with the engine turned off;
 - (2) A motor vehicle that is stopped while unoccupied by its operator whether or not the engine is turned off.
 - H. "Pedestrian" means a person on the public right-of-way except:
 - (1) The operator or passenger of a motor vehicle or bicycle;
 - (2) A person leading, driving or riding an animal or animal-drawn conveyance.
 - I. "Recreational vehicle" means a vehicular-type unit that:
 - (1) Contains sleeping facilities;
 - (2) Is designed or used:
 - (a) for human occupancy, and
 - (b) as temporary living quarters for recreational, seasonal, or emergency use; and,
 - (3) Has its own motive power or is mounted on or towed by another vehicle.
- J. "Stand" or "standing" means the stopping of a motor vehicle while occupied by its operator with the engine running except stopping in obedience to the instructions of a traffic officer or traffic-control device or for other traffic.
 - K. "Stop" means complete cessation of movement.
 - L. "Street" and "other property open to public travel":
 - (1) When used in this title or in the ORS chapters incorporated in this title, shall be considered synonymous, unless the context precludes such construction. "Street," as defined in this title and

ORD. 5049, Exhibit 1 Page **1** of **5**

the ORS chapters incorporated by reference in this title, includes alleys, sidewalks, grass or parking strips, and parking areas and accessways owned or maintained by the city.

- (2) "Other property open to public travel" means property whether publicly or privately owned and whether publicly or privately maintained, upon which the public operates motor vehicles either by express or implied invitation other than streets as defined in subsection A of this section, and excepting public school property, county property, or property under the jurisdiction of the State Board of Higher Education. Other property open to public travel shall include but not be limited to parking lots, service station lots, shopping center and supermarket parking lots, and other accessways and parking areas open to general vehicular traffic, whether or not periodically closed to public use.
- M. "Taxicab stand" means a space on the edge of a roadway designated by sign for use by taxicabs.
- N. "Traffic-control device" means a device to direct vehicular or pedestrian traffic, including but not limited to a sign, signaling mechanism, barricade, button or street or curb marking installed by the city or other authority.
 - O. "Traffic lane" means that area of the roadway used for the movement of a single line of traffic.
- P. <u>"Vehicle" means any device in, upon or by which any person or property is or may be transported or drawn upon a public highway and includes vehicles that are propelled or powered by any means.</u> "Vehicle," as used in subsequent sections of this title, includes bicycles.

Section 2. MMC Section 10.28.030 will be amended as follows:

<u>10.28.030</u> Parking or standing—Prohibited in designated locations. In addition to the state motor vehicle laws prohibiting parking, no person shall park or leave standing, in the following places:

- A. A vehicle upon a bridge, viaduct or other elevated structure used as a street, or within a street tunnel, unless authorized by state statute, by this Code, or by the Chief of Police or his or her designee;
- B. A vehicle in an alley, other than for the expeditious loading or unloading of persons or materials but in no case for a period in excess of thirty consecutive minutes;
- C. A motor truck, as defined by ORS 801.355, on a street between the hours of nine p.m. and seven a.m. of the following day in front of or adjacent to a residence, motel, apartment house, hotel or other sleeping accommodation unless a revocable permit is obtained from the city Police Department. The permit shall be for a six month or a twelve-month period and may be renewed. The cost of the permit will be set by resolution determined by the McMinnville City Council. In the event a complaint(s) is received from a resident in the area of the parked truck, the Chief of Police or his or her designee shall investigate the complaint and may revoke said permit, and the cost of the permit shall be forfeited by the permittee;
- D. A vehicle upon a parkway or freeway, except as authorized by state statute, by this Code, or by the Chief of Police or his or her designee.
- E. A vehicle on a curb painted yellow, except as specifically authorized by signage.
- F. A vehicle within the area between the curb or roadway and sidewalk line commonly known as the planting strip, except where improved parking areas have been approved and marked by the City engineering department.
- G. A vehicle in such a manner that the vehicle blocks all or any park of any driveway.
- H. A vehicle in such a manner that the vehicle blocks all or any part of a public sidewalk.
- I. <u>A Recreational Vehicle on any public highway, road, street, or right-of-way within the city, except for the immediate loading or unloading of persons or property, or by permit issued pursuant to MMC Section 10.28.205.</u>

ORD. 5049, Exhibit 1 Page 2 of 5

Section 3. MMC Section 10.28.080 will be amended as follows:

10.28.080 Parking—For sale, repair or storage prohibited when. No operator shall park and no owner shall allow a vehicle to be parked upon a street for the principal purpose of:

- A. Displaying the vehicle for sale;
- B. Repairing or servicing the vehicle, except repairs necessitated by an emergency;
- C. Displaying advertising from the vehicle;
- D. Selling merchandise from the vehicle, except when authorized by this Code or by the Chief of Police or his or her designee;
- Abandoning the vehicle. Abandoned Vehicles may be tagged for tow immediately.

 Abandoned vehicles may be towed 24 hours after the notice has been affixed to the vehicle at the owner's expense. Storage or as junk for more than seventy two hours. After a vehicle has been stored on a public street for more than one hundred forty-four consecutive hours and has received two parking citations for storage or junk, the Chief of Police or his or her designee may cause the vehicle to be towed and stored at the owner's expense. The owner shall be liable for the costs of towing and storing, notwithstanding that the vehicle was parked by another.
 - For purposes of this subsection the following definition is adopted: "storage" means leaving a vehicle parked upon a public street for more than seventy two hours.
 - 2. Moving a to a new location more than three-hundred feet (as measured in a straight line from the site where the violations occurred) shall interrupt the running of the seventy-two hour period.

Section 4. MMC Section 10.28.205 will be added:

10.28.205 Recreational Vehicle Parking Permit. Upon application and payment of the established permit fee, the Chief of Police or their designee will issue a Parking Permit allowing for a Recreational Vehicle to be parked on any public highway, road, street, or right-of-way within the city, if the following conditions are met:

- 1. The permit will be valid for not more than 72 consecutive hours;
- 2. The permit must be displayed on a Recreational Vehicle that is parked within 200 feet of residential real property owned or leased by the permit applicant;
- 3. A single Recreational Vehicle may not be issued more than four (4) parking permits during a calendar year, regardless of location parked;
- 4. The starting time for Recreational Vehicle parking permit may not be less than 72-hours after the expiration time of a previous permit issued for the same Recreational Vehicle;
- 5. The permit does not allow for parking of a Recreational Vehicle in excess of any posted time limit for parking.

Section 5. MMC Chapter 15.28 will be repealed:

Chapter 15.28
TRAILER HOUSES

Sections:

15.28.010 Trailer house defined.

ORD. 5049, Exhibit 1 Page **3** of **5**

15.28.020 ——	License required — Requirements.
15.28.030	Parking for more than four hours — Permit required — Exceptions.
15.28.040	Parking permit applicability.
15.28.050	Wheel removal or placement on foundation not to affect applicability of
	provisions.
15.28.060	Sanitary disposal system use regulation.
15.28.070	-Violation-Penalty.

15.28.010 Trailer house defined. The term "trailer house" means a vehicle or mobile home used for living or sleeping purposes, which is or has been equipped with wheels for the purpose of transporting the same upon the public streets or highways, and constructed in such a manner as to permit occupancy as a dwelling or sleeping quarters for one or more persons. The term "trailer house" also includes any self-propelled living quarters. (Ord. 2931 §1, 1960).

15.28.020 License required Requirements.

A. No person shall park or place any trailer house used for sleeping or living purposes within any commercial or industrial zone within the city without first obtaining a license from the city. An application for a license shall be filed with the city recorder. The application shall contain a general description of the trailer, year, model and make, and the purpose for which the trailer will be used and exact location thereof. Upon the filing of the application the building inspector shall inspect the premises upon which the trailer house will be located and the general layout as to sewer and water facilities.

B. The council reserves the right to reject any application or refuse to grant the permit. If the council is satisfied that the location of said trailer house will not violate any of the sanitary rules or regulations or disturb or become a nuisance to the residents of the area in which the trailer house will be located, the council may grant a nontransferable permit for a period of not exceeding two years in which such applicant may place or park said trailer house and use the same for living or sleeping purposes. Such permit may upon proper application be renewed or extended by the council. Upon the filing of the application, the applicant shall pay to the city recorder a filing fee of ten dollars. (Ord. 3341 \$1,1967; Ord. 2931 \$3, 1960).

15.28.030 Parking for more than four hours—Permit required—Exceptions.

A. It is unlawful to park or place any trailer house used for sleeping or living purposes within the city for a period of time exceeding four hours, excepting in a trailer court or within any commercial or industrial zone as designated by the zoning ordinances after obtaining a nontransferable permit from the council as set forth in this chapter. The parking of trailer houses in the city which are not used for sleeping or living quarters are not regulated by this chapter but are regulated by the general ordinances of the city regulating vehicular parking when parked on the city street or alleys. (Ord. 4660 §1.b, 1998; Ord. 2931 §2, 1960).

15.28.040 Parking permit applicability. Subsection A of Section 15.28.030 shall not apply to those trailer houses outside trailer courts and within the residential zones of the city which as of August 1, 1960, were being used as a place of residence; provided, however, that should any such trailer house be moved from its present location, it shall immediately lose its classification under this chapter; and provided, further, the council reserves the right to order the discontinuance within a reasonable time of the use of a trailer house for sleeping or living purposes within a residential zone upon reasonable notice or by amendment of this chapter. (Ord. 2931 §5, 1960).

ORD. 5049, Exhibit 1 Page 4 of 5

<u>15.28.050</u> Wheel removal or placement on foundation not to affect applicability of <u>provisions</u>. The removal of the wheels or the placement of a trailer house on posts, footings or permanent or temporary foundation shall not be considered as removing said trailer house from the regulations contained in this chapter. (Ord. 2931 §4, 1960).

15.28.060 ——Sanitary disposal system use regulation. It is unlawful for any person occupying or using any trailer house within the city to use any toilet, sink, lavatory or similar equipment therein unless the same are connected with a public sewer or an approved septic tank in accordance with the ordinances of the city. (Ord. 2931 §6, 1960).

15.28.070 Violation—Penalty. Any person, firm or corporation violating any provision of this chapter, or failing to comply thereto, shall, upon conviction, in the recorder's court, be subject to a fine not exceeding three hundred dollars and to imprisonment in the city jail not exceeding ten days. Each day during which the violation continues shall be considered a separate violation hereunder. (Ord. 2931 §7, 1960).

ORD. 5049, Exhibit 1 Page 5 of 5

NOTICE OF MCMINNVILLE CONTRACT REVIEW BOARD

Notice is hereby given that a public hearing before the City of McMinnville Contract Review Board has been scheduled for Tuesday, December 14, 2021, at 7:00 PM during the McMinnville City Council meeting.

The purpose of the hearing is to take comments on the draft findings for an exemption from the competitive bidding requirement of ORS 279C for construction of the Navigation Center Project. Copies of the draft findings are available to the public by calling the McMinnville Planning Department at 503-434-7311 or the McMinnville City Recorder's Office at 503-434-5702.

The McMinnville City Council meeting will be conducted via zoom. Interested persons are encouraged to submit a written comment on or before December 14, 2021, at 5:00 PM to Heather Richards, the McMinnville Planning Department, 231 NE Fifth Street, McMinnville, Oregon, 97128 or heather.richards@mcminnvilleoregon.gov, or claudia.cisneros@mcminnvilleoregon.gov.

To participate in the zoom meeting:

Join Zoom Meeting https://mcminnvilleoregon.zoom.us/j/81031088042?pwd=ZXZRMFpMTEtUY3RBekxyNlJjZXJQZz09

Meeting ID: 810 3108 8042 Passcode: 641216

One tap mobile +12532158782,,81031088042# US (Tacoma)

Dial by your location +1 253 215 8782 US (Tacoma) Meeting ID: 810 3108 8042

Find your local number: https://mcminnvilleoregon.zoom.us/u/kbFqD0oVqC

.

Publish: Daily Journal of Commerce November 29, 2021

News Register November 30, 2021



STAFF REPORT

DATE: November 22, 2021

TO: Mayor and City Councilors FROM: Rich Leipfert, Fire Chief

SUBJECT: Assistance to Firefighters Grants (AFG) 2021 Application

Report in Brief:

The Federal Emergency Management Agency has opened the Assistance to Firefighters Grants (AFG) application period. The period opened Nov. 8th and closes December 17, 2021. The grants are for the purpose of obtaining critically needed resources for protection of the public and emergency personnel from fire and related hazards. The City Council will need to formally accept the grant if we are awarded it. This informal approval allows for additional points in the application process.

Background:

The City of McMinnville Fire Department is using Self Contained Breathing apparatus that have reached the end of their life expectancy. This type of expense is allowed by the AFG under their Personnel Protective Equipment (PPE) allocation.

Discussion:

McMinnville Fire Department uses 50 SCBA's in their response to fires. They provide firefighters fresh air while they are making entry into smoke filled environments. In addition to the basic SCBA we have two masks and two bottles for each unit.

The SCBA's are having a very high fail rate in critical areas like the second stage regulator, mask seals, hoses and heads up displays that let the firefighter know how much air is available in their tank. The manufacturer no longer makes some of the parts that are failing.

If failure were to occur on these parts while in the fire it would place the firefighter's life at risk. This application will be qualified as a high priority for this year's AFG rating system.

Financial Impact

The estimated costs for the SCBA replacement are \$400,000. The City portion would be \$40,000 if the grant were successful. If authorized, the project will be added to the upcoming budget.

Recommendation

City Council authorize the Assistant to Firefighters Grant Application for 2021.



City of McMinnville City Attorney's Office

230 NE Second Street McMinnville, OR 97128 (503) 434-7312

www.mcminnvilleoregon.gov

MEMORANDUM

DATE: December 14, 2021

TO: City Council

FROM: Amanda Guile-Hinman, City Attorney

SUBJECT: National Opioid Settlement Agreement – Opioid Distributors

On December 14, 2021, Council will consider authorizing the City Attorney to execute agreements relating to settling the lawsuits brought against national opioid distributors, as well as the lawsuits against one manufacturer, Janssen (Johnson & Johnson).

There may be several agreements the City will need to execute for these two settlements, including, but not limited to: (1) a participation agreement for each of the two settlements to agree to participate in the national settlements; and (2) allocation agreements with the State of Oregon that outline how the funds from the settlements will be allocated to the State and local governments. These agreements will allow the City to receive settlement funds from the national opioid settlement agreement with the distributors and Janssen.

Agreements:

- 1. An example of a participation agreement for the City to join in the settlements is attached here as **Attachment 1.**
- A <u>draft</u> of the Allocation Agreement for the distributor settlement between the State of Oregon and local governments is attached hereto as <u>Attachment 2</u>.
- Attached hereto as <u>Attachment 3</u> is an <u>excerpt</u> of the current draft of the Distributor Settlement Agreement. The full settlement agreement can be found at the following webpage:

https://nationalopioidsettlement.com/wp-content/uploads/2021/11/Final-Distributor-Settlement-Agreement-10.22.2021-Exhibit-Updates_.pdf

4. Attached hereto as **Attachment 4** is an <u>excerpt</u> of the current draft of the Janssen Settlement Agreement. The full settlement agreement can be found at the following webpage:

https://nationalopioidsettlement.com/wp-content/uploads/2021/11/Janssen-agreement-20211105.pdf

EXHIBIT K

Subdivision Settlement Participation Form

Governmental Entity:	State:
Authorized Official:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above ("Governmental Entity"), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated July 21, 2021 ("Distributor Settlement"), and acting through the undersigned authorized official, hereby elects to participate in the Distributor Settlement, release all Released Claims against all Released Entities, and agrees as follows.

- 1. The Governmental Entity is aware of and has reviewed the Distributor Settlement, understands that all terms in this Participation Form have the meanings defined therein, and agrees that by signing this Participation Form, the Governmental Entity elects to participate in the Distributor Settlement and become a Participating Subdivision as provided therein.
- 2. The Governmental Entity shall, within 14 days of the Reference Date and prior to the filing of the Consent Judgment, secure the dismissal with prejudice of any Released Claims that it has filed.
- 3. The Governmental Entity agrees to the terms of the Distributor Settlement pertaining to Subdivisions as defined therein.
- 4. By agreeing to the terms of the Distributor Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
- 5. The Governmental Entity agrees to use any monies it receives through the Distributor Settlement solely for the purposes provided therein.
- 6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the Distributor Settlement. The Governmental Entity likewise agrees to arbitrate before the National Arbitration Panel as provided in, and for resolving disputes to the extent otherwise provided in, the Distributor Settlement.

- 7. The Governmental Entity has the right to enforce the Distributor Settlement as provided therein.
- 8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Distributor Settlement, including, but not limited to, all provisions of Part XI, and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Distributor Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Distributor Settlement shall be a complete bar to any Released Claim.
- 9. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in the Distributor Settlement.
- 10. In connection with the releases provided for in the Distributor Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release, and that if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Distributor Settlement.

11. Nothing herein is intended to modify in any way the terms of the Distributor Settlement, to which Governmental Entity hereby agrees. To the extent this Participation Form is interpreted differently from the Distributor Settlement in any respect, the Distributor Settlement controls.

I have all necessary power and authorization to execute this Participation Form on behalf of the Governmental Entity.

Signature:	
Name:	
Title:	
Date:	

ATTACHMENT 2

State of Oregon Subdivision Agreement Regarding Distribution and Use of Settlement Funds – Distributor Settlement

DRAFT

12.9.2021

For Distribution to Local Governments

Rights to Further Edit Reserved

1. Introduction

Pursuant to the Distributor Settlement Agreement, dated as of July 21, 2021, and any revision thereto (the "Distributor Settlement Agreement"), including its Section V and Exhibit O, this agreement (the "OR Distributor Allocation Agreement") is between the State of Oregon and the OR Participating Subdivisons and governs the allocation, distribution, and use of Settlement Fund payments made to Oregon pursuant to Sections IV and V of the Distributor Settlement Agreement. For the avoidance of doubt, this agreement does not apply to payments made pursuant to Sections IX or X of the Distributor Settlement Agreement.

Pursuant to Exhibit O, Paragraph 4, of the Distributor Settlement Agreement, acceptance of this OR Distributor Allocation Agreement is a requirement to be an Initial Participating Subdivision.

2. Definitions

The following terms shall have the meaning set forth below when used in this OR Distributor Allocation Agreement. Additional terms defined within this OR Distributor Allocation Agreement shall have that meaning when used in this OR Distributor Allocation Agreement. In addition, terms used in this OR Distributor Allocation Agreement that are defined in the Distributor Settlement Agreement will have that meaning unless otherwise defined in this OR Distributor Allocation Agreement.

- a) OR Participating Subdivision means a governmental entity listed on Exhibit A to this Agreement, and any Additional Participant who becomes entitled to a share of the OR Subdivision Funds as described in Section 4(c)(ii) below.
- b) *Janssen Settlement Agreement* means the Janssen Settlement Agreement dated July21, 2021, and any revision thereto.
- c) Litigating Special District means a school district, fire protection district, health authority, health plan, or other special district that has filed a lawsuit against an Opioid Defendant.
- d) Litigating Local Government means a Subdivision located in Oregon, other than a Litigating Special District, that filed a lawsuit, on behalf of the Subdivision and/or through an official of the Subdivision on behalf of the People of the State of Oregon, against one or more Opioid Defendants prior to October 1, 2020.
- e) Opioid Defendant means any defendant (including but not limited to Johnson & Johnson, Janssen Pharmaceuticals, Inc., Purdue Pharma L.P., Cardinal Health, Inc., Amerisource Bergen Corporation, and McKesson Corporation) named in a

¹ A parallel but separate agreement (the OR Janssen Allocation Agreement") will govern the allocation, distribution, and use of settlement fund payments under the Janssen Settlement Agreement. An eligible Subdivision may elect to participate in either the Distributor Settlementor the Janssen Settlement, or in both.

Amended on 12.15.2021 62 of 1001

- lawsuit seeking damages, abatement, or other remedies related to or caused by the opioid public health crisis in any lawsuit brought by any state or local government on or before October 1, 2020.
- f) State of Oregon or State has the same meaning as "Executive Department" as set forth in ORS 174.112, but does not include the Oregon State Treasurer or the Office of the Oregon State Treasurer. When used in any provision of this OR Distributor Allocation Agreement the term State of Oregon or State means, as the context requires, an agency, department, division, board, commission or other entity within the Executive Department that has the authority to undertake the obligations or receive the benefit of the particular provision.
- g) *Oregon* means the geographic territory of Oregon and the state and its local governments therein.
- h) *Approved Abatement Uses* means the Opioid Remediation activities described in Exhibit E to the Distributor Settlement Agreement.
- i) *Litigating Local Governments* means the Counties of Clackamas, Clatsop, Columbia, Coos, Curry, Jackson, Josephine, Lane, Multnomah, Washington, Yamhill, and the City of Portland.

3. General Terms

This OR Distributor Allocation Agreement is subject to the requirements of the Distributor Settlement Agreement, as well as applicable law. If the terms of this OR Distributor Allocation Agreement conflict with the terms of the Distributor Settlement Agreement the terms of the Distributor Settlement Agreement will take precedence over the inconsistent provisions of this OR Distributor Allocation Agreement.

Pursuant to Section V(D)(1) of the Distributor Settlement Agreement, (a) all Settlement Fund payments will be used for Approved Abatement Uses, except as allowed by Section V(B)(2) of the Distributor Settlement Agreement; and (b) at least seventy percent (70%) of Settlement Fund payment amounts will be used solely for future Approved Abatement Uses consistent with the Distributor Settlement Agreement.

4. Allocation of Settlement Funds

a) Allocation Generally. The total Settlement Fund payments made to Oregon pursuant to the Distributor Settlement Agreement (the "Oregon Settlement Amount") shall be combined pursuant to this OR Distributor Allocation Agreement and 45% of such Settlement Funds shall be allocated to the State of Oregon (such funds, the "OR State Funds") and 55% of such Settlement Funds to the OR Participating Subdivisions (such funds, the "OR Subdivision Funds).

b) State of Oregon Allocation

i. For purposes of this OR Distributor Allocation Agreement "Enabling Legislation" means legislation passed by the Oregon Legislative Assembly and presented to the Oregon Governor for signature, that establishes the authority within the State of Oregon

to accept, administer, and expend the State of Oregon Allocation, and addresses other matters related to this OR Distributor Allocation Agreement. It is the intent of the Parties that the Enabling Legislation will provide, without limitation, that:

- 1. The State of Oregon Allocation will be deposited in a Prevention, Treatment and Recovery Fund (the "PTR Fund"), overseen by a board (the "PTR Board"), which shall be used by the State for future Approved Abatement Uses as follows:
 - (ii) Administration of the PTR Fund and PTR Board;
 - (iii) Development of a unified and evidence-based state system for collecting, analyzing and publishing data about the availability and efficacy of substance use prevention, treatment and recovery services across the state; and
 - (iv) Funding statewide and regional Approved Abatement uses.
- 2. The PTR Board is constituted and authorized so that the State and OR Participating Subdivisions shall have equal representation and voting power on the PTR Board, whether directly or by designated representatives.
- 3. Releases any potential claims by all local governments or local service districts, as those terms are defined in ORS 174.116, and special government bodies, as defined in ORS 174.117, that have not previously provided a release consistent with the release described in Section 9 of this OR Distributor Allocation Agreement.
- ii. The OR State Funds will be accepted, administered, and spent in accordance with the Enabling Legislation (as defined in Section 4(b)(i) above). The Parties, including the State of Oregon, agree that they will cooperate in drafting and promoting the passage of the Enabling Legislation. Until the Enabling Legislation becomes law, the OR State Funds shall be deposited in the Oregon Department of Justice's Client Trust Account and may be expended or distributed by the Oregon Department of Justice for Approved Abatement Uses.

c) OR Subdivision Allocation

i. The OR Subdivision Allocation will be allocated based on the allocation model developed in connection with the proposed negotiating class in the National Prescription Opiate Litigation (MDL No. 2804), as adjusted to reflect only those cities and counties that are eligible to receive Settlement Funds, based on population or litigation status, to become a OR Participating Subdivision. The percentage for each OR Participating Subdivision is set forth in Exhibit A in the column entitled "Abatement Percentage" (the "Local Allocation"). For the avoidance of doubt, Litigating Special Districts and non-litigating Oregon towns, cities, and counties with a population less than 10,000 are not eligible to receive an allocation of OR Subdivision Funds.

- ii. If the Parties agree to pursue a release consistent with Section 9 of any additional local governments or local service districts, as those terms are defined in ORS 174.116, or special government bodies, as defined in ORS 174.117 (an "Additional Participant") where such release is advantageous to the Parties in order to maximize the amount of Settlement Funds available to Oregon under the Distributor Settlement Agreement, and such Additional Participants condition its release on receiving an allocation of Settlement Funds due to Oregon, the amount allocated to the Additional Participant will be deducted from the OR Subdivision Funds in an amount agreed to by a number of OR Participating Subdivisions whose share of the OR Subdivision Funds represents 50% or more of the OR Subdivision Funds. Upon such agreement and the execution of a release by the Additional Participant consistent with Section 9, then the OR Subdivision Funds will be reallocated in accordance with the agreement.
- iii. An OR Participating Subdivision that is a county, or a city and county, will be allocated its Local Allocation share as of the date on which it becomes an OR Participating Subdivision, and will receive payments as provided in the Distributor Settlement Agreement.
- iv. An OR Participating Subdivision that is a city will be allocated its Local Allocation share as of the date on which it becomes an OR Participating Subdivision. The Local Allocation share for a city that is an OR Participating Subdivision will be paid to the county in which the city is located, rather than to the city, so long as: (a) the county is an OR Participating Subdivision, and (b) the city has not advised the Settlement Fund Administrator that it requests direct payment at least 60 days prior to a Payment Date. A Local Allocation share allocated to a city but paid to a county is not required to be spent exclusively for Approved Abatement Uses in that city but will become part of the county's share of the OR Subdivision Allocation, which will be used in accordance with Section 4.B.ii (Use of OR Subdivision Funds) and reported on in accordance with Section 4.B.iii (OR Funds Oversight).
- v. A city within a county that is an OR Participating Subdivision may opt in or out of direct payment at any time, and it may also elect direct payment of only a portion of its share, with the remainder going to the county, by providing notice to the Settlement Fund Administrator at least 60 days prior to a Payment Date. For purposes of this OR Distributor Allocation Agreement, the City of Portland will be deemed to have elected direct payment if it becomes a Participating Subdivision.
- vi. The State will receive the Local Allocation share of any payment to the Settlement Fund that is attributable to a county or city that is eligible to become an OR Participating Subdivision, but that has not, as of the date of that payment to the Settlement Fund, become an OR Participating Subdivision.
- vii. Funds received by an OR Participating Subdivision, and not expended or encumbered within five years of receipt and in accordance with the Distributor Settlement Agreement and this OR Distributor Allocation Agreement shall be transferred to the PTR Fund (or equivalent fund created by the Enabling Legislation) or, if the Enabling Legislation has not become law, to the fund referenced in Section 4(b)(ii) provided however, that OR

{00519664;2}

Participating Subdivisions have seven years from receipt of funds to expend or encumber OR Subdivision Funds designated to support capital outlay projects before they must be transferred to the State.

- viii. One hundred percent (100%) of Settlement Funds received by an OR Participating Subdivision that is not also a Litigating Local Government shall be used for Approved Abatement Uses.
- ix. At least ninety five percent (95%) of Settlement Funds received by an OR Participating Subdivision that is also a Litigating Local Government shall be used for Approved Abatement Uses. Up to five percent (5%) of the funds received by a Participating Subdivision that is also a Litigating Local Government may be used for opioid related expenses including opioid related litigation costs and fees for in-house and outside private counsel, subject to any limitations set forth in the Distributor Settlement Agreement.
- x. For the avoidance of doubt, and subject to the requirements of the Distributor Settlement Agreement and applicable law, OR Participating Subdivisions may form agreements or ventures, or otherwise work in collaboration with, federal, state, local, tribal or private sector entities in pursuing Approved Abatement Uses funded from the OR Subdivision Fund. Further, provided that OR Subdivision Funds are used for Approved Abatement Activities, a county and any cities or towns within the county may agree to reallocate their respective shares of the OR Subdivision Fund among themselves, provided that any direct distribution may only be to an OR Participating Subdivision and any OR Participating Subdivision must agree to its share being reallocated.
- xi. Each OR Participating Subdivision is responsible for obtaining necessary budget or expenditure authority under applicable law for its distribution or expenditures of OR Subdivision Funds in accordance with this OR Distributor Allocation Agreement.

d) Provision for State Back-Stop Agreement

On August 6, 2021, Judge Dan Polster of the U.S. District Court, Northern District of Ohio, Eastern Division, issued an order (ECF Docket Number 3814) ("MDL Fees Order") in the National Prescription Opiate Litigation (MDL No. 2804) "cap[ping] all applicable contingent fee agreements at 15%." Private counsel representing Litigating Local Government should seek its contingency fees and costs from the Attorney Fee Fund or Cost Funds under the Distributor Settlement Agreement and, if applicable, the Janssen Settlement Agreement.

A Litigating Local Government may separately agree to use its share of the OR Subdivision Fund to pay for fees or costs incurred by its contingency-fee counsel ("State Back-Stop Agreement"), pursuant to Exhibit R, section I(R), of the Distributor Settlement Agreement and the MDL Fees Order, so long as such contingency fee for a Litigating Local Government do not exceed a total contingency fee greater than 12% of the Litigating Counties proportional allocation of 50% of the Oregon Settlement Amount, pursuant to the Distributor Settlement Agreement and, provided further, the Oregon State Back-Stop amount for the Litigating County does not exceed the sum of \$2,500,000, inclusive of contingency fees from the national Attorney Fee Fund and the State Back-Stop Agreement. Before seeking fees or litigation costs and expenses from a State Back-Stop Agreement, private counsel representing Litigating Local

Governments must first seek contingency fees and costs from the Attorney Fee Fund or Cost Funds created under the Distributor Settlement Agreement and, if applicable, the Janssen Settlement Agreement. Further, private counsel may only seek reimbursement for litigation fees and costs that have not previously been reimbursed through prior settlements or judgments. An example of the calculation of Back-Stope Fees is set forth in Exhibit C.

To effectuate a State Back-Stop Agreement pursuant to this section, an agreement in the form of Exhibit B may be entered into by a Litigating Local Government, private counsel, and the Oregon Department of Justice. The Oregon Department of Justice shall, upon the request of a Litigating Local Government, execute any agreement executed by a Litigating Local Government and its private counsel if it is in the form of Exhibit B. The Oregon Department of Justice will also consider requests from Litigating Local Governments to execute and enter into agreements presented in other forms.

For the avoidance of doubt, this Distributor Settlement Agreement does not require a Litigating Local Government to request or enter into a State Back-Stop Agreement, and no State Back-Stop Agreement shall impose any duty or obligation on the State of Oregon or any of its agencies or officers, including without limitation the Oregon Department of Justice or the Oregon Attorney General.

e) Additional Costs

Each OR Participating Subdivision may contribute up to 5% of its share of the OR Subdivision Funds to pay opioid related expenditures such as unreimbursed administrative expenses, costs, professional fees and attorney fees of outside legal counsel and in-house legal counsel employed by the OR Participating Subdivisions (collectively, "Additional Costs"). Each OR Participating Subdivision is responsible for determining the amount of its share of the OR Subdivision Funds it uses to pay Additional Costs (subject to the limit in the previous sentence and as set forth below), and which Additional Costs it chooses to pay.

The Additional Costs may only be used to consistent with the Distributor Settlement Agreement, and pursuant to the August 6, 2021, order by Judge Polster of the US District Court for the Northern District of Ohio issued an Order (the Order), docket number 3814, in In Re National Prescription Opiate Litigation, MDL 2804, addressing contingent attorney fee contracts between political subdivisions eligible to participate in the Distributor Settlement Agreement and their counsel. In addition, to the extent the Additional Costs are used to pay the attorney's fees of outside counsel for a Litigating County, the cumulative amount of such fees paid to such outside counsel pursuant to a Back-Stop Agreement entered into under Section 4(d) and paid as Additional Costs may not exceed 15% of the Litigating County's proportional allocation of 50% of the Oregon Settlement Amount.

Each OR Participating Subdivision that pays Additional Costs pursuant to this Section 4(e) shall report such payments as required by the Distributor Settlement Agreement and this OR Distributor Allocation Agreement.

Neither the State of Oregon, including the Oregon Department of Justice, nor the Oregon Attorney General shall have any responsibility for any Additional Costs, and shall have no

responsibility or authority to resolve any disputes among the OR Participating Subdivisions, private counsel of the Litigating Counties, or any other parties with respect to any claims for payment of Additional Costs.

5. State and Subdivision Reporting and Oversight

- a) Prior to July 1st of each year until including the July 1st following the date that the Settlement Funds are fully expended, or as otherwise required by any Court Order, each OR Participating Subdivision receiving payment of OR Subdivision Funds under this OR Distributor Allocation Agreement shall deliver an annual report to the Oregon Department of Justice, to the attention of the Deputy Attorney General (as of the Effective Date, to Lisa Udland, Deputy Attorney General, at lisa.udland@state.or.us) regarding how it intends to expend, and how it did expend, its share of OR Subdivision Funds. The Oregon Department of Justice may share those reports with the PTR Board (or its equivalent as established by the Enabling Legislation) and other State entities to ensure expenditures of OR Subdivision Funds were made and will be made in accordance with the Distributor Settlement Agreement and this OR Distributor Allocation Agreement. Each report delivered under this Section 5(a) will also include a certification that all Settlement Funds received by the OR Participating Subdivision have been used in compliance with the Distributor Settlement Agreement andthis OR Distributor Allocation Agreement. Each annual report will be in substantially the form determined by the State.
- b) Participating Subdivisions receiving payments of OR Subdivision Funds shall deliver to the State any documents reasonably requested by the State, and any data or information reasonably requested by the State about the use of the OR Subdivision Funds received, including documents, data, or information about OR Participating Subdivision or third-party programs, services, or infrastructure projects receiving the OR Subdivision Funds.
- c) The State will prepare an annual written report regarding the use of Settlement Funds allocated to Oregon until those funds are fully expended and for one year thereafter. These reports will be made publicly available by the State.
- d) The State, the PTR Board (or its equivalent as established by the Enabling Legislation) and all OR Participating Subdivisions receiving OR Subdivision Funds will track all deposits and expenditures. Each OR Participating Subdivision is responsible solely for the OR Subdivision Funds it receives. A county is not responsible for oversight, reporting, or monitoring of OR Subdivision Funds received by a city within that county that receives direct payment.
- e) Each Litigating Local Government receiving OR Subdivision Funds will track all deposits and expenditures, as required by the Distributor Settlement Agreement and this OR Distributor Allocation Agreement. Among other things, Litigating Local Governments using monies from the OR Subdivision Fund for purposes that do not qualify as Approved Abatement Uses must identify and include in their annual report delivered pursuant to Section 5(a), the amount of and how such funds were used, including if used to pay attorneys' fees, investigation costs, or litigation costs. Pursuant to Section V(B)(2) of the Distributor Settlement Agreement, such information must also

be reported to the Settlement Fund Administrator and the Distributors.

f) In each year in which the State prepares an annual report the State will also host a public meeting to discuss the annual report and the Approved Abatement Uses being carried out by the State and OR Participating Subdivisions.

6. Audits

- a) If the State has a reasonable basis to suspect that an OR Participating Subdivision's use of OR Subdivision Funds is inconsistent with the Distributor Settlement Agreement or this OR Distributor Allocation Agreement, whether through review of annual reports, requests for information, or information acquired from any other sources, State shall send a request to meet and confer with the OR Participating Subdivision. The State and the OR Participating Subdivision shall meet and confer in an effort to resolve the apparent inconsistency.
- b) If the State and the OR Participating Subdivision are unable to reach a mutually acceptable resolution, the State may conduct an audit of the OR Participating Subdivision's use of the OR Subdivision Funds commencing any time within one year of the initial request to meet and confer, unless the State and the OR Participating Subdivision mutually agree in writing to extend the period during which they attempt to resolve the conflict beyond this one year period. The State may conduct the audit itself, or may engage third parties to conduct such audit
- c) If the State, following the discussions referenced in Section 6(a) or the completion of the audit referenced in Section 6(b), determines that the OR Participating Subdivision's use of OR Subdivision Funds is inconsistent with the Distributor Settlement Agreement or this OR Distributor Allocation Agreement, the State may bring a motion or action in the court where the State has filed its Consent Judgment to enforce the requirements of the Distributor Settlement Agreement or this OR Distributor Allocation Agreement.
- d) No audit may be commenced under Section 6(b), and no motion or action may be brought under Section 6(c), related to a specific expenditure of funds more than five years after the date on which the OR Participating Subdivision expenditure of the funds was last reported to the State in an annual report submitted pursuant to Section 6(a).
- e) Notwithstanding the foregoing, this OR Distributor Allocation Agreement does not limit the statutory or constitutional authority of the State of Oregon or a local agency or official to conduct audits, investigations, or other oversight activities, or to pursue administrative, civil, or criminal enforcement actions.

7. Medicaid Clawback

If the federal government determines that it is entitled to a portion of the Settlement Funds pursuant to a Medicaid clawback, then payment of Oregon share of the clawback to the federal government will first be deducted from the Oregon Settlement Amount prior to the distribution of the remaining Settlement Funds due to Oregon pursuant to

Section 4 of this Agreement. To the extent any such Medicaid clawback attemps to recoup Settlement Funds already distributed pursuant to this Section 7, then future distributions of OR Subsidiary Funds will be reduce, and distributions of OR State Funds will be increased until such time as the total amount Settlement Funds distributed accounts for the Medicaid clawback as set forth in this Section 7. State Back Stop funds are excluded from any Medicaid Clawback of Oregon funds.

8. Applicability

This OR Distributor Allocation Agreement applies to all funds received by Oregon for the McKesson, Cardinal Health and AmerisourceBergen ("Distributors"), and manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson (collectively, "J&J") settlements. In addition, the allocation percentage contained herein (45% to the State of Oregon, 55% to OR Subdivision Fund), shall apply to future multistate Opioid Settlements with Distributors, Manufacturers, and Pharmacies, subject to consideration of other terms of such settlements that impact allocation considerations. For the Purdue bankruptcy, the allocation of Settlement Funds set forth in Section 4 shall only apply to Oregon's share of Settlement Funds under the plan confirmed by Judge Drain on September 17, 2021. However, any additional amounts paid under the Perdue bankruptcy resulting from Oregon and other states' appeal of the that plan's confirmation shall be paid directly to the State of Oregon, and any such additional amounts shall not be included in the calculation of the amount of the OR State Funds due to the State of Oregon under Section 4. In addition, this OR Distributor Allocation Agreement and allocation percentages described in Section 4 shall not apply to any legal actions pursued by or settled by the State of Oregon as an individual state.

9. Releases

All Parties agree to release all claims as required to participate in the Distributor Settlement Agreement as set forth in the Distributor Settlement Agreement. Each Party shall exercise due diligence, seek all necessary authorizations, and take all necessary steps to complete such release.

10. Miscellaneous

- a) **Enforcement.** The State or any OR Participating Subdivision may bring a motion or action in the court where the State has filed its Consent Judgment to enforce the requirements of this OR Distributor Allocation Agreement. Before filing such a motion or action the Party intending to file the motion or action will meet and confer with the Party that is or will be the subject of the anticipated motion or action.
- b) **No Intended Third Parties**. Except as provided in the Distributor Settlement Agreement, this OR Distributor Allocation Agreement is not enforceable by any party other than the State and the OR Participating Subdivisions. There are no intended third party beneficiaries to this OR Distributor Allocation Agreement, and this OR Distributor Allocation Agreement does not confer any rights or

- remedies upon, and shall not be enforceable by, any person, legal entity, or public body that is not a Party to this OR Distributor Allocation Agreement.
- c) **Severability**. Except as provided in the OR Distributor Allocation Agreement, if any provision of this OR Distributor Allocation Agreement or the application thereof to any person, entity, or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this OR Distributor Allocation Agreement, or the application of such provision to persons, entities, or circumstances other than those as to which it is invalid or unenforceable, will not be affected thereby, and each other provision of this OR Distributor Allocation Agreement will be valid and enforceable to the fullest extent permitted by law. In the event any provision or part of this OR Distributor Allocation Agreement is found to be invalid or unenforceable, only that particular provision or part so found, and not the entire Agreement, will be inoperative.
- d) **Additional Litigation**. Nothing in this OR Distributor Allocation Agreement alters or is intended to alter or change the right of the State of Oregon or any OR Participating Subdivision to pursue its own claims against any Defendant through separate opioid-related litigation.
- e) Waiver of Conflict of Interest. Consistent with the intent of this Agreement, there is no conflict of interest in Counsel representing the State of Oregon and/or Participating Subdivisions to this Agreement, but to the extent Counsels' representation may constitute a conflict of interest, the Parties waive any potential conflict of interest.
- f) Construction. With regard to each and every term and condition of this OR Distributor Allocation Agreement, the Parties understand and agree that the same have or has been mutually negotiated, prepared and drafted. If at any time the Parties or any court, mediator, arbitrator, or arbitration panel, are required to interpret or construe any such term or condition, no consideration shall be given to the issue of which Party actually prepared, drafted or requested any term or condition thereof.
- g) **Entire Agreement.** This Agreement contains the entire agreement between the Parties and supersedes and cancels all previous negotiations and agreements, if any.
- h) Amendments. Any and all amendments to this Agreement must be in writing and must be signed by all Parties. Each Party that enters into this OR Distributor Allocation Agreement represents that it has authority to enter into this OR Distributor Allocation Agreement and that all necessary actions by the Party's respective Commissions, Councils, Boards, or other governing bodies have authorized the Party to enter into this OR Distributor Allocation Agreement.
- i) Legal Advice. Each Party to this OR Distributor Allocation Agreement

- acknowledges that is has been advised to seek legal counsel and has had the opportunity to have this Agreement reviewed by legal counsel.
- j) **Governing Law**. Except as provided in the Distributor Settlement Agreement, this agreement shall begoverned by and interpreted in accordance with the laws of the State of Oregon.

{00519664;2}

EXHIBIT A

DISCLAIMER: The allocation percentages herein are estimates only and should not be relied on for decisions regarding legal rights, releases, waivers, or other decisions affecting current or potential legal claims. Percentages shown in the Litigating Local Government Percentage column may change pursuant to Section 4.C. of the Oregon State-Subdivision Agreement Regarding Distribution and Use of Settlement Funds—Distributor Settlement, whereas the percentages shown in the Abatement Percentage column should not change. Participating Subdivisions, underlying calculations, and the calculated allocation percentages are subject to change. Regardingthe column herein entitled "Abatement Percentage," pursuant to Section 4.B.e., the State of Oregon will receive the Local Allocation share of any payment to the Settlement Fund that is attributable to a county or city that is eligible to become a CA Participating Subdivision, but that has not, as of the date of that payment to the Settlement Fund, become a Participating Subdivision. Regarding the column herein entitled "Litigating Local Government Percentage," payments allocated to a Litigating Local Government, which is not an Initial Participating Subdivision, will be re-allocated among the Litigating Local Governments that are Initial Participating Subdivisions.

Regarding the column herein entitled "Abatement Percentage," the annotation of "100%" refers to one-hundred percent (100%) of the Oregon Abatement Account Funds received, pursuant to Section 4.B. Regarding the column herein entitled "Litigating Local Government Percentage," the annotation of "100%" refers to one-hundred percent (100%) of the Oregon Subdivision Funds received, pursuant to Section 4.C. Regarding the column herein entitled "Weighted Allocation Percentage," the annotation of "100%" refers to one- hundred percent (100%) of the combined and weighted allocation of the Abatement Percentage and the Litigating Local Government Percentage.

{00519664;2}

EXHIBIT B OREGON-SUBDIVISION BACKSTOP AGREEMENT

On August 6, 2021, Judge Polster of the US District Court for the Northern District of Ohio issued an Order (the Order), docket number 3814, in In Re National Prescription Opiate Litigation, MDL 2804, addressing contingent attorney fee contracts between political subdivisions eligible to participate in the Distributors Settlement and their counsel.

In light of the Order, and at the request of [SUBDIVISION], the [SUBDIVISION], its counsel [COUNSEL], and the Oregon Department of Justice, on behalf of the State of Oregon, are entering into this Oregon-Subdivision Backstop Agreement (Backstop Agreement). Terms used herein have the meaning set forth in the Distributor Settlement Agreement or this OR Distributor Allocation Agreement, as applicable.

[SUBDIVISION] and [COUNSEL] intend this Backstop Agreement to constitute a State Back-Stop Agreement as that term is used in the Order and in Exhibit R (Agreement on Attorneys' Fees, Expenses and Costs) of the Distributor Settlement Agreement.

Pursuant to this Backstop Agreement, [SUBDIVISION] may, subject to the limitations of the Distributor Settlement Agreement and the OR Distributor Allocation Agreement, as well as any other limitations imposed by law, use funds that it receives from the Distributor Settlement OR Subdivision Fund to pay a contingent fee to [COUNSEL]. Any such payment from [SUBDIVISION] to [COUNSEL], together with any contingency fees that [COUNSEL] may receive from the national Attorney Fee Fund, will not exceed a total contingency fee of the lessor of \$2,500,000 or a PERCENTAGE NOT TO EXCEED 12% of [SUBDIVISION'S] proportional allocation of 50% of the Oregon Settlement Amount.

[COUNSEL] certify that they first sought fees and costs from the Attorney Fee Fund created under the Distributor Settlement Agreement before seeking or accepting payment under this backstop agreement. [COUNSEL] further certify that they are not seeking and will not accept payment under this Backstop Agreement of any litigation fees or costs that have been reimbursedthrough prior settlements or judgments.

The Oregon Department of Justice is executing this agreement solely because the definition of "State Back- Stop Agreement" in Exhibit R of the Distributor Settlement Agreement requires such agreements to be between "a Settling State" and private counsel for a participating subdivision. Neither the Oregon Department of Justice nor the State of Oregon have any obligations under this Backstop Agreement, and this Backstop Agreement does not require the payment of any funds of the State of Oregon to [SUBDIVISION], [COUNSEL], or any other party.

[DATE] [SUBDIVISION SIGNATURE BLOCK]

[DATE] [COUNSEL SIGNATURE BLOCK]

[DATE] [OREGON DOJ SIGNATURE BLOCK]

{00519664;2}

EXHIBIT C

Sample Back-Stop Calculation

\$329M = Oregon total allocation

50% = Agreed OR Participating Subsidiaries direct contribution percentage for Back-Stop computation \$164.5M = Agreed local direct contribution amount for Back-Stop computation

X% = direct allocation percentages for litigating subdivisions as set out in Exhibit G of the Distributor Settlement Agreement

 $$164.5M \times X\% = direct$ allocation for Litigating Local Governments for purpose of Sample Back-Stop computation

12% = Cap for Back-Stop payment

(\$164.5 M x X%) x 12% = Maximum total payment to attorneys for Litigating Local Governments from both the national attorney fee fund + Back-Stop payment

((\$164.5 M x X%) x 12%) - \$8.8 M = Back-Stop payment to litigating subdivisions assuming \$8.8 M is recovered from the national fund (so long as this Back-Stop payment does not exceed \$2.5 million)

{00519664;2}

DISTRIBUTOR SETTLEMENT AGREEMENT

Table of Contents

		Page
I.	Definitions	1
II.	Participation by States and Condition to Preliminary Agreement	13
III.	Injunctive Relief	13
IV.	Settlement Payments	13
V.	Allocation and Use of Settlement Payments	28
VI.	Enforcement	34
VII.	Participation by Subdivisions	40
VIII.	Condition to Effectiveness of Agreement and Filing of Consent Judgment	42
IX.	Additional Restitution	44
X.	Plaintiffs' Attorneys' Fees and Costs	44
XI.	Release	44
XII.	Later Litigating Subdivisions	49
XIII.	Reductions/Offsets	53
XIV.	Miscellaneous	54
EXHI	BIT A Alleged Harms	A-1
EXHI	BIT B Enforcement Committee Organizational Bylaws	B-1
EXHI	BIT C Litigating Subdivisions List	C-1
EXHI	BIT D Later Litigating Subdivision Suspension and Offset Determinations	D-1
EXHI	BIT E List of Opioid Remediation Uses	E-1
EXHI	BIT F List of States and Overall Allocation Percentages	F-1
EXHI	IBIT G Subdivisions Eligible to Receive Direct Allocations from the Subdivision Fund and Default Subdivision Fund Allocation Percentages	G-1
EXHI	BIT H Participation Tier Determination ¹	H-1
EXHI	BIT I Primary Subdivisions	I-1

DISTRIBUTORS' 10.22.21 EXHIBIT UPDATES

EXHIBIT J Settling Distributors' Subsidiaries, Joint Ventures, and Predecessor Entities	J-1
EXHIBIT K Subdivision Settlement Participation Form	ζ-1
EXHIBIT L Settlement Fund Administrator	L-1
EXHIBIT M Settlement Payment Schedule	1 -1
EXHIBIT N Additional Restitution Amount Allocation	N- 1
EXHIBIT O Adoption of a State-Subdivision Agreement)- 1
EXHIBIT P Injunctive Relief	P-1
EXHIBIT Q Illustrative Examples of Prepayments	Q- 1
EXHIBIT R Agreement on Attorneys' Fees, Expenses and Costs	R- 1
EXHIBIT S Agreement on the State Outside Counsel Fee Fund	S-1
EXHIBIT T Agreement on the State Cost Fund Administration	Γ-1
EXHIBIT U ABC IRS Form 1098-FU	J-1
EXHIBIT V Cardinal IRS Form 1098-FV	V -1
EXHIBIT W McKesson IRS Form 1098-F	V-1
EXHIBIT X Severity Factors	K -1

DISTRIBUTOR SETTLEMENT AGREEMENT

This Settlement Agreement, dated as of July 21, 2021 (the "*Agreement*"), sets forth the terms of settlement between and among the Settling States, the Settling Distributors, and the Participating Subdivisions (as those terms are defined below). Upon satisfaction of the conditions set forth in Section II and Section VIII, this Agreement will be binding on all Settling States, Settling Distributors, and Participating Subdivisions. This Agreement will then be filed as part of Consent Judgments in the respective courts of each of the Settling States, pursuant to the terms set forth in Section VIII.

I. Definitions

For all sections of this Agreement except $\underline{Exhibit\ E}$ and $\underline{Exhibit\ P}$, the following definitions apply:

- A. "Abatement Accounts Fund." The component of the Settlement Fund described in Section V.E.
- B. "Additional Restitution Amount." The amount available to Settling States listed on Exhibit N totaling \$282,692,307.70.
- C. "Agreement." This agreement, as set forth above. For the avoidance of doubt, this Agreement is inclusive of all exhibits.
- D. "Alleged Harms." The alleged past, present, and future financial, societal, and public nuisance harms and related expenditures arising out of the alleged misuse and abuse of Products, non-exclusive examples of which are described in the documents listed on Exhibit A, that have allegedly arisen as a result of the physical and bodily injuries sustained by individuals suffering from opioid-related addiction, abuse, death, and other related diseases and disorders, and that have allegedly been caused by the Settling Distributors.
- E. "Allocation Statute." A state law that governs allocation, distribution, and/or use of some or all of the Settlement Fund amounts allocated to that State and/or its Subdivisions. In addition to modifying the allocation set forth in Section V.D.2, an Allocation Statute may, without limitation, contain a Statutory Trust, further restrict expenditures of funds, form an advisory committee, establish oversight and reporting requirements, or address other default provisions and other matters related to the funds. An Allocation Statute is not required to address all three (3) types of funds comprising the Settlement Fund or all default provisions.
- F. "Annual Payment." The total amount payable to the Settlement Fund Administrator by the Settling Distributors on the Payment Date each year, as calculated by the Settlement Fund Administrator pursuant to <u>Section IV.B.1.e</u>. For the avoidance of doubt, this term does not include the Additional Restitution Amount or amounts paid pursuant to <u>Section X</u>.
 - G. "Appropriate Official." As defined in Section XIV.F.3.
- H. "Bankruptcy Code." Title 11 of the United States Code, 11 U.S.C. § 101, et seq.

- I. "Bar." Either: (1) a law barring Subdivisions in a State from maintaining Released Claims against Released Entities (either through a direct bar or through a grant of authority to release claims and the exercise of such authority in full) or (2) a ruling by the highest court of the State (or, in a State with a single intermediate court of appeals, the intermediate court of appeals when not subject to further review by the highest court of the State) setting forth the general principle that Subdivisions in the State may not maintain any Released Claims against Released Entities, whether on the ground of this Agreement (or the release in it) or otherwise. For the avoidance of doubt, a law or ruling that is conditioned or predicated upon payment by a Released Entity (apart from the Annual Payments by Settling Distributors under this Agreement) shall not constitute a Bar.
- J. "Case-Specific Resolution." Either: (1) a law barring the Subdivision at issue from maintaining any Released Claims against any Released Entities (either through a direct bar or through a grant of authority to release claims and the exercise of such authority in full); or (2) a ruling by a court of competent jurisdiction over the Subdivision at issue that the Subdivision may not maintain any Released Claims at issue against any Released Entities, whether on the ground of this Agreement (or the release in it) or otherwise. For the avoidance of doubt, a law or ruling that is conditioned or predicated upon payment by a Released Entity (apart from the Annual Payments by Settling Distributors under this Agreement) shall not constitute a Case-Specific Resolution.
- K. "Claim." Any past, present or future cause of action, claim for relief, crossclaim or counterclaim, theory of liability, demand, derivative claim, request, assessment, charge, covenant, damage, debt, lien, loss, penalty, judgment, right, obligation, dispute, suit, contract, controversy, agreement, parens patriae claim, promise, performance, warranty, omission, or grievance of any nature whatsoever, whether legal, equitable, statutory, regulatory or administrative, whether arising under federal, state or local common law, statute, regulation, guidance, ordinance or principles of equity, whether filed or unfiled, whether asserted or unasserted, whether known or unknown, whether accrued or unaccrued, whether foreseen, unforeseen or unforeseeable, whether discovered or undiscovered, whether suspected or unsuspected, whether fixed or contingent, and whether existing or hereafter arising, in all such cases, including, but not limited to, any request for declaratory, injunctive, or equitable relief, compensatory, punitive, or statutory damages, absolute liability, strict liability, restitution, abatement, subrogation, contribution, indemnity, apportionment, disgorgement, reimbursement, attorney fees, expert fees, consultant fees, fines, penalties, expenses, costs or any other legal, equitable, civil, administrative, or regulatory remedy whatsoever.
- L. "Claim-Over." A Claim asserted by a Non-Released Entity against a Released Entity on the basis of contribution, indemnity, or other claim-over on any theory relating to a Non-Party Covered Conduct Claim asserted by a Releasor.
- M. "Compensatory Restitution Amount." The aggregate amount paid or incurred by the Settling Distributors hereunder other than amounts paid as attorneys' fees and costs or identified pursuant to <u>Section V.B.2</u> as being used to pay attorneys' fees, investigation costs or litigation costs.

- N. "Consent Judgment." A state-specific consent judgment in a form to be agreed by the Settling States and the Settling Distributors prior to the Initial Participation Date that, among other things, (1) approves this Agreement and (2) provides for the release set forth in Section XI.A, including the dismissal with prejudice of any Released Claims that the Settling State has brought against Released Entities.
- O. "Covered Conduct." Any actual or alleged act, failure to act, negligence, statement, error, omission, breach of any duty, conduct, event, transaction, agreement, misstatement, misleading statement or other activity of any kind whatsoever from the beginning of time through the Reference Date (and any past, present, or future consequence of any such act, failure to act, negligence, statement, error, omission, breach of duty, conduct, event, transaction, agreement, misstatement, misleading statement or other activity) relating in any way to (1) the discovery, development, manufacture, packaging, repackaging, marketing, promotion, advertising, labeling, recall, withdrawal, distribution, delivery, monitoring, reporting, supply, sale, prescribing, dispensing, physical security, warehousing, use or abuse of, or operating procedures relating to, any Product, or any system, plan, policy or advocacy relating to any Product or class of Products, including, but not limited to, any unbranded promotion, marketing, programs, or campaigns relating to any Product or class of Products; (2) the characteristics, properties, risks, or benefits of any Product; (3) the reporting, disclosure, non-reporting or nondisclosure to federal, state or other regulators of orders placed with any Released Entity; or (4) diversion control programs or suspicious order monitoring; provided, however, that as to any Claim that a Releasor has brought or could bring, Covered Conduct does not include noncompliance with statutory or administrative supply security standards concerning cleanliness of facilities or stopping counterfeit products, so long as such standards apply to the storage and distribution of both controlled and non-controlled pharmaceuticals.
 - P. "Designated State." New York.
 - Q. "Effective Date." The date sixty (60) calendar days after the Reference Date.
- R. "Enforcement Committee." A committee consisting of representatives of the Settling States and of the Participating Subdivisions. Exhibit B contains the organizational bylaws of the Enforcement Committee. Notice pursuant to Section XIV.Q shall be provided when there are changes in membership or contact information.
- S. "Final Order." An order or judgment of a court of competent jurisdiction with respect to the applicable subject matter (1) which has not been reversed or superseded by a modified or amended order, is not currently stayed, and as to which any right to appeal or seek certiorari, review, reargument, stay, or rehearing has expired, and as to which no appeal or petition for certiorari, review, reargument, stay, or rehearing is pending, or (2) as to which an appeal has been taken or petition for certiorari, review, reargument, stay, or rehearing has been filed and (a) such appeal or petition for certiorari, review, reargument, stay, or rehearing has been resolved by the highest court to which the order or judgment was appealed or from which certiorari, review, reargument, stay, or rehearing was sought, or (b) the time to appeal further or seek certiorari, review, reargument, stay, or rehearing has expired and no such further appeal or petition for certiorari, review, reargument, stay, or rehearing is pending.

- T. "Global Settlement Abatement Amount." The abatement amount of \$19,045,384,616.
- U. "Global Settlement Amount." The Global Settlement Amount is \$21 billion, which shall be divided into the Global Settlement Abatement Amount, the Additional Restitution Amount, and the Global Settlement Attorney Fee Amount.
- V. "Global Settlement Attorney Fee Amount." The attorney fee amount of \$1,671,923,077.
 - W. "Incentive Payment A." The incentive payment described in <u>Section IV.F.1</u>.
 - X. "Incentive Payment B." The incentive payment described in <u>Section IV.F.2</u>.
 - Y. "Incentive Payment C." The incentive payment described in Section IV.F.3.
 - Z. "Incentive Payment D." The incentive payment described in Section IV.F.4.
- AA. "Incentive Payment Final Eligibility Date." With respect to a Settling State, the date that is the earlier of (1) the fifth Payment Date, (2) the date of completion of opening statements in a trial of any action brought by a Subdivision in that State that includes a Released Claim against a Released Entity when such date is more than two (2) years after the Effective Date, or (3) two (2) years after the Effective Date in the event a trial of an action brought by a Subdivision in that State that includes a Released Claim against a Released Entity began after the Initial Participation Date but before two (2) years after the Effective Date.
- BB. "Initial Participating Subdivision." A Subdivision that meets the requirements set forth in Section VII.D.
- CC. "Initial Participation Date." The date one hundred twenty (120) calendar days after the Preliminary Agreement Date, unless it is extended by written agreement of the Settling Distributors and the Enforcement Committee.
- DD. "Injunctive Relief Terms." The terms described in <u>Section III</u> and set forth in Exhibit P.
- EE. "Later Litigating Subdivision." A Subdivision (or Subdivision official asserting the right of or for the Subdivision to recover for alleged harms to the Subdivision and/or the people thereof) that: (1) first files a lawsuit bringing a Released Claim against a Released Entity after the Trigger Date; or (2) adds a Released Claim against a Released Entity after the Trigger Date to a lawsuit brought before the Trigger Date that, prior to the Trigger Date, did not include any Released Claims against a Released Entity; or (3) (a) was a Litigating Subdivision whose Released Claims against Released Entities were resolved by a legislative Bar or legislative Case-Specific Resolution as of the Trigger Date, (b) such legislative Bar or legislative Case-Specific Resolution is subject to a Revocation Event after the Trigger Date, and (c) the earlier of the date of completion of opening statements in a trial in an action brought by a Subdivision in that State that includes a Released Claim against a Released Entity or one hundred eighty (180) days from the Revocation Event passes without a Bar or Case-Specific

Resolution being implemented as to that Litigating Subdivision or the Litigating Subdivision's Released Claims being dismissed; or (4) (a) was a Litigating Subdivision whose Released Claims against Released Entities were resolved by a judicial Bar or judicial Case-Specific Resolution as of the Trigger Date, (b) such judicial Bar or judicial Case-Specific Resolution is subject to a Revocation Event after the Trigger Date, and (c) such Litigating Subdivision takes any action in its lawsuit asserting a Released Claim against a Released Entity other than seeking a stay or dismissal.

- FF. "Later Participating Subdivision." A Participating Subdivision that is not an Initial Participating Subdivision, but meets the requirements set forth in <u>Section VII.E</u>.
- GG. "Litigating Subdivision." A Subdivision (or Subdivision official) that brought any Released Claim against any Released Entity prior to the Trigger Date; provided, however, that a Subdivision (or Subdivision official) that is a Prior Litigating Subdivision shall not be considered a Litigating Subdivision. Exhibit C is an agreed list of all Litigating Subdivisions. Exhibit C will be updated (including with any corrections) periodically, and a final version of Exhibit C will be attached hereto as of the Reference Date.
- HH. "National Arbitration Panel." The panel comprised as described in <u>Section</u> VI.F.2.b.
 - II. "National Disputes." As defined in Section VI.F.2.a.
- JJ. "Net Abatement Amount." The Global Settlement Abatement Amount as reduced by the Tribal/W. Va. Subdivision Credit.
 - KK. "Net Settlement Prepayment Amount." As defined in <u>Section IV.J.1</u>.
- LL. "Non-Litigating Subdivision." Any Subdivision that is neither a Litigating Subdivision nor a Later Litigating Subdivision.
- MM. "Non-Participating Subdivision." Any Subdivision that is not a Participating Subdivision.
- NN. "Non-Party Covered Conduct Claim." A Claim against any Non-Released Entity involving, arising out of, or related to Covered Conduct (or conduct that would be Covered Conduct if engaged in by a Released Entity).
- OO. "Non-Party Settlement." A settlement by any Releasor that settles any Non-Party Covered Conduct Claim and includes a release of any Non-Released Entity.
 - PP. "Non-Released Entity." An entity that is not a Released Entity.
 - QQ. "Non-Settling State." Any State that is not a Settling State.
- RR. "Offset Cap." The per-State dollar amount which the dollar-for-dollar offset described in Section XII.A cannot exceed in a Payment Year, to be calculated by multiplying the

amount of the relevant Annual Payment apportioned to the State and to its Subdivisions for that Payment Year by the percentage for the applicable Participation Tier as set forth in Exhibit D.

- SS. "Opioid Remediation." Care, treatment, and other programs and expenditures (including reimbursement for past such programs or expenditures¹ except where this Agreement restricts the use of funds solely to future Opioid Remediation) designed to (1) address the misuse and abuse of opioid products, (2) treat or mitigate opioid use or related disorders, or (3) mitigate other alleged effects of, including on those injured as a result of, the opioid epidemic. Exhibit E provides a non-exhaustive list of expenditures that qualify as being paid for Opioid Remediation. Qualifying expenditures may include reasonable related administrative expenses.
- TT. "Opioid Tax." Any tax, assessment, license fee, surcharge or any other fee (other than a fixed prospective excise tax or similar tax or fee that has no restriction on pass-through) imposed by a State on a Settling Distributor on the sale, transfer or distribution of opioid products; provided, however, that neither the Excise Tax on sale of Opioids, Article 20-D of New York's Tax Law nor the Opioid Stewardship Act, Article 33, Title 2-A of New York's Public Health Law shall be considered an Opioid Tax for purposes of this Agreement.
- UU. "Overall Allocation Percentage." A Settling State's percentage as set forth in Exhibit F. The aggregate Overall Allocation Percentages of all States (including Settling States and Non-Settling States) shall equal one hundred percent (100%).
- VV. "Participating Subdivision." Any Subdivision that meets the requirements for becoming a Participating Subdivision under <u>Section VII.B</u> and <u>Section VII.C</u>. Participating Subdivisions include both Initial Participating Subdivisions and Later Participating Subdivisions.
- WW. "Participation Tier." The level of participation in this Agreement as determined pursuant to <u>Section VIII.C</u> using the criteria set forth in <u>Exhibit H</u>.
 - XX. "Parties." The Settling Distributors and the Settling States (each, a "Party").
- YY. "Payment Date." The date on which the Settling Distributors make the Annual Payment pursuant to <u>Section IV.B.</u>
- ZZ. "Payment Year." The calendar year during which the applicable Annual Payment is due pursuant to <u>Section IV.B</u>. Payment Year 1 is 2021, Payment Year 2 is 2022 and so forth. References to payment "for a Payment Year" mean the Annual Payment due during that year. References to eligibility "for a Payment Year" mean eligibility in connection with the Annual Payment due during that year.
- AAA. "Preliminary Agreement Date." The date on which the Settling Distributors are to inform the Settling States of their determination whether the condition in Section II.B has been satisfied. The Preliminary Agreement Date shall be no more than fourteen (14) calendar days after the end of the notice period to States, unless it is extended by written agreement of the Settling Distributors and the Enforcement Committee.

¹ Reimbursement includes amounts paid to any governmental entities for past expenditures or programs.

- BBB. "Prepayment Notice." As defined in Section IV.J.1.
- CCC. "*Primary Subdivision*." A Subdivision that is a General Purpose Government (including, but not limited to, a municipality, county, county subdivision, city, town, township, parish, village, borough, gore, or any other entities that provide municipal-type government) with population over 10,000; *provided*, *however*, that as used in connection with Incentive Payment C, the population threshold is 30,000. Attached as <u>Exhibit I</u> is an agreed list of the Primary Subdivisions in each State.
- DDD. "Prior Litigating Subdivision" A Subdivision (or Subdivision official) that brought any Released Claim against any Released Entity prior to the Trigger Date and all such Released Claims were separately settled or finally adjudicated prior to the Trigger Date; provided, however, that if the final adjudication was pursuant to a Bar, such Subdivision shall not be considered a Prior Litigating Subdivision. Notwithstanding the prior sentence, the Settling Distributors and the Settling State of the relevant Subdivision may agree in writing that the Subdivision shall not be considered a Prior Litigating Subdivision.
- EEE. "Product." Any chemical substance, whether used for medicinal or nonmedicinal purposes, and whether natural, synthetic, or semi-synthetic, or any finished pharmaceutical product made from or with such substance, that is: (1) an opioid or opiate, as well as any product containing any such substance; or (2) benzodiazepine, carisoprodol, or gabapentin; or (3) a combination or "cocktail" of chemical substances prescribed, sold, bought, or dispensed to be used together that includes opioids or opiates. "Product" shall include, but is not limited to, any substance consisting of or containing buprenorphine, codeine, fentanyl, hydrocodone, hydromorphone, meperidine, methadone, morphine, oxycodone, oxymorphone, tapentadol, tramadol, opium, heroin, carfentanil, diazepam, estazolam, quazepam, alprazolam, clonazepam, oxazepam, flurazepam, triozolam, temazepam, midazolam, carisoprodol, gabapentin, or any variant of these substances or any similar substance. Notwithstanding the foregoing, nothing in this section prohibits a Settling State from taking administrative or regulatory action related to benzodiazepine (including, but not limited to, diazepam, estazolam, quazepam, alprazolam, clonazepam, oxazepam, flurazepam, triozolam, temazepam, and midazolam), carisoprodol, or gabapentin that is wholly independent from the use of such drugs in combination with opioids, provided such action does not seek money (including abatement and/or remediation) for conduct prior to the Effective Date.
- FFF. "Reference Date." The date on which the Settling Distributors are to inform the Settling States of their determination whether the condition in <u>Section VIII</u> has been satisfied. The Reference Date shall be no later than thirty (30) calendar days after the Initial Participation Date, unless it is extended by written agreement of the Settling Distributors and the Enforcement Committee.
- GGG. "Released Claims." Any and all Claims that directly or indirectly are based on, arise out of, or in any way relate to or concern the Covered Conduct occurring prior to the Reference Date. Without limiting the foregoing, Released Claims include any Claims that have been asserted against a Settling Distributor by any Settling State or Litigating Subdivision in any federal, state, or local action or proceeding (whether judicial, arbitral, or administrative) based on, arising out of, or relating to, in whole or in part, the Covered Conduct, or any such Claims

that could be or could have been asserted now or in the future in those actions or in any comparable action or proceeding brought by a State, Subdivision, or Releasor (whether or not such State, Subdivision, or Releasor has brought such action or proceeding). Released Claims also include all Claims asserted in any proceeding to be dismissed pursuant to this Agreement, whether or not such claims relate to Covered Conduct. The Parties intend that this term, "Released Claims," be interpreted broadly. This Agreement does not release Claims by private individuals. It is the intent of the Parties that Claims by private individuals be treated in accordance with applicable law. Released Claims is also used herein to describe claims brought by a Later Litigating Subdivision or other non-party Subdivision that would have been Released Claims if they had been brought by a Releasor against a Released Entity.

"Released Entities." With respect to Released Claims, the Settling Distributors and (1) all past and present subsidiaries, divisions, predecessors, successors, and assigns (in each case, whether direct or indirect) of each Settling Distributor; (2) all past and present subsidiaries and divisions (in each case, whether direct or indirect) of any entity described in subsection (1); (3) the respective past and present officers, directors, members, trustees, and employees of any of the foregoing (each for actions that occurred during and related to their work for, or employment with, any of the Settling Distributors or the foregoing entities); (4) all past and present joint ventures (whether direct or indirect) of each Settling Distributor or its subsidiaries, including in any Settling Distributor or subsidiary's capacity as a participating member in such joint venture; (5) all direct or indirect parents and shareholders of the Settling Distributors (solely in their capacity as parents or shareholders of the applicable Settling Distributor with respect to Covered Conduct); and (6) any insurer of any Settling Distributor or any person or entity otherwise described in subsections (1)-(5) (solely in its role as insurer of such person or entity and subject to the last sentence of Section XI.C). Any person or entity described in subsections (3)-(6) shall be a Released Entity solely in the capacity described in such clause and shall not be a Released Entity with respect to its conduct in any other capacity. For the avoidance of doubt, CVS Health Corp., Walgreens Boots Alliance, Inc., and Walmart Inc. (collectively, the "Pharmacies") are not Released Entities, nor are their direct or indirect past or present subsidiaries, divisions, predecessors, successors, assigns, joint ventures, shareholders, officers, directors, members, trustees, or employees (shareholders, officers, directors, members, trustees, and employees for actions related to their work for, employment with, or involvement with the Pharmacies) Released Entities. Notwithstanding the prior sentence, any joint venture or past or present subsidiary of a Settling Distributor is a Released Entity, including any joint venture between a Settling Distributor or any Settling Distributor's subsidiary and a Pharmacy (or any subsidiary of a Pharmacy); provided, however, that any joint venture partner of a Settling Distributor or a Settling Distributor's subsidiary is not a Released Entity unless it falls within subsections (1)-(6) above. Lists of Settling Distributors' subsidiaries, joint ventures, and predecessor entities are appended to this Agreement as Exhibit J. With respect to joint ventures (including predecessor entities), only entities listed on Exhibit J are Released Entities. With respect to wholly-owned subsidiaries (including predecessor entities), Exhibit J represents a good faith effort by the Settling Distributors to list all such entities, but any and all wholly-owned subsidiaries (including predecessor entities) of any Settling Distributor are Released Entities, whether or not they are listed on Exhibit J. For the avoidance of doubt, any entity acquired, or joint venture entered into, by a Settling Distributor after the Reference Date is not a Released Entity.

- "Releasors." With respect to Released Claims, (1) each Settling State; III. (2) each Participating Subdivision; and (3) without limitation and to the maximum extent of the power of each Settling State's Attorney General and/or Participating Subdivision to release Claims, (a) the Settling State's and Participating Subdivision's departments, agencies, divisions, boards, commissions, Subdivisions, districts, instrumentalities of any kind and attorneys, including its Attorney General, and any person in his or her official capacity whether elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, (b) any public entities, public instrumentalities, public educational institutions, unincorporated districts, fire districts, irrigation districts, and other Special Districts in a Settling State, and (c) any person or entity acting in a parens patriae, sovereign, quasisovereign, private attorney general, qui tam, taxpayer, or other capacity seeking relief on behalf of or generally applicable to the general public with respect to a Settling State or Subdivision in a Settling State, whether or not any of them participate in this Agreement. The inclusion of a specific reference to a type of entity in this definition shall not be construed as meaning that the entity is not a Subdivision. Each Settling State's Attorney General represents that he or she has or has obtained (or will obtain no later than the Initial Participation Date) the authority set forth in Section XI.G. In addition to being a Releasor as provided herein, a Participating Subdivision shall also provide the Subdivision Settlement Participation Form referenced in Section VII providing for a release to the fullest extent of the Participating Subdivision's authority.
- JJJ. "Revocation Event." With respect to a Bar, Settlement Class Resolution, or Case-Specific Resolution, a revocation, rescission, reversal, overruling, or interpretation that in any way limits the effect of such Bar, Settlement Class Resolution, or Case-Specific Resolution on Released Claims, or any other action or event that otherwise deprives the Bar, Settlement Class Resolution, or Case-Specific Resolution of force or effect in any material respect.
- KKK. "Settlement Class Resolution." A class action resolution in a court of competent jurisdiction in a Settling State (that is not successfully removed to federal court) with respect to a class of Subdivisions in that State that (1) conforms with that Settling State's statutes, case law, and rules of procedure regarding class actions; (2) is approved and entered as an order of a court of competent jurisdiction in that State and such order has become a Final Order; (3) is binding on all Non-Participating Subdivisions in that State (other than opt outs as permitted under the next sentence); (4) provides that all such Non-Participating Subdivisions may not bring any Released Claims against any Released Entities, whether on the ground of this Agreement (or the releases herein) or otherwise; and (5) does not impose any costs or obligations on Settling Distributors other than those provided for in this Agreement, or contain any provision inconsistent with any provision of this Agreement. If applicable state law requires that opt-out rights be afforded to members of the class, a class action resolution otherwise meeting the foregoing requirements shall qualify as a Settlement Class Resolution unless Subdivisions collectively representing more than one percent (1%) of the total population of that State opt out. In seeking certification of any Settlement Class, the applicable State and Participating Subdivisions shall make clear that certification is sought solely for settlement purposes and shall have no applicability beyond approval of the settlement for which certification is sought. Nothing in this Agreement constitutes an admission by any Party that class certification would be appropriate for litigation purposes in any case or for purposes unrelated to this Agreement.

- LLL. "Settlement Fund." The interest-bearing fund established pursuant to this Agreement into which the Annual Payments are made under <u>Section IV</u>.
- MMM. "Settlement Fund Administrator." The entity that annually determines the Annual Payment (including calculating Incentive Payments pursuant to Section IV and any amounts subject to suspension, offset, or reduction pursuant to Section XII and Section XIII), annually determines the Participation Tier pursuant to Section VIII.C, administers the Settlement Fund, and distributes amounts into the Abatement Accounts Fund, State Fund, and Subdivision Fund pursuant to this Agreement. The duties of the Settlement Fund Administrator shall be governed by this Agreement. Prior to the Initial Participation Date, the Settling Distributors and the Enforcement Committee shall agree to selection and removal processes for and the identity of the Settlement Fund Administrator, and a detailed description of the Settlement Fund Administrator's duties and responsibilities, including a detailed mechanism for paying the Settlement Fund Administrator's fees and costs, all of which shall be appended to the Agreement as Exhibit L.
- NNN. "Settlement Fund Escrow." The interest-bearing escrow fund established pursuant to this Agreement to hold disputed or suspended payments made under this Agreement, and to hold the first Annual Payment until the Effective Date.
- OOO. *"Settlement Payment Schedule."* The schedule attached to this Agreement as Exhibit M.
 - PPP. "Settlement Prepayment." As defined in Section IV.J.1.
 - QQQ. "Settlement Prepayment Reduction Schedule." As defined in Section IV.J.1.
- RRR. "Settling Distributors." McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation (each, a "Settling Distributor").
- SSS. "Settling State." A State that has entered into this Agreement with all Settling Distributors and delivers executed releases in accordance with Section VIII.A.
- TTT. "State." With the exception of West Virginia, which has addressed its claims separately and is excluded from participation in this Agreement, the states, commonwealths, and territories of the United States of America, as well as the District of Columbia. The 55 States are listed in Exhibit F. Additionally, the use of non-capitalized "state" to describe something (e.g., "state court") shall also be read to include parallel entities in commonwealths, territories, and the District of Columbia (e.g., "territorial court").
- UUU. "State Fund." The component of the Settlement Fund described in Section V.C.
- VVV. "State-Subdivision Agreement." An agreement that a Settling State reaches with the Subdivisions in that State regarding the allocation, distribution, and/or use of funds allocated to that State and to its Subdivisions. A State-Subdivision Agreement shall be effective if approved pursuant to the provisions of Exhibit O or if adopted by statute. Preexisting agreements addressing funds other than those allocated pursuant to this Agreement shall qualify

if the approval requirements of <u>Exhibit O</u> are met. A State and its Subdivisions may revise a State-Subdivision Agreement if approved pursuant to the provisions of <u>Exhibit O</u>, or if such revision is adopted by statute.

WWW. "Statutory Trust." A trust fund established by state law to receive funds allocated to a Settling State's Abatement Accounts Fund and restrict any expenditures made using funds from such Settling State's Abatement Accounts Fund to Opioid Remediation, subject to reasonable administrative expenses. A State may give a Statutory Trust authority to allocate one (1) or more of the three (3) types of funds comprising such State's Settlement Fund, but this is not required.

"Subdivision." Any (1) General Purpose Government (including, but not XXX. limited to, a municipality, county, county subdivision, city, town, township, parish, village, borough, gore, or any other entities that provide municipal-type government), School District, or Special District within a State, and (2) any other subdivision or subdivision official or sub-entity of or located within a State (whether political, geographical or otherwise, whether functioning or non-functioning, regardless of population overlap, and including, but not limited to, Nonfunctioning Governmental Units and public institutions) that has filed a lawsuit that includes a Released Claim against a Released Entity in a direct, parens patriae, or any other capacity. "General Purpose Government," "School District," and "Special District" shall correspond to the "five basic types of local governments" recognized by the U.S. Census Bureau and match the 2017 list of Governmental Units.² The three (3) General Purpose Governments are county, municipal, and township governments; the two (2) special purpose governments are School Districts and Special Districts.³ "Fire District," "Health District," "Hospital District," and "Library District" shall correspond to categories of Special Districts recognized by the U.S. Census Bureau. 4 References to a State's Subdivisions or to a Subdivision "in," "of," or "within" a State include Subdivisions located within the State even if they are not formally or legally a sub-entity of the State; provided, however, that a "Health District" that includes any of the following words or phrases in its name shall not be considered a Subdivision: mosquito, pest, insect, spray, vector, animal, air quality, air pollution, clean air, coastal water, tuberculosis, and sanitary.

YYY. "Subdivision Allocation Percentage." The portion of a Settling State's Subdivision Fund set forth in Exhibit G that a Subdivision will receive pursuant to Section V.C or Section V.D if it becomes a Participating Subdivision. The aggregate Subdivision Allocation

² https://www.census.gov/data/datasets/2017/econ/gus/public-use-files.html

³ *E.g.*, U.S. Census Bureau, "Technical Documentation: 2017 Public Use Files for State and Local Government Organization" at 7 (noting that "the Census Bureau recognizes five basic types of local governments," that three of those are "general purpose governments" (county governments, municipal governments, and township governments), and that the other two are "school district and special district governments"), https://www2.census.gov/programs-surveys/gus/datasets/2017/2017_gov_org_meth_tech_doc.pdf.

⁴ A list of 2017 Government Units provided by the Census Bureau identifies 38,542 Special Districts and categorizes them by "FUNCTION_NAME." "Govt_Units_2017_Final" spreadsheet, "Special District" sheet, included in "Independent Governments - list of governments with reference information," https://www.census.gov/data/datasets/2017/econ/gus/public-use-files.html. As used herein, "Fire District" corresponds to Special District function name "24 – Local Fire Protection," "Health District" corresponds to Special District function name "40 – Hospitals," and "Library District" corresponds to Special District function name "52 – Libraries." *See id.*

Percentage of all Subdivisions receiving a Subdivision Allocation Percentage in each State shall equal one hundred percent (100%). Immediately upon the effectiveness of any State-Subdivision Agreement, Allocation Statute, Statutory Trust, or voluntary redistribution allowed by Section V.D.3 (or upon the effectiveness of an amendment to any State-Subdivision Agreement, Allocation Statute, Statutory Trust, or voluntary redistribution allowed by Section V.D.3) that addresses allocation from the Subdivision Fund, or upon any, whether before or after the Initial Participation Date, Exhibit G will automatically be amended to reflect the allocation from the Subdivision Fund pursuant to the State-Subdivision Agreement, Allocation Statute, Statutory Trust, or voluntary redistribution allowed by Section V.D.3. The Subdivision Allocation Percentages contained in Exhibit G may not change once notice is distributed pursuant to Section VII.A, except upon the effectiveness of any State-Subdivision Agreement, Allocation Statute, Statutory Trust, or voluntary redistribution allowed by <u>Section V.D.3</u> (or upon the effectiveness of an amendment to any State-Subdivision Agreement, Allocation Statute, Statutory Trust, or voluntary redistribution allowed by Section V.D.3) that addresses allocation from the Subdivision Fund. For the avoidance of doubt, no Subdivision not listed on Exhibit G shall receive an allocation from the Subdivision Fund and no provision of this Agreement shall be interpreted to create such an entitlement.

- ZZZ. "Subdivision Fund." The component of the Settlement Fund described in Section V.C.
- AAAA. "Subdivision Settlement Participation Form." The form attached as <u>Exhibit K</u> that Participating Subdivisions must execute and return to the Settlement Fund Administrator.
- BBBB. "Suspension Amount." The amount calculated as follows: the per capita amount corresponding to the applicable Participation Tier as set forth in <u>Exhibit D</u> multiplied by the population of the Later Litigating Subdivision.
- CCCC. "Suspension Cap." The amount calculated as follows: the suspension percentage corresponding to the applicable Participation Tier as set forth in Exhibit D multiplied by the amount of the relevant Annual Payment apportioned to the State of the Later Litigating Subdivision and to Subdivisions in that State in each year of the suspension.
- DDDD. "Suspension Deadline." With respect to a lawsuit filed by a Later Litigating Subdivision asserting a Released Claim, the deadline set forth in Exhibit D corresponding to the applicable Participation Tier.
- EEEE. "Threshold Motion." A motion to dismiss or equivalent dispositive motion made at the outset of litigation under applicable procedure. A Threshold Motion must include as potential grounds for dismissal any applicable Bar or the relevant release by a Settling State or Participating Subdivision provided under this Agreement and, where appropriate under applicable law, any applicable limitations defense.
- FFFF. "Tribal/W. Va. Subdivision Credit." The Tribal/W. Va. Subdivision Credit shall equal 2.58% of the Global Settlement Abatement Amount.
- GGGG. "*Trigger Date*." In the case of a Primary Subdivision, the Reference Date. In the case of all other Subdivisions, the Preliminary Agreement Date.

II. Participation by States and Condition to Preliminary Agreement

- A. Notice to States. On July 22, 2021 this Agreement shall be distributed to all States. The States' Attorneys General shall then have a period of thirty (30) calendar days to decide whether to become Settling States. States that determine to become Settling States shall so notify the National Association of Attorneys General and Settling Distributors and shall further commit to obtaining any necessary additional State releases prior to the Reference Date. This notice period may be extended by written agreement of the Settling Distributors and the Enforcement Committee.
- B. Condition to Preliminary Agreement. Following the notice period set forth in Section II.A above, the Settling Distributors shall determine on or before the Preliminary Agreement Date whether, in their sole discretion, enough States have agreed to become Settling States to proceed with notice to Subdivisions as set forth in Section VII below. If the Settling Distributors determine that this condition has been satisfied, and that notice to the Litigating Subdivisions should proceed, they will so notify the Settling States by providing notice to the Enforcement Committee and Settlement Fund Administrator on the Preliminary Agreement Date. If the Settling Distributors determine that this condition has not been satisfied, they will so notify the Settling States by providing notice to the Enforcement Committee and Settlement Fund Administrator, and this Agreement will have no further effect and all releases and other commitments or obligations contained herein will be void.
- C. Later Joinder by States. After the Preliminary Agreement Date, a State may only become a Settling State with the consent of the Settling Distributors, in their sole discretion. If a State becomes a Settling State more than sixty (60) calendar days after the Preliminary Agreement Date, but on or before January 1, 2022, the Subdivisions in that State that become Participating Subdivisions within ninety (90) calendar days of the State becoming a Settling State shall be considered Initial Participating Subdvisions. A State may not become a Settling State after January 1, 2022.
- D. Litigation Activity. Following the Preliminary Agreement Date, States that determine to become Settling States shall make best efforts to cease litigation activity against Settling Distributors, including by jointly seeking stays or severance of claim against the Settling Distributors, where feasible, and otherwise to minimize such activity by means of agreed deadline extensions and agreed postponement of depositions, document productions, and motion practice if a motion to stay or sever is not feasible or is denied.

III. Injunctive Relief

A. *Injunctive Relief.* As part of the Consent Judgment, the Parties agree to the entry of the injunctive relief terms attached in Exhibit P.

IV. Settlement Payments

A. Settlement Fund. All payments under this <u>Section IV</u> shall be made into the Settlement Fund, except that, where specified, they shall be made into the Settlement Fund Escrow. The Settlement Fund shall be allocated and used only as specified in <u>Section V</u>.

- B. Annual Payments. The Settling Distributors shall make eighteen (18) Annual Payments, each comprised of base and incentive payments as provided in this <u>Section IV</u>, as well as fifty percent (50%) of the amount of any Settlement Fund Administrator costs and fees that exceed the available interest accrued in the Settlement Fund as provided in <u>Section V.C.5</u>, and as determined by the Settlement Fund Administrator as set forth in this Agreement.
 - 1. All data relevant to the determination of the Annual Payment and allocations to Settling States and their Participating Subdivisions listed on Exhibit G shall be submitted to the Settlement Fund Administrator no later than sixty (60) calendar days prior to the Payment Date for each Annual Payment. The Settlement Fund Administrator shall then determine the Annual Payment, the amount to be paid to each Settling State and its Participating Subdivisions included on Exhibit G, and the amount of any Settlement Fund Administrator costs and fees, all consistent with the provisions in Exhibit L, by:
 - a. determining, for each Settling State, the amount of base and incentive payments to which the State is entitled by applying the criteria under Section IV.D, Section IV.E, and Section IV.F;
 - b. applying any suspensions, offsets, or reductions as specified under Section IV, Section XII, and Section XIII;
 - c. applying any adjustment required as a result of prepayment or significant financial constraint, as specified under <u>Section IV.J.</u> and <u>Section IV.K</u>;
 - d. determining the amount of any Settlement Fund Administrator costs and fees that exceed the available interest accrued in the Settlement Fund, as well as the amounts, if any, of such costs and fees owed by Settling Distributors and out of the Settlement Fund pursuant to Section V.C.5;
 - e. determining the total amount owed by Settling Distributors (including any amounts to be held in the Settlement Fund Escrow pending resolution of a case by a Later Litigating Subdivision as described in <u>Section XII</u>) to all Settling States and the Participating Subdivisions listed on <u>Exhibit G</u>; and
 - f. the Settlement Fund Administrator shall then allocate, after subtracting the portion of any Settlement Fund Administrator costs and fees owed out of funds from the Settlement Fund pursuant to Section V.C.5, the Annual Payment pursuant to Section V.C and Section V.D among the Settling States, among the separate types of funds for each Settling State (if applicable), and among the Participating Subdivisions listed on Exhibit G.
 - 2. The Settlement Fund Administrator shall also apply the allocation percentages set forth in <u>Section IV.I</u> and determine for each Settling Distributor the amount of its allocable share of the Annual Payment. For the avoidance of doubt, each Settling Distributor's liability for its share of the Annual Payment is several, and not joint.

- 3. As soon as possible, but no later than fifty (50) calendar days prior to the Payment Date for each Annual Payment and following the determination described in Section IV.B.1 and Section IV.B.2, the Settlement Fund Administrator shall give notice to the Settling Distributors, the Settling States, and the Enforcement Committee of the amount of the Annual Payment (including the amount of the Settlement Fund to be allocated to the Settlement Fund Administrator in costs and fees pursuant to Section V.C.5), the amount to be received by each Settling State, the amount to be received by the separate types of funds for each Settling State (if applicable), and the amount to be received by each Settling State's Participating Subdivisions listed on Exhibit G. The Settlement Fund Administrator shall also give notice to each Settling Distributor of the amount of its allocable share of the Annual Payment, including its allocable share of the amount of any Settlement Fund Administrator costs and fees that exceed the available interest accrued in the Settlement Fund pursuant to Section V.C.5.
- 4. Within twenty-one (21) calendar days of the notice provided by the Settlement Fund Administrator, any party may dispute, in writing, the calculation of the Annual Payment (including the amount allocated for Settlement Fund Administrator costs and fees), or the amount to be received by a Settling State and/or its Participating Subdivisions listed on Exhibit G. Such disputing party must provide a written notice of dispute to the Settlement Fund Administrator, the Enforcement Committee, any affected Settling State, and the Settling Distributors identifying the nature of the dispute, the amount of money that is disputed, and the Settling State(s) affected.
- 5. Within twenty-one (21) calendar days of the sending of a written notice of dispute, any affected party may submit a response, in writing, to the Settlement Fund Administrator, the Enforcement Committee, any affected Settling State, and the Settling Distributors identifying the basis for disagreement with the notice of dispute.
- 6. If no response is filed, the Settlement Fund Administrator shall adjust the amount calculated consistent with the written notice of dispute, and each Settling Distributor shall pay its allocable share of the adjusted amount, collectively totaling that year's Annual Payment, on the Payment Date. If a written response to the written notice of dispute is timely sent to the Settlement Fund Administrator, the Settlement Fund Administrator shall notify the Settling Distributors of the preliminary amount to be paid, which shall be the greater of the amount originally calculated by the Settling Administrator or the amount that would be consistent with the notice of dispute, *provided, however*, that in no circumstances shall the preliminary amount to be paid be higher than the maximum amount of Base and Incentive Payments A and D for that Payment Year as set forth on Exhibit M. For the avoidance of doubt, a transfer of suspended payments from the Settlement Fund Escrow pursuant to Section XII.A.2 does not count toward determining whether the amount to be paid is higher than the maximum amount of Base and Incentive Payments A and D for that Payment Year as set forth on Exhibit M.
- 7. The Settlement Fund Administrator shall place any disputed amount of the preliminary amount paid by the Settling Distributors into the Settlement Fund Escrow and shall disburse any undisputed amount to each Settling State and its Participating

Subdivisions listed on Exhibit G within fifteen (15) calendar days of the Payment Date or at such later time as directed by each Settling State.

- 8. Disputes described in this subsection shall be resolved in accordance with the terms of Section VI.F.
- 9. For the avoidance of doubt, no Subdivision not listed on <u>Exhibit G</u> shall receive an allocation from the Subdivision Fund and no provision of this Agreement shall be interpreted to create such an entitlement.
- C. Procedure for Annual Payment in Payment Years 1 and 2. The process described in <u>Section IV.B</u> shall not apply to Payment Years 1 and 2. The procedure in lieu of <u>Section IV.B.1</u> for Payment Years 1 and 2 is as set forth below:
 - 1. The Payment Date for Payment Year 1 is September 30, 2021. Provided that the condition set forth in Section II.B has been satisfied, on or before such date, the Settling Distributors shall pay into the Settlement Fund Escrow the total amount of the base payment, Incentive Payment A for the Settling States (the amount specified in Exhibit M for Payment Year 1 reduced by the allocable share of any Non-Settling States), and the Settling Distributors' allocable share of the amount of any Settlement Fund Administrator costs and fees that exceed the available interest accrued in the Settlement Fund pursuant to Section V.C.5. In the event that, in accordance with the terms of Section VIII.A, the Settling Distributors determine not to proceed with the Settlement, or the Settlement does not become effective for any other reason, the funds held in the Settlement Fund Escrow shall immediately revert to the Settling Distributors. If the condition set forth in Section VIII.A is met, the Settlement Fund Administrator shall allocate the Annual Payment, after subtracting the portion of Settlement Fund Administrator costs and fees owed out of funds from the Settlement Fund pursuant to Section V.C.5, pursuant to Section V.C and Section V.D among the Settling States and their Participating Subdivisions listed on Exhibit G. The portion of any Settlement Fund Administrator costs and fees owed out of funds from the Settlement Fund pursuant to Section V.C.5 shall be available to the Settlement Fund Administrator for the payment of such costs and fees immediately. The remainder of the Annual Payment for Payment Year 1 shall be transferred by the Settlement Fund Administrator on the Effective Date from the Settlement Fund Escrow to the Settlement Fund and then to each Settling State and to its Initial Participating Subdivisions included on Exhibit G; provided, however, that for any Settling State where the Consent Judgment has not been entered as of the Effective Date, the funds allocable to that Settling State and its Participating Subdivisions included on Exhibit G shall not be transferred from the Settlement Fund Escrow or disbursed until ten (10) calendar days after the entry of the Consent Judgment in that State; and, provided, further, the Settlement Fund Administrator shall leave in the Settlement Fund Escrow funds allocated to Subdivisions included on Exhibit G that are not Initial Participating Subdivisions. Should such a Subdivision become a Participating Subdivision between the Initial Participation Date and the Effective Date, the allocation for such Participating Subdivision shall be transferred to the Settlement Fund and paid to the Participating Subdivision at the same time as Initial Participating Subdivisions in that State are paid.

- The Payment Date for Payment Year 2 is July 15, 2022. On or before such date, the Settling Distributors shall pay into the Settlement Fund the total amount of the base payment, Incentive Payment A for the Settling States (the amount specified in Exhibit M for Payment Year 2 reduced by the allocable share of any Non-Settling States), and the Settling Distributors' allocable share of the amount of any Settlement Fund Administrator costs and fees that exceed the available interest accrued in the Settlement Fund pursuant to <u>Section V.C.5</u>. The portion of any Settlement Fund Administrator costs and fees owed out of funds from the Settlement Fund pursuant to Section V.C.5 shall be available to the Settlement Fund Administrator for the payment of such costs and fees immediately. The Settlement Fund Administrator shall disburse the remaining amounts to each Settling State and to its Participating Subdivisions included on Exhibit G within fifteen (15) calendar days of the Payment Date or at such later time as directed by each Settling State. If a Settling State enacts a legislative Bar after the Initial Participation Date, but before July 15, 2022, a Subdivision that meets the requirements for becoming a Participating Subdivision under Section VII prior to July 15, 2022 (but was not an Initial Participating Subdivision) shall be eligible to receive its allocated share (if any) for Payment Year 2, and it shall also receive any amounts allocated to it for Payment Year 1 from the Settlement Fund Escrow.
- 3. Any amounts remaining in the Settlement Fund Escrow for allocations to Subdivisions listed on Exhibit G that have not become Participating Subdivisions after all payments for Payment Year 2 are disbursed shall be transferred to the Settlement Fund and disbursed to the appropriate sub-funds in each Settling State pursuant to Section V.D.5.
- 4. Any disputes as to the allocation of the Annual Payments in Payment Years 1 and 2 shall be resolved pursuant to the process set forth in Section IV.B.3 through Section IV.B.8, except that in Payment Year 1, the Settlement Fund Administrator shall have until ten (10) calendar days after the Initial Participation Date to give notice of the amount to be received by each Settling State, the amount to be received by the separate types of funds for each Settling State (if applicable), and the amount to be received by each Initial Participating Subdivision in the Settling States that is listed on Exhibit G.
- D. Payment Date for Subsequent Payment Years. The Payment Date for Payment Year 3 and successive Payment Years is July 15 of the third and successive years and the Annual Payment shall be made pursuant to the process set forth in Section IV.B, except that, with respect to Payment Year 3, Settling States shall have up to the Payment Date to become eligible for Incentive Payment A and thus avoid the reductions set forth in Section XIII. If a Settling State enacts a Bar less than sixty (60) calendar days before the Payment Date for Payment Year 3, each Settling Distributor shall pay, within thirty (30) calendar days of the Payment Year 3 Payment Date, its allocable share, pursuant to Section IV.I, of the difference between the Annual Payment as calculated by the Settlement Fund Administrator and the amount that would have been owed had the Settlement Fund Administrator taken the Bar into account.
- E. Base Payments. Subject to the suspension, reduction, and offset provisions set forth in Section XII and Section XIII, the Settling Distributors shall collectively make base

payments equal to fifty-five percent (55%) of the Net Abatement Amount multiplied by the aggregate Overall Allocation Percentage of the Settling States. These payments will be due in installments consistent with <u>Exhibit M</u> over the eighteen (18) Payment Years and as adjusted by the Settlement Fund Administrator pursuant to the provisions in <u>Section IV</u>, <u>Section XII</u>, and Section XIII.

- F. *Incentive Payments*. Subject to the suspension, offset, and reduction provisions set forth in Section XII and Section XIII, the Settling Distributors shall collectively make potential additional incentive payments totaling up to a maximum of forty-five percent (45%) of the Net Abatement Amount multiplied by the aggregate Overall Allocation Percentage of the Settling States, with the actual amount depending on whether and the extent to which the criteria set forth below are met in each Settling State. The incentive payments shall be divided among four (4) categories, referred to as Incentive Payments A-D. Incentive Payments A-C will be due in installments over the eighteen (18) Payment Years, and Incentive Payment D will be due in installments over thirteen (13) years beginning with Payment Year 6. The total amount of incentive payments in an Annual Payment shall be the sum of the incentive payments for which individual Settling States are eligible for that Payment Year under the criteria set forth below. The incentive payments shall be made with respect to a specific Settling State based on its eligibility for that year under the criteria set forth below.
 - 1. <u>Incentive Payment A.</u> Incentive Payment A shall be equal to forty percent (40%) of the Net Abatement Amount multiplied by the aggregate Overall Allocation Percentage of the Settling States, provided all Settling States satisfy the requirements of Incentive Payment A. Incentive Payment A will be due to a Settling State as part of the Annual Payment in each of the eighteen (18) Payment Years that a Settling State is eligible for Incentive Payment A and shall equal a total potential maximum of \$7,421,605,477 if all States are eligible for all eighteen (18) Payment Years. Each Settling State's share of Incentive Payment A in a given year, *provided* that Settling State is eligible, shall equal the total maximum amount available for Incentive Payment A for that year as reflected in Exhibit M times the Settling State's Overall Allocation Percentage. Eligibility for Incentive Payment A is as follows:
 - a. For the Payment Years 1 and 2, all Settling States are deemed eligible for Incentive Payment A.
 - b. For each Payment Year other than Payment Years 1 and 2, a Settling State is eligible for Incentive Payment A if, as of sixty (60) calendar days prior to the Payment Date (except that in Payment Year 3, this date is as of the Payment Date), (i) there is a Bar in that State in full force and effect, (ii) there is a Settlement Class Resolution in that State in full force and effect, (iii) the Released Claims of all of the following entities are released through the execution of Subdivision Settlement Participation Forms, or there is a Case-Specific Resolution against such entities: all Primary Subdivisions, Litigating Subdivisions, School Districts with a K-12 student enrollment of at least 25,000 or .10% of a State's population, whichever is greater, and Health Districts and Hospital Districts that have at least one hundred twenty-five (125) hospital beds in one or more hospitals rendering services in that district; or (iv) a combination of

the actions in clauses (i)-(iii) has achieved the same level of resolution of Claims by Subdivisions (*e.g.*, a Bar against future litigation combined with full joinder by Litigating Subdivisions). For the avoidance of doubt, subsection (iv) cannot be satisfied unless all Litigating Subdivisions are Participating Subdivisions or there is a Case-Specific Resolution against any such Subdivisions that are not Participating Subdivisions. The Settling Distributors and the Enforcement Committee shall meet and confer in order to agree on data sources for purposes of this Section prior to the Preliminary Agreement Date.

- c. Notwithstanding <u>Section IV.F.1.b</u>, for each Payment Year other than Payment Years 1 and 2, a Settling State that is not eligible for Incentive Payment A as of the Incentive Payment Final Eligibility Date shall not be eligible for Incentive Payment A for that Payment Year or any subsequent Payment Years.
- d. If the Settling Distributors made a payment under Incentive Payment A solely on the basis of a Bar or Settlement Class Resolution in a Settling State and that Bar or Settlement Class Resolution is subsequently removed, revoked, rescinded, reversed, overruled, interpreted in a manner to limit the scope of the release, or otherwise deprived of force or effect in any material respect, that Settling State shall not be eligible for Incentive Payment A thereafter, unless the State requalifies for Incentive Payment A through any method pursuant to Section IV.F.1.b, in which case the Settling State shall be eligible for Incentive Payment A less any litigation fees and costs incurred by Settling Distributor in the interim, except that, if the re-imposition occurs after the completion of opening statements in a trial involving a Released Claim, the Settling State shall not be eligible for Incentive Payment A (unless this exception is waived by the Settling Distributors).
- e. In determining the amount of Incentive Payment A that Settling Distributors will pay in a Payment Year and each Settling State's share, if any, of Incentive Payment A for that Payment Year, the Settlement Fund Administrator shall: (i) identify all Settling States that are eligible for Incentive Payment A; (ii) multiply the Overall Allocation Percentage for each such eligible Settling State by the maximum amount that Settling Distributors could owe with respect to Incentive Payment A for that Payment Year as listed on Exhibit M. The amount calculated in (ii) shall be the amount allocated to a Settling State eligible for Incentive Payment A for that Payment Year and the aggregate of each such amount for Settling States eligible for Incentive Payment A shall be the amount of Incentive Payment A Settling Distributors are obligated to pay in that Payment Year, all such amounts subject to the suspension, offset, and reduction provisions in Section XIII and Section XIII.
- 2. <u>Incentive Payment B</u>. Incentive Payment B shall be available to Settling States that are not eligible for Incentive Payment A for the applicable Payment Year. Incentive Payment B shall be equal to up to twenty-five percent (25%) of the Net Abatement Amount multiplied by the aggregate Overall Allocation Percentage of the

Settling States. Incentive Payment B will be due to a Settling State as part of the Annual Payment in each of the eighteen (18) Payment Years that a Settling State is eligible for Incentive Payment B and equal a total potential maximum of \$4,638,503,423 if all States are eligible for all eighteen (18) Payment Years. Each Settling State's maximum share of Incentive Payment B in a given year shall equal the total maximum amount available for Incentive Payment B for that year as reflected in Exhibit M times the Settling State's Overall Allocation Percentage. Eligibility for Incentive Payment B is as follows:

- a. A Settling State is not eligible for Incentive Payment B for a Payment Year for which it is eligible for Incentive Payment A.
- b. Subject to Section IV.F.2.a, the amount of Incentive Payment B for which a Settling State is eligible in a Payment Year shall be a percentage of that State's maximum share of Incentive Payment B based on the extent to which (A) Litigating Subdivisions in the State are Participating Subdivisions or (B) there is a Case-Specific Resolution against Litigating Subdivisions in the State, collectively, "Incentive B Eligible Subdivisions." The percentage of the State's maximum share of Incentive Payment B that the State is eligible for in a Payment Year shall be determined according to the table below:

Percentage of Litigating Subdivision Population that is Incentive B Eligible Subdivision Population ⁵	Incentive Payment B Eligibility Percentage
Up to 85%	0%
85%+	30%
86+	40%
91+	50%
95+	60%
99%+	95%
100%	100%

⁵ The "Percentage of Litigating Subdivision Population that is Incentive B Eligible Subdivision Population" shall be determined by the aggregate population of the Settling State's Litigating Subdivisions that are Incentive B Eligible Subdivisions divided by the aggregate population of the Settling State's Litigating Subdivisions. In calculating the Settling State's population that resides in Litigating Subdivisions, (a) the population of the Settling State's Litigating Subdivisions shall be the sum of the population of all Litigating Subdivisions in the Settling State, notwithstanding that persons may be included within the population of more than one Litigating Subdivision, and (b) the population that resides in Incentive B Eligible Subdivisions shall be the sum of the population of the Incentive B Eligible Subdivisions, notwithstanding that persons may be included within the population of more than one Incentive B Eligible Subdivision. An individual Litigating Subdivision shall not be included more than once in the numerator, and shall not be included more than once in the denominator, of the calculation regardless if it (or any of its officials) is named as multiple plaintiffs in the same lawsuit; provided, however, that for the avoidance of doubt, no Litigating Subdivision will be excluded from the numerator or denominator under this sentence unless a Litigating Subdivision otherwise counted in the denominator has the authority to release the Claims (consistent with Section XI) of the Litigating Subdivision to be excluded. For the avoidance of doubt, a Settling State in which the population that resides in Incentive B Eligible Subdivisions is less than eighty-five percent (85%) of the population of Litigating Subdivisions shall not be eligible for any portion of Incentive Payment B.

- In determining the amount that Settling Distributors will pay in a c. Payment Year under Incentive Payment B and each Settling State's share of Incentive Payment B for that Payment Year, the Settlement Fund Administrator shall: (i) identify all States that are eligible for Incentive Payment B because they are ineligible for Incentive Payment A; (ii) determine the Incentive Payment B eligibility percentage for each such Settling State; (iii) multiply the Incentive Payment B eligibility percentage for each such State by the Overall Allocation Percentage of that State; (iv) multiply the product from (iii) by the maximum amount that Settling Distributors could owe under Incentive Payment B for that Payment Year from Exhibit M. The amount calculated in (iv) shall be the amount allocated to a Settling State eligible for Incentive Payment B for that Payment Year, and the aggregate of such amounts for Settling States eligible for Incentive Payment B shall be the amount paid for that Payment Year by Settling Distributors with respect to Incentive Payment B, all such amounts subject to the suspension, offset, and reduction provisions in Section XII and Section XIII. If there are no Litigating Subdivisions in a Settling State, and that Settling State is otherwise eligible for Incentive Payment B, that Settling State will receive its full allocable share of Incentive Payment B.
- d. A Settling State's eligibility for Incentive Payment B for a Payment Year shall be determined as of sixty (60) calendar days prior to the Payment Date for that Payment Year; *provided* that the percentage of Incentive Payment B for which a Settling State is eligible as of the Incentive Payment Final Eligibility Date shall cap its eligibility for that Payment Year and all subsequent Payment Years.
- 3. <u>Incentive Payment C.</u> Incentive Payment C shall be available to Settling States that are not eligible for Incentive Payment A for a Payment Year, including to Settling States that are also eligible for Incentive Payment B. Incentive Payment C shall be equal to up to fifteen percent (15%) of the Net Abatement Amount multiplied by the aggregate Overall Allocation Percentage of the Settling States. Incentive Payment C will be due to a Settling State as part of the Annual Payment in each of the eighteen (18) Payment Years that a Settling State is eligible for Incentive Payment C and equal a total potential maximum of \$2,783,102,054 if all States are eligible for all eighteen (18) Payment Years. Each Settling State's maximum share of Incentive Payment C in a given year shall equal the total maximum amount available for Incentive Payment C for that year as reflected in Exhibit M multiplied by the Settling State's Overall Allocation Percentage. Eligibility for Incentive Payment C is as follows:
 - a. A Settling State is not eligible for Incentive Payment C for a Payment Year in which it is eligible for Incentive Payment A.
 - b. Subject to <u>Section IV.F.3.a</u>, the amount of Incentive Payment C for which a Settling State is eligible in a Payment Year shall be a percentage of the State's maximum share of Incentive Payment C based on the extent to which (A) Non-Litigating Subdivisions that are Primary Subdivisions with a population

over 30,000 and Litigating Subdivisions in the State are Participating Subdivisions or (B) there is a Case-Specific Resolution against Non-Litigating Subdivisions that are Primary Subdivisions with a population over 30,000 and Litigating Subdivisions in the State, collectively, "*Incentive C Eligible Subdivisions*." The percentage of the State's maximum share of Incentive Payment C that the State is eligible for in a Payment Year shall be determined according to the table below:

Percentage of Relevant Subdivision Population that is Incentive C Eligible Population ⁶	Incentive Payment C Eligibility Percentage
Up to 60%	0%
60%+	25%
70%+	35%
75%+	40%
80%+	45%
85%+	55%
90%+	60%
93%+	65%
94%+	75%
95+	90%
98+	95%
100%	100%

c. In determining the amount that Settling Distributors will pay in a Payment Year under Incentive Payment C and each Settling State's share of Incentive Payment C for that Payment Year, the Settlement Fund Administrator shall: (i) identify all States that are eligible for Incentive Payment C because they are ineligible for Incentive Payment A; (ii) determine the Incentive Payment C eligibility percentage for each such Settling State; (iii) multiply the Incentive Payment C eligibility percentage for each such State by the Overall Allocation Percentage of that State; (iv) multiply the product from (iii) by the maximum

⁶

⁶ The "Percentage of Relevant Subdivision Population that is Incentive C Eligible Population" shall be determined by the aggregate population of the Settling State's Incentive C Eligible Subdivisions divided by the aggregate population of the Settling State's Non-Litigating Primary Subdivisions with a population over 30,000 and Litigating Subdivisions ("*Incentive Payment C Subdivisions*"). None of the population figures shall include Prior Litigating Subdivisions. In calculating the Settling State's population that resides in Incentive Payment C Subdivisions, (a) the population shall be the sum of the population of all Incentive Payment C Subdivisions in the Settling State, notwithstanding that persons may be included within the population of more than one Incentive Payment C Subdivision, and (b) the population that resides in Incentive C Eligible Subdivisions shall be the sum of the population of the Incentive C Eligible Subdivision, notwithstanding that persons may be included within the population of more than one Incentive C Eligible Subdivision. An individual Incentive Payment C Subdivision shall not be included more than once in the numerator, and shall not be included more than once in the denominator, of the calculation regardless if it (or any of its officials) is named as multiple plaintiffs in the same lawsuit. For the avoidance of doubt, a Settling State in which the population that resides in Incentive C Eligible Subdivisions is less than sixty percent (60%) of the population of Incentive Payment C Subdivisions shall not be eligible for any portion of Incentive Payment C.

amount that Settling Distributors could owe under Incentive Payment C for that Payment Year from Exhibit M. The amount calculated in (iv) shall be the amount allocated to a Settling State eligible for Incentive Payment C for that Payment Year and the aggregate of such amounts for Settling States eligible for Incentive Payment C shall be the amount paid for that Payment Year by Settling Distributors with respect to Incentive Payment C, all such amounts subject to the suspension, offset, and reduction provisions in Section XII and Section XIII. If there are no Litigating Subdivisions or Non-Litigating Subdivisions that are Primary Subdivisions with a population of more than 30,000 in a Settling State, and that Settling State is otherwise eligible for Incentive Payment C, that Settling State will receive its full allocable share of Incentive Payment C.

- d. A Settling State's eligibility for Incentive Payment C for a Payment Year shall be determined as of sixty (60) calendar days prior to the Payment Date for that Payment Year; *provided* that the percentage of Incentive Payment C for which a Settling State is eligible as of the Incentive Payment Final Eligibility Date shall cap its eligibility for that Payment Year and all subsequent Payment Years.
- 4. <u>Incentive Payment D</u>. Incentive Payment D shall be applied at Payment Year 6. Incentive Payment D shall be equal to five percent (5%) of the Net Abatement Amount multiplied by the aggregate Overall Allocation Percentage of the Settling States. Incentive Payment D will be due to a Settling State as part of the Annual Payment for each of thirteen (13) Payment Years (from Payment Year 6 to Payment Year 18) that any Settling State is eligible for Incentive Payment D and equal a total potential maximum of \$927,700,685 if all States are eligible for all thirteen (13) Payment Years. Each Settling State's share of Incentive Payment D in a given year shall equal the total maximum amount available for Incentive Payment D for that year as reflected in Exhibit M times the Settling State's Overall Allocation Percentage. Eligibility for Incentive Payment D is as follows:
 - a. A Settling State is eligible for Incentive Payment D if there has been no Later Litigating Subdivision in that State that has had a Claim against a Released Entity survive more than six (6) months after denial in whole or in part of a Threshold Motion.
 - b. A Settling State's eligibility for Incentive Payment D shall be determined as of sixty (60) calendar days prior to the Payment Date. If a Later Litigating Subdivision's lawsuit in that State survives more than six (6) months after denial in whole or in part of a Threshold Motion after that date, that State shall not be eligible for Incentive Payment D for the Payment Year in which that occurs and any subsequent Payment Year.
 - c. Notwithstanding <u>Section IV.F.4</u>, a Settling State can become reeligible for Incentive Payment D if the lawsuit that survived a Threshold Motion is dismissed pursuant to a later motion on grounds included in the Threshold Motion, in which case the Settling State shall be eligible for Incentive Payment D

less any litigation fees and costs incurred by Settling Distributor in the interim, except that if the dismissal motion occurs after the completion of opening statements in such action, the Settling State shall not be eligible for Incentive Payment D.

- d. For the avoidance of doubt, a Settling State may be eligible for Incentive Payment D whether or not it is eligible for Incentive Payments A-C.
- e. In determining the amount of Incentive Payment D that Settling Distributors will pay in a Payment Year and each Settling State's share, if any, of Incentive Payment D for that Payment Year, the Settlement Fund Administrator shall: (i) identify all Settling States that are eligible for Incentive Payment D; (ii) multiply the Overall Allocation Percentage for each such eligible Settling State by the maximum amount that Settling Distributors could owe with respect to Incentive Payment D for that Payment Year listed on Exhibit M; and (iii) subtract any litigation fees and costs allowed to be deducted pursuant to Section IV.F.4.c. The amount calculated in (iii) shall be the amount allocated to a Settling State eligible for Incentive Payment D for that Payment Year and the aggregate of each such amount for Settling States eligible for Incentive Payment D shall be the amount of Incentive Payment D Settling Distributors are obligated to pay in that Payment Year, all such amounts subject to the suspension, reduction, and offset provisions in Section XIII and Section XIII.
- G. *Reductions/Offsets*. The base and incentive payments are subject to suspension, offset, and reduction as provided in <u>Section XII</u> and <u>Section XIII</u>.
- H. State-Specific Agreements. Notwithstanding any other provision of this Agreement or any other agreement, in the event that: (1) the Settling Distributors enter into an agreement with any Settling State that resolves with finality such Settling State's Claims consistent with Section XI of this Agreement and such agreement has an effective date prior to the Effective Date of this Agreement (such agreement, a "State-Specific Agreement") and (2) pursuant to the terms of the State-Specific Agreement, any payments, or any portion thereof, made by the Settling Distributors thereunder are made in lieu of any payments (for the avoidance of doubt, including the Additional Restitution Amount), or any portion thereof, to be made under this Agreement and the Settling Distributors make such a payment pursuant to the State-Specific Agreement, then the Settling Distributors will reduce any payments allocable to such Settling State (whether made to the Settlement Fund Escrow or the Settlement Fund) made pursuant to this Agreement to the extent such amount was already paid pursuant to the terms of the State-Specific Agreement.
- I. Allocation of Payments among Settling Distributors. Payments due from the Settling Distributors under this Section IV, Section IX, and Section X will be allocated among the Settling Distributors as follows: McKesson 38.1%; Amerisource 31.0%; Cardinal 30.9%. A Settling Distributor's sole responsibility for payments under this Agreement shall be to make its share of each payment. The obligations of the Settling Distributors in this Agreement are several and not joint. No Settling Distributor shall be responsible for any portion of another Settling Distributor's share.

J. Pre-payment Option.

- Any Settling Distributor shall have the right, subject to the limitations set forth in Section IV.J.3, to prepay any base payment or incentive payment in whole or in part, without premium or penalty (a "Settlement Prepayment") by providing at least fourteen (14) calendar days prior written notice to the Settlement Fund Administrator and Enforcement Committee (a "Prepayment Notice"). Any Prepayment Notice shall specify: (a) the gross amount of the Settlement Prepayment (the "Gross Settlement Amount"), (b) the manner in which such Settlement Prepayment shall be applied to reduce such Settling Distributor's future share of Annual Payments (i.e., to which future year(s) the allocable portion of an Annual Payment owed by such Settling Distributor the Settlement Prepayment should be applied) (such manner of application, a "Settlement Prepayment Reduction Schedule"), (c) the net present value of the Settlement Prepayment as of the Prepayment Date based on the Settlement Prepayment Reduction Schedule using a discount rate equal to the prime rate as published by the Wall Street Journal on the date of the Prepayment Notice plus 1.75% (such net present value amount, the "Net Settlement Prepayment Amount"), and (d) the date on which the prepayment will be made, which shall be no more than fifteen (15) calendar days after the date of the Prepayment Notice (the "Prepayment Date").
- 2. On the Prepayment Date the Settling Distributor shall pay the Net Settlement Prepayment Amount to the Settlement Fund and such amount shall be used only as specified in Section V. Following such payment, all future portions of the Annual Payments allocated to the applicable Settling Distributor under Section IV.E and Section IV.F shall be reduced pursuant to the Settlement Prepayment Reduction Schedule, and the Exhibit M will be updated to give effect to such reduction, and going forward such updated schedule will be Exhibit M.
- 3. A Settling Distributor's right to make prepayments shall be subject to the following limitations:
 - a. Prepayments may apply to base payments or to both base and incentive payments. If the prepayment applies to both base and incentive payments, the prepayments will apply proportionately across base and incentive payments.
 - b. A Settling Distributor shall make no more than three (3) prepayments over the eighteen (18) year payment term. A Settling Distributor shall not make more than one (1) prepayment in a five (5) year period and there shall not be prepayments made in the first two (2) Payment Years.
 - c. Prepayments shall only be applied to one (1) or more of the three (3) Payment Years following the prepayment.
 - d. The total amount of a prepayment of base payments after discounting calculations shall not be larger than the base payment for the Payment Year with the lowest Annual Payment amount affected by the prepayment. The

total amount of a prepayment for both base payments and incentive payments shall not be larger than the base payment and anticipated incentive payment for the lowest Payment Year affected by the prepayment. The "anticipated incentive payment" for a future Payment Year shall reflect the incentives earned by each Settling State as of the time of the prepayment and any offsets or adjustments known at that time.

- e. In a Payment Year against which there has been a prepayment, if the amount a Settling State is calculated to receive is greater than the amount prepaid prior to discounting calculations, the Settling Distributor shall pay the difference. If, in a Payment Year for which there has been a prepayment, the amount that a Settling State is calculated to receive is less than the amount calculated at the time of the prepayment, there shall be a credit for the difference to the Settling Distributor to be applied in the subsequent Payment Year(s), if any.
 - f. Prepayments shall be applied proportionately to all Settling States.
- 4. The Settling States may agree to a prepayment that does not apply these restrictions. Such a prepayment would need approval of Settling States representing at least ninety-five percent (95%) allocable share as measured by the allocations in <u>Exhibit F</u>; *provided*, *however*, that this provision does not limit or restrict any Settling State from negotiating its own prepayment with a Settling Distributor.
- 5. For illustrative purposes only, attached as <u>Exhibit Q</u> are examples showing a Settlement Prepayment, the related calculation of the Net Settlement Prepayment Amount, and the related adjustment to the Settlement Payment Schedule.

K. Significant Financial Constraint.

1. A Settling Distributor's allocable share of the Annual Payment for a Payment Year may, at the election of such Settling Distributor, be deferred either (a) up to the amount by which that share plus such Settling Distributor's share of amounts payable under Section IX and Section X would exceed twenty percent (20%) of such Settling Distributor's total operating cash flow (as determined pursuant to United States generally accepted accounting principles) for its fiscal year that concluded most recently prior to the due date for that payment or (b) (i) up to twenty-five percent (25%) if, as of thirty (30) calendar days preceding that payment date, the company's credit rating from one or more of the three nationally recognized rating agencies is below BBB or Baa2 or (ii) up to one hundred percent (100%) if, as of thirty (30) calendar days preceding that payment date, the company's credit rating from one or more of the three nationally recognized rating agencies is below BBB- or Baa3. If the reason for exceeding twenty percent (20%) of a Settling Distributor's total operating cash flow or the decrease in credit rating is substantially attributable to the incurrence of debt to fund post-settlement acquisitions or to the payment of dividends and/or share repurchases that together are of an amount that exceeds the total amount of those two items for the prior fiscal year, no deferral is available. A Settling Distributor shall not be allowed to defer payment for a

Payment Year if that Settling Distributor engaged in any share repurchases in the three fiscal quarters prior to the Payment Date for that Payment Year.

- 2. If a Settling Distributor has reason to believe that it will not be able to pay some or all of its allocable share of the Annual Payment for a Payment Year, it shall provide at least ninety (90) calendar days' prior written notice to the Settlement Fund Administrator and Enforcement Committee (a "Deferred Payment Notice"). Any Deferred Payment Notice shall specify and include: (a) the gross amount of the payments owed (including the estimated allocable portion of the Annual Payment, and amounts owed under Section IX and Section X, by the relevant Settling Distributor), (b) the amount that the Settling Distributor believes it will be unable to pay, (c) the accounting and audited financial documents upon which the Settling Distributor relied for making this determination, and (d) any other relevant information for the Enforcement Committee to consider.
- 3. A Settling Distributor shall not utilize this provision during the first three (3) Payment Years. If a Settling Distributor defers some or all of the payments due in a Payment Year pursuant to this <u>Section IV.K</u>, it shall not repurchase any shares, or fund new acquisitions with an acquisition price greater than \$250 million, during the deferral period until the deferred amount is fully repaid with interest. Any amounts deferred shall bear interest at an interest rate equal to the prime rate as published by the *Wall Street Journal* on the date of the Deferral Payment Notice plus 0.5%.
- 4. The Settling Distributor shall pay all deferred amounts, including applicable interest on the next Payment Date. If the amounts previously deferred (including interest) together with the Settling Distributor's share of all payments due for a Payment Year would allow for a deferral under Section IV.K.1, the Settling Distributor shall pay as much of the previously deferred amounts (including interest) as it can pay without triggering the ability to defer payment and may defer the remainder as permitted under (and subject to the restrictions of) this Section IV.K.
- 5. Deferrals will apply proportionally across base payments and incentive payments. For the avoidance of doubt, this <u>Section IV.K</u> applies fully to Payment Years after the first three (3) Payment Years, including the base payments and all incentive payments due pursuant to this Agreement during the Payment Year at issue.
- 6. If a Settling Distributor could pay a portion of its allocable share of the Annual Payments due pursuant to this Agreement during a Payment Year without triggering this Section IV.K, the Settling Distributor shall be required to pay that portion as scheduled and only the excess would be subject to deferral at the election of the Settling Distributor (in whole or in part) as provided herein.
- 7. The Settling Distributor shall pay any deferred amounts, including applicable interest on or before the date on which the payment is due for Payment Year 18.

V. Allocation and Use of Settlement Payments

A. Components of Settlement Fund. The Settlement Fund shall be comprised of an Abatement Accounts Fund, a State Fund, and a Subdivision Fund for each Settling State. The payments made under Section IV into the Settlement Fund shall be initially allocated among those three (3) sub-funds and distributed and used as provided below. Payments placed into the Settlement Fund do not revert back to the Settling Distributors.

B. *Use of Settlement Payments.*

- 1. It is the intent of the Parties that the payments disbursed from the Settlement Fund to Settling States and Participating Subdivisions be for Opioid Remediation, subject to exceptions that must be documented in accordance with <u>Section V.B.2</u>. In no event may less than eighty-five percent (85%) of the Settling Distributors' maximum amount of payments pursuant to <u>Section IV</u>, <u>Section IX</u>, and <u>Section X</u> as set forth on <u>Exhibit M</u> over the entirety of all Payments Years (but not any single Payment Year) be spent on Opioid Remediation.
- 2. While disfavored by the Parties, a Settling State or a Participating Subdivision set forth on Exhibit G may use monies from the Settlement Fund (that have not been restricted by this Agreement solely to future Opioid Remediation) for purposes that do not qualify as Opioid Remediation. If, at any time, a Settling State or a Participating Subdivision set forth on Exhibit G uses any monies from the Settlement Fund for a purpose that does not qualify as Opioid Remediation, such Settling State or Participating Subdivision set forth on Exhibit G shall identify such amounts and report to the Settlement Fund Administrator and the Settling Distributors how such funds were used, including if used to pay attorneys' fees, investigation costs, litigation costs, or costs related to the operation and enforcement of this Agreement, respectively. It is the intent of the Parties that the reporting under this Section V.B.2 shall be available to the public. For the avoidance of doubt, (a) any amounts not identified under this Section V.B.2 as used to pay attorneys' fees, investigation costs, or litigation costs shall be included in the "Compensatory Restitution Amount" for purposes of Section VI.F and (b) Participating Subdivisions not listed on Exhibit G may only use monies from the Settlement Fund for purposes that qualify as Opioid Remediation.

C. Allocation of Settlement Fund.

The allocation of the Settlement Fund allows for different approaches to be taken in different states, such as through a State-Subdivision Agreement. Given the uniqueness of States and their Subdivisions, Settling States and their Subdivisions are encouraged to enter into State-Subdivision Agreements in order to direct the allocation of their portion of the Settlement Fund. As set out below, the Settlement Fund Administrator will make an initial allocation to three (3) state-level sub-funds. The Settlement Fund Administrator will then, for each Settling State and its Participating Subdivisions, apply the terms of this Agreement and any relevant State-Subdivision Agreement, Statutory Trust, Allocation Statute, or voluntary redistribution of funds as set out below before disbursing the funds.

- 1. <u>Base Payments</u>. The Settlement Fund Administrator will allocate base payments under <u>Section IV.D</u> among the Settling States in proportion to their respective Overall Allocation Percentages. Base payments for each Settling State will then be allocated fifteen percent (15%) to its State Fund, seventy percent (70%) to its Abatement Accounts Fund, and fifteen percent (15%) to its Subdivision Fund. Amounts may be reallocated and will be distributed as provided in <u>Section V.D.</u>
- 2. <u>Incentive Payments</u>. The Settlement Fund Administrator will treat incentive payments under <u>Section IV.F</u> on a State-specific basis. Incentive payments for which a Settling State is eligible under <u>Section IV.F</u> will be allocated fifteen percent (15%) to its State Fund, seventy percent (70%) to its Abatement Accounts Fund, and fifteen percent (15%) to its Subdivision Fund. Amounts may be reallocated and will be distributed as provided in <u>Section V.D</u>.
- 3. <u>Application of Adjustments</u>. If a suspension, offset, or reduction under <u>Section XII</u> or <u>Section XIII</u> applies with respect to a Settling State, the suspension, offset, or reduction shall be applied proportionally to all amounts that would otherwise be apportioned and distributed to the State Fund, the Abatement Accounts Fund, and the Subdivision Fund for that State.
- 4. <u>Settlement Fund Administrator</u>. Prior to the Initial Participation Date, the Settling Distributors and the Enforcement Committee will agree to a detailed mechanism consistent with the foregoing for the Settlement Fund Administrator to follow in allocating, apportioning, and distributing payments, which shall then be appended hereto as Exhibit L.
- 5. <u>Settlement Fund Administrator Costs</u>. Any costs and fees associated with or arising out of the duties of the Settlement Fund Administrator as described in <u>Exhibit</u> <u>L</u> shall be paid from the interest accrued in the Settlement Fund Escrow and the Settlement Fund; *provided*, *however*, that if such accrued interest is insufficient to pay the entirety of any such costs and fees, Settling Distributors shall pay fifty percent (50%) of the additional amount and fifty percent (50%) shall be paid out of the Settlement Fund.
- D. Settlement Fund Reallocation and Distribution.

As set forth below, within a particular Settling State's account, amounts contained in the Settlement Fund sub-funds may be reallocated and distributed per a State-Subdivision Agreement or other means. If the apportionment of amounts is not addressed and controlled under Section V.D.1 and Section V.D.2, then the default provisions of Section V.D.4 apply. It is not necessary that a State-Subdivision Agreement or other means of allocating funds pursuant to Section V.D.1 and Section V.D.2 address all of the Settlement Fund sub-funds. For example, a Statutory Trust might only address disbursements from a Settling State's Abatement Accounts Fund.

1. <u>Distribution by State-Subdivision Agreement</u>. If a Settling State has a State-Subdivision Agreement, amounts apportioned to that State's State Fund, Abatement Accounts Fund, and Subdivision Fund under Section V.C shall be reallocated and

distributed as provided by that agreement. Any State-Subdivision Agreement entered into after the Preliminary Agreement Date shall be applied only if it requires: (a) that all amounts be used for Opioid Remediation, except as allowed by Section V.B.2, and (b) that at least seventy percent (70%) of amounts be used solely for future Opioid Remediation. For a State-Subdivision Agreement to be applied to the relevant portion of an Annual Payment, notice must be provided to the Settling Distributors and the Settlement Fund Administrator at least sixty (60) calendar days prior to the Payment Date.

- 2. <u>Distribution by Allocation Statute</u>. If a Settling State has an Allocation Statute and/or a Statutory Trust that addresses allocation or distribution of amounts apportioned to such State's State Fund, Abatement Accounts Fund, and/or Subdivision Fund and that, to the extent any or all such sub-funds are addressed, requires (1) all amounts to be used for Opioid Remediation, except as allowed by Section V.B.2, and (2) at least seventy percent (70%) of all amounts to be used solely for future Opioid Remediation, 8 then, to the extent allocation or distribution is addressed, the amounts apportioned to that State's State Fund, Abatement Accounts Fund, and Subdivision Fund under <u>Section V.C</u> shall be allocated and distributed as addressed and provided by the applicable Allocation Statute or Statutory Trust. For the avoidance of doubt, an Allocation Statute or Statutory Trust need not address all three (3) sub-funds that comprise the Settlement Fund, and if the applicable Allocation Statute or Statutory Trust does not address distribution of all or some of these three (3) sub-funds, the applicable Allocation Statute or Statutory Trust does not replace the default provisions described in Section V.D.4 of any such unaddressed fund. For example, if an Allocation Statute or Statutory Trust that meets the requirements of this Section V.D.2 only addresses funds restricted to abatement, then the default provisions in this Agreement concerning allocation among the three (3) sub-funds comprising the Settlement Fund and the distribution of the State Fund and Subdivision Fund for that State would still apply, while the distribution of the applicable State's Abatement Accounts Fund would be governed by the qualifying Allocation Statute or Statutory Trust.
- 3. <u>Voluntary Redistribution</u>. A Settling State may choose to reallocate all or a portion of its State Fund to its Abatement Accounts Fund. A Participating Subdivision included on <u>Exhibit G</u> may choose to reallocate all or a portion of its allocation from the Subdivision Fund to the State's Abatement Accounts Fund or to another Participating Subdivision. For a voluntary redistribution to be applied to the relevant portion of an Annual Payment, notice must be provided to the Settling Distributors and the Settlement Fund Administrator at least sixty (60) calendar days prior to the Payment Date.
- 4. <u>Distribution in the Absence of a State-Subdivision Agreement, Allocation Statute, or Statutory Trust.</u> If <u>Section V.D.1</u> and <u>Section V.D.2</u> do not apply, amounts

⁷ Future Opioid Remediation includes amounts paid to satisfy any future demand by another governmental entity to make a required reimbursement in connection with the past care and treatment of a person related to the Alleged Harms.

⁸ Future Opioid Remediation includes amounts paid to satisfy any future demand by another governmental entity to make a required reimbursement in connection with the past care and treatment of a person related to the Alleged Harms.

apportioned to that State's State Fund, Abatement Accounts Fund, and Subdivision Fund under Section V.C shall be distributed as follows:

- a. Amounts apportioned to that State's State Fund shall be distributed to that State.
- b. Amounts apportioned to that State's Abatement Accounts Fund shall be distributed consistent with <u>Section V.E.</u> Each Settling State shall submit to the Settlement Fund Administrator a designation of a lead state agency or other entity to serve as the single point of contact for that Settling State's funding requests from the Abatement Accounts Fund and other communications with the Settlement Fund Administrator. The designation of an individual entity is for administrative purposes only and such designation shall not limit funding to such entity or even require that such entity receive funds from this Agreement. The designated entity shall be the only entity authorized to request funds from the Settlement Fund Administrator to be disbursed from that Settling State's Abatement Accounts Fund. If a Settling State has established a Statutory Trust then that Settling State's single point of contact may direct the Settlement Fund Administrator to release the State's Abatement Accounts Fund to the Statutory Trust.
- c. Amounts apportioned to that State's Subdivision Fund shall be distributed to Participating Subdivisions in that State included on <u>Exhibit G</u> per the Subdivision Allocation Percentage listed in <u>Exhibit G</u>. <u>Section VII.I</u> shall govern amounts that would otherwise be distributed to Non-Participating Subdivisions listed in <u>Exhibit G</u>. For the avoidance of doubt and notwithstanding any other provision in this Agreement, no Non-Participating Subdivision will receive any amount from the Settlement Fund, regardless of whether such Subdivision is included on Exhibit G.
- d. Special Districts shall not be allocated funds from the Subdivision Fund, except through a voluntary redistribution allowed by <u>Section V.D.3</u>. A Settling State may allocate funds from its State Fund or Abatement Accounts Fund for Special Districts.
- 5. Restrictions on Distribution. No amounts may be distributed from the Subdivision Fund contrary to Section VII, *i.e.*, no amounts may be distributed directly to Non-Participating Subdivisions or to Later Participating Subdivisions to the extent such a distribution would violate Section VII.E through Section VII.H. Amounts allocated to the Subdivision Fund that cannot be distributed by virtue of the preceding sentence shall be distributed into the sub-account in the Abatement Accounts Fund for the Settling State in which the Subdivision is located, unless those payments are redirected elsewhere by a State-Subdivision Agreement described in Section V.D.1 or by an Allocation Statute or a Statutory Trust described in Section V.D.2.
- E. Provisions Regarding the Abatement Accounts Fund.

- State-Subdivision Agreement, Allocation Statute, and Statutory Trust Fund Provisions. A State-Subdivision Agreement, Allocation Statute, or Statutory Trust may govern the operation and use of amounts in that State's Abatement Accounts Fund so long as it complies with the requirements of Section V.D.1 or Section V.D.2, as applicable, and all direct payments to Subdivisions comply with Section VII.E through Section VII.H.
- 2. Absence of a State-Subdivision Agreement, Allocation Statute, or Statutory Trust. In the absence of a State-Subdivision Agreement, Allocation Statute, or Statutory Trust that addresses distribution, the Abatement Accounts Fund will be used solely for future Opioid Remediation⁹ and the following shall apply with respect to a Settling State:

Regional Remediation. a.

- At least fifty percent (50%) of distributions for remediation (i) from a State's Abatement Accounts Fund shall be annually allocated and tracked to the regional level. A Settling State may allow the Advisory Committee established pursuant to Section V.E.2.d to define its regions and assign regional allocations percentages. Otherwise, a Settling State shall (A) define its initial regions, which shall consist of one (1) or more General Purpose Subdivisions and which shall be designated by the state agency with primary responsibility for substance abuse disorder services employing, to the maximum extent practical, existing regions established in that State for opioid abuse treatment or other public health purposes; (B) assign initial regional allocation percentages to the regions based on the Subdivision Allocation Percentages in Exhibit G and an assumption that all Subdivisions included on Exhibit G will become Participating Subdivisions.
- This minimum regional expenditure percentage is calculated on the Settling State's initial Abatement Accounts Fund allocation and does not include any additional amounts a Settling State has directed to its Abatement Accounts Fund from its State Fund, or any other amounts directed to the fund. A Settling State may dedicate more than fifty percent (50%) of its Abatement Accounts Fund to the regional expenditure and may annually adjust the percentage of its Abatement Accounts Fund dedicated to regional expenditures as long as the percentage remains above the minimum amount.
- The Settling State (A) has the authority to adjust the definition of the regions, and (B) may annually revise the percentages

⁹ Future Opioid Remediation includes amounts paid to satisfy any future demand by another governmental entity to make a required reimbursement in connection with the past care and treatment of a person related to the Alleged Harms.

allocated to each region to reflect the number of General Purpose Subdivisions in each region that are Non-Participating Subdivisions.

- b. Subdivision Block Grants. Certain Subdivisions shall be eligible to receive regional allocation funds in the form of a block grant for future Opioid Remediation. A Participating Subdivision eligible for block grants is a county or parish (or in the case of States that do not have counties or parishes that function as political subdivisions, a city) that (1) does not contain a Litigating Subdivision or a Later Litigating Subdivision for which it has the authority to end the litigation through a release, bar or other action, (2) either (i) has a population of 400,000 or more or (ii) in the case of California has a population of 750,000 or more, and (3) has funded or otherwise managed an established health care or treatment infrastructure (e.g., health department or similar agency). Each Subdivision eligible to receive block grants shall be assigned its own region.
- c. *Small States*. Notwithstanding the provisions of <u>Section V.E.2.a</u>, Settling States with populations under four (4) million that do not have existing regions described in <u>Section V.E.2.a</u> shall not be required to establish regions. However, such a Settling State that contains one (1) or more Subdivisions eligible for block grants under <u>Section V.E.2.c</u> shall be divided regionally so that each block-grant eligible Subdivision is a region and the remainder of the state is a region.
- d. Advisory Committee. The Settling State shall designate an Opioid Settlement Remediation Advisory Committee (the "Advisory Committee") to provide input and recommendations regarding remediation spending from that Settling State's Abatement Accounts Fund. A Settling State may elect to use an existing advisory committee or similar entity (created outside of a State-Subdivision Agreement or Allocation Statute); provided, however, the Advisory Committee or similar entity shall meet the following requirements:
 - (i) Written guidelines that establish the formation and composition of the Advisory Committee, terms of service for members, contingency for removal or resignation of members, a schedule of meetings, and any other administrative details;
 - (ii) Composition that includes at least an equal number of local representatives as state representatives;
 - (iii) A process for receiving input from Subdivisions and other communities regarding how the opioid crisis is affecting their communities, their abatement needs, and proposals for abatement strategies and responses; and
 - (iv) A process by which Advisory Committee recommendations for expenditures for Opioid Remediation will be made to and considered by the appropriate state agencies.

- 3. <u>Abatement Accounts Fund Reporting</u>. The Settlement Fund Administrator shall track and assist in the report of remediation disbursements as agreed to among the Settling Distributors and the Enforcement Committee.
- F. *Nature of Payment*. Each of the Settling Distributors, the Settling States, and the Participating Subdivisions acknowledges and agrees that notwithstanding anything to the contrary in this Agreement, including, but not limited to, the scope of the Released Claims:
 - 1. It has entered into this Agreement to avoid the delay, expense, inconvenience, and uncertainty of further litigation;
 - 2. (a) The Settling States and Participating Subdivisions sought compensatory restitution (within the meaning of 26 U.S.C. § 162(f)(2)(A)) as damages for the Alleged Harms allegedly suffered by the Settling States and Participating Subdivisions; (b) the Compensatory Restitution Amount is no greater than the amount, in the aggregate, of the Alleged Harms allegedly suffered by the Settling States and Participating Subdivisions; and (c) the portion of the Compensatory Restitution Amount received by each Settling State or Participating Subdivision is no greater than the amount of the Alleged Harms allegedly suffered by such Settling State or Participating Subdivision:
 - 3. The payment of the Compensatory Restitution Amount by the Settling Distributors constitutes, and is paid for, compensatory restitution (within the meaning of 26 U.S.C. § 162(f)(2)(A)) for alleged damage or harm (as compensation for alleged damage or harm arising out of alleged bodily injury) allegedly caused by the Settling Distributors;
 - 4. The Compensatory Restitution Amount is being paid as compensatory restitution (within the meaning of 26 U.S.C. § 162(f)(2)(A)) in order to restore, in whole or in part, the Settling States and Participating Subdivisions to the same position or condition that they would be in had the Settling States and Participating Subdivisions not suffered the Alleged Harms; and
 - 5. For the avoidance of doubt: (a) no portion of the Compensatory Restitution Amount represents reimbursement to any Settling State or Participating Subdivision or other person or entity for the costs of any investigation or litigation, (b) the entire Compensatory Restitution Amount is properly characterized as described in Section V.F., and (c) no portion of the Compensatory Restitution Amount constitutes disgorgement or is properly characterized as the payment of statutory or other fines, penalties, punitive damages, or other punitive assessments.

VI. Enforcement

A. *Enforceability*. This Agreement is enforceable only by the Settling States and the Settling Distributors; *provided*, *however*, that Released Entities may enforce Section XI and Participating Subdivisions listed on Exhibit G have the enforcement rights described in Section VI.D. Except to the extent allowed by the Injunctive Relief Terms, Settling States and Participating Subdivisions shall not have enforcement rights with respect to either the terms of

this Agreement that apply only to or in other States or any Consent Judgment entered into by another Settling State. Participating Subdivisions shall not have enforcement rights against the Settling Distributors with respect to this Agreement or any Consent Judgment except that Participating Subdivisions listed on Exhibit G shall have enforcement rights as set forth herein as to payments that would be allocated to the Subdivision Fund or Abatement Accounts Fund pursuant to Section V; provided, however, that each Settling State shall allow Participating Subdivisions in such Settling State to notify it of any perceived violations of this Agreement or the applicable Consent Judgment.

- B. *Jurisdiction*. The Settling Distributors consent to the jurisdiction of the court in which each Settling State files its Consent Judgment, limited to resolution of disputes identified in Section VI.F.1 for resolution in that court.
 - C. Specific Terms Dispute Resolution.
 - 1. Any dispute that is addressed by the provisions set forth in the Injunctive Relief Terms shall be resolved as provided therein.
 - 2. In the event that Settling Distributors believe that the eight-five percent (85%) threshold established in <u>Section V.B.1</u> is not being satisfied, any Party may request that the Settling Distributors and Enforcement Committee meet and confer regarding the use of funds to implement <u>Section V.B.1</u>. The completion of such meet-and-confer process is a precondition to further action regarding any such dispute. Further action concerning <u>Section V.B.1</u> shall: (i) be limited to the Settling Distributors seeking to reduce their Annual Payments by no more than five percent (5%) of the difference between the actual amount of Opioid Remediation and the eighty-five percent (85%) threshold established in <u>Section V.B.1</u>; (ii) only reduce Annual Payments to those Settling States and their Participating Subdivisions that are below the eighty-five percent (85%) threshold established in <u>Section V.B.1</u>; and (iii) not reduce Annual Payments restricted to future Opioid Remediation.

D. State-Subdivision Enforcement.

- 1. A Subdivision shall not have enforcement rights against a Settling State in which it is located with respect to this Agreement or any Consent Judgment except that a Participating Subdivision listed on Exhibit G shall have enforcement rights (a) as provided for in a State-Subdivision Agreement, Allocation Statute, or Statutory Trust with respect to intrastate allocation or (b) in the absence of a State-Subdivision Agreement, Allocation Statute, or Statutory Trust, to allegations that (i) the Settling State's use of Abatement Accounts Fund monies were not used for uses similar to or in the nature of those uses contained in Exhibit E; or (ii) a Settling State failed to pay funds directly from the Abatement Accounts Fund to a Participating Subdivision eligible to receive a block grant pursuant to Section V.E.2.b.
- 2. A Settling State shall have enforcement rights against a Participating Subdivision located in its territory (a) as provided for in a State-Subdivision Agreement, Allocation Statute, or Statutory Trust; or (b) in the absence of a State-Subdivision

Agreement, Allocation Statute, or Statutory Trust, to allegations that the Participating Subdivisions' uses of Abatement Accounts Fund monies were not used for purposes similar to or in the nature of those uses contained in Exhibit E.

- 3. As between Settling States and Participating Subdivisions, the above rights are contractual in nature and nothing herein is intended to limit, restrict, change or alter any other existing rights under law.
- E. Subdivision Distributor Payment Enforcement. A Participating Subdivision listed on Exhibit G shall have the same right as a Settling State pursuant to Section VI.F.2.a(v) to seek resolution regarding the failure by a Settling Distributor to make its allocable share of an Annual Payment in a Payment Year.
 - F. Other Terms Regarding Dispute Resolution.
 - 1. Except to the extent provided by <u>Section VI.C</u> or <u>Section VI.F.2</u>, all disputes shall be resolved in either the court that entered the relevant Consent Judgment or, if no such Consent Judgment was entered, a state or territorial court with jurisdiction located wherever the seat of the relevant state government is located.
 - a. State court proceedings shall be governed by the rules and procedures of the relevant forum.
 - b. For the avoidance of doubt, disputes to be resolved in state court include, but are not limited to, the following:
 - (i) disputes concerning whether expenditures qualify as Opioid Remediation;
 - (ii) disputes between a Settling State and its Participating Subdivisions as provided by <u>Section VI.D</u>, except to the extent the State-Subdivision Agreement provides for other dispute resolution mechanisms. For the avoidance of doubt, disputes between a Settling State and any Participating Subdivision shall not be considered National Disputes;
 - (iii) whether this Agreement and relevant Consent Judgment are binding under state law;
 - (iv) the extent of the Attorney General's or other participating entity's authority under state law, including the extent of the authority to release claims;
 - (v) whether the definition of a Bar, a Case-Specific Resolution, Final Order, lead state agency as described in <u>Section V.D.4.b</u>, Later Litigating Subdivision, Litigating Subdivision, or Threshold Motion have been met; and

- (vi) all other disputes not specifically identified in <u>Section VI.C</u> or Section VI.F.2.
- c. Any Party may request that the National Arbitration Panel provide an interpretation of any provision of the settlement that is relevant to the state court determination, and the National Arbitration Panel shall make reasonable best efforts to supply such interpretation within the earlier of thirty (30) calendar days or the time period required by the state court proceedings. Any Party may submit that interpretation to the state court to the extent permitted by, and for such weight provided by, the state court's rules and procedures. If requested by a Party, the National Arbitration Panel shall request that its interpretation be accepted in the form of an *amicus curiae* brief, and any attorneys' fees and costs for preparing any such filing shall be paid for by the requesting Party.
- 2. National Disputes involving a Settling State, a Participating Subdivision that has enforcement rights pursuant to <u>Section VI.A</u>, and/or a Settling Distributor shall be resolved by the National Arbitration Panel.
 - a. National Disputes are disputes that are not addressed by <u>Section VI.C</u>, and which are exceptions to <u>Section VI.F.1</u>'s presumption of resolution in state courts because they involve issues of interpretation of terms contained in this Agreement applicable to all Settling States without reference to a particular State's law. Disputes between a Settling State and any Participating Subdivision shall not be considered National Disputes. National Disputes are limited to the following:
 - (i) the amount of offset and/or credit attributable to Non-Settling States or the Tribal/W. Va. Subdivision Credit;
 - (ii) issues involving the scope and definition of Product;
 - (iii) interpretation and application of the terms "Covered Conduct," "Released Entities," and "Released Claims";
 - (iv) the allocation of payments among Settling Distributors as described in <u>Section IV.I</u>;
 - (v) the failure by a Settling Distributor to pay its allocable share of the Annual Payment or of the Additional Restitution Amount in a Payment Year, but for the avoidance of doubt, disputes between a Settling Distributor and a Settling State over the amounts owed only to that state that do not affect any other Settling State shall not be considered National Disputes;
 - (vi) the interpretation and application of the significant financial constraint provision in <u>Section IV.K</u>, including, without limitation, eligibility for and amount of deferrals for any given year, time for repayment, and compliance with restrictions during deferral term;

- (vii) the interpretation and application of the prepayment provisions as described in <u>Section IV.J;</u>
- (viii) the interpretation and application of any most-favorednation provision in <u>Section XIV.E</u>;
- (ix) questions regarding the performance and/or removal of the Settlement Fund Administrator;
- (x) replacement of the Monitor, as provided in the Injunctive Relief Terms;
 - (xi) disputes involving liability of successor entities;
- (xii) disputes that require a determination of the sufficiency of participation in order to qualify for Incentive Payments A, B, or C, as well as disputes over qualification for Participation Tiers;
- (xiii) disputes involving a Releasor's compliance with, and the appropriate remedy under, <u>Section XI.B.I.A.3</u>;
- (xiv) disputes requiring the interpretation of Agreement terms that are national in scope or impact, which shall mean disputes requiring the interpretation of Agreement terms that (i) concretely affect four (4) or more Settling States; and (ii) do not turn on unique definitions and interpretations under state law; and
- (xv) any dispute subject to resolution under <u>Section VI.F.1</u> but for which all parties to the dispute agree to arbitration before the National Arbitration Panel under the provisions of this <u>Section VI.F.2</u>.
- b. The National Arbitration Panel shall be comprised of three (3) arbitrators. One (1) arbitrator shall be chosen by the Settling Distributors, one (1) arbitrator shall be chosen by the Enforcement Committee with due input from Participating Subdivisions listed on Exhibit G, and the third arbitrator shall be agreed upon by the first two (2) arbitrators. The membership of the National Arbitration Panel is intended to remain constant throughout the term of this Agreement, but in the event that replacements are required, the retiring arbitrator shall be replaced by the party that selected him/her.
- c. The National Arbitration Panel shall make reasonable best efforts to decide all matters within one hundred eighty (180) calendar days of filing, and in no event shall it take longer than one (1) year.
- d. The National Arbitration Panel shall conduct all proceedings in a reasonably streamlined process consistent with an opportunity for the parties to be heard. Issues shall be resolved without the need for live witnesses where feasible,

and with a presumption in favor of remote participation to minimize the burdens on the parties.

- e. To the extent allowed under state law, a Settling State, a Participating Subdivision that has enforcement rights pursuant to <u>Section VI.A</u>, and (at any party's request) the National Arbitration Panel may certify to an appropriate state court any question of state law. The National Arbitration Panel shall be bound by a final state court determination of such a certified question. The time period for the arbitration shall be tolled during the course of the certification process.
- f. The arbitrators will give due deference to any authoritative interpretation of state law, including any declaratory judgment or similar relief obtained by a Settling State, a Participating Subdivision that has enforcement rights pursuant to <u>Section VI.A</u>, or Settling Distributor on a state law issue.
- g. The decisions of the National Arbitration Panel shall be binding on Settling States, Participating Subdivisions, Settling Distributors, and the Settlement Fund Administrator. In any proceeding before the National Arbitration Panel involving a dispute between a Settling State and one or more Settling Distributors whose resolution could prejudice the rights of a Participating Subdivision(s) in that Settling State, such Participating Subdivision(s) shall be allowed to file a statement of view in the proceeding.
- h. Nothing herein shall be construed so as to limit or otherwise restrict a State from seeking injunctive or other equitable relief in state court to protect the health, safety, or welfare of its citizens.
- i. Each party shall bear its own costs in any arbitration or court proceeding arising under this Section VI. The costs for the arbitrators on the National Arbitration Panel shall be divided and paid equally by the disputing sides for each individual dispute, *e.g.*, a dispute between a Settling Distributor and Settling States/Participating Subdivisions shall be split fifty percent (50%) by the Settling Distributor and fifty percent (50%) by the Settling States/Participating Subdivisions that are parties to the dispute; a dispute between a Settling State and a Participating Subdivision shall be split fifty percent (50%) by the Settling State that is party to the dispute and fifty percent (50%) by any Participating Subdivisions that are parties to the dispute.
- 3. Prior to initiating an action to enforce pursuant to this <u>Section VI.F</u>, the complaining party must:
 - a. Provide written notice to the Enforcement Committee of its complaint, including the provision of the Consent Judgment and/or Agreement that the practice appears to violate, as well as the basis for its interpretation of the disputed provision. The Enforcement Committee shall establish a reasonable process and timeline for obtaining additional information from the involved

parties; *provided*, *however*, that the date the Enforcement Committee establishes for obtaining additional information from the parties shall not be more than forty-five (45) calendar days following the notice. The Enforcement Committee may advise the involved parties of its views on the complaint and/or seek to resolve the complaint informally.

- b. Wait to commence any enforcement action until thirty (30) calendar days after the date that the Enforcement Committee establishes for obtaining additional information from the involved parties.
- 4. If the parties to a dispute cannot agree on the proper forum for resolution of the dispute under the provisions of <u>Section VI.F.1</u> or <u>Section VI.F.2</u>, a committee comprising the Enforcement Committee and sufficient representatives of the Settling Distributors such that the members of the Enforcement Committee have a majority of one (1) member will determine the forum where the dispute will be initiated within twenty-eight (28) calendar days of receiving notification of the dispute relating to the proper forum. The forum identified by such committee shall be the sole forum for litigating the issue of which forum will hear the substantive dispute, and the committee's identification of such forum in the first instance shall not be entitled to deference by the forum selected.
- G. *No Effect*. Nothing in this Agreement shall be interpreted to limit the Settling State's Civil Investigative Demand ("*CID*") or investigative subpoena authority, to the extent such authority exists under applicable state law and the CID or investigative subpoena is issued pursuant to such authority, and Settling Distributors reserve all of their rights in connection with a CID or investigative subpoena issued pursuant to such authority.

VII. Participation by Subdivisions

- Notice. No later than fifteen (15) calendar days after the Preliminary Agreement Date, the Settling States, with the cooperation of the Settling Distributors, shall send individual written notice of the opportunity to participate in this Agreement and the requirements of participation to all Subdivisions in the Settling States that are (1) Litigating Subdivisions or (2) Non-Litigating Subdivisions listed on Exhibit G. The costs of the written notice to such Subdivisions shall be paid for by the Settling Distributors. The Settling States, with the cooperation of the Settling Distributors, may also provide general notice reasonably calculated to alert Non-Litigating Subdivisions in the Settling States to this Agreement, the opportunity to participate in it, and the requirements for participation. Such notice may include publication and other standard forms of notification, as well as notice to national state and county organizations such as the National Association of Counties and the National League of Cities. The notice will include that the deadline for becoming an Initial Participating Subdivision is the Initial Participation Date. Nothing contained herein shall preclude a Settling State from providing further notice to or otherwise contacting any of its Subdivisions about becoming a Participating Subdivision, including beginning any of the activities described in this paragraph prior to the Preliminary Agreement Date.
- B. Requirements for Becoming a Participating Subdivision—Non-Litigating Subdivisions. A Non-Litigating Subdivision in a Settling State may become a Participating

Subdivision by returning an executed Subdivision Settlement Participation Form to the Settlement Fund Administrator specifying (1) that the Subdivision agrees to the terms of this Agreement pertaining to Subdivisions, (2) that the Subdivision releases all Released Claims against all Released Entities, (3) that the Subdivision agrees to use monies it receives, if any, from the Settlement Fund pursuant to the applicable requirements of Section V; provided, however, that Non-Litigating Subdivisions may only use monies originating from the Settlement Fund for purposes that qualify as Opioid Remediation, and (4) that the Subdivision submits to the jurisdiction of the court where the applicable Consent Judgment is filed for purposes limited to that court's role under this Agreement. The required Subdivision Settlement Participation Form is attached as Exhibit K.

- C. Requirements for Becoming a Participating Subdivision—Litigating Subdivisions/Later Litigating Subdivisions. A Litigating Subdivision or Later Litigating Subdivision in a Settling State may become a Participating Subdivision by returning an executed Subdivision Settlement Participation Form to the Settlement Fund Administrator and upon prompt dismissal with prejudice of its lawsuit. A Settling State may require each Litigating Subdivision in that State to specify on the Subdivision Settlement Participation Form whether its counsel has waived any contingency fee contract with that Participating Subdivision and whether, if eligible, it intends to seek fees pursuant to Exhibit R. The Settlement Fund Administrator shall provide quarterly reports of this information to the parties organized by Settling State. A Litigating Subdivision or Later Litigating Subdivision may not become a Participating Subdivision after the completion of opening statements in a trial of the lawsuit it brought that includes a Released Claim against a Released Entity.
- D. *Initial Participating Subdivisions*. A Subdivision qualifies as an Initial Participating Subdivision if it meets the applicable requirements for becoming a Participating Subdivision set forth in <u>Section VII.B</u> or <u>Section VII.C</u> by the Initial Participation Date. All Subdivision Settlement Participation Forms shall be held in escrow by the Settlement Fund Administrator until the Reference Date.
- E. Later Participating Subdivisions. A Subdivision that is not an Initial Participating Subdivision may become a Later Participating Subdivision by meeting the applicable requirements for becoming a Participating Subdivision set forth in Section VII.B or Section VII.C after the Initial Participation Date and by agreeing to be subject to the terms of a State-Subdivision Agreement (if any) or any other structure adopted or applicable pursuant to Section V.D or Section V.E. The following provisions govern what a Later Participating Subdivision can receive (but do not apply to Initial Participating Subdivisions):
 - 1. Except as provided in <u>Section IV.C</u>, a Later Participating Subdivision shall not receive any share of any Annual Payment due before it became a Participating Subdivision.
 - 2. A Later Participating Subdivision that becomes a Participating Subdivision after July 15, 2022 shall receive seventy-five percent (75%) of the share of future base or incentive payments that it would have received had it become a Later Participating Subdivision prior to that date (unless the Later Participating Subdivision is subject to Section VII.E.3 or Section VII.E.4).

- 3. A Later Participating Subdivision that, after the Initial Participation Date, maintains a lawsuit for a Released Claim(s) against a Released Entity and has judgment entered against it on every such Claim before it became a Participating Subdivision (other than a consensual dismissal with prejudice) shall receive fifty percent (50%) of the share of future base or incentive payments that it would have received had it become a Later Participating Subdivision prior to such judgment; *provided*, *however*, that if the Subdivision appeals the judgment and the judgment is affirmed with finality before the Subdivision becomes a Participating Subdivision, the Subdivision shall not receive any share of any base payment or incentive payments.
- 4. A Later Participating Subdivision that becomes a Participating Subdivision while a Bar or Case-Specific Resolution involving a different Subdivision exists in its State shall receive twenty-five percent (25%) of the share of future base or incentive payments that it would have received had it become a Later Participating Subdivision without such Bar or Case-Specific Resolution.
- F. *No Increase in Payments*. Amounts to be received by Later Participating Subdivisions shall not increase the payments due from the Settling Distributors.
- G. *Ineligible Subdivisions*. Subdivisions in Non-Settling States and Prior Litigating Subdivisions are not eligible to be Participating Subdivisions.
- H. *Non-Participating Subdivisions*. Non-Participating Subdivisions shall not directly receive any portion of any Annual Payment, including from the State Fund and direct distributions from the Abatement Accounts Fund; however, a Settling State may choose to fund future Opioid Remediation that indirectly benefits Non-Participating Subdivisions.
- I. Unpaid Allocations to Later Participating Subdivisions and Non-Participating Subdivisions. Any base payment and incentive payments allocated pursuant to Section V.D to a Later Participating Subdivision or Non-Participating Subdivision that cannot be paid pursuant to this Section VII, including the amounts that remain unpaid after the reductions required by Section VII.E.2 through Section VII.E.4, will be allocated to the Abatement Accounts Fund for the Settling State in which the Subdivision is located, unless those payments are redirected elsewhere by a State-Subdivision Agreement or by a Statutory Trust.

VIII. Condition to Effectiveness of Agreement and Filing of Consent Judgment

- A. Determination to Proceed With Settlement.
- 1. The Settling States shall confer with legal representatives of the Participating Subdivisions listed on Exhibit G and inform the Settling Distributors no later than fifteen (15) calendar days prior to the Reference Date whether there is sufficient participation to proceed with this Agreement. Within seven (7) calendar days of informing the Settling Distributors that there is sufficient participation to proceed, the Settling States will deliver all signatures and releases required by the Agreement to be provided by the Settling States to the Settling Distributors.

- 2. If the Settling States inform Settling Distributors that there is sufficient participation, the Settling Distributors will then determine on or before the Reference Date whether there is sufficient State participation and sufficient resolution of the Claims of the Litigating Subdivisions in the Settling States (through participation under Section VII, Case-Specific Resolution(s) and Bar(s)) to proceed with this Agreement. The determination shall be in the sole discretion of the Settling Distributors and may be based on any criteria or factors deemed relevant by the Settling Distributors.
- B. Notice by Settling Distributors. On or before the Reference Date, the Settling Distributors shall inform the Settling States of their determination pursuant to Section VIII.A. If the Settling Distributors determine to proceed, the Parties will proceed to file the Consent Judgments and the obligations in the Subdivision Settlement Participation Forms will be effective and binding as of the Reference Date. If the Settling Distributors determine not to proceed, this Agreement will have no further effect, any amounts placed in escrow for Payment Year 1, including funds referenced in Section IV.C.1, Section IX, Section X, and Exhibit M, shall be returned to the Settling Distributors, and all releases (including those contained in Subdivision Settlement Participation Forms) and other commitments or obligations contained herein or in Subdivision Settlement Participation Forms will be void.

C. Determination of the Participation Tier.

- 1. On the Reference Date, *provided* that Settling Distributors determine to proceed with this Agreement, the Settlement Fund Administrator shall determine the Participation Tier. The criteria used to determine the Participation Tier are set forth in Exhibit H. Any disputes as to the determination of the Participation Tier shall be decided by the National Arbitration Panel.
- 2. The Participation Tier shall be redetermined by the Settlement Fund Administrator annually as of the Payment Date, beginning with Payment Year 3, pursuant to the criteria set forth in Exhibit H.
- 3. After Payment Year 6, the Participation Tier cannot move higher, unless this restriction is waived by the Settling Distributors.
- 4. In the event that a Participation Tier redetermination moves the Participation Tier higher, and that change is in whole or in part as a result of the post-Reference Date enactment of a Bar and there is later a Revocation Event with respect to such Bar, then on the next Payment Date that is at least one hundred eighty (180) calendar days after the Revocation Event, the Participation Tier shall move down to the Participation Tier that would have applied had the Bar never been enacted, unless the Bar is reinstated or all Subdivisions affected by the Revocation Event become Participating Subdivisions within one hundred eighty (180) calendar days of the Revocation Event. This is the sole circumstance in which, on a nationwide basis, the Participation Tier can move down.
- 5. In the event that there is a post-Reference Date Revocation Event with respect to a Bar that was enacted in a Settling State prior to the Reference Date, then, on

the next Payment Date that is at least one hundred eighty (180) calendar days after the Revocation Event, unless the Bar is reinstated or all Subdivisions affected by the Revocation Event become Participating Subdivisions within one hundred eighty (180) calendar days of the Revocation Event, the Participation Tier shall decrease – solely for the State in which the Revocation Event occurred – to the Participation Tier commensurate with the percentage of Litigating Subdivisions in that State that are Participating Subdivisions and the percentage of Non-Litigating Subdivisions that are both Primary Subdivisions and Participating Subdivisions, according to the criteria set forth in Exhibit G, except that the calculations shall be performed as to that State alone. For the avoidance of doubt and solely for the calculation in this subparagraph, the Settling States Column of Exhibit H shall play no role. This is the sole circumstance in which one Settling State will have a different Participation Tier than other Settling States.

6. The redetermination of the Participation Tier under <u>Section VIII.C.2</u> shall not affect payments already made or suspensions, offsets, or reductions already applied.

IX. Additional Restitution

- A. Additional Restitution Amount. Pursuant to the schedule set forth in Exhibit M and subject to the reduction specified in Section IX.B, the Settling Distributors shall pay an Additional Restitution Amount to the Settling States listed in Exhibit N. Such funds shall be paid, on the schedule set forth on Exhibit M, on the Payment Date for each relevant Payment Year to such Settling States as allocated by the Settlement Fund Administrator pursuant to Exhibit N.
- B. Reduction of Additional Restitution Amount. In the event that any Non-Settling States appear on Exhibit N, the amounts owed by Settling Distributors pursuant to this Section IX shall be reduced by the allocations set forth on Exhibit N for any such Non-Settling States.
- C. *Use of Funds*. All funds paid as an Additional Restitution Amount shall be part of the Compensatory Restitution Amount, shall be used for Opioid Remediation, except as allowed by <u>Section V.B.2</u>, and shall be governed by the same requirements as specified in <u>Section V.F.</u>

X. Plaintiffs' Attorneys' Fees and Costs

The Agreement on Attorneys' Fees, Expenses and Costs is set forth in <u>Exhibit R</u> and incorporated herein by reference. The Agreement on the State Outside Counsel Fee Fund and Agreement on the State Cost Fund Administration are set forth in <u>Exhibit S</u> and <u>Exhibit T</u>, respectively, and are incorporated herein by reference.

XI. Release

A. *Scope*. As of the Effective Date, the Released Entities are hereby released and forever discharged from all of the Releasors' Released Claims. Each Settling State (for itself and its Releasors) and Participating Subdivision hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in

any forum whatsoever. The releases provided for in this Agreement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of each Settling State and its Attorney General to release claims. This Agreement shall be a complete bar to any Released Claim.

- B. Claim-Over and Non-Party Settlement.
 - 1. It is the intent of the Parties that:
 - a. Released Entities should not seek contribution or indemnification (other than pursuant to an insurance contract), from other parties for their payment obligations under this Agreement;
 - b. the payments made under this Agreement shall be the sole payments made by the Released Entities to the Releasors involving, arising out of, or related to Covered Conduct (or conduct that would be Covered Conduct if engaged in by a Released Entity);
 - c. Claims by Releasors against non-Parties should not result in additional payments by Released Entities, whether through contribution, indemnification or any other means; and
 - d. the Agreement meets the requirements of the Uniform Contribution Among Joint Tortfeasors Act and any similar state law or doctrine that reduces or discharges a released party's liability to any other parties.

The provisions of this <u>Section XI.B</u> are intended to be implemented consistent with these principles. This Agreement and the releases and dismissals provided for herein are made in good faith.

- 2. No Released Entity shall seek to recover for amounts paid under this Agreement based on indemnification, contribution, or any other theory from a manufacturer, pharmacy, hospital, pharmacy benefit manager, health insurer, third-party vendor, trade association, distributor, or health care practitioner; *provided* that a Released Entity shall be relieved of this prohibition with respect to any entity that asserts a Claim-Over against it. For the avoidance of doubt, nothing herein shall prohibit a Released Entity from recovering amounts owed pursuant to insurance contracts.
- 3. To the extent that, on or after the Reference Date, any Releasor enters into a Non-Party Settlement, including in any bankruptcy case or through any plan of reorganization (whether individually or as a class of creditors), the Releasor will include (or in the case of a Non-Party Settlement made in connection with a bankruptcy case, will cause the debtor to include), unless prohibited from doing so under applicable law, in the Non-Party Settlement a prohibition on contribution or indemnity of any kind substantially equivalent to that required from the Settling Distributors in Section XI.B.2, or a release from such Non-Released Entity in favor of the Released Entities (in a form equivalent to the releases contained in this Agreement) of any Claim-Over. The obligation to obtain

the prohibition and/or release required by this subsection is a material term of this Agreement.

- 4. In the event that any Releasor obtains a judgment with respect to Non-Party Covered Conduct against a Non-Released Entity that does not contain a prohibition like that described in Section XI.B.3, or any Releasor files a Non-Party Covered Conduct Claim against a Non-Released Entity in bankruptcy or a Releasor is prevented for any reason from obtaining a prohibition/release in a Non-Party Settlement as provided in Section XI.B.3, and such Non-Released Entity asserts a Claim-Over against a Released Entity, the Released Entity shall be relieved of the prohibition in Section XI.B.2 with respect to that Non-Released Entity and that Releasor and the Settling Distributors shall take the following actions to ensure that the Released Entities do not pay more with respect to Covered Conduct to Releasors or to Non-Released Entities than the amounts owed under this Settlement Agreement by the Settling Distributors:
 - a. Settling Distributors shall notify that Releasor of the Claim-Over within sixty (60) calendar days of the assertion of the Claim-Over or sixty (60) calendar days of the Effective Date of this Settlement Agreement, whichever is later:
 - b. Settling Distributors and that Releasor shall meet and confer concerning the means to hold Released Entities harmless and ensure that they are not required to pay more with respect to Covered Conduct than the amounts owed by Settling Distributors under this Agreement;
 - c. That Releasor and Settling Distributors shall take steps sufficient and permissible under the law of the State of the Releasor to hold Released Entities harmless from the Claim-Over and ensure Released Entities are not required to pay more with respect to Covered Conduct than the amounts owed by Settling Distributors under this Agreement. Such steps may include, where permissible:
 - (i) Filing of motions to dismiss or such other appropriate motion by Settling Distributors or Released Entities, and supported by Releasors, in response to any claim filed in litigation or arbitration;
 - (ii) Reduction of that Releasors' Claim and any judgment it has obtained or may obtain against such Non-Released Entity by whatever amount or percentage is necessary to extinguish such Claim-Over under applicable law, up to the amount that Releasor has obtained, may obtain, or has authority to control from such Non-Released Entity;
 - (iii) Placement into escrow of funds paid by the Non-Released Entities such that those funds are available to satisfy the Claim-Over;
 - (iv) Return of monies paid by Settling Distributors to that Releasor under this Settlement Agreement to permit satisfaction of a

judgment against or settlement with the Non-Released Entity to satisfy the Claim-Over:

- (v) Payment of monies to Settling Distributors by that Releasor to ensure they are held harmless from such Claim-Over, up to the amount that Releasor has obtained, may obtain, or has authority to control from such Non-Released Entity;
- (vi) Credit to the Settling Distributors under this Agreement to reduce the overall amounts to be paid under the Agreement such that they are held harmless from the Claim-Over; and
- (vii) Such other actions as that Releasor and Settling Distributors may devise to hold Settling Distributors harmless from the Claim-Over.
- d. The actions of that Releasor and Settling Distributors taken pursuant to paragraph (c) must, in combination, ensure Settling Distributors are not required to pay more with respect to Covered Conduct than the amounts owed by Settling Distributors under this Agreement.
- e. In the event of any dispute over the sufficiency of the actions taken pursuant to paragraph (c), that Releasor and the Settling Distributors may seek review by the National Arbitration Panel, provided that, if the parties agree, such dispute may be heard by the state court where the relevant Consent Judgment was filed. The National Arbitration Panel shall have authority to require Releasors to implement a remedy that includes one or more of the actions specified in paragraph (c) sufficient to hold Released Entities fully harmless. In the event that the Panel's actions do not result in Released Entities being held fully harmless, Settling Distributors shall have a claim for breach of this Agreement by Releasors, with the remedy being payment of sufficient funds to hold Settling Distributors harmless from the Claim-Over. For the avoidance of doubt, the prior sentence does not limit or eliminate any other remedy that Settling Distributors may have.
- 5. To the extent that the Claim-Over is based on a contractual indemnity, the obligations under Section XI.B.4 shall extend solely to a Non-Party Covered Conduct Claim against a pharmacy, clinic, hospital or other purchaser or dispenser of Products, a manufacturer that sold Products, a consultant, and/or a pharmacy benefit manager or other third-party payor. Each Settling Distributor shall notify the Settling States, to the extent permitted by applicable law, in the event that any of these types of Non-Released Entity asserts a Claim-Over arising out of contractual indemnity against it.
- C. *Indemnification and Contribution Prohibited*. No Released Entity shall seek to recover for amounts paid under this Agreement based on indemnification, contribution, or any other theory, from a manufacturer, pharmacy, hospital, pharmacy benefit manager, health insurer, third-party vendor, trade association, distributor, or health care practitioner. For the

avoidance of doubt, nothing herein shall prohibit a Released Entity from recovering amounts owed pursuant to insurance contracts.

D. General Release. In connection with the releases provided for in this Agreement, each Settling State (for itself and its Releasors) and Participating Subdivision expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any State or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release and that if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Settling State (for itself and its Releasors) and Participating Subdivision hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Settling States' decision to enter into this Agreement or the Participating Subdivisions' decision to participate in this Agreement.

- E. Assigned Interest Waiver. To the extent that any Settling State has any direct or indirect interest in any rights of a third-party that is a debtor under the Bankruptcy Code as a result of a claim arising out of Covered Conduct by way of assignment or otherwise, including as a result of being the beneficiary of a trust or other distribution entity, to assert claims against a Settling Distributor (whether derivatively or otherwise), under any legal or equitable theory, including for indemnification, contribution, or subrogation, such Settling State waives the right to assert any such claim, or to receive a distribution or any benefit on account of such claim and such claim, distribution, or benefit shall be deemed assigned to such Settling Distributor.
- F. *Res Judicata*. Nothing in this Agreement shall be deemed to reduce the scope of the res judicata or claim preclusive effect that the settlement memorialized in this Agreement, and/or any Consent Judgment or other judgment entered on this Agreement, gives rise to under applicable law.
- G. Representation and Warranty. The signatories hereto on behalf of their respective Settling States expressly represent and warrant that they have (or have obtained, or will obtain no later than the Initial Participation Date) the authority to settle and release, to the maximum extent of the State's power, all Released Claims of (1) their respective Settling States, (2) all past and present executive departments, state agencies, divisions, boards, commissions and instrumentalities with the regulatory authority to enforce state and federal controlled substances acts, and (3) any of their respective Settling State's past and present executive departments, agencies, divisions, boards, commissions and instrumentalities that have the authority to bring Claims related to Covered Conduct seeking money (including abatement and/or remediation) or

revocation of a pharmaceutical distribution license. For the purposes of <u>clause (3)</u> above, executive departments, agencies, divisions, boards, commissions, and instrumentalities are those that are under the executive authority or direct control of the State's Governor. Also for the purposes of <u>clause (3)</u>, a release from a State's Governor is sufficient to demonstrate that the appropriate releases have been obtained.

- H. *Effectiveness*. The releases set forth in this Agreement shall not be impacted in any way by any dispute that exists, has existed, or may later exist between or among the Releasors. Nor shall such releases be impacted in any way by any current or future law, regulation, ordinance, or court or agency order limiting, seizing, or controlling the distribution or use of the Settlement Fund or any portion thereof, or by the enactment of future laws, or by any seizure of the Settlement Fund or any portion thereof.
- I. Cooperation. Releasors (1) will not encourage any person or entity to bring or maintain any Released Claim against any Released Entity and (2) will reasonably cooperate with and not oppose any effort by Settling Distributors to secure the prompt dismissal of any and all Released Claims.
- J. Non-Released Claims. Notwithstanding the foregoing or anything in the definition of Released Claims, this Agreement does not waive, release or limit any criminal liability, Claims for liability under tax law, Claims under securities law by a State Releasor as investor, Claims against parties who are not Released Entities, Claims by private individuals, and any claims arising under this Agreement for enforcement of this Agreement.

XII. Later Litigating Subdivisions

- A. Released Claims against Released Entities. Subject to Section XII.B, the following shall apply in the event a Later Litigating Subdivision in a Settling State maintains a lawsuit for a Released Claim against a Released Entity after the Reference Date:
 - 1. The Released Entity shall take ordinary and reasonable measures to defend the action, including filing a Threshold Motion with respect to the Released Claim. The Released Entity shall further notify the Settling State and Settlement Fund Administrator immediately upon notice of a Later Litigating Subdivision bringing a lawsuit for a Released Claim, and shall not oppose a Settling State's submission in support of the Threshold Motion.
 - 2. The provisions of this <u>Section XII.A.2</u> apply if the Later Litigating Subdivision is a Primary Subdivision (except as provided in <u>Section XII.A.2.f</u>):
 - a. If a lawsuit including a Released Claim survives until the Suspension Deadline for that lawsuit, the Settlement Fund Administrator shall calculate the Suspension Amount applicable to the next Payment due from the Settling Distributor(s) at issue and apportioned to the State of the Later Litigating Subdivision and to Subdivisions in that State; *provided*, *however*, that the Suspension Amount for a Payment Year cannot exceed the Suspension Cap. The Suspension Amount shall be paid into the Settlement Fund Escrow account. If the Suspension Amount exceeds the Suspension Cap for that Payment Year, then the

remaining amount will be paid into the Settlement Fund Escrow in the following Payment Year, subject to the Suspension Cap for that Payment Year, and so forth in each succeeding Payment Year until the entire Suspension Amount has been paid into the Settlement Fund Escrow or the Released Claim is resolved, as provided below, whichever comes first. A suspension does not apply during the pendency of any appeal dismissing the lawsuit for a Released Claim in whole.

- b. If the Released Claim is resolved with finality without requirement of payment by the Released Entity, the placement of any remaining balance of the Suspension Amount into the Settlement Fund Escrow shall cease and the Settlement Fund Administrator shall immediately transfer amounts in the Settlement Fund Escrow on account of the suspension to the Settling State at issue and its Participating Subdivisions. The lawsuit will not cause further suspensions unless the Released Claim is reinstated upon further review, legislative action, or otherwise.
- If the Released Claim is resolved with finality on terms requiring payment by the Released Entity, the Settlement Fund Administrator will transfer the amounts in the Settlement Fund Escrow on account of the suspension to the Settling Distributor(s) at issue necessary to satisfy the payment obligation of the Released Entity to the relevant Later Litigating Subdivision. If any balance remains in the Settlement Fund Escrow on account of the suspension after transfer of the amount necessary to satisfy the payment obligation, the Settlement Fund Administrator will immediately transfer the balance to the Settling State at issue and its Participating Subdivisions. If the payment obligation of the Released Entity to the relevant Later Litigating Subdivision exceeds the amounts in the Settlement Fund Escrow on account of the suspension, the Settling Distributor at issue shall receive a dollar-for-dollar offset, subject to the yearly Offset Cap, for the excess amount against its obligation to pay its allocable share of Annual Payments that would be apportioned to the Settling State at issue and to its Subdivisions. The offset shall be applied as follows: first against the Settling Distributor's allocable share of the Annual Payment due in Payment Year 18, up to the Offset Cap for that Payment Year, with any remaining amounts above the Offset Cap applied against the Settling Distributor's allocable share of the Annual Payment due in Payment Year 17, up to the Offset Cap for that Payment Year, and so forth for each preceding Payment Year until the entire amount to be offset has been applied or no future Payment Years remain.
- d. If the lawsuit asserting a Released Claim is resolved with finality on terms requiring payment by the Released Entity, and the Released Claim did not give rise to a suspension of any Settling Distributor's portion of any Annual Payments (*e.g.*, because it was resolved during Payment Years 1 or 2, during which all Settling States are deemed eligible for Incentive Payment A and thus no suspension of payments took place, as provided by Section XII.B), the Settling Distributor at issue shall receive a dollar-for-dollar offset, subject to the yearly Offset Cap, for the amount paid. The offset shall be applied against the relevant Settling Distributor's allocable portion of the Annual Payments starting in

Payment Year 18 and working backwards as set forth in <u>Section XII.A.2.c.</u>. If the lawsuit for a Released Claim is otherwise resolved by the Released Entity, without the Settling Distributor filing a Threshold Motion despite an opportunity to do so, and the Released Claim did not give rise to a suspension of any Settling Distributor's portion of any Annual Payments, the Settling Distributor at issue shall not receive any offset for the amount paid.

- e. If more than one Primary Subdivision in a Settling State becomes a Later Litigating Subdivision, a single Suspension Cap applies and the total amounts deducted from the share of the Annual Payment allocated to the Settling State and its Participating Subdivisions in a given Payment Year cannot exceed the Suspension Cap. For the avoidance of doubt, an individual Primary Subdivision shall not trigger more than one suspension regardless if it (or any of its officials) is named as multiple plaintiffs in the same lawsuit.
- f. This <u>Section XII.A.2</u> shall not apply with respect to a Primary Subdivision that is either (i) a Later Litigating Subdivision under <u>clause (3)</u> of the definition of that term solely because a legislative Bar or legislative Case-Specific Resolution applicable as of the Reference Date is invalidated by judicial decision after the Reference Date or (ii) a Later Litigating Subdivision under <u>clause (4)</u> of the definition of that term. Such a Primary Subdivision shall be treated as a General Purpose Government under <u>Section XII.A.3</u>.
- 3. The terms of this Section XII.A.3 apply if a the Later Litigating Subdivision is not a Primary Subdivision (except for Primary Subdivisions referenced in Section XII.A.2.f) but is a General Purpose Government, School District, Health District or Hospital District: if the Released Claim is resolved with finality on terms requiring payment by the Released Entity, the Settling Distributor at issue shall receive a dollarfor-dollar offset, subject to the yearly Offset Cap, for the amount paid against its portion of the obligation to make Annual Payments that would be apportioned to the Settling State at issue and to its Subdivisions. The offset shall be applied as follows: first against the relevant Settling Distributor's allocable share of the Annual Payment due in Payment Year 18, up to the Offset Cap for that Payment Year, with any remaining amounts above the Offset Cap applied against the Payment due in Payment Year 17, up to the Offset Cap for that Payment Year, and so forth for each preceding Payment Year until the entire amount to be offset has been applied or no future Payment Year remains. If the Released Claim is resolved on terms requiring payment during the first two (2) Payment Years, in no case will any amounts be offset against the amounts due in Payment Years 1 and 2.
- 4. In no event shall the total of Suspension Amounts and offsets pursuant to this Section applicable to a Settling State in a Payment Year for that Payment Year exceed the Offset Cap for that State. If, in a Payment Year, the total of Suspension Amounts and offsets applicable to a Settling State exceeds the Offset Cap, the Suspension Amounts shall be reduced so that the total of Suspension Amounts and offsets equals the Offset Cap.

- 5. For the avoidance of doubt, any offset pursuant to this <u>Section XII</u> in a Settling State that is not eligible for Incentive Payment A shall continue to apply even if the Settling State at issue subsequently becomes eligible for Incentive Payment A.
- 6. "Terms requiring payment" shall mean (i) a final monetary judgment or (ii) a settlement; provided that the Released Entity sought the applicable State Attorney General's consent to the settlement and such consent was either obtained or unreasonably withheld. Should the judgment or settlement resolve claims that are not Released Claims, the offset shall be for the Released Claims portion only, which shall be distinguishable in the judgment or settlement.

B. Exceptions.

- 1. <u>Section XII.A</u> shall not apply where the Settling State at issue meets the eligibility criteria for and is entitled to Incentive Payment A for the Payment Year at issue, except as expressly provided therein. For the avoidance of doubt, because all Settling States are deemed eligible for Incentive Payment A for Payment Years 1 and 2 under <u>Section IV.F.1.c</u>, a suspension of Payments under <u>Section XII.A.2</u> shall not apply to any Settling States for those Payment Years.
- 2. An offset under <u>Section XII.A.2</u> and <u>Section XII.A.3</u> shall not apply where the Later Litigating Subdivision opted out of a Settlement Class Resolution in the Settling State at issue that was in full force and effect in that Settling State as of the due date of the payment for Payment Year 2 and remains in full force and effect; *provided* that an offset relating to that Subdivision may apply under <u>Section XIII</u>.
- 3. <u>Section XII.A</u> shall not apply where the Later Litigating Subdivision seeks less than \$10 million, or so long as its total claim is reduced to less than \$10 million, in the lawsuit for a Released Claim at issue.
- 4. An offset under <u>Section XII.A.3</u> shall not apply where the applicable Participation Tier is Participation Tier 1 and the population of the Later Litigating Subdivision is under 10,000.
- 5. If the applicable Participation Tier is Participation Tier 2 or higher, and the Later Litigating Subdivision has a population less than 10,000, the offset under Section XII.A.3 shall only apply to amounts paid pursuant to a settlement or judgment that are over \$10 million per case or resolution. Any type of consolidated or aggregated or joined or class actions, however styled, shall be considered a single case, and any resolutions that occur within a sixty (60) calendar day period of each other and involve Later Litigating Subdivisions that share common counsel and/or are created by the same or related judgments, settlement agreements, or other instruments or are conditioned upon one another, shall be considered a single resolution. For the avoidance of doubt, any such case or resolution shall have only a single \$10,000,000 exemption from the offset under Section XII.A.3.
- C. *No Effect on Other Provisions*. A suspension or offset under <u>Section XII.A</u> shall not affect the Injunctive Relief Terms or the Consent Judgment.

D. *No Effect on Other States*. A suspension or offset under <u>Section XII.A</u> applicable to one State shall not affect the allocation or payment of the Annual Payment to other Settling States.

XIII. Reductions/Offsets

- A. *Non-Settling States*. Non-Settling States shall not be eligible for any payments or have any rights in connection with this Agreement. Accordingly, the stated maximum dollar amounts of the payments specified in <u>Exhibit M</u> are reduced by the aggregate Overall Allocation Percentage of Non-Settling States as set forth in <u>Exhibit F</u>.
- B. Offset Relating to Incentive Payment A. If a Settling State is not eligible for Incentive Payment A at the third Payment Date, the Settling Distributors shall receive an offset with respect to that State. The offset shall be the dollar amount difference between (1) the total amount of the Incentive Payment A due from the Settling Distributors on the Effective Date and on the Payment Date for Payment Year 2 allocated to that State and its Participating Subdivisions, and (2) the total amount of Incentive Payments B and C that would have been due from the Settling Distributors on the Effective Date and on the Payment Date for Payment Year 2 so allocated but for the State's deemed eligibility for Incentive Payment A. The offset shall be applied in equal installments to reduce the Annual Payments for Payment Years 3 through 7 that would be apportioned to that State and to its Subdivisions, and shall remain applicable even if that State subsequently becomes eligible for Incentive Payment A.
- C. Settlement Class Resolution Opt Outs. If a Settling State is eligible for Incentive Payment A on the basis of a Settlement Class Resolution, and a Primary Subdivision that opted out of the Settlement Class Resolution maintains a lawsuit asserting a Released Claim against a Released Entity, the following shall apply. If the lawsuit asserting a Released Claim either survives a Threshold Motion or has an unresolved Threshold Motion fewer than sixty (60) calendar days prior to the scheduled start of a trial involving a Released Claim, and is resolved with finality on terms requiring payment by the Released Entity, the Settling Distributor at issue shall receive a dollar-for-dollar offset for the amount paid against its obligation to make remaining Incentive Payment A payments that would be apportioned to that State and to its Subdivisions. For the avoidance of doubt, an offset shall not be applicable under this subsection if it is applicable under <u>Section XII.A</u> with respect to the Subdivision at issue.
- D. Revoked Bar, Settlement Class Resolution, or Case-Specific Resolution. If the Settling Distributors made any Annual Payments that included any incentive payments earned as a result of the existence of a Bar, Settlement Class Resolution, or Case-Specific Resolution in a Settling State, and there is subsequently a Revocation Event with respect to that Bar, Settlement Class Resolution, or Case-Specific Resolution after the determination of the amount of such Annual Payment, the Settling Distributors shall receive a dollar-for-dollar offset against the portion of remaining Annual Payments that would be allocated to that State and its Participating Subdivisions. This offset will be calculated as the dollar amount difference between (1) the total amount of incentive payments paid by the Settling Distributors by virtue of the Bar, Settlement

53

¹⁰ For purposes of this provision, in determining whether a Settling State would not be eligible for Incentive Payment A for Payment Year 3, the criteria set forth in <u>Section IV.F.1.b</u> shall apply to that Payment Year.

Class Resolution, or Case-Specific Resolution subject to the Revocation Event and (2) the total amount of incentive payments that would have been due from the Settling Distributors during that time had the Bar, Settlement Class Resolution, or Case-Specific Resolution subject to the Revocation Event not been in effect. The amount of incentive payments that would have been due, referenced in clause (2) above, will be calculated one hundred eighty (180) calendar days after the Revocation Event; for purposes of calculating the amount of incentive payments that would have been due, any relevant Subdivision shall be included as a Participating Subdivision if: (1) its Released Claims are extinguished by any subsequent Bar, Settlement Class Resolution, or Case-Specific Resolution in effect as of the date of such calculation, or (2) it becomes a Participating Subdivision (in addition to all other Participating Subdivisions) prior to the date of such calculation.

- E. Certain Taxes. Amounts paid by a Settling Distributor under an Opioid Tax in a Settling State in a Payment Year shall give rise to a dollar-for-dollar offset against that Settling Distributor's obligation to pay its share of the Annual Payment in that Payment Year that would be allocated to the taxing State or its Participating Subdivisions. If such amounts paid exceed that Settling Distributor's allocable share of the Annual Payment allocable to the taxing State or its Participating Subdivisions in that Payment Year, the excess shall carry forward as an offset against its allocable share of remaining Annual Payments that would be allocated to the taxing State or its Participating Subdivisions
- F. Not Subject to Suspension Cap or Offset Cap. For the avoidance of doubt, neither the Suspension Cap nor the Offset Cap apply to the offsets and reductions set forth in this Section XIII.

XIV. Miscellaneous

- A. *Population of General Purpose Governments*. The population figures for General Purpose Governments shall be the published U.S. Census Bureau's population estimates for July 1, 2019, released May 2020. These population figures shall remain unchanged during the term of this Agreement.¹¹
- B. *Population of Special Districts*. For any purpose in this Agreement in which the population of a Special District is used other than <u>Section IV.F.1.b</u>: (a) School Districts' population will be measured by the number of students enrolled who are eligible under the Individuals with Disabilities Education Act ("*IDEA*") or Section 504 of the Rehabilitation Act of 1973; (b) Health Districts' and Hospital Districts' population will be measured at twenty-five percent (25%) of discharges; and (c) all other Special Districts' (including Fire Districts' and Library Districts') population will be measured at ten percent (10%) of the population served. The Settling Distributors and the Enforcement Committee shall meet and confer in order to agree on data sources for purposes of this Section prior to the Preliminary Agreement Date.

¹¹ The estimates for counties and parishes were accessed at https://www.census.gov/data/datasets/time-series/demo/popest/2010s-countiestotal.html. The estimates for cities and towns can currently be found at https://www.census.gov/data/datasets/time-series/demo/popest/2010s-total-cities-and-towns.html.

- C. Population Associated with Sheriffs. For any purpose in this Agreement in which the population associated with a lawsuit by a sheriff is used, the population will be measured at twenty percent (20%) of the capacity of the jail(s) operated by the sheriff.
- D. *No Admission*. The Settling Distributors do not admit liability or wrongdoing. Neither this Agreement nor the Consent Judgments shall be considered, construed or represented to be (1) an admission, concession or evidence of liability or wrongdoing or (2) a waiver or any limitation of any defense otherwise available to the Settling Distributors.
 - E. *Most-Favored-Nation Provision.*—Settling States.
 - 1. If, after the Reference Date, any Settling Distributor enters into any settlement agreement with any Non-Settling State that resolves Claims similar in scope to the Claims released by a Settling State under this Agreement on overall payment terms that are more favorable to such Non-Settling State than the overall payment terms of the Agreement (after due consideration of relevant differences in population or other appropriate factors), then the Settling States, individually or collectively, may elect to seek review, pursuant to Section XIV.E.3, of the overall payment terms of this Agreement and the Non-Settling State agreement so that such Settling State(s) may obtain, with respect to that Settling Distributor, overall payment terms at least as favorable as those obtained by such Non-Settling State. "Overall payment terms" refers to consideration of all payment terms of the two agreements, taken together, including, but not limited to the amount of payments, the timing of payments, and conditions or contingencies on payments.
 - 2. For any settlement with a Non-Settling State involving Released Claims that is entered into after the Reference Date, Settling Distributors shall provide the Enforcement Committee with a copy of the settlement agreement or relevant consent judgment within thirty (30) calendar days of the consummation of such settlement. The Enforcement Committee will promptly distribute such copy to all Settling States.
 - 3. In the event that one or more Settling State(s) believes that the overall payment terms of an agreement by a Settling Distributor with a Non-Settling State are more favorable to the Non-Settling State, when compared based on the totality of the considerations set forth in <u>Section XIV.E.1</u>, the Settling State(s) and the Settling Distributor shall engage in the following process:
 - a. The Settling State(s) shall provide notice, within sixty (60) calendar days of the date on which a settlement agreement or consent judgment is provided to the Enforcement Committee, to the Settling Distributor of its (their) intent to seek revision of this Agreement to provide payment terms that are, on an overall basis, as favorable as those obtained by the Non-Settling State. Such notice shall be confidential and not disclosed publicly to the extent allowed by law and shall state, in detail, the basis for the State's (States') belief that it (they) is entitled to a revision of the Agreement.

- b. The Settling Distributor shall, within thirty (30) calendar days, provide a response to the Settling State(s), explaining its position, in detail, as to whether the Settling State(s) is entitled to more favorable overall payment terms than those provided for in this Agreement.
- c. In the event the Settling State(s) and Settling Distributor do not reach agreement as to the application of <u>Section XIV.E.1</u>, the Settling State(s) may petition the National Arbitration Panel to seek a ruling from the Panel as to the applicability of <u>Section XIV.E.1</u>, provided that the Settling State(s) may seek such review only if at least five (5) Settling States co-sign the petition. The Panel shall consider submissions and argument by the parties pursuant to the procedures set forth in Section VI.F.2.
- d. The Settling State(s) and the Settling Distributor shall be bound by the determination of the National Arbitration Panel.
- 4. This <u>Section XIV.E</u> does not apply to, and there is no ability of any Settling State to seek or obtain revision of this Agreement based on, any Non-Settling State agreement with any Settling Distributor that is entered into with: (a) a Non-Settling State after a date sixty (60) calendar days prior to the scheduled start date of a trial between any Settling Distributor and the Non-Settling State or any severed or bifurcated portion thereof, provided that, where, in order to complete a settlement, a Non-Settling State and a Settling Distributor jointly request an adjournment of the scheduled start date of a trial within sixty (60) days of that date, this exception will apply as if the trial date had not been adjourned; (b) a Non-Settling State that previously litigated to judgment a case related to opioids against any manufacturer, distributor, or pharmacy; or (c) a Non-Settling State that has obtained any court order or judicial determination that grants judgment (in whole or in part) against any Settling Distributor. For avoidance of doubt, the National Arbitration Panel shall have no power to review agreements described in this paragraph.
- 5. This <u>Section XIV.E</u> does not apply to, and there is no ability of any Settling State to seek or obtain revision of this Agreement based on, any agreement between a Settling Distributor and (a) federally-recognized tribe(s) or (b) West Virginia subdivisions or (c) Non-Participating Subdivisions. This <u>Section XIV.E</u> will not apply to any agreement entered into more than eighteen (18) months after the Reference Date.

F. *Tax Cooperation and Reporting*.

1. Upon request by any Settling Distributor, the Settling States and Participating Subdivisions agree to perform such further acts and to execute and deliver such further documents as may be reasonably necessary for the Settling Distributors to establish the statements set forth in Section V.E.3 to the satisfaction of their tax advisors, their independent financial auditors, the Internal Revenue Service, or any other governmental authority, including as contemplated by Treasury Regulations Section 1.162-21(b)(3)(ii) and any subsequently proposed or finalized relevant regulations or administrative guidance.

- 2. Without limiting the generality of <u>Section XIV.F.1</u>, each Settling State and Participating Subdivision shall cooperate in good faith with any Settling Distributor with respect to any tax claim, dispute, investigation, audit, examination, contest, litigation, or other proceeding relating to this Agreement.
- 3. The Designated State, as defined in Section I.P as New York, on behalf of all Settling States and Participating Subdivisions, shall designate one of its officers or employees to act as the "appropriate official" within the meaning of Treasury Regulations Section 1.6050X-1(f)(1)(ii)(B) (the "Appropriate Official"). The Designated State shall direct and ensure that the Appropriate Official timely (a) files (i) at the time this Agreement becomes binding on the Parties, an IRS Form 1098-F in the form attached as Exhibit U, Exhibit V, and Exhibit W with respect to each of the Settling Distributors and (ii) any legally required returns or amended returns with any applicable governmental authority, or any returns requested by the respective Settling Distributors, and (b) provides to each of the Settling Distributors a copy of (i) the IRS Form 1098-F filed with respect to such Settling Distributor and (ii) any legally required written statement pursuant to any applicable law and any other document referred to in clause (a)(ii) above. Any such form, return, or statement shall be prepared and filed in a manner fully consistent with Section V.E.3.
- The Settling States and Participating Subdivisions agree that any return, amended return, or written statement filed or provided pursuant to paragraph 3, and any similar document, shall be prepared and filed in a manner consistent with reporting each Settling Distributor's portion of the Global Settlement Amount as the "Total amount to be paid" pursuant to this Agreement in Box 1 of IRS Form 1098-F and each Settling Distributor's portion of the Compensatory Restitution Amount as "Restitution/remediation amount" in Box 2 of IRS Form 1098-F, as reflected in the attached Exhibit U, Exhibit V, and Exhibit W. If the Designated State or Appropriate Official shall be required to file any return, amended return, or written statement contemplated by this Section XIV.F other than an IRS Form 1098-F in the form attached as Exhibit U, Exhibit V, and Exhibit W, the Designated State shall direct and ensure that the Appropriate Official provides to each Settling Distributor a draft of such return, amended return, or written statement in respect of such Settling Distributor no later than sixty (60) calendar days prior to the due date thereof and shall accept and reflect any reasonable comments of such Settling Distributor on the return, amended return, or written statement in respect of such Settling Distributor.
- 5. For the avoidance of doubt, neither the Settling Distributors nor the Settling States and Participating Subdivisions make any warranty or representation to any Settling State, Participating Subdivision, or Releasor as to the tax consequences of the payment of the Compensatory Restitution Amount (or any portion thereof).
- G. No Third-Party Beneficiaries. Except as expressly provided in this Agreement, no portion of this Agreement shall provide any rights to, or be enforceable by, any person or entity that is not a Settling State or Released Entity. No Settling State may assign or otherwise convey any right to enforce any provision of this Agreement.

- H. *Calculation*. Any figure or percentage referred to in this Agreement shall be carried to seven decimal places.
- I. Construction. None of the Parties and no Participating Subdivision shall be considered to be the drafter of this Agreement or of any of its provisions for the purpose of any statute, case law, or rule of interpretation or construction that would or might cause any provision to be construed against the drafter of this Agreement. The headings of the provisions of this Agreement are not binding and are for reference only and do not limit, expand, or otherwise affect the contents or meaning of this Agreement.
- J. Cooperation. Each Party and each Participating Subdivision agrees to use its best efforts and to cooperate with the other Parties and Participating Subdivisions to cause this Agreement and the Consent Judgments to become effective, to obtain all necessary approvals, consents and authorizations, if any, and to execute all documents and to take such other action as may be appropriate in connection herewith. Consistent with the foregoing, each Party and each Participating Subdivision agrees that it will not directly or indirectly assist or encourage any challenge to this Agreement or any Consent Judgment by any other person, and will support the integrity and enforcement of the terms of this Agreement and the Consent Judgments.
- K. Entire Agreement. This Agreement, including its exhibits and any other attachments, embodies the entire agreement and understanding between and among the Parties and Participating Subdivisions relating to the subject matter hereof and supersedes (1) all prior agreements and understandings relating to such subject matter, whether written or oral and (2) all purportedly contemporaneous oral agreements and understandings relating to such subject matter.
- L. Execution. This Agreement may be executed in counterparts and by different signatories on separate counterparts, each of which shall be deemed an original, but all of which shall together be one and the same Agreement. One or more counterparts of this Agreement may be delivered by facsimile or electronic transmission with the intent that it or they shall constitute an original counterpart hereof. One or more counterparts of this Agreement may be signed by electronic signature.
- M. Good Faith and Voluntary Entry. Each Party warrants and represents that it negotiated the terms of this Agreement in good faith. Each of the Parties and Participating Subdivisions warrants and represents that it freely and voluntarily entered into this Agreement without any degree of duress or compulsion. The Parties and Participating Subdivisions state that no promise of any kind or nature whatsoever (other than the written terms of this Agreement) was made to them to induce them to enter into this Agreement.
- N. Legal Obligations. Nothing in this Agreement shall be construed as relieving any Settling Distributor of the obligation to comply with all state and federal laws, regulations or rules, nor shall any of the provisions herein be deemed to be permission to engage in any acts or practices prohibited by such laws, regulations, or rules. Except with respect to the Injunctive Relief Terms, in the event of a conflict between this Agreement and any requirement or requirements of federal, state, or local laws, such that a Settling Distributor cannot comply with this Agreement without violating such a requirement or requirements, the Settling Distributor

shall document such conflicts and notify the Attorney(s) General of the relevant Settling State(s) that it intends to comply with the requirement or requirements to the extent necessary to eliminate the conflict. With respect to the Injunctive Relief Terms, in the event of such a conflict, the procedures set forth in <u>Section III.X</u> of the Injunctive Relief Terms will be followed.

- O. No Prevailing Party. The Parties and Participating Subdivisions each agree that they are not the prevailing party in this action, for purposes of any claim for fees, costs, or expenses as prevailing parties arising under common law or under the terms of any statute, because the Parties and Participating Subdivisions have reached a good faith settlement. The Parties and Participating Subdivisions each further waive any right to challenge or contest the validity of this Agreement on any ground, including, without limitation, that any term is unconstitutional or is preempted by, or in conflict with, any current or future law. Nothing in the previous sentence shall modify, or be construed to conflict with, Section XIV.M.
- P. Non-Admissibility. The settlement negotiations resulting in this Agreement have been undertaken by the Parties and by certain representatives of the Participating Subdivisions in good faith and for settlement purposes only, and no evidence of negotiations or discussions underlying this Agreement shall be offered or received in evidence in any action or proceeding for any purpose. This Agreement shall not be offered or received in evidence in any action or proceeding for any purpose other than in an action or proceeding arising under or relating to this Agreement.
- Q. *Notices*. All notices or other communications under this Agreement shall be in writing (including, but not limited to, electronic communications) and shall be given to the recipients indicated below:

For the Attorney(s) General:

Ashley Moody, Attorney General State of Florida The Capitol, PL-01 Tallahassee, FL 32399

Josh Stein, Attorney General North Carolina Department of Justice Attn: Daniel Mosteller PO Box 629 Raleigh, NC 27602 Dmosteller@ncdoj.gov

For the Plaintiffs' Executive Committee:

Paul F. Farrell Farrell Law P.O. Box 1180 Huntington, WV 25714-1180

Jayne Conroy Simmons Hanly Conroy LLC 112 Madison Avenue, 7th Floor New York, NY 10016-7416 JConroy@simmonsfirm.com

Joseph F. Rice Motley Rice LLC 28 Bridgeside Blvd. Mount Pleasant, SC 29464 jrice@motleyrice.com

Peter Mougey Levin Papantonio Rafferty 316 South Baylen St. Pensacola, FL 32502 pmougey@levinlaw.com

Paul J. Geller Robbins Feller Rudman & Dowd LLP 120 East Palmetto Park Road Boca Raton, FL 33432 PGeller@rgrdlaw.com

For Settling Distributors:

Copy to AmerisourceBergen Corporation's attorneys at: Attn: Michael T. Reynolds Cravath, Swaine & Moore 825 Eighth Avenue New York, NY 10019 mreynolds@cravath.com

Copy to Cardinal Health, Inc.'s attorneys at:
Attn: Jeffrey M. Wintner, Esq.
Attn: Elaine P. Golin, Esq.
Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
New York, NY 10019
JMWintner@wlrk.com
EPGolin@wlrk.com

Attn: JB Kelly, Esq. Cozen O'Connor 1200 19th ST NW Washington DC 20036 jbkelly@cozen.com

Copy to McKesson Corporation's attorneys at: Attn: Thomas J. Perrelli Jenner & Block LLP 1099 New York Ave., NW, Suite 900 Washington, D.C. 20001 tperrelli@jenner.com

Any Party or the Plaintiffs' Executive Committee may change or add the contact information of the persons designated to receive notice on its behalf by notice given (effective upon the giving of such notice) as provided in this <u>Section XIV.P.</u>

- R. *No Waiver*. The waiver of any rights conferred hereunder shall be effective only if made by written instrument executed by the waiving Party or Parties. The waiver by any Party of any breach of this Agreement shall not be deemed to be or construed as a waiver of any other breach, whether prior, subsequent, or contemporaneous, nor shall such waiver be deemed to be or construed as a waiver by any other Party.
- S. Preservation of Privilege. Nothing contained in this Agreement or any Consent Judgment, and no act required to be performed pursuant to this Agreement or any Consent Judgment, is intended to constitute, cause, or effect any waiver (in whole or in part) of any attorney-client privilege, work product protection, or common interest/joint defense privilege, and each Party and Participating Subdivision agrees that it shall not make or cause to be made in any forum any assertion to the contrary.

T. Successors.

- 1. This Agreement shall be binding upon, and inure to the benefit of, the Settling Distributors and their respective successors and assigns.
- 2. A Settling Distributor shall not, in one (1) transaction or a series of related transactions, sell or transfer U.S. assets having a fair market value equal to twenty-five percent (25%) or more of the consolidated assets of such Settling Distributor (other than sales or transfers of inventories, or sales or transfers to an entity owned directly or indirectly by such Settling Distributor) where the sale or transfer is announced after the Reference Date, is not for fair consideration, and would foreseeably and unreasonably jeopardize such Settling Distributor's ability to make the payments under this Agreement that are due on or before the third Payment Date following the close of a sale or transfer transaction, unless the Settling Distributor obtains the acquiror's agreement that it will be either a guarantor of or successor to the percentage of that Settling Distributor's remaining Payment Obligations under this Agreement equal to the percentage of the

Settling Distributor's consolidated assets being sold or transferred in such transaction. Percentages under this section shall be determined in accordance with United States generally accepted accounting principles and as of the date of the Settling Distributor's most recent publicly filed consolidated balance sheet prior to the date of entry into the sale or transfer agreement at issue. This Section XIV.T shall be enforceable solely by the Enforcement Committee, and any objection under this Section XIV.T not raised within twenty (20) calendar days of the announcement of the relevant transaction is waived. Any dispute under this Section XIV.T shall be a National Dispute as described in Section VI.F.2 and must be raised exclusively with the National Arbitration Panel as described therein within twenty (20) calendar days of the announcement, and the sole remedy shall be an order enjoining the transaction.

- 3. A Settling Distributor shall not, in one (1) transaction or a series of related transactions, sell or transfer (other than sales or transfers to an entity owned directly or indirectly by such Settling Distributor) more than twenty-five percent (25%) of the distribution centers within its Full-Line Wholesale Pharmaceutical Distribution Business (as that term is defined in the Injunctive Relief Terms) where the sale or transfer is announced after the Reference Date, unless the Settling Distributor obtains the acquiror's agreement that it will be bound by the Injunctive Relief Terms.
- U. *Modification, Amendment, Alteration*. After the Reference Date, any modification, amendment, or alteration of this Agreement by the Parties shall be binding only if evidenced in writing signed by the Settling Distributor to which the modification, amendment, or alteration applies, if the change applies to less than all Settling Distributors, along with the signatures of at least thirty-seven of those then serving Attorneys General of the Settling States along with a representation from each Attorney General that either: (1) the advisory committee or similar entity established or recognized by that Settling State (either pursuant to <u>Section V.E.2.d</u>, by a State-Subdivision Agreement, or by statute) voted in favor of the modification, amendment or alteration of this Agreement including at least one member appointed by the Participating Subdivisions listed on <u>Exhibit G</u>; or (2) in States without any advisory committee, that 50.1% (by population) of the Participating Subdivisions listed on <u>Exhibit G</u> expressed approval of the modification, amendment, or alteration of this Agreement in a writing.

V. Termination.

- 1. Unless otherwise agreed to by each of the Settling Distributors and the Settling State in question, this Agreement and all of its terms (except Section XIV.P and any other non-admissibility provisions, which shall continue in full force and effect) shall be canceled and terminated with respect to the Settling State, and the Agreement and all orders issued by the courts in the Settling State pursuant to the Agreement shall become null and void and of no effect if one or more of the following conditions applies:
 - a. a Consent Judgment approving this Agreement without modification of any of the Agreement's terms has not been entered as to the Settling State by a court of competent jurisdiction on or before one hundred eighty (180) calendar days after the Effective Date;

- b. this Agreement or the Consent Judgment as to that Settling State has been disapproved by a court of competent jurisdiction to which it was presented for approval and/or entry (or, in the event of an appeal from or review of a decision of such a court to approve this Agreement and the Consent Judgment, by the court hearing such appeal or conducting such review), and the time to appeal from such disapproval has expired, or, in the event of an appeal from such disapproval, the appeal has been dismissed or the disapproval has been affirmed by the court of last resort to which such appeal has been taken and such dismissal or disapproval has become no longer subject to further appeal (including, without limitation, review by the United States Supreme Court); or
- 2. If this Agreement is terminated with respect to a Settling State for whatever reason pursuant to Section XIV.V.1, then:
 - a. an applicable statute of limitation or any similar time requirement (excluding any statute of repose) shall be tolled from the date the Settling State signed this Agreement until the later of the time permitted by applicable law or for one year from the date of such termination, with the effect that the Settling Distributors and the Settling State in question shall be in the same position with respect to the statute of limitation as they were at the time the Settling State filed its action; and
 - b. the Settling Distributors and the Settling State in question shall jointly move the relevant court of competent jurisdiction for an order reinstating the actions and claims dismissed pursuant to the terms of this Agreement governing dismissal, with the effect that the Settling Distributors and the Settling State in question shall be in the same position with respect to those actions and claims as they were at the time the action or claim was stayed or dismissed.
- 3. Unless each of the Settling Distributors and the Enforcement Committee agrees otherwise, this Agreement, with the exception of the Injunctive Relief Terms that have their own provisions on duration, shall terminate as to all Parties as of the Payment Date for Payment Year 18, provided that all Settling Distributors that as of that date are not Bankrupt Settling Distributors have performed their Payment obligations under the Agreement as of that date. If fewer than all Settling Distributors that as of that date are not Bankrupt Settling Distributors have performed their Payment obligations under the Agreement as of that date, then the Agreement shall terminate as of that date as to any Settling Distributor that has performed its Payment obligations under the Agreement and the Agreement (a) shall terminate as to each of the remaining Settling Distributors that as of that date is not a Bankrupt Settling Distributor at such time as each performs its Payment obligations under the Agreement and (b) shall terminate as to all Parties at such time as all Settling Distributors that are not Bankrupt Settling Distributors have performed their Payment obligations under the Agreement. Notwithstanding any other provision in this Section XIV.V.3 or in this Agreement, all releases under this Agreement will remain effective despite any termination under this Section XIV.V.3.

- W. Governing Law. Except (1) as otherwise provided in this Agreement or (2) as necessary, in the sole judgment of the National Arbitration Panel, to promote uniformity of interpretation for matters within the scope of the National Arbitration Panel's authority, this Agreement shall be governed by and interpreted in accordance with the respective laws of the Settling State, without regard to the conflict of law rules of such Settling State, that is seeking to enforce the Agreement against Settling Distributor(s) or against which Settling Distributor(s) are seeking enforcement. Notwithstanding any other provision in this subsection on governing law, any disputes relating to the Settlement Fund Escrow shall be governed by and interpreted in accordance with the law of the state where the escrow agent has its primary place of business.
- X. Bankruptcy. The following provisions shall apply if a Settling Distributor enters Bankruptcy (a Settling Distributor which does so and takes the actions, or is otherwise subjected to the actions, referred to in (i) and/or (ii) herein being referred to as a "Bankrupt Settling Distributor") and (i) the Bankrupt Settling Distributor's bankruptcy estate recovers, pursuant to 11 U.S.C. § 550, any payments made under this Agreement, or (ii) this Agreement is deemed executory and is rejected by such Settling Distributor pursuant to 11 U.S.C. § 365:
 - 1. In the event that both a number of Settling States equal to at least seventy-five percent (75%) of the total number of Settling States and Settling States having aggregate Overall Allocation Percentages as set forth on Exhibit F equal to at least seventy-five percent (75%) of the total aggregate Overall Allocation Percentages assigned to all Settling States deem (by written notice to the Settling Distributors other than the Bankrupt Settling Distributor) that the financial obligations of this Agreement have been terminated and rendered null and void as to such Bankrupt Settling Distributor (except as provided in Section XIV.X.1.a) due to a material breach by such Bankrupt Settling Distributor, whereupon, with respect to all Settling States:
 - a. all agreements, all concessions, all reductions of Releasing Parties' Claims, and all releases and covenants not to sue, contained in this Agreement shall immediately and automatically be deemed null and void as to such Bankrupt Settling Distributor; the Settling States shall be deemed immediately and automatically restored to the same position they were in immediately prior to their entry into this Settlement Agreement in respect to such Bankrupt Settling Distributor and the Settling States shall have the right to assert any and all claims against such Bankrupt Settling Distributor in the Bankruptcy or otherwise, subject to any automatic stay, without regard to any limits or agreements as to the amount of the settlement otherwise provided in this Agreement; provided, however, that notwithstanding the foregoing sentence, (i) all reductions of Releasing Parties' Claims, and all releases and covenants not to sue, contained in this Agreement shall remain in full force and effect as to all persons or entities other than the Bankrupt Settling Distributor itself; and (ii) in the event a Settling State asserts any Released Claim against a Bankrupt Settling Distributor after the rejection and/or termination of this Agreement with respect to such Settling Distributor as described in this Section XIV.X.1.a and receives a judgment, settlement or distribution arising from such Released Claim, then the amount of any payments such Settling State has previously received from such Bankrupt Settling Distributor under this Agreement shall be applied to reduce the amount of any

such judgment, settlement or distribution (provided that no credit shall be given against any such judgment, settlement or distribution for any payment that such Settling State is required to disgorge or repay to the Bankrupt Settling Distributor's bankruptcy estate); and

b. the Settling States may exercise all rights provided under the federal Bankruptcy Code (or other applicable bankruptcy or non-bankruptcy law) with respect to their Claims against such Bankrupt Settling Distributor subject to all defenses and rights of the Bankrupt Settling Distributor.

EXHIBIT E

List of Opioid Remediation Uses

Schedule A Core Strategies

States and Qualifying Block Grantees shall choose from among the abatement strategies listed in Schedule B. However, priority shall be given to the following core abatement strategies ("*Core Strategies*"). ¹⁴

A. NALOXONE OR OTHER FDA-APPROVED DRUG TO REVERSE OPIOID OVERDOSES

- 1. Expand training for first responders, schools, community support groups and families; and
- 2. Increase distribution to individuals who are uninsured or whose insurance does not cover the needed service.

B. <u>MEDICATION-ASSISTED TREATMENT ("MAT")</u> <u>DISTRIBUTION AND OTHER OPIOID-RELATED</u> TREATMENT

- 1. Increase distribution of MAT to individuals who are uninsured or whose insurance does not cover the needed service;
- 2. Provide education to school-based and youth-focused programs that discourage or prevent misuse;
- 3. Provide MAT education and awareness training to healthcare providers, EMTs, law enforcement, and other first responders; and
- 4. Provide treatment and recovery support services such as residential and inpatient treatment, intensive outpatient treatment, outpatient therapy or counseling, and recovery housing that allow or integrate medication and with other support services.

-

¹⁴ As used in this Schedule A, words like "expand," "fund," "provide" or the like shall not indicate a preference for new or existing programs.

C. PREGNANT & POSTPARTUM WOMEN

- 1. Expand Screening, Brief Intervention, and Referral to Treatment ("SBIRT") services to non-Medicaid eligible or uninsured pregnant women;
- 2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for women with co-occurring Opioid Use Disorder ("*OUD*") and other Substance Use Disorder ("*SUD*")/Mental Health disorders for uninsured individuals for up to 12 months postpartum; and
- 3. Provide comprehensive wrap-around services to individuals with OUD, including housing, transportation, job placement/training, and childcare.

D. <u>EXPANDING TREATMENT FOR NEONATAL</u> <u>ABSTINENCE SYNDROME ("NAS")</u>

- 1. Expand comprehensive evidence-based and recovery support for NAS babies;
- 2. Expand services for better continuum of care with infantneed dyad; and
- 3. Expand long-term treatment and services for medical monitoring of NAS babies and their families.

E. <u>EXPANSION OF WARM HAND-OFF PROGRAMS AND RECOVERY SERVICES</u>

- 1. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments;
- 2. Expand warm hand-off services to transition to recovery services;
- 3. Broaden scope of recovery services to include co-occurring SUD or mental health conditions;
- 4. Provide comprehensive wrap-around services to individuals in recovery, including housing, transportation, job placement/training, and childcare; and
- 5. Hire additional social workers or other behavioral health workers to facilitate expansions above.

F. TREATMENT FOR INCARCERATED POPULATION

- 1. Provide evidence-based treatment and recovery support, including MAT for persons with OUD and co-occurring SUD/MH disorders within and transitioning out of the criminal justice system; and
- 2. Increase funding for jails to provide treatment to inmates with OUD.

G. **PREVENTION PROGRAMS**

- 1. Funding for media campaigns to prevent opioid use (similar to the FDA's "Real Cost" campaign to prevent youth from misusing tobacco);
- 2. Funding for evidence-based prevention programs in schools;
- 3. Funding for medical provider education and outreach regarding best prescribing practices for opioids consistent with the 2016 CDC guidelines, including providers at hospitals (academic detailing);
- 4. Funding for community drug disposal programs; and
- 5. Funding and training for first responders to participate in pre-arrest diversion programs, post-overdose response teams, or similar strategies that connect at-risk individuals to behavioral health services and supports.

H. EXPANDING SYRINGE SERVICE PROGRAMS

- 1. Provide comprehensive syringe services programs with more wrap-around services, including linkage to OUD treatment, access to sterile syringes and linkage to care and treatment of infectious diseases.
- I. EVIDENCE-BASED DATA COLLECTION AND RESEARCH ANALYZING THE EFFECTIVENESS OF THE ABATEMENT STRATEGIES WITHIN THE STATE

Schedule B Approved Uses

Support treatment of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

A. TREAT OPIOID USE DISORDER (OUD)

Support treatment of Opioid Use Disorder ("*OUD*") and any co-occurring Substance Use Disorder or Mental Health ("*SUD/MH*") conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:¹⁵

- 1. Expand availability of treatment for OUD and any co-occurring SUD/MH conditions, including all forms of Medication-Assisted Treatment ("MAT") approved by the U.S. Food and Drug Administration.
- 2. Support and reimburse evidence-based services that adhere to the American Society of Addiction Medicine ("ASAM") continuum of care for OUD and any co-occurring SUD/MH conditions.
- 3. Expand telehealth to increase access to treatment for OUD and any co-occurring SUD/MH conditions, including MAT, as well as counseling, psychiatric support, and other treatment and recovery support services.
- 4. Improve oversight of Opioid Treatment Programs ("*OTPs*") to assure evidence-based or evidence-informed practices such as adequate methadone dosing and low threshold approaches to treatment.
- 5. Support mobile intervention, treatment, and recovery services, offered by qualified professionals and service providers, such as peer recovery coaches, for persons with OUD and any co-occurring SUD/MH conditions and for persons who have experienced an opioid overdose.
- 6. Provide treatment of trauma for individuals with OUD (*e.g.*, violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (*e.g.*, surviving family members after an overdose or overdose fatality), and training of health care personnel to identify and address such trauma.
- 7. Support evidence-based withdrawal management services for people with OUD and any co-occurring mental health conditions.

E-4

¹⁵ As used in this Schedule B, words like "expand," "fund," "provide" or the like shall not indicate a preference for new or existing programs.

- 8. Provide training on MAT for health care providers, first responders, students, or other supporting professionals, such as peer recovery coaches or recovery outreach specialists, including telementoring to assist community-based providers in rural or underserved areas.
- 9. Support workforce development for addiction professionals who work with persons with OUD and any co-occurring SUD/MH conditions.
- 10. Offer fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.
- 11. Offer scholarships and supports for behavioral health practitioners or workers involved in addressing OUD and any co-occurring SUD/MH or mental health conditions, including, but not limited to, training, scholarships, fellowships, loan repayment programs, or other incentives for providers to work in rural or underserved areas.
- 12. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 ("*DATA 2000*") to prescribe MAT for OUD, and provide technical assistance and professional support to clinicians who have obtained a DATA 2000 waiver.
- 13. Disseminate of web-based training curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service–Opioids web-based training curriculum and motivational interviewing.
- 14. Develop and disseminate new curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service for Medication—Assisted Treatment.

B. SUPPORT PEOPLE IN TREATMENT AND RECOVERY

Support people in recovery from OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the programs or strategies that:

- 1. Provide comprehensive wrap-around services to individuals with OUD and any co-occurring SUD/MH conditions, including housing, transportation, education, job placement, job training, or childcare.
- 2. Provide the full continuum of care of treatment and recovery services for OUD and any co-occurring SUD/MH conditions, including supportive housing, peer support services and counseling, community navigators, case management, and connections to community-based services.
- 3. Provide counseling, peer-support, recovery case management and residential treatment with access to medications for those who need it to persons with OUD and any co-occurring SUD/MH conditions.

- 4. Provide access to housing for people with OUD and any co-occurring SUD/MH conditions, including supportive housing, recovery housing, housing assistance programs, training for housing providers, or recovery housing programs that allow or integrate FDA-approved mediation with other support services.
- 5. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD and any co-occurring SUD/MH conditions.
- 6. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD and any co-occurring SUD/MH conditions.
- 7. Provide or support transportation to treatment or recovery programs or services for persons with OUD and any co-occurring SUD/MH conditions.
- 8. Provide employment training or educational services for persons in treatment for or recovery from OUD and any co-occurring SUD/MH conditions.
- 9. Identify successful recovery programs such as physician, pilot, and college recovery programs, and provide support and technical assistance to increase the number and capacity of high-quality programs to help those in recovery.
- 10. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to support the person with OUD in the family.
- 11. Provide training and development of procedures for government staff to appropriately interact and provide social and other services to individuals with or in recovery from OUD, including reducing stigma.
- 12. Support stigma reduction efforts regarding treatment and support for persons with OUD, including reducing the stigma on effective treatment.
- 13. Create or support culturally appropriate services and programs for persons with OUD and any co-occurring SUD/MH conditions, including new Americans.
- 14. Create and/or support recovery high schools.
- 15. Hire or train behavioral health workers to provide or expand any of the services or supports listed above.

C. <u>CONNECT PEOPLE WHO NEED HELP TO THE HELP THEY NEED</u> (CONNECTIONS TO CARE)

Provide connections to care for people who have—or are at risk of developing—OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

- 1. Ensure that health care providers are screening for OUD and other risk factors and know how to appropriately counsel and treat (or refer if necessary) a patient for OUD treatment.
- Fund SBIRT programs to reduce the transition from use to disorders, including SBIRT services to pregnant women who are uninsured or not eligible for Medicaid.
- 3. Provide training and long-term implementation of SBIRT in key systems (health, schools, colleges, criminal justice, and probation), with a focus on youth and young adults when transition from misuse to opioid disorder is common.
- 4. Purchase automated versions of SBIRT and support ongoing costs of the technology.
- 5. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments.
- 6. Provide training for emergency room personnel treating opioid overdose patients on post-discharge planning, including community referrals for MAT, recovery case management or support services.
- 7. Support hospital programs that transition persons with OUD and any co-occurring SUD/MH conditions, or persons who have experienced an opioid overdose, into clinically appropriate follow-up care through a bridge clinic or similar approach.
- 8. Support crisis stabilization centers that serve as an alternative to hospital emergency departments for persons with OUD and any co-occurring SUD/MH conditions or persons that have experienced an opioid overdose.
- 9. Support the work of Emergency Medical Systems, including peer support specialists, to connect individuals to treatment or other appropriate services following an opioid overdose or other opioid-related adverse event.
- 10. Provide funding for peer support specialists or recovery coaches in emergency departments, detox facilities, recovery centers, recovery housing, or similar settings; offer services, supports, or connections to care to persons with OUD and any co-occurring SUD/MH conditions or to persons who have experienced an opioid overdose.
- 11. Expand warm hand-off services to transition to recovery services.
- 12. Create or support school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people.
- 13. Develop and support best practices on addressing OUD in the workplace.

- 14. Support assistance programs for health care providers with OUD.
- 15. Engage non-profits and the faith community as a system to support outreach for treatment.
- 16. Support centralized call centers that provide information and connections to appropriate services and supports for persons with OUD and any co-occurring SUD/MH conditions.

D. <u>ADDRESS THE NEEDS OF CRIMINAL JUSTICE-INVOLVED PERSONS</u>

Address the needs of persons with OUD and any co-occurring SUD/MH conditions who are involved in, are at risk of becoming involved in, or are transitioning out of the criminal justice system through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

- 1. Support pre-arrest or pre-arraignment diversion and deflection strategies for persons with OUD and any co-occurring SUD/MH conditions, including established strategies such as:
 - 1. Self-referral strategies such as the Angel Programs or the Police Assisted Addiction Recovery Initiative ("*PAARI*");
 - 2. Active outreach strategies such as the Drug Abuse Response Team ("*DART*") model;
 - 3. "Naloxone Plus" strategies, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services;
 - 4. Officer prevention strategies, such as the Law Enforcement Assisted Diversion ("*LEAD*") model;
 - 5. Officer intervention strategies such as the Leon County, Florida Adult Civil Citation Network or the Chicago Westside Narcotics Diversion to Treatment Initiative; or
 - 6. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater SUD expertise.
- 2. Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions to evidence-informed treatment, including MAT, and related services.
- 3. Support treatment and recovery courts that provide evidence-based options for persons with OUD and any co-occurring SUD/MH conditions.

- 4. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are incarcerated in jail or prison.
- 5. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are leaving jail or prison or have recently left jail or prison, are on probation or parole, are under community corrections supervision, or are in re-entry programs or facilities.
- 6. Support critical time interventions ("*CTT*"), particularly for individuals living with dual-diagnosis OUD/serious mental illness, and services for individuals who face immediate risks and service needs and risks upon release from correctional settings.
- 7. Provide training on best practices for addressing the needs of criminal justice-involved persons with OUD and any co-occurring SUD/MH conditions to law enforcement, correctional, or judicial personnel or to providers of treatment, recovery, harm reduction, case management, or other services offered in connection with any of the strategies described in this section.

E. ADDRESS THE NEEDS OF PREGNANT OR PARENTING WOMEN AND THEIR FAMILIES, INCLUDING BABIES WITH NEONATAL ABSTINENCE SYNDROME

Address the needs of pregnant or parenting women with OUD and any co-occurring SUD/MH conditions, and the needs of their families, including babies with neonatal abstinence syndrome ("*NAS*"), through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

- 1. Support evidence-based or evidence-informed treatment, including MAT, recovery services and supports, and prevention services for pregnant women—or women who could become pregnant—who have OUD and any co-occurring SUD/MH conditions, and other measures to educate and provide support to families affected by Neonatal Abstinence Syndrome.
- 2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for uninsured women with OUD and any co-occurring SUD/MH conditions for up to 12 months postpartum.
- 3. Provide training for obstetricians or other healthcare personnel who work with pregnant women and their families regarding treatment of OUD and any co-occurring SUD/MH conditions.
- 4. Expand comprehensive evidence-based treatment and recovery support for NAS babies; expand services for better continuum of care with infant-need dyad; and expand long-term treatment and services for medical monitoring of NAS babies and their families.

- 5. Provide training to health care providers who work with pregnant or parenting women on best practices for compliance with federal requirements that children born with NAS get referred to appropriate services and receive a plan of safe care.
- 6. Provide child and family supports for parenting women with OUD and any co-occurring SUD/MH conditions.
- 7. Provide enhanced family support and child care services for parents with OUD and any co-occurring SUD/MH conditions.
- 8. Provide enhanced support for children and family members suffering trauma as a result of addiction in the family; and offer trauma-informed behavioral health treatment for adverse childhood events.
- 9. Offer home-based wrap-around services to persons with OUD and any cooccurring SUD/MH conditions, including, but not limited to, parent skills training.
- 10. Provide support for Children's Services—Fund additional positions and services, including supportive housing and other residential services, relating to children being removed from the home and/or placed in foster care due to custodial opioid use.

PART TWO: PREVENTION

F. PREVENT OVER-PRESCRIBING AND ENSURE APPROPRIATE PRESCRIBING AND DISPENSING OF OPIOIDS

Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

- 1. Funding medical provider education and outreach regarding best prescribing practices for opioids consistent with the Guidelines for Prescribing Opioids for Chronic Pain from the U.S. Centers for Disease Control and Prevention, including providers at hospitals (academic detailing).
- 2. Training for health care providers regarding safe and responsible opioid prescribing, dosing, and tapering patients off opioids.
- 3. Continuing Medical Education (CME) on appropriate prescribing of opioids.
- 4. Providing Support for non-opioid pain treatment alternatives, including training providers to offer or refer to multi-modal, evidence-informed treatment of pain.
- 5. Supporting enhancements or improvements to Prescription Drug Monitoring Programs ("*PDMPs*"), including, but not limited to, improvements that:

- 1. Increase the number of prescribers using PDMPs;
- 2. Improve point-of-care decision-making by increasing the quantity, quality, or format of data available to prescribers using PDMPs, by improving the interface that prescribers use to access PDMP data, or both; or
- 3. Enable states to use PDMP data in support of surveillance or intervention strategies, including MAT referrals and follow-up for individuals identified within PDMP data as likely to experience OUD in a manner that complies with all relevant privacy and security laws and rules.
- 6. Ensuring PDMPs incorporate available overdose/naloxone deployment data, including the United States Department of Transportation's Emergency Medical Technician overdose database in a manner that complies with all relevant privacy and security laws and rules.
- 7. Increasing electronic prescribing to prevent diversion or forgery.
- 8. Educating dispensers on appropriate opioid dispensing.

G. PREVENT MISUSE OF OPIOIDS

Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

- 1. Funding media campaigns to prevent opioid misuse.
- 2. Corrective advertising or affirmative public education campaigns based on evidence.
- 3. Public education relating to drug disposal.
- 4. Drug take-back disposal or destruction programs.
- 5. Funding community anti-drug coalitions that engage in drug prevention efforts.
- 6. Supporting community coalitions in implementing evidence-informed prevention, such as reduced social access and physical access, stigma reduction—including staffing, educational campaigns, support for people in treatment or recovery, or training of coalitions in evidence-informed implementation, including the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration ("SAMHSA").
- 7. Engaging non-profits and faith-based communities as systems to support prevention.

- 8. Funding evidence-based prevention programs in schools or evidence-informed school and community education programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, and others.
- 9. School-based or youth-focused programs or strategies that have demonstrated effectiveness in preventing drug misuse and seem likely to be effective in preventing the uptake and use of opioids.
- 10. Create or support community-based education or intervention services for families, youth, and adolescents at risk for OUD and any co-occurring SUD/MH conditions.
- 11. Support evidence-informed programs or curricula to address mental health needs of young people who may be at risk of misusing opioids or other drugs, including emotional modulation and resilience skills.
- 12. Support greater access to mental health services and supports for young people, including services and supports provided by school nurses, behavioral health workers or other school staff, to address mental health needs in young people that (when not properly addressed) increase the risk of opioid or another drug misuse.

H. PREVENT OVERDOSE DEATHS AND OTHER HARMS (HARM REDUCTION)

Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

- 1. Increased availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, individuals with OUD and their friends and family members, schools, community navigators and outreach workers, persons being released from jail or prison, or other members of the general public.
- 2. Public health entities providing free naloxone to anyone in the community.
- 3. Training and education regarding naloxone and other drugs that treat overdoses for first responders, overdose patients, patients taking opioids, families, schools, community support groups, and other members of the general public.
- 4. Enabling school nurses and other school staff to respond to opioid overdoses, and provide them with naloxone, training, and support.
- 5. Expanding, improving, or developing data tracking software and applications for overdoses/naloxone revivals.
- 6. Public education relating to emergency responses to overdoses.

- 7. Public education relating to immunity and Good Samaritan laws.
- 8. Educating first responders regarding the existence and operation of immunity and Good Samaritan laws.
- 9. Syringe service programs and other evidence-informed programs to reduce harms associated with intravenous drug use, including supplies, staffing, space, peer support services, referrals to treatment, fentanyl checking, connections to care, and the full range of harm reduction and treatment services provided by these programs.
- 10. Expanding access to testing and treatment for infectious diseases such as HIV and Hepatitis C resulting from intravenous opioid use.
- 11. Supporting mobile units that offer or provide referrals to harm reduction services, treatment, recovery supports, health care, or other appropriate services to persons that use opioids or persons with OUD and any co-occurring SUD/MH conditions.
- 12. Providing training in harm reduction strategies to health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide care to persons who use opioids or persons with OUD and any co-occurring SUD/MH conditions.
- 13. Supporting screening for fentanyl in routine clinical toxicology testing.

PART THREE:	OTHER STRATEGIES

I. FIRST RESPONDERS

In addition to items in section C, D and H relating to first responders, support the following:

- 1. Education of law enforcement or other first responders regarding appropriate practices and precautions when dealing with fentanyl or other drugs.
- 2. Provision of wellness and support services for first responders and others who experience secondary trauma associated with opioid-related emergency events.

J. LEADERSHIP, PLANNING AND COORDINATION

Support efforts to provide leadership, planning, coordination, facilitations, training and technical assistance to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Statewide, regional, local or community regional planning to identify root causes of addiction and overdose, goals for reducing harms related to the opioid epidemic, and areas and populations with the greatest needs for treatment

intervention services, and to support training and technical assistance and other strategies to abate the opioid epidemic described in this opioid abatement strategy list.

- 2. A dashboard to (a) share reports, recommendations, or plans to spend opioid settlement funds; (b) to show how opioid settlement funds have been spent; (c) to report program or strategy outcomes; or (d) to track, share or visualize key opioid-or health-related indicators and supports as identified through collaborative statewide, regional, local or community processes.
- 3. Invest in infrastructure or staffing at government or not-for-profit agencies to support collaborative, cross-system coordination with the purpose of preventing overprescribing, opioid misuse, or opioid overdoses, treating those with OUD and any co-occurring SUD/MH conditions, supporting them in treatment or recovery, connecting them to care, or implementing other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
- 4. Provide resources to staff government oversight and management of opioid abatement programs.

K. TRAINING

In addition to the training referred to throughout this document, support training to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, those that:

- 1. Provide funding for staff training or networking programs and services to improve the capability of government, community, and not-for-profit entities to abate the opioid crisis.
- 2. Support infrastructure and staffing for collaborative cross-system coordination to prevent opioid misuse, prevent overdoses, and treat those with OUD and any co-occurring SUD/MH conditions, or implement other strategies to abate the opioid epidemic described in this opioid abatement strategy list (*e.g.*, health care, primary care, pharmacies, PDMPs, etc.).

L. RESEARCH

Support opioid abatement research that may include, but is not limited to, the following:

- 1. Monitoring, surveillance, data collection and evaluation of programs and strategies described in this opioid abatement strategy list.
- 2. Research non-opioid treatment of chronic pain.
- 3. Research on improved service delivery for modalities such as SBIRT that demonstrate promising but mixed results in populations vulnerable to opioid use disorders.

- 4. Research on novel harm reduction and prevention efforts such as the provision of fentanyl test strips.
- 5. Research on innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids.
- 6. Expanded research on swift/certain/fair models to reduce and deter opioid misuse within criminal justice populations that build upon promising approaches used to address other substances (*e.g.*, Hawaii HOPE and Dakota 24/7).
- 7. Epidemiological surveillance of OUD-related behaviors in critical populations, including individuals entering the criminal justice system, including, but not limited to approaches modeled on the Arrestee Drug Abuse Monitoring ("*ADAM*") system.
- 8. Qualitative and quantitative research regarding public health risks and harm reduction opportunities within illicit drug markets, including surveys of market participants who sell or distribute illicit opioids.
- 9. Geospatial analysis of access barriers to MAT and their association with treatment engagement and treatment outcomes.

Allocations are subject to change pursuant to a State-Subdivision Agreement, Allocation Statute, Statutory Trust, or voluntary redistribution.

OR47	Lincoln County, Oregon	1.5077702636%
OR48	Linn County, Oregon	1.8050527049%
OR49	Malheur County, Oregon	0.4976846614%
OR50	Marion County, Oregon	4.1327729232%
OR51	McMinnville City, Oregon	0.4767972656%
OR52	Medford City, Oregon	1.5425519539%
OR53	Milwaukie City, Oregon	0.2097973835%
OR54	Monmouth City, Oregon	0.0701718618%
OR55	Morrow County, Oregon	0.1341522854%
OR56	Multnomah County, Oregon	13.8608317825%
OR57	Newberg City, Oregon	0.4062904716%
OR58	Newport City, Oregon	0.1894241359%
OR59	Ontario City, Oregon	0.1855915241%
OR60	Oregon City, Oregon	0.2744536929%
OR61	Pendleton City, Oregon	0.3494939894%
OR62	Polk County, Oregon	0.7021841776%
OR63	Portland City, Oregon	8.2123187134%
OR64	Prineville City, Oregon	0.0918003735%
OR65	Redmond City, Oregon	0.1538815097%
OR66	Roseburg City, Oregon	0.6323558619%
OR67	Salem City, Oregon	3.0212513521%
OR68	Sandy City, Oregon	0.0769268725%
OR69	Sherman County, Oregon	0.0160698907%
OR70	Sherwood City, Oregon	0.1393792357%
OR71	Silverton City, Oregon	0.0769879213%
OR72	Springfield City, Oregon	1.1580718860%
OR73	St. Helens City, Oregon	0.1949886110%
OR74	The Dalles City, Oregon	0.1710639107%
OR75	Tigard City, Oregon	0.5012429717%
OR76	Tillamook County, Oregon	0.8934482248%
OR77	Troutdale City, Oregon	0.0893256381%
OR78	Tualatin City, Oregon	0.1540060326%
OR79	Umatilla County, Oregon	0.9666419198%
OR80	Union County, Oregon	0.4123039482%
OR81	Wallowa County, Oregon	0.1279263088%
OR82	Wasco County, Oregon	0.4085755376%
OR83	Washington County, Oregon	7.1632479165%
OR84	West Linn City, Oregon	0.1588636792%
OR85	Wheeler County, Oregon	0.0191474206%
OR86	Wilsonville City, Oregon	0.1373093460%
OR87	Woodburn City, Oregon	0.2054004464%
OR88	Yamhill County, Oregon	1.4015540879%

EXHIBIT M

Settlement Payment Schedule

The below reflects the maximum payment if all States become Settling States and no offsets or reductions pursuant to this Agreement apply.

The text of this Agreement explains the terms, conditions, and underlying calculations for each of these Payments.

Total Payment

	Payment 1	Payment 2	Payment 3	Payment 4	Payment 5	Payment 6	Payment 7	Payment 8	Payment 9	Payment 10	Payment 11	Payment 12	Payment 13	Payment 14	Payment 15	Payment 16	Payment 17	Payment 18	Total
Resitution/Abatement	\$792,612,857.89	\$832,997,473.28	\$832,997,473.28	\$1,042,614,337.16	\$1,042,614,337.15	\$1,042,614,337.15	\$1,042,614,337.15	\$1,226,240,076.84	\$1,226,240,076.84	\$1,226,240,076.84	\$1,030,778,538.44	\$1,030,778,538.44	\$1,030,778,538.44	\$1,030,778,538.44	\$1,030,778,538.44	\$1,030,778,538.44	\$1,030,778,538.44	\$1,030,778,538.44	\$18,554,013,691.11
Base	\$458,881,128.25	\$482,261,695.06	\$482,261,695.06	\$603,618,826.78	\$603,618,826.77	\$562,304,221.38	\$562,304,221.38	\$668,613,860.15	\$668,613,860.15	\$668,613,860.15	\$555,451,916.87	\$555,451,916.87	\$555,451,916.87	\$555,451,916.87	\$555,451,916.87	\$555,451,916.87	\$555,451,916.87	\$555,451,916.87	\$10,204,707,530.09
Bonus A	\$333,731,729.64	\$350,735,778.22	\$350,735,778.22	\$438,995,510.38	\$438,995,510.38	\$408,948,524.64	\$408,948,524.64	\$486,264,625.57	\$486,264,625.57	\$486,264,625.57	\$403,965,030.45	\$403,965,030.45	\$403,965,030.45	\$403,965,030.45	\$403,965,030.45	\$403,965,030.45	\$403,965,030.45	\$403,965,030.45	\$7,421,605,476.43
Bonus B	\$208,582,331.02	\$219,209,861.39	\$219,209,861.39	\$274,372,193.99	\$274,372,193.99	\$255,592,827.90	\$255,592,827.90	\$303,915,390.98	\$303,915,390.98	\$303,915,390.98	\$252,478,144.03	\$252,478,144.03	\$252,478,144.03	\$252,478,144.03	\$252,478,144.03	\$252,478,144.03	\$252,478,144.03	\$252,478,144.03	\$4,638,503,422.77
Bonus C	\$125,149,398.61	\$131,525,916.83	\$131,525,916.83	\$164,623,316.39	\$164,623,316.39	\$153,355,696.74	\$153,355,696.74	\$182,349,234.59	\$182,349,234.59	\$182,349,234.59	\$151,486,886.42	\$151,486,886.42	\$151,486,886.42	\$151,486,886.42	\$151,486,886.42	\$151,486,886.42	\$151,486,886.42	\$151,486,886.42	\$2,783,102,053.66
Bonus D						\$71,361,591.12	\$71,361,591.12	\$71,361,591.12	\$71,361,591.12	\$71,361,591.12	\$71,361,591.12	\$71,361,591.12	\$71,361,591.12	\$71,361,591.12	\$71,361,591.12	\$71,361,591.12	\$71,361,591.12	\$71,361,591.12	\$927,700,684.60
Additional Restitution Amount	\$64,615,384.62	\$113,076,923.08	\$105,000,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$282,692,307.70
State Cost Fund	\$56,538,461.54	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$56,538,461.54
State Outside Counsel Fee Fund	\$136,044,378.70	\$129,230,769.23	\$17,417,159.76	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$282,692,307.70
Attorney Fee Fund	\$136,044,378.70	\$150,934,911.25	\$270,825,443.80	\$183,625,739.68	\$183,625,739.69	\$183,625,739.69	\$183,625,739.69	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,292,307,692.51
MDL Expense Fund	\$40,384,615.39	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40,384,615.39
Litigating Subdivision Cost Fund	\$40,000,000.00	\$40,000,000.00	\$40,000,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$120,000,000.00

\$1,266,240,076.84 \$1,266,240,076.84 \$1,266,240,076.84 \$1,266,240,076.84 \$1,226,240,076.84 \$1,226,240,076.84 \$1,226,240,076.84 \$1,226,240,076.84 \$1,226,240,076.84 \$1,226,240,076.84 \$1,226,240,076.84 \$1,226,240,076.84 \$1,030,778,538.44 \$1,030,778,5

\$21,119,999,999.00 Global Settlement Amount

ATTACHMENT 4 EXCERPTS

JANSSEN SETTLEMENT AGREEMENT

This settlement agreement dated as of July 21, 2021 (the "Agreement") sets forth the terms of settlement between and among the Settling States, Participating Subdivisions, and Janssen (as those terms are defined below). Upon satisfaction of the conditions set forth in Sections II and VIII, this Agreement will be binding on the Settling States, Janssen, and Participating Subdivisions. This Agreement will then be filed as part of Consent Judgments in the respective courts of each of the Settling States, pursuant to the terms set forth in Section VIII.

I. Definitions

Unless otherwise specified, the following definitions apply:

- 1. "Abatement Accounts Fund" means a component of the Settlement Fund described in subsection VI.E.
- 2. "Additional Restitution Amount" means the amount available to Settling States listed in Exhibit N of \$67,307,692.
- 3. "Agreement" means this agreement as set forth above, inclusive of all exhibits.
- 4. "Alleged Harms" means the alleged past, present, and future financial, societal, and related expenditures arising out of the alleged misuse and abuse of opioid products, non-exclusive examples of which are described in the documents listed on Exhibit A, that have allegedly arisen as a result of the physical and bodily injuries sustained by individuals suffering from opioid-related addiction, abuse, death, and other related diseases and disorders, and that have allegedly been caused by Janssen.
- 5. "Allocation Statute" means a state law that governs allocation, distribution, and/or use of some or all of the Settlement Fund amounts allocated to that State and/or its Subdivisions. In addition to modifying the allocation, as set forth in subsection VI.D.2, an Allocation Statute may, without limitation, contain a Statutory Trust, further restrict expenditure of funds, form an advisory committee, establish oversight and reporting requirements, or address other default provisions and other matters related to the funds. An Allocation Statute is not required to address all three (3) types of funds comprising the Settlement Fund or all default provisions.
- 6. "Annual Payment" means the total amount payable to the Settlement Fund by Janssen on the Payment Date each year in 2023 and onward, as calculated by the Settlement Fund Administrator pursuant to Section V. For the avoidance of doubt, this term does not include the Additional Restitution Amount or amounts paid pursuant to Section XI.
- 7. "Appropriate Official" means the official defined in subsection XIII.E.

- 8. "Attorney Fee Fund" means an account consisting of funds allocated to pay attorneys' fees and costs pursuant to the agreement on attorneys' fees and costs attached as Exhibit R.
- 9. "Bar" means either (1) a ruling by the highest court of the State or the intermediate court of appeals when not subject to further review by the highest court of the State in a State with a single intermediate court of appeals setting forth the general principle that no Subdivisions or Special Districts in the State may maintain Released Claims against Released Entities, whether on the ground of the Agreement (or the release in it) or otherwise; (2) a law barring Subdivisions and Special Districts in the State from maintaining or asserting Released Claims against Released Entities (either through a direct bar or through a grant of authority to release claims and that authority is exercised in full); or (3) a Settlement Class Resolution in the State with full force and effect. For the avoidance of doubt, a law or ruling that is conditioned or predicated upon payment by a Released Entity (apart from payments by Janssen incurred under the Agreement) shall not constitute a Bar.
- 10. "Case-Specific Resolution" means either (1) a law barring specified Subdivisions or Special Districts from maintaining Released Claims against Released Entities (either through a direct bar or through a grant of authority to release claims and that authority is exercised in full); (2) a ruling by a court of competent jurisdiction over a particular Subdivision or Special District that has the legal effect of barring the Subdivision or Special District from maintaining any Released Claims at issue against Released Entities, whether on the ground of the Agreement (or the release in it) or otherwise; or (3) in the case of a Special District, a release consistent with Section IV below. For the avoidance of doubt, a law, ruling, or release that is conditioned or predicated upon a post-Effective Date payment by a Released Entity (apart from payments by Janssen incurred under the Agreement or injunctive relief obligations incurred by it) shall not constitute a Case-Specific Resolution.
- 11. "Claim" means any past, present or future cause of action, claim for relief, crossclaim or counterclaim, theory of liability, demand, derivative claim, request, assessment, charge, covenant, damage, debt, lien, loss, penalty, judgment, right, obligation, dispute, suit, contract, controversy, agreement, parens patriae claim, promise, performance, warranty, omission, or grievance of any nature whatsoever, whether legal, equitable, statutory, regulatory or administrative, whether arising under federal, state or local common law, statute, regulation, guidance, ordinance or principles of equity, whether filed or unfiled, whether asserted or unasserted, whether known or unknown, whether accrued or unaccrued, whether foreseen. unforeseen or unforeseeable, whether discovered or undiscovered, whether suspected or unsuspected, whether fixed or contingent, and whether existing or hereafter arising, in all such cases, including but not limited to any request for declaratory, injunctive, or equitable relief, compensatory, punitive, or statutory damages, absolute liability, strict liability, restitution, subrogation, contribution, indemnity, apportionment, disgorgement, reimbursement, attorney fees, expert

- fees, consultant fees, fines, penalties, expenses, costs or any other legal, equitable, civil, administrative, or regulatory remedy whatsoever.
- 12. "Claim Over" means a Claim asserted by a Non-Released Entity against a Released Entity on the basis of contribution, indemnity, or other claim-over on any theory relating to a Non-Party Covered Conduct Claim asserted by a Releasor.
- 13. "Compensatory Restitution Amount" means the aggregate amount of payments by Janssen hereunder other than amounts paid as attorneys' fees and costs or identified pursuant to subsection VI.B.2 as being used to pay attorneys' fees and investigation costs or litigation costs.
- 14. "Consent Judgment" means a state-specific consent judgment in a form to be agreed upon by the Settling States, Participating Subdivisions, and Janssen prior to the Initial Participation Date that, among other things, (1) approves this Agreement and (2) provides for the release set forth in Section IV, including the dismissal with prejudice of any Released Claims that the Settling State has brought against Released Entities.
- 15. "Court" means the respective court for each Settling State to which the Agreement and the Consent Judgment are presented for approval and/or entry as to that Settling State, or the Northern District of Ohio for purposes of administering the Attorney Fee Fund and any related fee and cost agreements.
- 16. "Covered Conduct" means any actual or alleged act, failure to act, negligence, statement, error, omission, breach of any duty, conduct, event, transaction, agreement, misstatement, misleading statement or other activity of any kind whatsoever from the beginning of time through the Reference Date (and any past, present, or future consequence of any such act, failure to act, negligence, statement, error, omission, breach of duty, conduct, event, transaction, agreement, misstatement, misleading statement or other activity) relating in any way to (a) the discovery, development, manufacture, packaging, repackaging, marketing, promotion, advertising, labeling, recall, withdrawal, distribution, delivery, monitoring, reporting, supply, sale, prescribing, dispensing, physical security, warehousing, use or abuse of, or operating procedures relating to any Product, or any system, plan, policy, or advocacy relating to any Product or class of Products, including but not limited to any unbranded promotion, marketing, programs, or campaigns relating to any Product or class of Products; (b) the characteristics, properties, risks, or benefits of any Product; (c) the reporting, disclosure, nonreporting or non-disclosure to federal, state or other regulators of orders for any Product placed with any Released Entity; (d) the selective breeding, harvesting, extracting, purifying, exporting, importing, applying for quota for, procuring quota for, handling, promoting, manufacturing, processing, packaging, supplying, distributing, converting, or selling of, or otherwise engaging in any activity relating to, precursor or component Products, including but not limited to natural, synthetic, semi-synthetic or chemical raw materials, starting materials, finished

- active pharmaceutical ingredients, drug substances, or any related intermediate Products; or (e) diversion control programs or suspicious order monitoring related to any Product.
- 17. "Designated State" means New York.
- 18. "Effective Date" means the date sixty (60) days after the Reference Date.
- 19. "Enforcement Committee" means a committee consisting of representatives of the Settling States and of the Participating Subdivisions. Exhibit B contains the organizational bylaws of the Enforcement Committee. Notice pursuant to subsection XIII.O shall be provided when there are changes in membership or contact information.
- 20. "Global Settlement Abatement Amount" means the abatement amount of \$4,534,615,385.
- 21. "Global Settlement Amount" means \$5 billion, which shall be divided into the Global Settlement Abatement Amount, the Additional Restitution Amount, and the Global Settlement Attorney Fee Amount.
- 22. "Global Settlement Attorney Fee Amount" means the attorney fee amount of \$398,076,923.
- 23. "Incentive A" means the incentive payment described in subsection V.E.4.
- 24. "Incentive B" means the incentive payment described in subsection V.E.5.
- 25. "Incentive C" means the incentive payment described in subsection V.E.6.
- 26. "Incentive D" means the incentive payment described in subsection V.E.7.
- 27. "Incentive Payment Final Eligibility Date" means, with respect to a Settling State, the date that is the earliest of (1) three years after the Effective Date; (2) the date of completion of opening statements in a trial of any action brought by a Subdivision in that State that includes a Released Claim against a Released Entity when such date is more than two (2) years after the Effective Date; or (3) two (2) years after the Effective Date in the event a trial of an action brought by a Subdivision in that State that includes a Released Claim against a Released Entity began after the Initial Participation Date but before two (2) years after the Effective Date.
- 28. "*Initial Participating Subdivision*" means a Subdivision that meets the requirements set forth in subsection VII.D.
- 29. "Initial Participation Date" means the date one hundred twenty (120) days after the Preliminary Agreement Date, unless it is extended by written agreement of Janssen and the Enforcement Committee.

- 30. "Initial Year Payment" means the total amount payable to the Settlement Fund by Janssen on each of the two Payment Dates in 2022, as calculated by the Settlement Fund Administrator pursuant to Section V. For the avoidance of doubt, this term does not include the Additional Restitution Amount or amounts paid pursuant to Section XI.
- 31. "*Injunctive Relief Terms*" means the terms described in Section III and set forth in Exhibit P.
- 32. "Janssen" means Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc.
- 33. "Later Litigating Special District" means a Special District (or Special District official asserting the right of or for the Special District to recover for alleged harms to the Special District and/or the people thereof) that is not a Litigating Special District and that files a lawsuit bringing a Released Claim against a Released Entity, or that adds such a claim to a pre-existing lawsuit, after the Preliminary Agreement Date. It may also include a Litigating Special District whose claims were resolved by a judicial Bar or Case-Specific Resolution which is later revoked following the execution date of this Agreement, when such Litigating Special District takes any affirmative step in its lawsuit other than seeking a stay or removal.
- 34. "Later Litigating Subdivision" means a Subdivision (or Subdivision official asserting the right of or for the Subdivision to recover for alleged harms to the Subdivision and/or the people thereof) that is not a Litigating Subdivision and that files a lawsuit bringing a Released Claim against a Released Entity, or that adds such a claim to a pre-existing lawsuit, after the Trigger Date. It may also include a Litigating Subdivision whose claims were resolved by a judicial Bar or Case-Specific Resolution which is later revoked following the execution date of this Agreement, when such Litigating Subdivision takes any affirmative step in its lawsuit other than seeking a stay or removal.
- 35. "Later Participating Subdivision" means a Participating Subdivision that meets the requirements of subsection VII.E but is not an Initial Participating Subdivision.
- 36. "Litigating Special District" means a Special District (or Special District official) that brought any Released Claims against any Released Entities on or before the Preliminary Agreement Date that were not separately resolved prior to that date. A list of Litigating Special Districts will be agreed to by the parties and attached hereto as of the Preliminary Agreement Date.
- 37. "Litigating Subdivision" means a Subdivision (or Subdivision official asserting the right of or for the Subdivision to recover for alleged harms to the Subdivision and/or the people thereof) that brought any Released Claim against any Released Entity prior to the Trigger Date that were not separately resolved prior to that

Trigger Date. A Prior Litigating Subdivision shall not be considered a Litigating Subdivision. Exhibit C is an agreed list of the Litigating Subdivisions. Exhibit C will be updated (including with any corrections) periodically, and a final version of Exhibit C will be attached hereto as of the Reference Date.

- 38. "National Arbitration Panel" means the panel described in subsection XII.F.
- 39. "National Disputes" means the disputes described in subsection XII.F.
- 40. "Non-Litigating Special District" means a Special District that is neither a Litigating Special District nor a Later Litigating Special District.
- 41. "*Non-Litigating Subdivision*" means a Subdivision that is neither a Litigating Subdivision nor a Later Litigating Subdivision.
- 42. "*Non-Participating Subdivision*" means a Subdivision that is not a Participating Subdivision.
- 43. "Non-Party Covered Conduct Claim" means a Claim against any Non-Released Entity involving, arising out of, or related to Covered Conduct (or conduct that would be Covered Conduct if engaged in by a Released Entity).
- 44. "*Non-Party Settlement*" means a settlement by any Releasor that settles any Non-Party Covered Conduct Claim and includes a release of any Non-Released Entity.
- 45. "Non-Released Entity" means an entity that is not a Released Entity.
- 46. "Non-Settling State" means a State that is not a Settling State.
- 47. "Opioid Remediation" means care, treatment, and other programs and expenditures (including reimbursement for past such programs or expenditures except where this Agreement restricts the use of funds solely to future Opioid Remediation) designed to (1) address the misuse and abuse of opioid products, (2) treat or mitigate opioid use or related disorders, or (3) mitigate other alleged effects of the opioid abuse crisis, including on those injured as a result of the opioid abuse crisis. Exhibit E provides a non-exhaustive list of expenditures that qualify as being paid for Opioid Remediation. Qualifying expenditures may include reasonable related administrative expenses.
- 48. "Overall Allocation Percentage" means a Settling State's percentage as set forth in Exhibit F. The aggregate Overall Allocation Percentages of all States (including Settling States and Non-Settling States) shall equal 100%.
- 49. "Participating Special District" means a Special District that executes a release consistent with Section IV below and meets the requirements for becoming a Participating Special District under Section VII.

- 50. "Participating Subdivision" means a Subdivision that meets the requirements for becoming a Participating Subdivision under Section VII. Participating Subdivisions include both Initial Participating Subdivisions and Later Participating Subdivisions. Subdivisions eligible to become Participating Subdivisions are listed in Exhibit G. A Settling State may add additional Subdivisions to Exhibit G at any time prior to the Initial Participation Date.
- 51. "Participation Tier" means the level of participation in this Agreement as determined pursuant to subsection VIII.C using the criteria set forth in Exhibit H.
- 52. "Parties" means Janssen and the Settling States (each, a "Party").
- 53. "Payment Date" means the date on which Janssen makes its payments pursuant to Section V and Exhibit M.
- 54. "Payment Year" means the calendar year during which the applicable Initial Year Payments or Annual Payments are due pursuant to subsection V.B. Payment Year 1 is 2022, Payment Year 2 is 2023 and so forth. References to payment "for a Payment Year" mean the Initial Year Payments or Annual Payment due during that year. References to eligibility "for a Payment Year" mean eligibility in connection with the Initial Year Payments or Annual Payment due during that year.
- 55. "Preliminary Agreement Date" means the date on which Janssen gives notice to the Settling States and MDL PEC of its determination that a sufficient number of States have agreed to be Settling States. This date shall be no more than fourteen (14) days after the end of the notice period to States, unless it is extended by written agreement of Janssen and the Enforcement Committee.
- 56. "*Primary Subdivision*" means a Subdivision that has a population of 30,000 or more. A list of Primary Subdivisions in each State is provided in Exhibit I.
- 57. "Prior Litigating Subdivision" means a Subdivision (or Subdivision official asserting the right of or for the Subdivision to recover for alleged harms to the Subdivision and/or the people thereof) that brought any Released Claim against any Released Entity prior to the Trigger Date and all such Released Claims were separately settled or finally adjudicated prior to the Trigger Date; provided, however, that if the final adjudication was pursuant to a Bar, such Subdivision shall not be considered a Prior Litigating Subdivision. Notwithstanding the prior sentence, Janssen and the State of the relevant Subdivision may agree in writing that such Subdivision shall not be considered a Prior Litigating Subdivision.
- 58. "Product" means any chemical substance, whether used for medicinal or non-medicinal purposes, and whether natural, synthetic, or semi-synthetic, or any finished pharmaceutical product made from or with such substance, that is an opioid or opiate, as well as any product containing any such substance. It also includes: 1) the following when used in combination with opioids or opiates: benzodiazepine, carisoprodol, zolpidem, or gabapentin; and 2) a combination or

"cocktail" of any stimulant or other chemical substance prescribed, sold, bought, or dispensed to be used together that includes opioids or opiates. For the avoidance of doubt, "Product" does not include benzodiazepine, carisoprodol, zolpidem, or gabapentin when not used in combination with opioids or opiates. "Product" includes but is not limited to any substance consisting of or containing buprenorphine, codeine, fentanyl, hydrocodone, hydromorphone, meperidine, methadone, morphine, naloxone, naltrexone, oxycodone, oxymorphone, tapentadol, tramadol, opium, heroin, carfentanil, any variant of these substances, or any similar substance. "Product" also includes any natural, synthetic, semi-synthetic or chemical raw materials, starting materials, finished active pharmaceutical ingredients, drug substances, and any related intermediate products used or created in the manufacturing process for any of the substances described in the preceding sentence.

- 59. "Reference Date" means the date on which Janssen is to inform the Settling States and MDL PEC of its determination whether there is sufficient resolution of claims and potential claims at the Subdivision level to go forward with the settlement. The Reference Date shall be thirty (30) days after the Initial Participation Date, unless it is extended by written agreement of Janssen and the Enforcement Committee.
- "Released Claims" means any and all Claims that directly or indirectly are based 60. on, arise out of, or in any way relate to or concern the Covered Conduct occurring prior to the Reference Date. Without limiting the foregoing, "Released Claims" include any Claims that have been asserted against the Released Entities by any Settling State or any of its Litigating Subdivisions or Litigating Special Districts in any federal, state or local action or proceeding (whether judicial, arbitral, or administrative) based on, arising out of or relating to, in whole or in part, the Covered Conduct, or any such Claims that could be or could have been asserted now or in the future in those actions or in any comparable action or proceeding brought by a State, any of its Subdivisions or Special Districts, or any Releasors (whether or not such State, Subdivision, Special District, or Releasor has brought such action or proceeding). Released Claims also include all Claims asserted in any proceeding to be dismissed pursuant to the Agreement, whether or not such claims relate to Covered Conduct. The Parties intend that "Released Claims" be interpreted broadly. This Agreement does not release Claims by private individuals. It is the intent of the Parties that Claims by private individuals be treated in accordance with applicable law. Released Claims is also used herein to describe Claims brought by a Later Litigating Subdivision or other non-party Subdivision or Special District that would have been Released Claims if they had been brought by a Releasor against a Released Entity.
- 61. "Released Entities" means Janssen and (1) all of Janssen's past and present direct or indirect parents, subsidiaries, divisions, predecessors, successors, assigns, including Noramco, Inc. and Tasmanian Alkaloids PTY. LTD.; (2) the past and present direct or indirect subsidiaries, divisions, and joint ventures, of any of the foregoing; (3) all of Janssen's insurers (solely in their role as insurers with respect

to the Released Claims); (4) all of Janssen's, or of any entity described in subsection (1), past and present joint ventures; and (5) the respective past and present officers, directors, members, shareholders (solely in their capacity as shareholders of the foregoing entities), partners, trustees, agents, and employees of any of the foregoing (for actions that occurred during and related to their work for, or employment with, Janssen). Any person or entity described in subsections (3)-(5) shall be a Released Entity solely in the capacity described in such clause and shall not be a Released Entity with respect to its conduct in any other capacity. For the avoidance of doubt, the entities listed in Exhibit Q are not Released Entities; and provided further that any joint venture partner of Janssen or Janssen's subsidiary is not a Released Entity unless it falls within subsections (1)-(5) above. A list of Janssen's present subsidiaries and affiliates can be found at https://johnsonandjohnson.gcs-web.com/static-files/f61ae5f3-ff03-46c1-bfc9-174947884db2. Janssen's predecessor entities include but are not limited to those entities listed on Exhibit J. For the avoidance of doubt, any entity acquired, or joint venture entered into, by Janssen after the Reference Date is not a Released Entity.

- 62. "Releasors" means (1) each Settling State; (2) each Participating Subdivision; and (3) without limitation and to the maximum extent of the power of each Settling State's Attorney General and/or Participating Subdivision to release Claims, (a) the Settling State's and Participating Subdivision's departments, agencies, divisions, boards, commissions, Subdivisions, districts, instrumentalities of any kind and attorneys, including its Attorney General, and any person in their official capacity whether elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, (b) any public entities, public instrumentalities, public educational institutions, unincorporated districts, fire districts, irrigation districts, water districts, law enforcement districts, emergency services districts, school districts, hospital districts and other Special Districts in a Settling State, and (c) any person or entity acting in a parens patriae, sovereign, quasi-sovereign, private attorney general, qui tam, taxpayer, or other capacity seeking relief on behalf of or generally applicable to the general public with respect to a Settling State or Subdivision in a Settling State, whether or not any of them participate in the Agreement. The inclusion of a specific reference to a type of entity in this definition shall not be construed as meaning that the entity is not a Subdivision. In addition to being a Releasor as provided herein, a Participating Subdivision shall also provide the Subdivision Settlement Participation Form or the Election and Release Form referenced in Section VII providing for a release to the fullest extent of the Participating Subdivision's authority, which shall be attached as an exhibit to the Agreement. Each Settling State's Attorney General represents that he or she has or has obtained (or will obtain no later than the Initial Participation Date) the authority set forth in the Representation and Warranty subsection of Section IV.
- 63. "Revocation Event" means with respect to a Bar, Settlement Class Resolution, or Case-Specific Resolution, a legislative amendment or a revocation, rescission, reversal, overruling, or interpretation that in any way limits the effect of such Bar,

- Settlement Class Resolution, or Case-Specific Resolution on Released Claims or any other action or event that otherwise deprives the Bar, Settlement Class Resolution or Case-Specific Resolution of force or effect in any material respect.
- 64. "Settlement Class Resolution" means a class action resolution in a court of competent jurisdiction in a Settling State with respect to a class of Subdivisions and Special Districts in that State that (1) conforms with that Settling State's statutes, case law, and/or rules of procedure regarding class actions; (2) is approved and entered as an order of a court of competent jurisdiction in that State and has become final as defined in "State-Specific Finality"; (3) is binding on all Non-Participating Subdivisions and Special Districts in that State (other than opt outs as permitted under the next sentence); (4) provides that all such Non-Participating Subdivisions or Special Districts may not bring Released Claims against Released Entities, whether on the ground of the Agreement (or the releases herein) or otherwise; and (5) does not impose any costs or obligations on Janssen other than those provided for in the Agreement, or contain any provision inconsistent with any provision of the Agreement. If applicable state law requires that opt-out rights be afforded to members of the class, a class action resolution otherwise meeting the foregoing requirements shall qualify as a Settlement Class Resolution unless Subdivisions collectively representing more than 1% of the total population of all of that State's Subdivisions listed in Exhibit G opt out. In seeking certification of any Settlement Class, the applicable State and Participating Subdivisions shall make clear that certification is sought solely for settlement purposes and shall have no applicability beyond approval of the settlement for which certification is sought. Nothing in this Agreement constitutes an admission by any Party that class certification would be appropriate for litigation purposes in any case.
- 65. "Settlement Fund" means the interest-bearing fund established under the Agreement into which all payments by Janssen are made other than amounts paid as attorneys' fees and costs or identified pursuant to subsection VI.B.2 as being used to pay attorneys' fees and costs. The Settlement Fund comprises the Abatement Accounts Fund, State Fund, and Subdivision Fund.
- 66. "Settlement Fund Administrator" means the entity that determines the Annual Payments (including calculating Incentive Payments pursuant to Section V) and any amounts subject to suspension or offset pursuant to Sections V and IX), determines the Participation Tier, and administers and distributes amounts into the Settlement Fund. The duties of the Settlement Fund Administrator shall be governed by this Agreement. Prior to the Initial Participation Date, the Parties shall agree to selection and removal processes for and a detailed description of the Settlement Fund Administrator's duties, including a detailed mechanism for paying the Settlement Fund Administrator's fees and costs, all of which shall be appended to the Agreement as Exhibit L.

- 67. "Settlement Fund Escrow" means the interest-bearing escrow fund established pursuant to this Agreement to hold disputed or suspended payments made under this Agreement.
- 68. "Settlement Payment Schedule" means the schedule of payments attached to this Agreement as Exhibit M. A revised Settlement Payment Schedule will be substituted for Exhibit M after any offsets, reductions, or suspensions under Sections V and IX are determined.
- 69. "Settling State" means any State that has entered the Agreement.
- 70. "Special District" means a formal and legally recognized sub-entity of a State that is authorized by State law to provide one or a limited number of designated functions, including but not limited to school districts, fire districts, healthcare & hospital districts, and emergency services districts. Special Districts do not include sub-entities of a State that provide general governance for a defined area that would qualify as a Subdivision.
- 71. "State" means any state of the United States of America, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands. Additionally, the use of non-capitalized "state" to describe something (e.g., "state court") shall also be read to include parallel entities in commonwealths, territories, and the District of Columbia (e.g., "territorial court").
- 72. "State Fund" means a component of the Settlement Fund described in subsection VI.C.
- 73. "State-Specific Finality" means, with respect to the Settling State in question:
 - a. the Agreement and the Consent Judgment have been approved and entered by the Court as to Janssen, including the release of all Released Claims against Released Entities as provided in this Agreement;
 - b. for all lawsuits brought by the Settling State against Released Entities for Released Claims, either previously filed or filed as part of the entry of the Consent Judgment, the Court has stated in the Consent Judgment or otherwise entered an order finding that all Released Claims against Released Entities asserted in the lawsuit have been resolved by agreement; and
 - c. (1) the time for appeal or to seek review of or permission to appeal from the approval and entry as described in subsection (a) hereof and entry of such order described in subsection (b) hereof has expired; or (2) in the event of an appeal, the appeal has been dismissed or denied, or the approval and entry described in (a) hereof and the order described in subsection (b) hereof have been affirmed in all material respects (to the extent challenged in the appeal) by the court of last resort to which such appeal has been taken and such dismissal or affirmance has become no

longer subject to further appeal (including, without limitation, review by the United States Supreme Court).

- 74. "State-Subdivision Agreement" means an agreement that a Settling State reaches with the Subdivisions in that State regarding the allocation, distribution, and/or use of funds allocated to that State and to Participating Subdivisions in that State. A State-Subdivision Agreement shall be effective if approved pursuant to the provisions of Exhibit O or if adopted by statute. Preexisting agreements addressing funds other than those allocated pursuant to this Agreement shall qualify if the approval requirements of Exhibit O are met. A State and its Subdivisions may revise, supplement, or refine a State-Subdivision Agreement if approved pursuant to the provisions of Exhibit O or if adopted by statute.
- 75. "Statutory Trust" means a trust fund established by state law to receive funds allocated to a State's Abatement Accounts Fund and restrict their expenditure to Opioid Remediation purposes subject to reasonable administrative expenses. A State may give a Statutory Trust authority to allocate one or more of the three Settlement Funds, but this is not required.
- 76. "Subdivision" means a formal and legally recognized sub-entity of a State that provides general governance for a defined area, including a county, parish, city, town, village, or similar entity. Unless otherwise specified, "Subdivision" includes all functional counties and parishes and other functional levels of sub-entities of a State that provide general governance for a defined area. Historic, non-functioning sub-entities of a State (such as Connecticut counties) are not Subdivisions, unless the entity has filed a lawsuit that includes a Released Claim against a Released Entity in a direct, parens patriae, or any other capacity. For purposes of this Agreement, the term Subdivision does not include Special Districts. A list of Subdivisions by state will be agreed to prior to any Subdivision sign-on period.
- 77. "Subdivision Allocation Percentage" means for Subdivisions in a Settling State that are eligible to receive an allocation from the Subdivision Fund pursuant to subsection VI.C or subsection VI.D, the percentage as set forth in Exhibit G. The aggregate Subdivision Allocation Percentage of all Subdivisions receiving a Subdivision Allocation Percentage in each State shall equal 100%. Immediately upon the effectiveness of any State-Subdivision Agreement, Allocation Statute, Statutory Trust, or voluntary redistribution allowed by subsection VI.D.3 (or upon the effectiveness of an amendment to any State-Subdivision Agreement, Allocation Statute, Statutory Trust, or voluntary redistribution allowed by subsection VI.D.3) that addresses allocation from the Subdivision Fund, or upon any, whether before or after the Initial Participation Date, Exhibit G will automatically be amended to reflect the allocation from the Subdivision Fund pursuant to the State-Subdivision Agreement, Allocation Statute, Statutory Trust, or voluntary redistribution allowed by Section V.D.3. The Subdivision Allocation Percentages contained in Exhibit G may not change once notice is distributed pursuant to subsection VII.A, except upon the effectiveness of any State-

Subdivision Agreement, Allocation Statute, Statutory Trust, or voluntary redistribution allowed by subsection VI.D.3 (or upon the effectiveness of an amendment to any State-Subdivision Agreement, Allocation Statute, Statutory Trust, or voluntary redistribution allowed by subsection VI.D.3) that addresses allocation from the Subdivision Fund. For the avoidance of doubt, no Subdivision not listed on Exhibit G shall receive an allocation from the Subdivision Fund and no provision of this Agreement shall be interpreted to create such an entitlement.

- 78. "Subdivision Fund" means a component of the Settlement Fund described in subsection VI.C.
- 79. "Subdivision Settlement Participation Form" means the form attached as Exhibit K that Participating Subdivisions must execute and return to the Settlement Fund Administrator, and which shall (1) make such Participating Subdivisions signatories to this Agreement, (2) include a full and complete release of any and of such Subdivision's claims, and (3) require the prompt dismissal with prejudice of any Released Claims that have been filed by any such Participating Subdivision.
- 80. "Threshold Motion" means a motion to dismiss or equivalent dispositive motion made at the outset of litigation under applicable procedure. A Threshold Motion must include as potential grounds for dismissal, any applicable Bar or the relevant release by a Settling State or Participating Subdivision provided under this Agreement and, where appropriate under applicable law, any applicable limitations defense.
- 81. *"Trigger Date"* means, in the case of a Primary Subdivision, the Reference Date, or, in the case of all other Subdivisions, the Preliminary Agreement Date.

II. Participation by States and Condition to Preliminary Agreement

- A. *Notice to States*. On July 22, 2021 this Agreement shall be distributed to all States. The States' Attorneys General shall then have a period of thirty (30) days to decide whether to become Settling States. States that determine to become Settling States shall so notify the National Association of Attorneys General and Janssen and shall further commit to obtaining any necessary additional State releases prior to the Reference Date. This notice period may be extended by written agreement of Janssen and the Enforcement Committee.
- B. Condition to Preliminary Agreement. Following the notice period set forth in subsection II.A above, Janssen shall determine on or before the Preliminary Agreement Date whether, in its sole discretion, enough States have agreed to become Settling States to proceed with notice to Subdivisions as set forth in Section VII below. If Janssen determines that this condition has been satisfied, and that notice to the Litigating Subdivisions should proceed, it will so notify the Settling States by providing notice to the Enforcement Committee and Settlement Fund Administrator on the Preliminary Agreement Date. If Janssen determines that this condition has not been satisfied, it will so

- notify the Settling States by providing notice to the Enforcement Committee and Settlement Fund Administrator, and this Agreement will have no further effect and all releases and other commitments or obligations contained herein will be void.
- C. Later Joinder by States. After the Preliminary Agreement Date, a State may only become a Settling State with the consent of Janssen, in its sole discretion. If a State becomes a Settling State more than sixty (60) days after the Preliminary Agreement Date, but on or before January 1, 2022, the Subdivisions and Special Districts in that State that become Participating Subdivisions and Participating Special Districts within ninety (90) days of the State becoming a Settling State shall be considered Initial Participating Subdivisions or Initial Participating Special Districts. A State may not become a Settling State after January 1, 2022.

III. <u>Injunctive Relief</u>

A. *Entry of Injunctive Relief*. As part of the Consent Judgment, the Parties agree to the injunctive relief terms attached as Exhibit P.

IV. Release

- A. *Scope.* As of the Effective Date, the Released Entities will be released and forever discharged from all of the Releasors' Released Claims. Each Settling State (for itself and its Releasors) and Participating Subdivision (for itself and its Releasors) will, on or before the Effective Date, absolutely, unconditionally, and irrevocably covenant not to bring, file, or claim, or to cause, assist in bringing, or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Agreement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of each Settling State and its Attorney General to release claims. The Release shall be a complete bar to any Released Claim.
- B. Claim Over and Non-Party Settlement.
 - 1. *Statement of Intent.* It is the intent of the Parties that:
 - a. Released Entities should not seek contribution or indemnification (other than pursuant to an insurance contract) from other parties for their payment obligations under this Settlement Agreement;
 - b. the payments made under this Settlement Agreement shall be the sole payments made by the Released Entities to the Releasors involving, arising out of, or related to Covered Conduct (or conduct that would be Covered Conduct if engaged in by a Released Entity);
 - c. Claims by Releasors against non-Parties should not result in additional payments by Released Entities, whether through contribution, indemnification or any other means; and

- d. the Settlement meets the requirements of the Uniform Contribution Among Joint Tortfeasors Act and any similar state law or doctrine that reduces or discharges a released party's liability to any other parties.
- e. The provisions of this subsection IV.B are intended to be implemented consistent with these principles. This Agreement and the releases and dismissals provided for herein are made in good faith.
- 2. Contribution/Indemnity Prohibited. No Released Entity shall seek to recover for amounts paid under this Agreement based on indemnification, contribution, or any other theory from a manufacturer, pharmacy, hospital, pharmacy benefit manager, health insurer, third-party vendor, trade association, distributor, or health care practitioner, provided that a Released Entity shall be relieved of this prohibition with respect to any entity that asserts a Claim-Over against it. For the avoidance of doubt, nothing herein shall prohibit a Released Entity from recovering amounts owed pursuant to insurance contracts.
- 3. Non-Party Settlement. To the extent that, on or after the Reference Date, any Releasor enters into a Non-Party Settlement, including in any bankruptcy case or through any plan of reorganization (whether individually or as a class of creditors), the Releasor will include (or in the case of a Non-Party Settlement made in connection with a bankruptcy case, will cause the debtor to include), unless prohibited from doing so under applicable law, in the Non-Party Settlement a prohibition on contribution or indemnity of any kind substantially equivalent to that required from Janssen in subsection IV.B.2, or a release from such Non-Released Entity in favor of the Released Entities (in a form equivalent to the releases contained in this Agreement) of any Claim-Over. The obligation to obtain the prohibition and/or release required by this subsection is a material term of this Agreement.
- 4. Claim-Over. In the event that any Releasor obtains a judgment with respect to Non-Party Covered Conduct against a Non-Released Entity that does not contain a prohibition like that in subsection IV.B.3, or any Releasor files a Non-Party Covered Conduct Claim against a non-Released Entity in bankruptcy or a Releasor is prevented for any reason from obtaining a prohibition/release in a Non-Party Settlement as provided in subsection IV.B.3, and such Non-Released Entity asserts a Claim-Over against a Released Entity, that Releasor and Janssen shall take the following actions to ensure that the Released Entities do not pay more with respect to Covered Conduct to Releasors or to Non-Released Entities than the amounts owed under this Settlement Agreement by Janssen:
 - a. Janssen shall notify that Releasor of the Claim-Over within sixty (60) days of the assertion of the Claim-Over or sixty (60) days of the Effective Date of this Settlement Agreement, whichever is later;
 - b. Janssen and that Releasor shall meet and confer concerning the means to hold Released Entities harmless and ensure that it is not required to pay

- more with respect to Covered Conduct than the amounts owed by Janssen under this Settlement Agreement;
- c. That Releasor and Janssen shall take steps sufficient and permissible under the law of the State of the Releasor to hold Released Entities harmless from the Claim-Over and ensure Released Entities are not required to pay more with respect to Covered Conduct than the amounts owed by Janssen under this Settlement Agreement. Such steps may include, where permissible:
 - (1) Filing of motions to dismiss or such other appropriate motion by Janssen or Released Entities, and supported by Releasors, in response to any claim filed in litigation or arbitration;
 - (2) Reduction of that Releasor's Claim and any judgment it has obtained or may obtain against such Non-Released Entity by whatever amount or percentage is necessary to extinguish such Claim-Over under applicable law, up to the amount that Releasor has obtained, may obtain, or has authority to control from such Non-Released Entity;
 - (3) Placement into escrow of funds paid by the Non-Released Entities such that those funds are available to satisfy the Claim-Over;
 - (4) Return of monies paid by Janssen to that Releasor under this Settlement Agreement to permit satisfaction of a judgment against or settlement with the Non-Released Entity to satisfy the Claim-Over:
 - (5) Payment of monies to Janssen by that Releasor to ensure it is held harmless from such Claim-Over, up to the amount that Releasor has obtained, may obtain, or has authority to control from such Non-Released Entity;
 - (6) Credit to Janssen under this Settlement Agreement to reduce the overall amounts to be paid under the Settlement Agreement such that it is held harmless from the Claim-Over; and
 - (7) Such other actions as that Releasor and Janssen may devise to hold Janssen harmless from the Claim Over.
- d. The actions of that Releasor and Janssen taken pursuant to paragraph (c) must, in combination, ensure Janssen is not required to pay more with respect to Covered Conduct than the amounts owed by Janssen under this Settlement Agreement.
- e. In the event of any dispute over the sufficiency of the actions taken pursuant to paragraph (c), that Releasor and Janssen may seek review by

the National Arbitration Panel, provided that, if the parties agree, such dispute may be heard by the state court where the relevant Consent Judgment was filed. The National Arbitration Panel shall have authority to require Releasors to implement a remedy that includes one or more of the actions specified in paragraph (c) sufficient to hold Released Entities fully harmless. In the event that the panel's actions do not result in Released Entities being held fully harmless, Janssen shall have a claim for breach of this Settlement Agreement by Releasors, with the remedy being payment of sufficient funds to hold Janssen harmless from the Claim-Over. For the avoidance of doubt, the prior sentence does not limit or eliminate any other remedy that Janssen may have.

- 5. To the extent that the Claim-Over is based on a contractual indemnity, the obligations under subsection IV.B.4 shall extend solely to a Non-Party Covered Conduct Claim against a pharmacy, clinic, hospital or other purchaser or dispenser of Products, a manufacturer that sold Products, a consultant, and/or a pharmacy benefit manager or other third-party payor. Janssen shall notify the Settling States, to the extent permitted by applicable law, in the event that any of these types of Non-Released Entities asserts a Claim-Over arising out of contractual indemnity against it.
- C. General Release. In connection with the releases provided for in the Agreement, each Settling State (for itself and its Releasors) and Participating Subdivision expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may thereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Settling State (for itself and its Releasors) and Participating Subdivision hereby expressly waives and fully, finally, and forever settles, releases, and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Settling States' decision to enter into the Agreement or the Participating Subdivisions' decision to participate in the Agreement.

D. *Res Judicata*. Nothing in the Agreement shall be deemed to reduce the scope of the res judicata or claim preclusive effect that the settlement memorialized in the Agreement,

- and/or any Consent Judgment or other judgment entered on the Agreement, gives rise to under applicable law.
- E. Representation and Warranty. The signatories hereto on behalf of their respective Settling States and its Participating Subdivisions expressly represent and warrant that they will obtain on or before the Effective Date (or have obtained) the authority to settle and release, to the maximum extent of the State's power, all Released Claims of (1) their respective Settling States; (2) all past and present executive departments, state agencies, divisions, boards, commissions and instrumentalities with the regulatory authority to enforce state and federal controlled substances acts; (3) any of their respective Settling State's past and present executive departments, agencies, divisions, boards, commissions and instrumentalities that have the authority to bring Claims related to Covered Conduct seeking money (including abatement and/or remediation) or revocation of a pharmaceutical distribution license; and (4) any Participating Subdivisions. For the purposes of clause (3) above, executive departments, agencies, divisions, boards, commissions, and instrumentalities are those that are under the executive authority or direct control of the State's Governor. Also, for the purposes of clause (3), a release from a State's Governor is sufficient to demonstrate that the appropriate releases have been obtained.
- F. Effectiveness. The releases set forth in the Agreement shall not be impacted in any way by any dispute that exists, has existed, or may later exist between or among the Releasors. Nor shall such releases be impacted in any way by any current or future law, regulation, ordinance, or court or agency order limiting, seizing, or controlling the distribution or use of the Settlement Fund or any portion thereof, or by the enactment of future laws, or by any seizure of the Settlement Fund or any portion thereof.
- G. Cooperation. Releasors (i) will not encourage any person or entity to bring or maintain any Released Claim against any Released Entity and (ii) will reasonably cooperate with and not oppose any effort by a Released Entity to secure the prompt dismissal of any and all Released Claims.
- H. Non-Released Claims. Notwithstanding the foregoing or anything in the definition of Released Claims, the Agreement does not waive, release or limit any criminal liability, Claims for any outstanding liability under any tax or securities law, Claims against parties who are not Released Entities, Claims by private individuals and any claims arising under the Agreement for enforcement of the Agreement.

V. <u>Monetary Relief and Payments</u>

A. Structure of Payments

- 1. All payments under this Section V shall be made into the Settlement Fund, except that where specified, they shall be made into the Settlement Fund Escrow. The Settlement Fund shall be allocated and used only as specified in Section VI.
- 2. Janssen shall pay into the Settlement Fund the sum of Four Billion, Five Hundred Thirty-Four Million, Six Hundred Fifteen Thousand, Three Hundred Eighty-Five

- Dollars (\$4,534,615,385) minus (1) the offsets and credits specified in subsection V.C below, (2) any unearned incentive payments under subsection V.E below, and (3) any adjustments under Section IX below.
- 3. The payments to the Settlement Fund shall be divided into base and incentive payments as provided in subsections V.D and V.E below.

B. Payment Process

- 1. Except as otherwise provided in this Agreement, Janssen shall make two Initial Year Payments and nine (9) Annual Payments. The Initial Year Payments will consist of base payments. The first Annual Payment shall consist of incentive payments and subsequent Annual Payments shall each consist of base and incentive payments. The amount of all Initial Year Payments and Annual Payments shall be determined by the Settlement Fund Administrator applying Section V and Exhibit M. The Payment Date for the first Initial Year Payment shall be no later than ninety (90) days after the Effective Date. The Payment Date for the second Initial Year Payment shall be no later than one year and sixty days following the Effective Date; the Payment Date for the second Annual Payment shall be no later than two years and sixty days following the Effective Date, and so forth, until all Annual Payments are made.
- 2. All data relevant to the determination of each such payment shall be submitted to the Settlement Fund Administrator sixty (60) days prior to the Payment Date for each payment. Prior to the Initial Participation Date, the Parties will include an exhibit to the Agreement setting forth in detail the process for submitting such data to the Settlement Fund Administrator prior to each Payment Date. The Settlement Fund Administrator shall then determine the Initial Year Payment or Annual Payment and the amount to be paid to each Settling State and its Participating Subdivisions, consistent with the provisions in Exhibit L, by:
 - a. determining, for each Settling State, the amount of base and incentive payments to which the State is entitled by applying the criteria in this Section;
 - b. applying any reductions, suspensions, or offsets required by Sections V and IX; and
 - c. determining the total amount owed by Janssen to all Settling States and Participating Subdivisions.
- 3. The Settlement Fund Administrator shall then allocate the Initial Year Payment or Annual Payment pursuant to Section VI among the Settling States, among the separate types of funds for each Settling State (if applicable), and among the Participating Subdivisions.

- 4. As soon as possible, but no later than fifty (50) days prior to the Payment Date for each payment and following the determination described in subsection V.B.2, the Settlement Fund Administrator shall give notice to Janssen, the Settling States, and the Enforcement Committee of the amount of the Initial Year Payment or Annual Payment, the amount to be received by each Settling State, the amount to be received by the separate types of funds for each Settling State (if applicable), and the amount to be received by each Settling State's Participating Subdivisions.
- 5. Within twenty-one (21) days of the notice provided by the Settlement Fund Administrator, any party may dispute, in writing, the calculation of the Initial Year Payment or Annual Payment, or the amount to be received by a Settling State and/or its Participating Subdivisions. Such disputing party must provide a written notice of dispute to the Settlement Fund Administrator, the Enforcement Committee, any affected Settling State, and Janssen identifying the nature of the dispute, the amount of money that is disputed, and the Settling State(s) affected.
- 6. Within twenty-one (21) days of the sending of a written notice of dispute, any affected party may submit a response, in writing, to the Settlement Fund Administrator, the Enforcement Committee, any affected Settling State, and Janssen identifying the basis for disagreement with the notice of dispute.
- 7. If no response is filed, the Settlement Fund Administrator shall adjust the amount calculated consistent with the written notice of dispute, and Janssen shall pay the adjusted amount as the Initial Year Payment or Annual Payment on the Payment Date. If a written response to the written notice of dispute is timely sent to the Settlement Fund Administrator, the Settlement Fund Administrator shall notify Janssen of the preliminary amount to be paid, which shall be the greater of the amount originally calculated by the Settlement Fund Administrator or the amount that would be consistent with the notice of dispute, *provided*, *however* that in no circumstances shall the preliminary amount to be paid be higher than the maximum amount of base and incentive payments for that payment as set forth in Exhibit M. For the avoidance of doubt, a transfer of suspended payments from the Settlement Fund Escrow does not count toward determining whether the amount to be paid is higher than the maximum amount of base and incentive payments for that payment as set forth in Exhibit M.
- 8. The Settlement Fund Administrator shall place any disputed amount of the preliminary amount paid by Janssen into the Settlement Fund Escrow and shall disburse any undisputed amount to each Settling State and its Participating Subdivisions receiving direct allocations within fifteen (15) days of the Payment Date or at such later time as directed by each Settling State.
- 9. Disputes described in this subsection (other than those for which no response is filed under subsection V.B.6) shall be resolved in accordance with the terms of Section XII.

- 10. The process described in this subsection V.B shall also apply to accelerated payments made pursuant to Incentive A under subsection V.E.4.
- 11. For the avoidance of doubt, Subdivisions not listed on Exhibit G shall not receive an allocation from the Subdivision Fund.

C. Offsets for Non-Settling States and Credits

- 1. An offset equal to Four Billion, Five Hundred Thirty-Four Million, Six Hundred Fifteen Thousand, Three Hundred Eighty-Five Dollars (\$4,534,615,385) times the percentage allocation assigned to each Non-Settling State in Exhibit F shall be deducted from the total amount to be paid by Janssen to the Settlement Fund under subsection V.A.2 above.
- 2. In addition to the offset, a credit of Two Hundred and Seventy Million Dollars (\$270,000,000) shall be deducted from the maximum Settlement Fund amount to be paid by Janssen under subsection V.A.2 above and applied to the payment amounts as specified by Exhibit M. For the avoidance of doubt, the base payments and maximum incentive payment amounts shown on Exhibit M already reflect the deduction of the offset.
- 3. Notwithstanding any other provision of this Agreement or any other agreement, in the event that: (1) Janssen enters into an agreement with any Settling State that resolves with finality such Settling State's Claims consistent with Section IV of this Agreement and such agreement has an effective date prior to the Effective Date of this Agreement (such agreement, a "State-Specific Agreement") and (2) pursuant to the terms of the State-Specific Agreement, any payments, or any portion thereof, made by Janssen thereunder are made in lieu of any payments (for the avoidance of doubt, including the Additional Restitution Amount), or any portion thereof, to be made under this Agreement and Janssen makes such a payment pursuant to the State-Specific Agreement, then Janssen will reduce any payments allocable to such Settling State (whether made to the Settlement Fund Escrow or the Settlement Fund) made pursuant to this Agreement to the extent such amount was already paid pursuant to the terms of the State-Specific Agreement. This provision includes but is not limited to any corresponding amounts already paid to the Qualified Settlement Fund established under the Agreement between Janssen and the State of New York dated June 25, 2021.
- 4. Non-Settling States shall not be eligible for any payments or have any rights in connection with this Agreement. Accordingly, the stated maximum dollar amounts of the payments specified in Exhibit M are reduced by the aggregate Overall Allocation Percentage of Non-Settling States as set forth in Exhibit F.

D. Base Payments

1. Janssen shall make base payments into the Settlement Fund totaling One Billion, Nine Hundred Forty-Two Million, Three Hundred Forty-Six Thousand, One Hundred Fifty-Five Dollars (\$1,942,346,155) minus the offsets and credits

- specified in subsection V.C above. The base payments will be paid in accordance with the payment schedule specified by Exhibit M, subject to potential acceleration and potential deductions as provided herein.
- 2. The base payments will be allocated by Settling State proportionate to each Settling State's assigned percentages in Exhibit F, adjusted for any Non-Settling States.
- 3. If a State qualifies for Incentive A (described below), Janssen will accelerate the base payment schedule so that the State receives its Payment Year 1-4 base payment allocations and full Payment Year 1-4 Incentive A payment amounts within ninety (90) days of notice, on or after the Effective Date, of the Bar's implementation. Payment Year 5-10 payments are made annually and cannot be accelerated.
- 4. The exemplar payment schedule in Exhibit M does not account for deductions for offsets or unearned incentives, which will be separately calculated for each payment.

E. Incentive Payments

- 1. Janssen shall make incentive payments into the Settlement Fund potentially totaling up to Two Billion, Three Hundred Twenty-Two Million, Two Hundred Sixty-Nine Thousand, Two Hundred Thirty Dollars (\$2,322,269,230), consisting of \$2,109,038,461 for Incentive A (or, alternatively up to \$2,109,038,461 for combined Incentives B and C if Incentive A is not achieved) and \$213,230,769 for Incentive D, prior to being adjusted for credits if every State is a Settling State and were to satisfy the requirements specified below to earn its maximum incentive amount. The incentive payments will be paid in accordance with the payment schedule in Exhibit M, subject to potential acceleration and potential deductions as provided herein.
- 2. The maximum incentive amount for any Settling State shall be \$2,322,269,230 times the percentage allocation assigned that Settling State in Exhibit F.
- 3. A Settling State may qualify to receive incentive payments in addition to base payments if, as of the Incentive Payment Final Eligibility Date, it meets the incentive eligibility requirements specified below. Settling States may qualify for incentive payments in four ways. If a Settling State qualifies for "Incentive A," it will become entitled to receive the maximum Incentive A payment allocable to the State as stated in subsection V.E.1. If a Settling State does not qualify for Incentive A, it can alternatively qualify for "Incentive B" and/or "Incentive C." A Settling State can qualify for "Incentive D" regardless of whether it qualifies for another incentive payment. The Incentive Payment Final Eligibility Date is not relevant to Incentive D.

- 4. Incentive A: Accelerated Incentive Payment for Full Participation.
 - a. A Settling State shall receive an accelerated Incentive A payment allocable to the State for full participation as described in subsection V.E.4.b.
 - b. A State qualifies for Incentive A by: (1) complete participation in the form of releases consistent with Section IV above from all Litigating Subdivisions and Litigating Special Districts, Non-Litigating Subdivisions with population over 10,000, and Non-Litigating Covered Special Districts (as defined in subsection V.E.7.e); (2) a Bar; or (3) a combination of approaches in clauses (1)-(2) that achieves the same level of resolution of Subdivision and Special District claims (e.g., a law barring future litigation combined with full joinder by Litigating Subdivisions and Litigating Special Districts). For purposes of Incentive A, a Subdivision or Special District is considered a "Litigating Subdivision" or "Litigating Special District" if it has brought Released Claims against Released Entities on or before the Reference Date; all other Subdivisions and Special Districts are considered "Non-Litigating." For purposes of Incentive A, Non-Litigating Special Districts shall not include a Special District with any of the following words or phrases in its name: mosquito, pest, insect, spray, vector, animal, air quality, air pollution, clean air, coastal water, tuberculosis, and sanitary.
 - c. Qualification for Incentive A entitles the qualifying Settling State to expedited payment of base payments and incentive payments for Payment Years 1-4, which Janssen shall pay into the Settlement Fund within ninety (90) days after receiving notice from the Settlement Fund Administrator that a State has qualified for Incentive A, but in no event less than ninety (90) days from the Effective Date. Base and incentive payments for Payment Years 5-10 will not be expedited.
 - d. If a Settling State qualifies for Incentive A after receiving an incentive payment under Incentives B or C, described below, the Settling State's payments under Incentive A will equal the remainder of its total Incentive A payments less any payments previously received under Incentives B or C. A Settling State that receives all of its maximum incentive allocation under Incentive A shall not receive additional incentive payments under Incentives B or C.
 - e. A Settling State that is not eligible for Incentive A as of the Incentive Payment Final Eligibility Date shall not be eligible for Incentive A for that Payment Year or any subsequent Payment Years.

- 5. Incentive B: Early Participation or Released Claims by Litigating Subdivisions and Litigating Special Districts.
 - a. If a Settling State does not qualify for Incentive A, it may still qualify to receive up to 60% of its total potential Incentive A payment allocation under Incentive B.
 - b. A Settling State can qualify for an Incentive B payment if Litigating Subdivisions and Litigating Special Districts collectively representing at least 75% of the Settling State's litigating population are either Participating Subdivisions or have their claims resolved through Case-Specific Resolutions.
 - (1) A Settling State's litigating population is the sum of the population of all Litigating Subdivisions and Litigating Special Districts. A Settling State's litigating population shall include all Litigating Subdivisions and Litigating Special Districts whose populations overlap in whole or in part with other Litigating Subdivisions and Litigating Special Districts, for instance in the case of a Litigating Special District, city, or township contained within a county.
 - (2) For example, if a Litigating Special District and a city that is a Litigating Subdivision are located within a county that is a Litigating Subdivision, then each of their individual populations would be added together to determine the total litigating population. Special District populations shall be counted in the manner set forth in subsection XIII.B. If each qualifies as a Litigating Subdivision or Litigating Special District and the county has a population of 10, the City has a population of 8, and the Special District has a population of 1, the total litigating population would be 19.
 - c. The following time periods apply to Incentive B payments:
 - (1) <u>Period 1</u>: Zero to two hundred ten (210) days after the Effective Date.
 - (2) <u>Period 2</u>: Two hundred eleven (211) days to one year after the Effective Date.
 - (3) <u>Period 3</u>: One year and one day to two years after the Effective Date.
 - d. Within Period 1: If Litigating Subdivisions and Litigating Special Districts collectively representing at least 75% of a Settling State's litigating population are Participating Subdivisions or have their claims resolved through Case-Specific Resolutions during Period 1, a sliding scale will determine the share of the funds available under Incentive B, with a

maximum of 60% of the Settling State's total potential incentive payment allocation available. Under that sliding scale, if Litigating Subdivisions and Litigating Special Districts collectively representing 75% of a Settling State's litigating population become Participating Subdivisions or achieve Case-Specific Resolution status by the end of Period 1, a Settling State will receive 50% of the total amount available to it under Incentive B. If more Litigating Subdivisions and Litigating Special Districts become Participating Subdivisions or achieve Case-Specific Resolution status, the Settling State shall receive an increased percentage of the total amount available to it under Incentive B as shown in the table below.

Participation or Case-Specific	Incentive B Award
Resolution Levels	(As percentage of total
(As percentage of litigating	amount available to State
population)	under Incentive B)
75%	50%
76%	52%
77%	54%
78%	56%
79%	58%
80%	60%
85%	70%
90%	80%
95%	90%
100%	100%

- e. Within Period 2: If a Settling State did not qualify for an Incentive B payment in Period 1, but Litigating Subdivisions and Litigating Special Districts collectively representing at least 75% of the Settling State's litigating population become Participating Subdivisions or achieve Case-Specific Resolution status by the end of Period 2, then the Settling State qualifies for 75% of the Incentive B payment it would have qualified for in Period 1.
- f. Within Period 3: If a Settling State did not qualify for an Incentive B payment in Periods 1 or 2, but Litigating Subdivisions and Litigating Special Districts collectively representing at least 75% of the Settling State's litigating population become Participating Subdivisions or achieve Case-Specific Resolution status by the end of Period 3, then the Settling State qualifies for 50% of the Incentive B payment it would have qualified for in Period 1.
- g. A Settling State that receives the Incentive B payment for Periods 1 and/or 2 can receive additional payments if it secures participation from additional Litigating Subdivisions and Litigating Special Districts (or Case-Specific Resolutions of their claims) during Periods 2 and/or 3.

Those additional payments would equal 75% (for additional participation or Case-Specific Resolutions during Period 2) and 50% (for additional participation or Case-Specific Resolutions during Period 3) of the amount by which the increased litigating population levels would have increased the Settling State's Incentive B payment if they had been achieved in Period 1.

- h. If Litigating Subdivisions and Litigating Special Districts that have become Participating Subdivisions or achieved Case-Specific Resolution status collectively represent less than 75% of a Settling State's litigating population by the end of Period 3, the Settling State shall not receive any Incentive B payment.
- i. If there are no Litigating Subdivisions or Litigating Special Districts in a Settling State, and that Settling State is otherwise eligible for Incentive B, that Settling State will receive its full allocable share of Incentive B.
- j. Incentives earned under Incentive B shall accrue after each of Periods 1, 2, and 3. After each period, the Settlement Fund Administrator shall conduct a look-back to assess which Settling States vested an Incentive B payment in the preceding period. Based on the look-back, the Settlement Fund Administrator will calculate the incentives accrued under Incentive B for the period; *provided* that the percentage of Incentive B for which a Settling State is eligible as of the Incentive Payment Final Eligibility Date shall cap its eligibility for that Payment Year and all subsequent Payment Years.
- 6. *Incentive C: Early Participation of Subdivisions*
 - a. If a Settling State does not qualify for Incentive A, it may still qualify to receive up to 40% of its total potential Incentive A payment allocation under Incentive C, which has two parts.
 - (1) Part 1: Under Incentive C, Part 1, a Settling State can receive up to 75% of its Incentive C allocation. A Settling State can qualify for a payment under Incentive C, Part 1 only if Primary Subdivisions (whether Litigating Primary Subdivisions or Non-Litigating Primary Subdivisions as of the Reference Date) representing at least 60% of the Settling State's Primary Subdivision population become Participating Subdivisions or achieve Case-Specific Resolution status.
 - (2) A Settling State's Primary Subdivision population is the sum of the population of all Primary Subdivisions (whether Litigating Primary Subdivisions or Non-Litigating Primary Subdivisions as of the Reference Date). Because Subdivisions include Subdivisions whose populations overlap in whole or in part with other

- Subdivisions, for instance in the case of a city or township contained within a county, the Settling State's Primary Subdivision population is greater than Settling State's total population. (Special Districts are not relevant for purposes of Incentive C calculations.)
- (3) A sliding scale will determine the share of the funds available under Incentive C, Part 1 to Settling States meeting the minimum 60% threshold. Under that sliding scale, if a Settling State secures participation or Case-Specific Resolutions from Primary Subdivisions representing 60% of its total Primary Subdivision population, it will receive 40% of the total amount potentially available to it under Incentive C, Part 1. If a Settling State secures participation or Case-Specific Resolutions from Primary Subdivisions representing more than 60% of its Primary Subdivision population, the Settling State shall be entitled to receive a higher percentage of the total amount potentially available to it under Incentive C. Part 1, on the scale shown in the table below. If there are no Primary Subdivisions, and that Settling State is otherwise eligible for Incentive C, that Settling State will receive its full allocable share of Incentive C, Part 1.

Participation or Case-Specific	Incentive C Award
Resolution Levels	(As percentage of total
(As percentage of total Primary	amount available to State
Subdivision population)	under Incentive C, Part 1)
60%	40%
70%	45%
80%	50%
85%	55%
90%	60%
91%	65%
92%	70%
93%	80%
94%	90%
95%	100%

- b. Part 2: If a Settling State qualifies to receive an incentive under Incentive C, Part 1, the State can also qualify to receive an additional incentive amount equal to 25% of its total potential Incentive C allocation by securing 100% participation of the ten (10) largest Subdivisions by population in the Settling State. (Special Districts are not relevant for purposes of this calculation.) If a Settling State does not qualify for any amount under Incentive C, Part 1, it cannot qualify for Incentive C, Part 2.
- c. Incentives earned under Incentive C shall accrue on an annual basis up to three years after the Effective Date. At one, two, and three years after the

Effective Date, the Settlement Fund Administrator will conduct a look-back to assess which Subdivisions had agreed to participate or had their claim resolved through a Case-Specific Resolution that year. Based on the look-back, the Settlement Fund Administrator will calculate the incentives accrued under Incentive C for the year; *provided* that the percentage of Incentive C for which a Settling State is eligible as of the Incentive Payment Final Eligibility Date shall cap its eligibility for that Payment Year and all subsequent Payment Years.

- 7. Incentive D: Release of Payments if No Qualifying Special District Litigation.
 - a. \$213,230,769 shall be available for potential Incentive D payments according to the terms specified in this subsection V.E.7.
 - b. If, within five years of the Reference Date, a Covered Special District files litigation against any Released Entity, Janssen shall, within thirty (30) days of Janssen being served, provide notice of the litigation to the Settling State in which the Covered Special District sits, which shall file a motion to intervene in the litigation and use its best efforts to obtain either dismissal of the litigation in cooperation with Janssen, or a release consistent with Section IV of the Special District's Claims.
 - c. A Settling State shall receive its allocation of the Incentive D payment if, within five years after the Effective Date (the "look-back date"), no Covered Special District within the Settling State has filed litigation which has survived a Threshold Motion and remains pending as of the look-back date, unless the dismissal after the litigation survived the Threshold Motion is conditioned or predicated upon payment by a Released Entity (apart from payments by Janssen incurred under the Agreement or injunctive relief obligations incurred by it).
 - d. Prior to the look-back date, a Released Entity shall not enter into a settlement with a Covered Special District unless the State in which the Covered Special District sits consents to such a settlement or unreasonably withholds consent of such a settlement.
 - e. "Covered Special Districts" are school districts, healthcare/hospital districts, and fire districts, subject to the following population thresholds:
 - (1) For school districts, the K-12 student enrollment must be 25,000 or 0.12% of a State's population, whichever is greater;
 - (2) For fire districts, the district must cover a population of 25,000, or 0.20% of a State's population if a State's population is greater than 18 million. If not easily calculable from state data sources and agreed to between the State and Janssen, a fire district's population is calculated by dividing the population of the county or counties a

- fire district serves by the number of fire districts in the county or counties.
- (3) For healthcare/hospital districts, the district must have at least 125 hospital beds in one or more hospitals rendering services in that district.

VI. Allocation and Use of Settlement Funds

- A. Components of Settlement Fund. The Settlement Fund shall be comprised of an Abatement Accounts Fund, a State Fund, and a Subdivision Fund for each Settling State. The payments under Section V into the Settlement Fund shall be initially allocated among those three (3) sub-funds and distributed and used as provided below or as provided for by a State-Subdivision Agreement (or other State-specific allocation of funds). Unless otherwise specified herein, payments placed into the Settlement Fund do not revert back to Janssen.
- B. *Use of Settlement Payments*.
 - 1. It is the intent of the Parties that the payments disbursed from the Settlement Fund to Settling States and Participating Subdivisions listed in Exhibit G be for Opioid Remediation, subject to limited exceptions that must be documented in accordance with subsection VI.B.2. In no event may less than 86.5% of Janssen's maximum amount of payments pursuant to Sections V, X, and XI over the entirety of all Payment Years (but not any single Payment Year) be spent on Opioid Remediation.
 - 2. While disfavored by the Parties, a Settling State or Participating Subdivision listed on Exhibit G may use monies from the Settlement Fund (that have not been restricted by this Agreement solely to future Opioid Remediation) for purposes that do not qualify as Opioid Remediation. If, at any time, a Settling State or a Participating Subdivision listed on Exhibit G uses any monies from the Settlement Fund for a purpose that does not qualify as Opioid Remediation, such Settling State or Participating Subdivision shall identify such amounts and report to the Settlement Fund Administrator and Janssen how such funds were used, including if used to pay attorneys' fees, investigation costs, litigation costs, or costs related to the operation and enforcement of this Agreement, respectively. It is the intent of the Parties that the reporting under this subsection VI.B.2 shall be available to the public. For the avoidance of doubt, (a) any amounts not identified under this subsection VI.B.2 as used to pay attorneys' fees, investigation costs, or litigation costs shall be included in the "Compensatory Restitution Amount" for purposes of subsection VI.F and (b) Participating Subdivisions not listed on Exhibit G or Participating Special Districts that receive monies from the Settlement Fund indirectly may only use such monies from the Settlement Fund for purposes that qualify as Opioid Remediation.

- C. Allocation of Settlement Fund. The allocation of the Settlement Fund allows for different approaches to be taken in different states, such as through a State-Subdivision Agreement. Given the uniqueness of States and their Subdivisions, Settling States and Participating Subdivisions are encouraged to enter into State-Subdivision Agreements in order to direct the allocation of their portion of the Settlement Fund. As set out below, the Settlement Fund Administrator will make an initial allocation to three (3) state-level sub-funds. The Settlement Fund Administrator will then, for each Settling State and its Participating Subdivisions listed on Exhibit G, apply the terms of this Agreement and any relevant State-Subdivision Agreement, Statutory Trust, Allocation Statute, or voluntary redistribution of funds as set out below before disbursing the funds.
 - 1. <u>Base Payments</u>. The Settlement Fund Administrator will allocate base payments under subsection V.D among the Settling States in proportion to their respective Overall Allocation Percentages. Base payments for each Settling State will then be allocated 15% to its State Fund, 70% to its Abatement Accounts Fund, and 15% to its Subdivision Fund. Amounts may be reallocated and will be distributed as provided in subsection VI.D.
 - 2. <u>Incentive Payments</u>. The Settlement Fund Administrator will treat incentive payments under subsection V.E on a State-specific basis. Incentive payments for which a Settling State is eligible under subsection V.E will be allocated 15% to its State Fund, 70% to its Abatement Accounts Fund, and 15% to its Subdivision Fund. Amounts may be reallocated and will be distributed as provided in subsection VI.D.
 - 3. <u>Application of Adjustments</u>. If a reduction, offset, or suspension under Section IX applies with respect to a Settling State, the reduction, offset, or suspension shall be applied proportionally to all amounts that would otherwise be apportioned and distributed to the State Fund, the Abatement Accounts Fund, and the Subdivision Fund for that State.
 - 4. <u>Settlement Fund Administrator</u>. Prior to the Initial Participation Date, Janssen and the Enforcement Committee will agree to a detailed mechanism consistent with the foregoing for the Settlement Fund Administrator to follow in allocating, apportioning, and distributing payments, which shall be appended hereto as Exhibit L.
 - 5. <u>Settlement Fund Administrator Costs</u>. Any costs and fees associated with or arising out of the duties of the Settlement Fund Administrator as described in Exhibit L with regard to Janssen's payments to the Settlement Fund shall be paid out of interest accrued on the Settlement Fund and from the Settlement Fund should such interest prove insufficient.
- D. Settlement Fund Reallocation and Distribution. As set forth below, within a particular Settling State's account, amounts contained in the Settlement Fund sub-funds may be reallocated and distributed per a State-Subdivision Agreement or other means. If the

apportionment of amounts is not addressed and controlled under subsections VI.D.1-2, then the default provisions of subsection VI.D.4 apply. It is not necessary that a State-Subdivision Agreement or other means of allocating funds pursuant to subsections VI.D.1-2 address all of the Settlement Fund sub-funds. For example, a Statutory Trust might only address disbursements from a Settling State's Abatement Accounts Fund.

- 1. <u>Distribution by State-Subdivision Agreement</u>. If a Settling State has a State-Subdivision Agreement, amounts apportioned to that State's State Fund, Abatement Accounts Fund, and Subdivision Fund under subsection VI.C shall be reallocated and distributed as provided by that agreement. Any State-Subdivision Agreement entered into after the Preliminary Agreement Date shall be applied only if it requires: (1) that all amounts be used for Opioid Remediation, except as allowed by subsection VI.B.2, and (2) that at least 70% of amounts be used solely for future Opioid Remediation (references to "future Opioid Remediation" include amounts paid to satisfy any future demand by another governmental entity to make a required reimbursement in connection with the past care and treatment of a person related to the Alleged Harms). For a State-Subdivision Agreement to be applied to the relevant portion of an Initial Year Payment or an Annual Payment, notice must be provided to Janssen and the Settlement Fund Administrator at least sixty (60) days prior to the Payment Date.
- 2. Distribution by Allocation Statute. If a Settling State has an Allocation Statute and/or a Statutory Trust that addresses allocation or distribution of amounts apportioned to such State's State Fund, Abatement Accounts Fund, and/or Subdivision Fund and that, to the extent any or all such sub-funds are addressed, requires (1) all amounts to be used for Opioid Remediation, except as allowed by subsection VI.B.2, and (2) at least 70% of all amounts to be used solely for future Opioid Remediation, then, to the extent allocation or distribution is addressed, the amounts apportioned to that State's State Fund, Abatement Accounts Fund, and Subdivision Fund under subsection VI.C shall be allocated and distributed as addressed and provided by the applicable Allocation Statute or Statutory Trust. For the avoidance of doubt, an Allocation Statute or Statutory Trust need not address all three (3) sub-funds that comprise the Settlement Fund, and if the applicable Allocation Statute or Statutory Trust does not address distribution of all or some of these three (3) sub-funds, the applicable Allocation Statute or Statutory Trust does not replace the default provisions in subsection VI.D.4 of any such unaddressed fund. For example, if an Allocation Statute or Statutory Trust that meets the requirements of this subsection VI.D.2 only addresses funds restricted to abatement, then the default provisions in this Agreement concerning allocation among the three (3) sub-funds comprising the Settlement Fund and the distribution of the State Fund and Subdivision Fund for that State would still apply, while the distribution of the applicable State's Abatement Accounts Fund would be governed by the qualifying Allocation Statute or Statutory Trust.
- 3. <u>Voluntary Redistribution</u>. A Settling State may choose to reallocate all or a portion of its State Fund to its Abatement Accounts Fund. A Participating Subdivision listed on Exhibit G may choose to reallocate all or a portion of its

allocation from the Subdivision Fund to the State's Abatement Accounts Fund or to another Participating Subdivision or Participating Special District. For a voluntary redistribution to be applied to the relevant portion of an Initial Year Payment or an Annual Payment, notice must be provided to the Settling Distributors and the Settlement Fund Administrator at least sixty (60) days prior to the Payment Date.

- 4. <u>Distribution in the Absence of a State-Subdivision Agreement, Allocation Statute, or Statutory Trust</u>. If subsections VI.D.1-2 do not apply, amounts apportioned to that State's State Fund, Abatement Accounts Fund, and Subdivision Fund under subsection VI.C shall be distributed as follows:
 - a. Amounts apportioned to that State's State Fund shall be distributed to that State.
 - Amounts apportioned to that State's Abatement Accounts Fund shall be b. distributed consistent with subsection VI.E. Each Settling State shall submit to the Settlement Fund Administrator a designation of a lead state agency or other entity to serve as the single point of contact for that Settling State's funding requests from the Abatement Accounts Fund and other communications with the Settlement Fund Administrator. The designation of an individual entity is for administrative purposes only and such designation shall not limit funding to such entity or even require that such entity receive funds from this Agreement. The designated entity shall be the only entity authorized to request funds from the Settlement Fund Administrator to be disbursed from that Settling State's Abatement Accounts Fund. If a Settling State has established a Statutory Trust then that Settling State's single point of contact may direct the Settlement Fund Administrator to release the State's Abatement Accounts Fund to the Statutory Trust.
 - c. Amounts apportioned to that State's Subdivision Fund shall be distributed to Participating Subdivisions in that State listed on Exhibit G per the Subdivision Allocation Percentage listed in Exhibit G. Subsection VII.I shall govern amounts that would otherwise be distributed to Non-Participating Subdivisions listed in Exhibit G.
 - d. Special Districts shall not be allocated funds from the Subdivision Fund, except through a voluntary redistribution allowed by subsection VI.D.3. A Settling State may allocate funds from its State Fund or Abatement Accounts Fund for Special Districts.
- 5. Restrictions on Distribution. No amounts may be distributed from the Subdivision Fund contrary to Section VII, *i.e.*, no amounts may be distributed directly to Non-Participating Subdivisions or to Later Participating Subdivisions in excess of what is permissible under subsection VII.E. Amounts allocated to the Subdivision Fund that cannot be distributed by virtue of the preceding sentence shall be distributed

into the sub-account in the Abatement Accounts Fund for the Settling State in which the Subdivision is located, unless those payments are redirected elsewhere by a State-Subdivision Agreement described in subsection VI.D.1 or by an Allocation Statute or a Statutory Trust described in subsection VI.D.2.

- E. Provisions Regarding Abatement Accounts Fund.
 - 1. <u>State-Subdivision Agreement, Allocation Statute, and Statutory Trust Fund Provisions</u>. A State-Subdivision Agreement, Allocation Statute, or Statutory Trust may govern the operation and use of amounts in that State's Abatement Accounts Fund so long as it complies with the requirements of subsection VI.D.1 or VI.D.2 as applicable, and all direct payments to Subdivisions comply with subsections VII.E-H.
 - 2. <u>Absence of a State-Subdivision Agreement, Allocation Statute, or Statutory Trust.</u> In the absence of a State-Subdivision Agreement, Allocation Statute, or Statutory Trust that addresses distribution, the Abatement Accounts Fund will be used solely for future Opioid Remediation and the following shall apply with respect to a Settling State:
 - a. Regional Remediation.
 - (1) At least 50% of distributions for remediation from a State's Abatement Accounts Fund shall be annually allocated and tracked to the regional level. A Settling State may allow the Advisory Committee established pursuant to subsection VI.E.2.d to define its regions and assign regional allocations percentages. Otherwise, a Settling State shall (1) define its initial regions, which shall consist of one (1) or more Subdivisions and which shall be designated by the State agency with primary responsibility for substance abuse disorder services employing, to the maximum extent practical, existing regions established in that State for opioid abuse treatment or other public health purposes; and (2) assign initial regional allocation percentages to the regions based on the Subdivision Allocation Percentages in Exhibit G and an assumption that all Subdivisions listed on Exhibit G will become Participating Subdivisions.
 - (2) This minimum regional expenditure percentage is calculated on the Settling State's initial Abatement Accounts Fund allocation and does not include any additional amounts a Settling State has directed to its Abatement Accounts Fund from its State Fund, or any other amounts directed to the fund. A Settling State may dedicate more than 50% of its Abatement Accounts Fund to the regional expenditure and may annually adjust the percentage of its Abatement Accounts Fund dedicated to regional expenditures as long as the percentage remains above the minimum amount.

- (3) The Settling State (1) has the authority to adjust the definition of the regions, and (2) may annually revise the percentages allocated to each region to reflect the number of Subdivisions in each region that are Non-Participating Subdivisions.
- b. Subdivision Block Grants. Certain Subdivisions listed on Exhibit G shall be eligible to receive regional allocation funds in the form of a block grant for future Opioid Remediation. A Participating Subdivision listed on Exhibit G eligible for block grants is a county or parish (or in the case of States that do not have counties or parishes that function as political subdivisions, a city) that (1) does not contain a Litigating Subdivision or a Later Litigating Subdivision for which it has the authority to end the litigation through a release, bar, or other action; (2) either (i) has a population of 400,000 or more or (ii) in the case of California has a population of 750,000 or more; and (3) has funded or otherwise managed an established health care or treatment infrastructure (e.g., health department or similar agency). Each Subdivision listed on Exhibit G eligible to receive block grants shall be assigned its own region.
- c. Small States. Notwithstanding the provisions of subsection VI.E.2.a, Settling States with populations under four (4) million that do not have existing regions described in subsection VI.E.2.a shall not be required to establish regions. However, such a Settling State that contains one (1) or more Subdivisions listed on Exhibit G eligible for block grants under subsection VI.E.2.b shall be divided regionally so that each block-grant eligible Subdivision listed on Exhibit G is a region and the remainder of the state is a region.
- d. Advisory Committee. The Settling State shall designate an Opioid Settlement Remediation Advisory Committee (the "Advisory Committee") to provide input and recommendations regarding remediation spending from that Settling State's Abatement Accounts Fund. A Settling State may elect to use an existing advisory committee or similar entity (created outside of a State-Subdivision Agreement or Allocation Statute); provided, however, the Advisory Committee or similar entity shall meet the following requirements:
 - (1) Written guidelines that establish the formation and composition of the Advisory Committee, terms of service for members, contingency for removal or resignation of members, a schedule of meetings, and any other administrative details;
 - (2) Composition that includes at least an equal number of local representatives as state representatives;
 - (3) A process for receiving input from Subdivisions and other communities regarding how the opioid crisis is affecting their

- communities, their abatement needs, and proposals for abatement strategies and responses; and
- (4) A process by which Advisory Committee recommendations for expenditures for Opioid Remediation will be made to and considered by the appropriate state agencies.
- 3. Abatement Accounts Fund Reporting. The Settlement Fund Administrator shall track and assist in the report of remediation disbursements as agreed to among the Parties.
- F. Nature of Payment. Janssen, the Settling States, the Participating Subdivisions, and the Participating Special Districts, acknowledge and agree that notwithstanding anything to the contrary in this Agreement, including, but not limited to, the scope of the Released Claims:
 - 1. Janssen has entered into this Agreement to avoid the delay, expense, inconvenience, and uncertainty of further litigation;
 - 2. The Settling States, the Participating Subdivisions, and the Participating Special Districts sought compensatory restitution (within the meaning of 26 U.S.C. § 162(f)(2)(A)) as damages for the Alleged Harms allegedly suffered by the Settling States and Participating Subdivisions;
 - 3. By executing this Agreement the Settling States, the Participating Subdivisions, and the Participating Special Districts certify that: (a) the Compensatory Restitution Amount is no greater than the amount, in the aggregate, of the Alleged Harms allegedly suffered by the Settling States and Participating Subdivisions; and (b) the portion of the Compensatory Restitution Amount received by each Settling State or Participating Subdivision is no greater than the amount of the Alleged Harms allegedly suffered by such Settling State or Participating Subdivision:
 - 4. The payment of the Compensatory Restitution Amount by Janssen constitutes, and is paid for, compensatory restitution (within the meaning of 26 U.S.C. § 162(f)(2)(A)) for alleged damage or harm (as compensation for alleged damage or harm arising out of alleged bodily injury) allegedly caused by Janssen;
 - 5. The Compensatory Restitution Amount is being paid as compensatory restitution (within the meaning of 26 U.S.C. § 162(f)(2)(A)) in order to restore, in whole or in part, the Settling States and Participating Subdivisions to the same position or condition that they would be in had the Settling States and Participating Subdivisions not suffered the Alleged Harms:
 - 6. For the avoidance of doubt: (a) no portion of the Compensatory Restitution Amount represents reimbursement to any Settling State, Participating Subdivision, Participating Special District, or other person or entity for the costs of any investigation or litigation, (b) the entire Compensatory Restitution Amount

- is properly characterized as described in subsection VI.F, and (c) no portion of the Compensatory Restitution Amount constitutes disgorgement or is properly characterized as the payment of statutory or other fines, penalties, punitive damages, other punitive assessments, or attorneys' fees; and
- 7. New York, on behalf of all Settling States, Participating Subdivisions, and Participating Special Districts (the "Form 1098-F Filer") shall complete and file Form 1098-F with the Internal Revenue Service on or before February 28 (March 31 if filed electronically) of the year following the calendar year in which the order entering this Agreement becomes binding. On the Form 1098-F, the Form 1098-F Filer shall identify the entire Compensatory Restitution Amount received by the Form 1098-F Filer as remediation/restitution. The Form 1098-F Filer shall also, on or before January 31 of the year following the calendar year in which the order entering this Agreement becomes binding, furnish Copy B of such Form 1098-F (or an acceptable substitute statement) to Janssen.

VII. Participation by Subdivisions and Special Districts

- A. Notice. No later than fifteen (15) days after the Preliminary Agreement Date, the Settling States, with the cooperation of Janssen, shall send individual written notice of the opportunity to participate in this Agreement and the requirements of participation to all Subdivisions in the Settling States of this Agreement that are (1) Litigating Subdivisions or (2) Non-Litigating Subdivisions listed on Exhibit G as eligible to become Participating Subdivisions. Janssen's share of costs of the written notice to such Subdivisions shall be advanced by Janssen and deducted from its initial settlement payment. Notice shall also be provided simultaneously to counsel of record for Litigating Subdivisions and Non-Litigating Subdivisions listed on Exhibit G as eligible to become Participating Subdivisions. The Settling States, with the cooperation of Janssen, will also provide general notice reasonably calculated to alert Non-Litigating Subdivisions listed on Exhibit G in the Settling States to this Agreement, the opportunity to participate in it and the requirements for participation. Such notice may include publication and other standard forms of notification, as well as notice to national state and county organizations such as the National Association of Counties and the National League of Cities. The notice will include that the deadline for becoming an Initial Participating Subdivision is the Initial Participation Date. Nothing contained herein shall preclude a Settling State from providing further notice to or otherwise contacting any of its Subdivisions about becoming a Participating Subdivision, including beginning any of the activities described in this paragraph prior to the Preliminary Agreement Date.
- B. Requirements for Becoming a Participating Subdivision: Non-Litigating Subdivisions. A Non-Litigating Subdivision in a Settling State that is listed on Exhibit G may become a Participating Subdivision by returning an executed Subdivision Settlement Participation Form specifying (1) that the Subdivision agrees to the terms of this Agreement pertaining to Subdivisions, (2) that the Subdivision releases all Released Claims against all Released Entities, (3) that the Subdivision agrees to use monies it receives, if any, from the Settlement Fund pursuant to the applicable requirements of Section VI, and (4) that the Subdivision submits to the jurisdiction of the court where the Consent Judgment is filed

- for purposes limited to that court's role under the Agreement. The required Subdivision Settlement Participation Form is attached as Exhibit K.
- C. Requirements for Becoming a Participating Subdivision: Litigating Subdivisions/Later Litigating Subdivisions. A Litigating Subdivision or Later Litigating Subdivision in a Settling State may become a Participating Subdivision by returning an executed Subdivision Settlement Participation Form to the Settlement Fund Administrator and upon prompt dismissal of its legal action. A Settling State may require each Litigating Subdivision in that State to specify on the Subdivision Settlement Participation Form whether its counsel has waived any contingency fee contract with that Participating Subdivision and intends to seek fees according to Exhibit R. The Settlement Fund Administrator shall provide quarterly reports of this information to the parties organized by Settling State. Except for trials begun before the Initial Participation Date, a Litigating Subdivision or a Later Litigating Subdivision may not become a Participating Subdivision after the completion of opening statements in a trial of a legal action it brought that includes a Released Claim against a Released Entity.
- D. *Initial Participating Subdivisions*. A Subdivision qualifies as an Initial Participating Subdivision if it meets the applicable requirements for becoming a Participating Subdivision set forth in subsections VII.B or VII.C by the Initial Participation Date. Provided however, all Subdivision Settlement Participation Forms shall be held by the Settlement Fund Administrator until Janssen provides the notice in subsection VIII.B that it intends to proceed with the settlement, at which time the obligations created by such forms become effective.
- E. Later Participating Subdivisions. A Subdivision that is not an Initial Participating Subdivision may become a Later Participating Subdivision by meeting the applicable requirements for becoming a Participating Subdivision after the Initial Participation Date and agreeing to be subject to the terms of a State-Subdivision Agreement (if any) or any other structure adopted or applicable pursuant to subsections VI.D or VI.E. The following provisions govern what a Later Participating Subdivision can receive (but do not apply to Initial Participating Subdivisions):
 - 1. A Later Participating Subdivision shall not receive any share of any base or incentive payments paid to the Subdivision Fund that were due before it became a Participating Subdivision.
 - 2. A Later Participating Subdivision that becomes a Participating Subdivision after July 15, 2022 shall receive 75% of the share of future base or incentive payments that it would have received had it become a Later Participating Subdivision before that date (unless the Later Participating Subdivision is subject to subsections VII.E.3 or VII.E.4 below).
 - 3. A Later Participating Subdivision that, after the Initial Participation Date, maintains a lawsuit for a Released Claim(s) against a Released Entity and has judgment entered against it on every such Claim before it became a Participating Subdivision (other than a consensual dismissal with prejudice) shall receive 50%

- of the share of future base or incentive payments that it would have received had it become a Later Participating Subdivision prior to such judgment; *provided*, *however*, that if the Subdivision appeals the judgment and the judgment is affirmed with finality before the Subdivision becomes a Participating Subdivision, the Subdivision shall not receive any share of any base payment or incentive payment.
- 4. A Later Participating Subdivision that becomes a Participating Subdivision while a Bar or Case-Specific Resolution involving a different Subdivision exists in its State shall receive 25% of the share of future base or incentive payments that it would have received had it become a Later Participating Subdivision without such Bar or Case-Specific Resolution.
- F. *No Increase in Payments*. Amounts to be received by Later Participating Subdivisions shall not increase the payments due from Janssen.
- G. *Ineligible Subdivisions*. Subdivisions in Non-Settling States and Prior Litigating Subdivisions are not eligible to be Participating Subdivisions.
- H. *Non-Participating Subdivisions*. Non-Participating Subdivisions shall not directly receive any portion of any base or incentive payments, including from the State Fund and direct distributions from the Abatement Accounts Fund; however, a Settling State may choose to fund future Opioid Remediation that indirectly benefits Non-Participating Subdivisions.
- I. Unpaid Allocations to Later Participating and Non-Participating Subdivisions. Any base payment and incentive payments allocated pursuant to subsection VI.D to a Later Participating or Non-Participating Subdivision that cannot be paid pursuant to this Section VII, will be allocated to the Abatement Accounts Fund for the Settling State in which the Subdivision is located, unless those payments are redirected elsewhere by a State-Subdivision Agreement or by a Statutory Trust.
- J. Requirements for Becoming a Participating Special District: Non-Litigating Special Districts. A Non-Litigating Special District may become a Participating Special District by either executing a release consistent with Section IV or by having its claims extinguished by operation of law or released by a Settling State.
- K. Requirements for Becoming a Participating Special District: Litigating Special Districts/Later Litigating Special Districts. A Litigating Special District or Later Litigating Special District in a Settling State may become a Participating Special District by either executing a release consistent with Section IV and upon prompt dismissal of its legal action or by having its claims extinguished by operation of law or released by a Settling State.
- L. *Initial Participating Special Districts*. A Special District qualifies as an Initial Participating Special District if it meets the applicable requirements for becoming a Participating Special District by the Initial Participation Date.

M. Later Participating Special Districts. A Special District that is not an Initial Participating Special District may become a Later Participating Special District by meeting the applicable requirements for becoming a Participating Special District after the Initial Participation Date and agreeing to be subject to the terms of any agreement reached by the applicable Settling State with Initial Participating Special Districts. A Later Participating Special District shall not receive any share of any base or incentive payments paid to the Settlement Fund that were due before it became a Participating Special District.

VIII. Condition to Effectiveness of Agreement and Filing of Consent Judgment

- A. Determination to Proceed With Settlement. Janssen will determine on or before the Reference Date whether there has been a sufficient resolution of the Claims of the Litigating Subdivisions in the Settling States (through participation under Section VII, Case-Specific Resolution(s), and Bar(s)) to proceed with this Agreement. The determination shall be in the sole discretion of Janssen and may be based on any criteria or factors deemed relevant by Janssen.
- B. *Notice by Janssen*. On or before the Reference Date, Janssen shall inform the Settling States and MDL PEC of its determination pursuant to subsection VIII.A. If Janssen determines to proceed, the Parties will proceed to file the Consent Judgments. If Janssen determines not to proceed, this Agreement will have no further effect and all releases (including those given by Participating Subdivisions) and other commitments or obligations contained herein will be void.
- C. Determination of the Participation Tier.
 - 1. On the Reference Date, provided that Janssen determines to proceed with this Agreement, the Settlement Fund Administrator shall determine the Participation Tier. The criteria used to determine the Participation Tier are set forth in Exhibit H. Any disputes as to the determination of the Participation Tier shall be decided by the National Arbitration Panel.
 - 2. The Participation Tier shall be redetermined by the Settlement Fund Administrator annually as of the Payment Date, beginning with Payment Year 1, pursuant to the criteria set forth in Exhibit H.
 - 3. After Payment Year 3, the Participation Tier cannot move higher, unless this restriction is waived by Janssen.
 - 4. In the event that a Participation Tier redetermination moves the Participation Tier higher, and that change is in whole or in part as a result of the post-Reference Date enactment of a Bar and there is later a Revocation Event with respect to that Bar, then on the next Payment Date that is at least one hundred eighty (180) days after the Revocation Event, the Participation Tier shall move down to the Participation Tier that would have applied had the Bar never been enacted, unless the Bar is reinstated or all Subdivisions affected by the Revocation Event become Participating Subdivisions within one hundred eighty (180) days of the

- Revocation Event. This is the sole circumstance in which, on a nationwide basis, the Participation Tier can move down.
- 5. In the event that there is a post-Reference Date Revocation Event with respect to a Bar that was enacted in a Settling State prior to the Reference Date, then, on the next Payment Date that is at least one hundred eighty (180) days after the Revocation Event, unless the Bar is reinstated or all Subdivisions affected by the Revocation Event become Participating Subdivisions within one hundred eighty (180) days of the Revocation Event, the Participation Tier shall decrease – solely for the State in which the Revocation Event occurred – to the Participation Tier commensurate with the percentage of Litigating Subdivisions in that State that are Participating Subdivisions and the percentage of Non-Litigating Subdivisions that are both Primary Subdivisions and Participating Subdivisions, according to the criteria set forth in Exhibit H, except that the calculations shall be performed as to that State alone. For the avoidance of doubt and solely for the calculation in this subparagraph, the Settling States Column of Exhibit H shall play no role. This is the sole circumstance in which one Settling State will have a different Participation Tier than other Settling States.
- 6. The redetermination of the Participation Tier under subsection VIII.C.2 shall not affect payments already made or suspensions or offsets already applied.

IX. Potential Payment Adjustments

- A. Later Litigating Subdivisions.
 - 1. If a Later Litigating Subdivision in a Settling State with a population above 10,000 brings a lawsuit or other legal proceeding against Released Entities asserting Released Claims, Janssen shall, within thirty (30) days of the lawsuit or other legal proceeding being served on Janssen, provide notice of the lawsuit or other legal proceeding to the Settlement Fund Administrator and the Settling State in which the Later Litigating Subdivision sits and provide the Settling State an opportunity to intervene in the lawsuit or other legal proceeding. A Released Entity shall not enter into a settlement with a Later Litigating Subdivision unless the State in which the Later Litigating Subdivision sits consents to such a settlement or unreasonably withholds consent to such a settlement.
 - 2. If no Participation Tier applies and the Later Litigating Subdivision's lawsuit or other legal proceeding survives a Threshold Motion before Janssen makes its last settlement payment to the Settling State, the following shall apply:
 - a. Janssen will, from the date of the entry of the order denying the Threshold Motion and so long as the lawsuit or other legal proceeding is pending, be entitled to a suspension of the following payments it would otherwise owe the Settling State in which the Later Litigating Subdivision is located: (1) all remaining incentive payments to the relevant state; and (2) the last two scheduled base payments, if not already paid (the "Suspended Payments").

- For each Payment Year that Janssen is entitled to a suspension of payments, the Settlement Fund Administrator shall calculate the Suspended Payments applicable to the next Payment due from Janssen.
 The Suspended Payments shall be paid into the Settlement Fund Escrow account.
- 3. If a Participation Tier applies at the time the Threshold Motion is denied, Janssen will be entitled to a suspension of the following percentages of Suspended Payments depending on the applicable Tier—75% for Tier 1, 50% for Tier 2, 35% for Tier 3, and 25% for Tier 4. Otherwise, the requirements of subsection IX.A.2 apply.
- 4. If the Released Claim is resolved with finality without requirement of payment by a Released Entity, the placement of any remaining balance of the Suspended Payments into the Settlement Fund Escrow shall cease and the Settlement Fund Administrator shall immediately transfer amounts in the Settlement Fund Escrow on account of the suspension to the Settling State at issue and its Participating Subdivisions listed on Exhibit G. The lawsuit will not cause further suspensions unless the Released Claim is reinstated upon further review, legislative action, or otherwise.
- 5. If the Released Claim is resolved with finality on terms requiring payment by a Released Entity (*e.g.*, if the lawsuit in which the Released Claim is asserted results in a judgment against Janssen or a settlement with Janssen), the Settlement Fund Administrator will transfer the amounts in the Settlement Fund Escrow on account of the suspension to Janssen necessary to satisfy 75% of the payment obligation of the Released Entity to the relevant Later Litigating Subdivision. The Settlement Fund Administrator shall immediately transfer any remaining balance in the Settlement Fund Escrow on account of the suspension to the Settling State at issue and its Participating Subdivisions listed on Exhibit G. If the amount to be transferred to Janssen exceeds the amounts in the Settlement Fund Escrow on account of the suspension, Janssen shall receive a dollar-for-dollar offset for the excess amount against its obligation to pay any remaining payments that would be apportioned to the Settling State at issue and to its Participating Subdivisions listed on Exhibit G.
- B. Settlement Class Resolution Opt Outs. If a Settling State is eligible for Incentive A on the basis of a Settlement Class Resolution, and a Primary Subdivision that opted out of the Settlement Class Resolution maintains a lawsuit asserting a Released Claim against a Released Entity, the following shall apply. If the lawsuit asserting a Released Claim either survives a Threshold Motion or has an unresolved Threshold Motion fewer than sixty (60) days prior to the scheduled start of a trial involving a Released Claim, and is resolved with finality on terms requiring payment by the Released Entity, Janssen shall receive a dollar-for-dollar offset for the amount paid against its obligation to make remaining Incentive A payments that would be apportioned to that State or Participating Subdivisions listed on Exhibit G. For the avoidance of doubt, an offset shall not be

applicable under this subsection if it is applicable under subsection IX.A with respect to the Subdivision at issue.

- C. Revoked Bar, Settlement Class Resolution, or Case-Specific Resolution.
 - If Janssen made a payment as a result of the existence of a Bar, Settlement Class 1. Resolution, or Case-Specific Resolution in a Settling State, and that Bar, Settlement Class Resolution, or Case-Specific Resolution is subject to a Revocation Event, Janssen shall receive a dollar-for-dollar offset against its obligation to make remaining payments that would be apportioned to that State or Participating Subdivisions listed on Exhibit G. This offset will be calculated as the dollar amount difference between (1) the total amount of incentive payments paid by Janssen during the time the Bar, Settlement Class Resolution, or Case-Specific Resolution subject to the Revocation Event was in effect, and (2) the total amount of Incentive Payments that would have been due from Janssen during that time without the Bar, Settlement Class Resolution, or Case-Specific Resolution subject to the Revocation Event being in effect. The amount of incentive payments that would have been due, referenced in (2) above, will be calculated based on considering any Subdivision that provides a release within one hundred eighty (180) days after the Revocation Event as having been a Participating Subdivision (in addition to all other Participating Subdivisions) during the time that the Bar, Settlement Class Resolution, or Case-Specific Resolution subject to the Revocation Event was in effect. If a Revocation Event causes a Settling State to no longer qualify for Incentive D, the Settling State shall return to Janssen all payments made under Incentive D.
 - 2. Notwithstanding anything to the contrary in paragraph 1 above, if a Bar or Case-Specific Resolution is reinstated by the Settling State, either through the same or different means as the initial Bar or Case-Specific Resolution, Janssen's right to an offset is extinguished and any amounts withheld to offset amounts paid on account of the revoked, rescinded, reversed, or overruled Bar or Case-Specific Resolution shall be returned to the Settling State, less and except any incentive payments that would have been paid during the period in which the Bar or Case-Specific Resolution was revoked, rescinded, reversed, or overruled.

X. Additional Restitution Amount

A. Additional Restitution Amount. Pursuant to the schedule set forth below and subject to the reduction specified in subsection X.B below, Janssen shall pay an Additional Restitution Amount to the Settling States listed in Exhibit N. Such funds shall be paid on the schedule set forth on Exhibit M on the Payment Date for each relevant Payment Year to such Settling States as allocated by the Settlement Fund Administrator pursuant to Exhibit N.

Payment Year 1 \$15,384,615.38

Payment Year 2 \$26,923,076.92

Payment Year 3 \$25,000,000.00

- B. *Reduction of Additional Restitution Amount*. In the event that any Non-Settling State appears on Exhibit N, the amounts owed by Janssen pursuant to this Section X shall be reduced by the allocation set forth on Exhibit N for any such Non-Settling States.
- C. *Use of Funds*. All funds paid as an Additional Restitution Amount shall be part of the Compensatory Restitution Amount, shall be used for Opioid Remediation, except as allowed by subsection VI.B.2, and shall be governed by the same requirements as specified in subsection VI.F.

XI. Plaintiffs' Attorneys' Fees and Costs

A. The Agreement on Attorneys' Fees, Expenses and Costs is set forth in Exhibit R and incorporated herein by reference. The Agreement on the State Outside Counsel Fee Fund and Agreement on the State Cost Fund Administration are set forth in Exhibit U and Exhibit S, respectively, and are incorporated herein by reference.

XII. Enforcement and Dispute Resolution

- A. Enforceability. The terms of the Agreement and Consent Judgment applicable to or in a Settling State will be enforceable solely by that Settling State and Janssen. Settling States or Participating Subdivisions shall not have enforcement rights with respect either to the terms of this Agreement that apply only to or in other States or to any Consent Judgment entered into by another Settling State. Participating Subdivisions shall not have enforcement rights against Janssen with respect to the Agreement or any Consent Judgment except as to payments that would be allocated to the Subdivision Fund or Abatement Accounts Fund pursuant to Section VI; provided, however, that each Settling State shall allow Participating Subdivisions in that State to notify it of any perceived violations of the Agreement or Consent Judgment.
- B. *Jurisdiction*. Janssen consents to the jurisdiction of the court in which the Consent Judgment is filed, limited to resolution of disputes identified in subsection XII.F.2 for resolution in the court in which the Consent Judgment is filed.
- C. Specific Terms Dispute Resolution.
 - 1. Any dispute that is addressed by the provisions set forth in the Injunctive Relief terms in Exhibit P shall be resolved as provided therein.
 - 2. In the event Janssen believes the 86.5% threshold established in subsection VI.B.1 is not being satisfied, any Party may request that Janssen and the Enforcement Committee meet and confer regarding the use of funds under subsection VI.B.1. The completion of such meet-and-confer process is a precondition to further action regarding any such dispute. Further action concerning subsection VI.B.1 shall: (i) be limited to Janssen seeking to reduce its Annual Payments by no more than 5% of the difference between the actual amount of Opioid Remediation and the 86.5% threshold established in subsection VI.B.1; (ii) only reduce Annual

Payments to those Settling States and its Participating Subdivisions that are below the 86.5% threshold established in subsection VI.B.1; and (iii) not reduce Annual Payments restricted to future Opioid Remediation.

D. State-Subdivision Enforcement.

- 1. A Participating Subdivision shall not have enforcement rights against a Settling State in which it is located with respect to the Agreement or any Consent Judgment except: (1) as provided for in a State-Subdivision Agreement, Allocation Statute, or Statutory Trust with respect to intrastate allocation; or (2) in the absence of a State-Subdivision Agreement, Allocation Statute, or Statutory Trust, as to allegations that: (a) the Settling State's use of Abatement Accounts Fund monies were not used for uses similar to or in the nature of those uses contained in Exhibit E; or (b) a Settling State failed to pay funds directly from the Abatement Accounts Fund to a Participating Subdivision eligible to receive a block grant pursuant to subsection VI.E.2.b.
- 2. A Settling State shall have enforcement rights against a Participating Subdivision located in its territory: (1) as provided for in a State-Subdivision Agreement, Allocation Statute, or Statutory Trust; or (2) in the absence of a State-Subdivision Agreement, Allocation Statute, or Statutory Trust, as to allegations that the uses of Abatement Accounts Fund monies by Participating Subdivisions listed on Exhibit G were not for uses similar to or in the nature of those uses contained in Exhibit E.
- 3. As between Settling States and Participating Subdivisions, the above rights are contractual in nature and nothing herein is intended to limit, restrict, change, or alter any other existing rights under law.
- E. Subdivision Payment Enforcement. A Participating Subdivision shall have the same right as a Settling State pursuant to subsection XII.F.4.a(4) to seek resolution of any failure by Janssen to make its required base and/or incentive payments in a Payment Year.

F. Other Dispute Resolution Terms.

- 1. Except as provided in subsection XII.C, the parties to a dispute shall promptly meet and confer in good faith to resolve any dispute. If the parties cannot resolve the dispute informally, and unless otherwise agreed in writing, they shall follow the remaining provisions of this subsection XII.F to resolve the dispute.
- 2. Except as provided in subsections XII.C and XII.F.4, disputes not resolved informally shall be resolved in either the court that entered the relevant Consent Judgment or, if no Consent Judgment was entered, a state or territorial court with jurisdiction located wherever the seat of state government is located. State court proceedings shall be governed by the rules and procedures of the forum. For the avoidance of doubt, disputes to be resolved in state court include, but are not limited to, the following:

- a. disputes concerning whether expenditures qualify for Opioid Remediation;
- b. disputes between a Settling State and Participating Subdivisions located in such Settling State as provided by subsection XII.D, except to the extent the State-Subdivision Agreement provides for other dispute resolution mechanisms. For the avoidance of doubt, disputes between a Settling State and any Participating Subdivision shall not be considered National Disputes;
- c. whether this Agreement and relevant Consent Judgment are binding under state law:
- d. the extent of the Attorney General's or other participating entity's authority under state law, including the extent of the authority to release claims;
- e. whether the requirements of a Bar, a Case-Specific Resolution, State-Specific Finality, Later Litigating Subdivision, Litigating Subdivision, or a Threshold Motion have been met; and
- f. all other disputes not specifically identified in subsections XII.C and XII.F.4.
- 3. Any Party may request that the National Arbitration Panel provide an interpretation of any provision of the settlement that is relevant to the state court determination, and the National Arbitration Panel shall make reasonable best efforts to supply such interpretation within the earlier of thirty (30) days or the time period required by the state court proceedings. Any Party may submit that interpretation to the state court to the extent permitted by, and for such weight provided by, the state court's rules and procedures. If requested by a Party, the National Arbitration Panel shall request that its interpretation be accepted in the form of an amicus curiae brief, and any attorneys' fees and costs for preparing any such filing shall be paid for by the requesting Party.
- 4. National Disputes involving a Settling State, Participating Subdivision, and/or Janssen shall be resolved by a National Arbitration Panel.
 - a. "National Disputes" are disputes that are exceptions to subsection XII.F.2's presumption of resolution in state courts because they involve issues of interpretation of Agreement terms applicable to all Settling States without reference to a particular State's law. Disputes between a State and any Participating Subdivisions shall not be considered National Disputes. National Disputes are limited to the following:
 - (1) the amount of offset and/or credit attributable to Non-Settling States and Tribes;
 - (2) issues involving the scope and definition of "Product";

- (3) interpretation and application of the terms "Covered Conduct" and "Released Entities";
- (4) disputes over a given year's payment or the payment of the Additional Restitution Amount to all Settling States (for the avoidance of doubt, disputes between a Settling State and Janssen over the amounts owed to only that State shall not be considered National Disputes);
- (5) questions regarding the performance and/or removal of the Settlement Fund Administrator:
- (6) disputes involving liability of successor entities;
- (7) disputes that require a determination of sufficient Subdivision and Special District participation to qualify for Incentives A, B, C, or D, as well as disputes over qualification for Participation Tiers;
- (8) disputes that require interpretation of Agreement terms (i) that concretely affect four (4) or more Settling States; and (ii) do not turn on unique definitions and interpretations under State law; and
- (9) any dispute subject to resolution under subsection XII.F.2 but for which all parties to the dispute agree to arbitration before the National Arbitration Panel under the provisions of this subsection XII.F.4.
- b. The "National Arbitration Panel" shall be comprised of three (3) neutral arbitrators. One (1) arbitrator shall be chosen by Janssen, one (1) arbitrator shall be chosen by the Enforcement Committee with due input from Participating Subdivisions, and the third arbitrator shall be agreed upon by the first two (2) arbitrators. The membership of the National Arbitration Panel is intended to remain constant throughout the term of this Agreement, but in the event that replacements are required, the retiring arbitrator shall be replaced by the party that selected him/her.
 - (1) The National Arbitration Panel shall make reasonable best efforts to decide all matters within one hundred eighty (180) days of filing, and in no event shall it take longer than one (1) year.
 - (2) The National Arbitration Panel shall conduct all proceedings in a reasonably streamlined process consistent with an opportunity for the parties to be heard. Issues shall be resolved without the need for live witnesses where feasible, and with a presumption in favor of remote participation to minimize the burdens on the parties.
 - (3) To the extent allowed under state law, a Settling State, Participating Subdivision, and (at any party's request) the National

- Arbitration Panel may certify to an appropriate state court any question of state law. The National Arbitration Panel shall be bound by a final state court determination of such a certified question. The time period for the arbitration shall be tolled during the course of the certification process.
- (4) The arbitrators will give due deference to any authoritative interpretation of state law, including any declaratory judgment or similar relief obtained by a Settling State, Participating Subdivision, or Janssen on a state law issue.
- (5) The decisions of the National Arbitration Panel shall be binding on Settling States, Participating Subdivisions, Janssen, and the Settlement Fund Administrator. In any proceeding before the National Arbitration Panel involving a dispute between a Settling State and Janssen whose resolution could prejudice the rights of a Participating Subdivision(s) or Participating Special District(s) in that Settling State, such Participating Subdivision(s) or Participating Special District(s) shall be allowed to file a statement of view in the proceeding.
- c. Nothing herein shall be construed so as to limit or otherwise restrict a State from seeking injunctive or other equitable relief in state court to protect the health, safety, or welfare of its citizens.
- d. Each party shall bear its own costs in any arbitration or court proceeding arising under this subsection XII.F. The costs for the arbitrators on the National Arbitration Panel shall be divided and paid equally by the disputing sides for each individual dispute, *e.g.*, a dispute between Janssen and Setting States/Participating Subdivisions shall be split 50% by Janssen and 50% by the Settling States/Participating Subdivisions that are parties to the dispute; a dispute between a Settling State and a Participating Subdivision shall be split 50% by the Settling State and 50% by any Participating Subdivisions that are party to the dispute.
- 5. Prior to initiating an action to enforce pursuant to this subsection XII.F, the complaining party must:
 - a. Provide written notice to the Enforcement Committee of its complaint, including the provision of the Consent Judgment and/or Agreement that the practice appears to violate, as well as the basis for its interpretation of the disputed provision. The Enforcement Committee shall establish a reasonable process and timeline for obtaining additional information from the involved parties; *provided, however*, that the date the Enforcement Committee establishes for obtaining additional information from the parties shall not be more than forty-five (45) days following the notice.

- The Enforcement Committee may advise the involved parties of its views on the complaint and/or seek to resolve the complaint informally.
- b. Wait to commence any enforcement action until thirty (30) days after the date that the Enforcement Committee establishes for obtaining additional information from the involved parties.
- 6. If the parties to a dispute cannot agree on the proper forum for resolution of the dispute under the provisions of subsections XII.F.2 or XII.F.4, a committee comprising the Enforcement Committee and sufficient representatives of Janssen such that the members of the Enforcement Committee have a majority of one (1) member will determine the forum where the dispute will be initiated within twenty-eight (28) days of receiving notification of the dispute relating to the proper forum. The forum identified by such committee shall be the sole forum for determining where the dispute shall be heard, and the committee's identification of such forum shall not be entitled to deference by the forum selected.
- G. No Effect. Nothing in this Agreement shall be interpreted to limit the Settling State's Civil Investigative Demand ("CID") or investigative subpoena authority, to the extent such authority exists under applicable state law and the CID or investigative subpoena is issued pursuant to such authority, and Janssen reserves all of its rights in connection with a CID or investigative subpoena issued pursuant to such authority.

XIII. <u>Miscellaneous</u>

- A. *No Admission*. Janssen does not admit liability or wrongdoing. Neither this Agreement nor the Consent Judgments shall be considered, construed, or represented to be (1) an admission, concession, or evidence of liability or wrongdoing or (2) a waiver or any limitation of any defense otherwise available to Janssen.
- B. *Population of Subdivisions*. The population figures for Subdivisions shall be the published U.S. Census Bureau's population estimates for July 1, 2019, released May 2020. These population figures shall remain unchanged during the term of this Agreement.
- C. Population of Special Districts. For any purpose in this Agreement in which the population of a Special District is used, other than the use of "Covered Special District": (a) School Districts' population will be measured by the number of students enrolled who are eligible under the Individuals with Disabilities Education Act ("IDEA") or Section 504 of the Rehabilitation Act of 1973; (b) Health Districts' and Hospital Districts' population will be measured at 25% of discharges; and (c) all other Special Districts' (including Fire Districts' and Library Districts') population will be measured at 10% of the population served.
- D. *Population Associated with Sheriffs*. For any purpose in this Agreement in which the population associated with a lawsuit by a sheriff is used, the population will be measured at 20% of the capacity of the jail(s) operated by the sheriff.

- E. Tax Reporting and Cooperation.
 - 1. Upon request by Janssen, the Settling States, Participating Subdivisions, and Participating Special Districts agree to perform such further acts and to execute and deliver such further documents as may be reasonably necessary for Janssen to establish the statements set forth in subsection VI.E.3 to the satisfaction of their tax advisors, their independent financial auditors, the Internal Revenue Service, or any other governmental authority, including as contemplated by Treasury Regulations Section 1.162-21(b)(3)(ii) and any subsequently proposed or finalized relevant regulations or administrative guidance.
 - 2. Without limiting the generality of subsection VI.C.1, each Settling State, Participating Subdivision, and Participating Special District shall cooperate in good faith with Janssen with respect to any tax claim, dispute, investigation, audit, examination, contest, litigation, or other proceeding relating to this Agreement.
 - 3. The Designated State, on behalf of all Settling States, Participating Subdivisions, and Participating Special Districts, shall designate one of its officers or employees to act as the "appropriate official" within the meaning of Treasury Regulations Section 1.6050X-1(f)(1)(ii)(B) (the "Appropriate Official").
 - 4. For the avoidance of doubt, neither Janssen nor the Settling States, Participating Subdivisions, and Participating Special Districts make any warranty or representation to any Settling jurisdiction or Releasor as to the tax consequences of the payment of the Compensatory Restitution Amount (or any portion thereof).
- F. *No Third-Party Beneficiaries*. Except as expressly provided in this Agreement, no portion of this Agreement shall provide any rights to, or be enforceable by, any person or entity that is not a Settling State or Released Entity. No Settling State may assign or otherwise convey any right to enforce any provision of this Agreement.
- G. *Calculation*. Any figure or percentage referred to in this Agreement shall be carried to seven decimal places.
- H. Construction. None of the Parties and no Participating Subdivision shall be considered to be the drafter of this Agreement or of any of its provisions for the purpose of any statute, case law, or rule of interpretation or construction that would or might cause any provision to be construed against the drafter of this Agreement. The headings of the provisions of this Agreement are not binding and are for reference only and do not limit, expand, or otherwise affect the contents or meaning of this Agreement.
- I. Cooperation. Each Party and each Participating Subdivision agrees to use its best efforts and to cooperate with the other Parties and Participating Subdivisions to cause this Agreement and the Consent Judgments to become effective, to obtain all necessary approvals, consents and authorizations, if any, and to execute all documents and to take such other action as may be appropriate in connection herewith. Consistent with the foregoing, each Party and each Participating Subdivision agrees that it will not directly or indirectly assist or encourage any challenge to this Agreement or any Consent Judgment

- by any other person, and will support the integrity and enforcement of the terms of this Agreement and the Consent Judgments.
- J. Entire Agreement. This Agreement, its exhibits and any other attachments, including the attorneys' fees and cost agreement in Exhibit R, embodies the entire agreement and understanding between and among the Parties and Participating Subdivisions relating to the subject matter hereof and supersedes (1) all prior agreements and understandings relating to such subject matter, whether written or oral and (2) all purportedly contemporaneous oral agreements and understandings relating to such subject matter.
- K. *Execution*. This Agreement may be executed in counterparts and by different signatories on separate counterparts, each of which shall be deemed an original, but all of which shall together be one and the same Agreement. One or more counterparts of this Agreement may be delivered by facsimile or electronic transmission with the intent that it or they shall constitute an original counterpart hereof. One or more counterparts of this Agreement may be signed by electronic signature.
- L. Good Faith and Voluntary Entry. Each Party warrants and represents that it negotiated the terms of this Agreement in good faith. Each of the Parties and signatories to this Agreement warrants and represents that it freely and voluntarily entered into this Agreement without any degree of duress or compulsion. The Parties state that no promise of any kind or nature whatsoever (other than the written terms of this Agreement) was made to them to induce them to enter into this Agreement.
- M. No Prevailing Party. The Parties each agree that they are not the prevailing party in this action, for purposes of any claim for fees, costs, or expenses as prevailing parties arising under common law or under the terms of any statute, because the Parties have reached a good faith settlement. The Parties each further waive any right to challenge or contest the validity of this Agreement on any ground, including, without limitation, that any term is unconstitutional or is preempted by, or in conflict with, any current or future law.
- N. *Non-Admissibility*. The settlement negotiations resulting in this Agreement have been undertaken by the Parties and by certain representatives of the Participating Subdivisions in good faith and for settlement purposes only, and no evidence of negotiations or discussions underlying this Agreement shall be offered or received in evidence in any action or proceeding for any purpose. This Agreement shall not be offered or received in evidence in any action or proceeding for any purpose other than in an action or proceeding arising under or relating to this Agreement.
- O. *Notices*. All notices or other communications under this Agreement shall be in writing (including but not limited to electronic communications) and shall be given to the recipients indicated below:

1. For the Attorney(s) General:

Ashley Moody, Attorney General State of Florida The Capitol, PL-01 Tallahassee, FL 32399

Josh Stein, Attorney General North Carolina Department of Justice Attn: Daniel Mosteller PO Box 629 Raleigh, NC 27602 Dmosteller@ncdoj.gov

2. For the Plaintiffs' Executive Committee:

Paul F. Farrell Farrell Law P.O. Box 1180 Huntington, WV 25714-1180

Jayne Conroy Simmons Hanly Conroy LLC 112 Madison Avenue, 7th Floor New York, NY 10016-7416 JConroy@simmonsfirm.com

Joseph F. Rice Motley Rice LLC 28 Bridgeside Blvd. Mount Pleasant, SC 29464 jrice@motleyrice.com

Peter Mougey Levin Papantonio Rafferty 316 South Baylen St. Pensacola, FL 32502 pmougey@levinlaw.com

Paul J. Geller Robbins Geller Rudman & Dowd LLP 120 East Palmetto Park Road Boca Raton, FL 33432 PGeller@rgrdlaw.com

3. For Janssen:

Charles C. Lifland O'Melveny & Myers LLP 400 South Hope Street, 18th Floor Los Angeles, CA 90071

Phone: (213) 430-6000 clifland@omm.com

Daniel R. Suvor O'Melveny & Myers LLP 400 South Hope Street, 18th Floor Los Angeles, CA 90071

Phone: (213) 430-6000 dsuvor@omm.com

Any Party or the Plaintiffs' Executive Committee may change or add the contact information of the persons designated to receive notice on its behalf by notice given (effective upon the giving of such notice) as provided in this subsection.

- P. *No Waiver*. The waiver of any rights conferred hereunder shall be effective only if made by written instrument executed by the waiving Party or Parties. The waiver by any Party of any breach of this Agreement shall not be deemed to be or construed as a waiver of any other breach, whether prior, subsequent, or contemporaneous, nor shall such waiver be deemed to be or construed as a waiver by any other Party.
- Q. Preservation of Privilege. Nothing contained in this Agreement or any Consent Judgment, and no act required to be performed pursuant to this Agreement or any Consent Judgment, is intended to constitute, cause, or effect any waiver (in whole or in part) of any attorney-client privilege, work product protection, or common interest/joint defense privilege, and each Party agrees that it shall not make or cause to be made in any forum any assertion to the contrary.
- R. *Successors*. This Agreement shall be binding upon, and inure to the benefit of, Janssen and its respective successors and assigns. Janssen shall not sell the majority of its voting stock or substantially all its assets without obtaining the acquiror's agreement that it will constitute a successor with respect to Janssen's obligations under this Agreement.
- S. *Modification, Amendment, Alteration*. After the Reference Date, any modification, amendment, or alteration of this Agreement by the Parties shall be binding only if evidenced in writing signed by Janssen along with the signatures of at least thirty-seven (37) of those then-serving Attorneys General of the Settling States along with a representation from each Attorney General that either: (1) the advisory committee or similar entity established or recognized by that Settling State (either pursuant to subsection VI.E.2, by a State-Subdivision Agreement, or by statute) voted in favor of the modification, amendment, or alteration of this Agreement including at least one Participating Subdivision-appointed member; or (2) in States without any advisory committee, that 50.1% of the Participating Subdivisions by population expressed approval of the modification, amendment, or alteration of this Agreement in writing.

Provided, however, in the event the modification, amendment, or alteration relates to injunctive relief, interstate allocation between the Settling States, intrastate allocation in a particular Settling State, or fees or costs of Settling States and Participating Subdivisions, then every Settling State and each Participating Subdivision affected by that modification, amendment, or alteration must assent in writing. Provided further that, in the event the modification, amendment, or alteration relates to injunctive relief, then such amendment, modification, or alteration of injunctive relief against Janssen will not be effective unless and until any Consent Judgment is modified by a court of competent jurisdiction, except as otherwise provided by the Injunctive Terms.

T. Termination.

- 1. Unless otherwise agreed to by Janssen and the Settling State in question, this Agreement and all of its terms (except subsection XIII.N and any other non-admissibility provisions, which shall continue in full force and effect) shall be canceled and terminated with respect to the Settling State, and the Agreement and all orders issued by the courts in the Settling State pursuant to the Agreement shall become null and void and of no effect if one or more of the following conditions applies:
 - a. A Consent Judgment approving this Agreement without modification of any of the Agreement's terms has not been entered as to the Settling State by a court of competent jurisdiction on or before one hundred eighty (180) days after the Effective Date; or
 - b. This Agreement or the Consent Judgment as to that Settling State has been disapproved by a court of competent jurisdiction to which it was presented for approval and/or entry (or, in the event of an appeal from or review of a decision of such a court to approve this Agreement and the Consent Judgment, by the court hearing such appeal or conducting such review), and the time to appeal from such disapproval has expired, or, in the event of an appeal from such disapproval, the appeal has been dismissed or the disapproval has been affirmed by the court of last resort to which such appeal has been taken and such dismissal or disapproval has become no longer subject to further appeal (including, without limitation, review by the United States Supreme Court).
- 2. If this Agreement is terminated with respect to a Settling State and its Participating Subdivisions for whatever reason pursuant to subsection XIII.T.1, then:
 - a. An applicable statute of limitation or any similar time requirement (excluding any statute of repose) shall be tolled from the date the Settling State signed this Agreement until the later of the time permitted by applicable law or for one year from the date of such termination, with the effect that Janssen and the Settling State in question shall be in the same

- position with respect to the statute of limitation as they were at the time the Settling State filed its action; and
- b. Janssen and the Settling State and its Participating Subdivisions in question shall jointly move the relevant court of competent jurisdiction for an order reinstating the actions and claims dismissed pursuant to the terms of this Agreement governing dismissal, with the effect that Janssen and the Settling State and its Participating Subdivisions in question shall be in the same position with respect to those actions and claims as they were at the time the action or claim was stayed or dismissed.
- 3. Unless Janssen and the Enforcement Committee agree otherwise, this Agreement, with the exception of the Injunctive Relief Terms that have their own provisions on duration, shall terminate as to all Parties as of the Payment Date for Payment Year 9, *provided* that Janssen has performed its payment obligations under the Agreement as of that date. Notwithstanding any other provision in this Agreement, all releases under this Agreement will remain effective despite any termination under this paragraph.
- U. Governing Law. Except (1) as otherwise provided in the Agreement or (2) as necessary, in the sole judgment of the National Arbitration Panel, to promote uniformity of interpretation for matters within the scope of the National Arbitration Panel's authority, this Agreement shall be governed by and interpreted in accordance with the respective laws of the Settling State, without regard to the conflict of law rules of such Settling State, that is seeking to enforce the Agreement against Janssen or against which Janssen is seeking enforcement. Notwithstanding any other provision in this subsection on governing law, any disputes relating to the Settlement Fund Escrow shall be governed by and interpreted in accordance with the law of the state where the escrow agent has its primary place of business.

EXHIBIT E

List of Opioid Remediation Uses

Schedule A Core Strategies

States and Qualifying Block Grantees shall choose from among the abatement strategies listed in Schedule B. However, priority shall be given to the following core abatement strategies ("Core Strategies").¹

A. NALOXONE OR OTHER FDA-APPROVED DRUG TO REVERSE OPIOID OVERDOSES

- 1. Expand training for first responders, schools, community support groups and families; and
- 2. Increase distribution to individuals who are uninsured or whose insurance does not cover the needed service.

B. MEDICATION-ASSISTED TREATMENT ("MAT") DISTRIBUTION AND OTHER OPIOID-RELATED TREATMENT

- Increase distribution of MAT to individuals who are uninsured or whose insurance does not cover the needed service;
- 2. Provide education to school-based and youth-focused programs that discourage or prevent misuse;
- 3. Provide MAT education and awareness training to healthcare providers, EMTs, law enforcement, and other first responders; and
- 4. Provide treatment and recovery support services such as residential and inpatient treatment, intensive outpatient treatment, outpatient therapy or counseling, and recovery housing that allow or integrate medication and with other support services.

Amended on 12.15.2021 revised July 30.02021

¹ As used in this Schedule A, words like "expand," "fund," "provide" or the like shall not indicate a preference for new or existing programs.

C. PREGNANT & POSTPARTUM WOMEN

- 1. Expand Screening, Brief Intervention, and Referral to Treatment ("SBIRT") services to non-Medicaid eligible or uninsured pregnant women;
- 2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for women with co-occurring Opioid Use Disorder ("OUD") and other Substance Use Disorder ("SUD")/Mental Health disorders for uninsured individuals for up to 12 months postpartum; and
- 3. Provide comprehensive wrap-around services to individuals with OUD, including housing, transportation, job placement/training, and childcare.

D. <u>EXPANDING TREATMENT FOR NEONATAL</u> <u>ABSTINENCE SYNDROME ("NAS")</u>

- 1. Expand comprehensive evidence-based and recovery support for NAS babies;
- 2. Expand services for better continuum of care with infantneed dyad; and
- 3. Expand long-term treatment and services for medical monitoring of NAS babies and their families.

E. <u>EXPANSION OF WARM HAND-OFF PROGRAMS AND RECOVERY SERVICES</u>

- 1. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments;
- 2. Expand warm hand-off services to transition to recovery services;
- 3. Broaden scope of recovery services to include co-occurring SUD or mental health conditions;
- 4. Provide comprehensive wrap-around services to individuals in recovery, including housing, transportation, job placement/training, and childcare; and
- 5. Hire additional social workers or other behavioral health workers to facilitate expansions above.

F. TREATMENT FOR INCARCERATED POPULATION

- 1. Provide evidence-based treatment and recovery support, including MAT for persons with OUD and co-occurring SUD/MH disorders within and transitioning out of the criminal justice system; and
- 2. Increase funding for jails to provide treatment to inmates with OUD.

G. PREVENTION PROGRAMS

- 1. Funding for media campaigns to prevent opioid use (similar to the FDA's "Real Cost" campaign to prevent youth from misusing tobacco);
- 2. Funding for evidence-based prevention programs in schools;
- 3. Funding for medical provider education and outreach regarding best prescribing practices for opioids consistent with the 2016 CDC guidelines, including providers at hospitals (academic detailing);
- 4. Funding for community drug disposal programs; and
- 5. Funding and training for first responders to participate in prearrest diversion programs, post-overdose response teams, or similar strategies that connect at-risk individuals to behavioral health services and supports.

H. EXPANDING SYRINGE SERVICE PROGRAMS

- Provide comprehensive syringe services programs with more wrap-around services, including linkage to OUD treatment, access to sterile syringes and linkage to care and treatment of infectious diseases.
- I. EVIDENCE-BASED DATA COLLECTION AND RESEARCH ANALYZING THE EFFECTIVENESS OF THE ABATEMENT STRATEGIES WITHIN THE STATE

Schedule B Approved Uses

Support treatment of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

PART ONE: TR) E A TN/ENIT	
FART ONE. IN	ALA HVILINI	

A. TREAT OPIOID USE DISORDER (OUD)

Support treatment of Opioid Use Disorder ("*OUD*") and any co-occurring Substance Use Disorder or Mental Health ("*SUD/MH*") conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:²

- 1. Expand availability of treatment for OUD and any co-occurring SUD/MH conditions, including all forms of Medication-Assisted Treatment ("MAT") approved by the U.S. Food and Drug Administration.
- 2. Support and reimburse evidence-based services that adhere to the American Society of Addiction Medicine ("ASAM") continuum of care for OUD and any co-occurring SUD/MH conditions.
- 3. Expand telehealth to increase access to treatment for OUD and any co-occurring SUD/MH conditions, including MAT, as well as counseling, psychiatric support, and other treatment and recovery support services.
- 4. Improve oversight of Opioid Treatment Programs ("*OTPs*") to assure evidence-based or evidence-informed practices such as adequate methadone dosing and low threshold approaches to treatment.
- 5. Support mobile intervention, treatment, and recovery services, offered by qualified professionals and service providers, such as peer recovery coaches, for persons with OUD and any co-occurring SUD/MH conditions and for persons who have experienced an opioid overdose.
- 6. Provide treatment of trauma for individuals with OUD (*e.g.*, violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (*e.g.*, surviving family members after an overdose or overdose fatality), and training of health care personnel to identify and address such trauma.
- 7. Support evidence-based withdrawal management services for people with OUD and any co-occurring mental health conditions.

² As used in this Schedule B, words like "expand," "fund," "provide" or the like shall not indicate a preference for new or existing programs.

- Provide training on MAT for health care providers, first responders, students, or other supporting professionals, such as peer recovery coaches or recovery outreach specialists, including telementoring to assist community-based providers in rural or underserved areas.
- 9. Support workforce development for addiction professionals who work with persons with OUD and any co-occurring SUD/MH conditions.
- 10. Offer fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.
- 11. Offer scholarships and supports for behavioral health practitioners or workers involved in addressing OUD and any co-occurring SUD/MH or mental health conditions, including, but not limited to, training, scholarships, fellowships, loan repayment programs, or other incentives for providers to work in rural or underserved areas.
- 12. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 ("DATA 2000") to prescribe MAT for OUD, and provide technical assistance and professional support to clinicians who have obtained a DATA 2000 waiver.
- 13. Disseminate web-based training curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service—Opioids web-based training curriculum and motivational interviewing.
- 14. Develop and disseminate new curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service for Medication—Assisted Treatment.

B. SUPPORT PEOPLE IN TREATMENT AND RECOVERY

Support people in recovery from OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the programs or strategies that:

- 1. Provide comprehensive wrap-around services to individuals with OUD and any cooccurring SUD/MH conditions, including housing, transportation, education, job placement, job training, or childcare.
- 2. Provide the full continuum of care of treatment and recovery services for OUD and any co-occurring SUD/MH conditions, including supportive housing, peer support services and counseling, community navigators, case management, and connections to community-based services.
- 3. Provide counseling, peer-support, recovery case management and residential treatment with access to medications for those who need it to persons with OUD and any co-occurring SUD/MH conditions.

- 4. Provide access to housing for people with OUD and any co-occurring SUD/MH conditions, including supportive housing, recovery housing, housing assistance programs, training for housing providers, or recovery housing programs that allow or integrate FDA-approved mediation with other support services.
- 5. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD and any co-occurring SUD/MH conditions.
- 6. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD and any co-occurring SUD/MH conditions.
- 7. Provide or support transportation to treatment or recovery programs or services for persons with OUD and any co-occurring SUD/MH conditions.
- 8. Provide employment training or educational services for persons in treatment for or recovery from OUD and any co-occurring SUD/MH conditions.
- 9. Identify successful recovery programs such as physician, pilot, and college recovery programs, and provide support and technical assistance to increase the number and capacity of high-quality programs to help those in recovery.
- 10. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to support the person with OUD in the family.
- 11. Provide training and development of procedures for government staff to appropriately interact and provide social and other services to individuals with or in recovery from OUD, including reducing stigma.
- 12. Support stigma reduction efforts regarding treatment and support for persons with OUD, including reducing the stigma on effective treatment.
- 13. Create or support culturally appropriate services and programs for persons with OUD and any co-occurring SUD/MH conditions, including new Americans.
- 14. Create and/or support recovery high schools.
- 15. Hire or train behavioral health workers to provide or expand any of the services or supports listed above.

C. CONNECT PEOPLE WHO NEED HELP TO THE HELP THEY NEED (CONNECTIONS TO CARE)

Provide connections to care for people who have—or are at risk of developing—OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

- 1. Ensure that health care providers are screening for OUD and other risk factors and know how to appropriately counsel and treat (or refer if necessary) a patient for OUD treatment.
- 2. Fund SBIRT programs to reduce the transition from use to disorders, including SBIRT services to pregnant women who are uninsured or not eligible for Medicaid.
- 3. Provide training and long-term implementation of SBIRT in key systems (health, schools, colleges, criminal justice, and probation), with a focus on youth and young adults when transition from misuse to opioid disorder is common.
- 4. Purchase automated versions of SBIRT and support ongoing costs of the technology.
- 5. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments.
- 6. Provide training for emergency room personnel treating opioid overdose patients on post-discharge planning, including community referrals for MAT, recovery case management or support services.
- 7. Support hospital programs that transition persons with OUD and any co-occurring SUD/MH conditions, or persons who have experienced an opioid overdose, into clinically appropriate follow-up care through a bridge clinic or similar approach.
- 8. Support crisis stabilization centers that serve as an alternative to hospital emergency departments for persons with OUD and any co-occurring SUD/MH conditions or persons that have experienced an opioid overdose.
- 9. Support the work of Emergency Medical Systems, including peer support specialists, to connect individuals to treatment or other appropriate services following an opioid overdose or other opioid-related adverse event.
- 10. Provide funding for peer support specialists or recovery coaches in emergency departments, detox facilities, recovery centers, recovery housing, or similar settings; offer services, supports, or connections to care to persons with OUD and any co-occurring SUD/MH conditions or to persons who have experienced an opioid overdose.
- 11. Expand warm hand-off services to transition to recovery services.
- 12. Create or support school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people.
- 13. Develop and support best practices on addressing OUD in the workplace.
- 14. Support assistance programs for health care providers with OUD.

- 15. Engage non-profits and the faith community as a system to support outreach for treatment.
- 16. Support centralized call centers that provide information and connections to appropriate services and supports for persons with OUD and any co-occurring SUD/MH conditions.

D. ADDRESS THE NEEDS OF CRIMINAL JUSTICE-INVOLVED PERSONS

Address the needs of persons with OUD and any co-occurring SUD/MH conditions who are involved in, are at risk of becoming involved in, or are transitioning out of the criminal justice system through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

- 1. Support pre-arrest or pre-arraignment diversion and deflection strategies for persons with OUD and any co-occurring SUD/MH conditions, including established strategies such as:
 - 1. Self-referral strategies such as the Angel Programs or the Police Assisted Addiction Recovery Initiative ("PAARI");
 - 2. Active outreach strategies such as the Drug Abuse Response Team ("DART") model;
 - 3. "Naloxone Plus" strategies, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services;
 - 4. Officer prevention strategies, such as the Law Enforcement Assisted Diversion ("*LEAD*") model;
 - 5. Officer intervention strategies such as the Leon County, Florida Adult Civil Citation Network or the Chicago Westside Narcotics Diversion to Treatment Initiative; or
 - 6. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater SUD expertise.
- 2. Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions to evidence-informed treatment, including MAT, and related services.
- 3. Support treatment and recovery courts that provide evidence-based options for persons with OUD and any co-occurring SUD/MH conditions.
- 4. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are incarcerated in jail or prison.

- 5. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are leaving jail or prison or have recently left jail or prison, are on probation or parole, are under community corrections supervision, or are in re-entry programs or facilities.
- 6. Support critical time interventions ("CTT"), particularly for individuals living with dual-diagnosis OUD/serious mental illness, and services for individuals who face immediate risks and service needs and risks upon release from correctional settings.
- 7. Provide training on best practices for addressing the needs of criminal justice-involved persons with OUD and any co-occurring SUD/MH conditions to law enforcement, correctional, or judicial personnel or to providers of treatment, recovery, harm reduction, case management, or other services offered in connection with any of the strategies described in this section.

E. ADDRESS THE NEEDS OF PREGNANT OR PARENTING WOMEN AND THEIR FAMILIES, INCLUDING BABIES WITH NEONATAL ABSTINENCE SYNDROME

Address the needs of pregnant or parenting women with OUD and any co-occurring SUD/MH conditions, and the needs of their families, including babies with neonatal abstinence syndrome ("NAS"), through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

- Support evidence-based or evidence-informed treatment, including MAT, recovery
 services and supports, and prevention services for pregnant women—or women who
 could become pregnant—who have OUD and any co-occurring SUD/MH conditions,
 and other measures to educate and provide support to families affected by Neonatal
 Abstinence Syndrome.
- 2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for uninsured women with OUD and any co-occurring SUD/MH conditions for up to 12 months postpartum.
- 3. Provide training for obstetricians or other healthcare personnel who work with pregnant women and their families regarding treatment of OUD and any co-occurring SUD/MH conditions.
- 4. Expand comprehensive evidence-based treatment and recovery support for NAS babies; expand services for better continuum of care with infant-need dyad; and expand long-term treatment and services for medical monitoring of NAS babies and their families.
- 5. Provide training to health care providers who work with pregnant or parenting women on best practices for compliance with federal requirements that children born with NAS get referred to appropriate services and receive a plan of safe care.

- 6. Provide child and family supports for parenting women with OUD and any cooccurring SUD/MH conditions.
- 7. Provide enhanced family support and child care services for parents with OUD and any co-occurring SUD/MH conditions.
- 8. Provide enhanced support for children and family members suffering trauma as a result of addiction in the family; and offer trauma-informed behavioral health treatment for adverse childhood events.
- 9. Offer home-based wrap-around services to persons with OUD and any co-occurring SUD/MH conditions, including, but not limited to, parent skills training.
- 10. Provide support for Children's Services—Fund additional positions and services, including supportive housing and other residential services, relating to children being removed from the home and/or placed in foster care due to custodial opioid use.

F. PREVENT OVER-PRESCRIBING AND ENSURE APPROPRIATE PRESCRIBING AND DISPENSING OF OPIOIDS

Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

- 1. Funding medical provider education and outreach regarding best prescribing practices for opioids consistent with the Guidelines for Prescribing Opioids for Chronic Pain from the U.S. Centers for Disease Control and Prevention, including providers at hospitals (academic detailing).
- 2. Training for health care providers regarding safe and responsible opioid prescribing, dosing, and tapering patients off opioids.
- 3. Continuing Medical Education (CME) on appropriate prescribing of opioids.
- 4. Providing Support for non-opioid pain treatment alternatives, including training providers to offer or refer to multi-modal, evidence-informed treatment of pain.
- 5. Supporting enhancements or improvements to Prescription Drug Monitoring Programs ("*PDMPs*"), including, but not limited to, improvements that:
 - 1. Increase the number of prescribers using PDMPs;
 - 2. Improve point-of-care decision-making by increasing the quantity, quality, or format of data available to prescribers using PDMPs, by improving the interface that prescribers use to access PDMP data, or both; or

- 3. Enable states to use PDMP data in support of surveillance or intervention strategies, including MAT referrals and follow-up for individuals identified within PDMP data as likely to experience OUD in a manner that complies with all relevant privacy and security laws and rules.
- 6. Ensuring PDMPs incorporate available overdose/naloxone deployment data, including the United States Department of Transportation's Emergency Medical Technician overdose database in a manner that complies with all relevant privacy and security laws and rules.
- 7. Increasing electronic prescribing to prevent diversion or forgery.
- 8. Educating dispensers on appropriate opioid dispensing.

G. PREVENT MISUSE OF OPIOIDS

Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

- 1. Funding media campaigns to prevent opioid misuse.
- 2. Corrective advertising or affirmative public education campaigns based on evidence.
- 3. Public education relating to drug disposal.
- 4. Drug take-back disposal or destruction programs.
- 5. Funding community anti-drug coalitions that engage in drug prevention efforts.
- 6. Supporting community coalitions in implementing evidence-informed prevention, such as reduced social access and physical access, stigma reduction—including staffing, educational campaigns, support for people in treatment or recovery, or training of coalitions in evidence-informed implementation, including the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration ("SAMHSA").
- 7. Engaging non-profits and faith-based communities as systems to support prevention.
- 8. Funding evidence-based prevention programs in schools or evidence-informed school and community education programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, and others.
- 9. School-based or youth-focused programs or strategies that have demonstrated effectiveness in preventing drug misuse and seem likely to be effective in preventing the uptake and use of opioids.

- 10. Create or support community-based education or intervention services for families, youth, and adolescents at risk for OUD and any co-occurring SUD/MH conditions.
- 11. Support evidence-informed programs or curricula to address mental health needs of young people who may be at risk of misusing opioids or other drugs, including emotional modulation and resilience skills.
- 12. Support greater access to mental health services and supports for young people, including services and supports provided by school nurses, behavioral health workers or other school staff, to address mental health needs in young people that (when not properly addressed) increase the risk of opioid or another drug misuse.

H. PREVENT OVERDOSE DEATHS AND OTHER HARMS (HARM REDUCTION)

Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

- 1. Increased availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, individuals with OUD and their friends and family members, schools, community navigators and outreach workers, persons being released from jail or prison, or other members of the general public.
- 2. Public health entities providing free naloxone to anyone in the community.
- 3. Training and education regarding naloxone and other drugs that treat overdoses for first responders, overdose patients, patients taking opioids, families, schools, community support groups, and other members of the general public.
- 4. Enabling school nurses and other school staff to respond to opioid overdoses, and provide them with naloxone, training, and support.
- 5. Expanding, improving, or developing data tracking software and applications for overdoses/naloxone revivals.
- 6. Public education relating to emergency responses to overdoses.
- 7. Public education relating to immunity and Good Samaritan laws.
- 8. Educating first responders regarding the existence and operation of immunity and Good Samaritan laws.
- 9. Syringe service programs and other evidence-informed programs to reduce harms associated with intravenous drug use, including supplies, staffing, space, peer support services, referrals to treatment, fentanyl checking, connections to care, and the full range of harm reduction and treatment services provided by these programs.

- 10. Expanding access to testing and treatment for infectious diseases such as HIV and Hepatitis C resulting from intravenous opioid use.
- 11. Supporting mobile units that offer or provide referrals to harm reduction services, treatment, recovery supports, health care, or other appropriate services to persons that use opioids or persons with OUD and any co-occurring SUD/MH conditions.
- 12. Providing training in harm reduction strategies to health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide care to persons who use opioids or persons with OUD and any co-occurring SUD/MH conditions.
- 13. Supporting screening for fentanyl in routine clinical toxicology testing.

PART THREE: OTHER STRATEGIES

I. FIRST RESPONDERS

In addition to items in section C, D and H relating to first responders, support the following:

- 1. Education of law enforcement or other first responders regarding appropriate practices and precautions when dealing with fentanyl or other drugs.
- 2. Provision of wellness and support services for first responders and others who experience secondary trauma associated with opioid-related emergency events.

J. LEADERSHIP, PLANNING AND COORDINATION

Support efforts to provide leadership, planning, coordination, facilitations, training and technical assistance to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

- 1. Statewide, regional, local or community regional planning to identify root causes of addiction and overdose, goals for reducing harms related to the opioid epidemic, and areas and populations with the greatest needs for treatment intervention services, and to support training and technical assistance and other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
- 2. A dashboard to (a) share reports, recommendations, or plans to spend opioid settlement funds; (b) to show how opioid settlement funds have been spent; (c) to report program or strategy outcomes; or (d) to track, share or visualize key opioid- or health-related indicators and supports as identified through collaborative statewide, regional, local or community processes.
- 3. Invest in infrastructure or staffing at government or not-for-profit agencies to support collaborative, cross-system coordination with the purpose of preventing

overprescribing, opioid misuse, or opioid overdoses, treating those with OUD and any co-occurring SUD/MH conditions, supporting them in treatment or recovery, connecting them to care, or implementing other strategies to abate the opioid epidemic described in this opioid abatement strategy list.

4. Provide resources to staff government oversight and management of opioid abatement programs.

K. TRAINING

In addition to the training referred to throughout this document, support training to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, those that:

- 1. Provide funding for staff training or networking programs and services to improve the capability of government, community, and not-for-profit entities to abate the opioid crisis.
- 2. Support infrastructure and staffing for collaborative cross-system coordination to prevent opioid misuse, prevent overdoses, and treat those with OUD and any co-occurring SUD/MH conditions, or implement other strategies to abate the opioid epidemic described in this opioid abatement strategy list (*e.g.*, health care, primary care, pharmacies, PDMPs, etc.).

L. RESEARCH

Support opioid abatement research that may include, but is not limited to, the following:

- 1. Monitoring, surveillance, data collection and evaluation of programs and strategies described in this opioid abatement strategy list.
- 2. Research non-opioid treatment of chronic pain.
- 3. Research on improved service delivery for modalities such as SBIRT that demonstrate promising but mixed results in populations vulnerable to opioid use disorders.
- 4. Research on novel harm reduction and prevention efforts such as the provision of fentanyl test strips.
- 5. Research on innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids.
- 6. Expanded research on swift/certain/fair models to reduce and deter opioid misuse within criminal justice populations that build upon promising approaches used to address other substances (*e.g.*, Hawaii HOPE and Dakota 24/7).

- 7. Epidemiological surveillance of OUD-related behaviors in critical populations, including individuals entering the criminal justice system, including, but not limited to approaches modeled on the Arrestee Drug Abuse Monitoring ("ADAM") system.
- 8. Qualitative and quantitative research regarding public health risks and harm reduction opportunities within illicit drug markets, including surveys of market participants who sell or distribute illicit opioids.
- 9. Geospatial analysis of access barriers to MAT and their association with treatment engagement and treatment outcomes.

EXHIBIT F List of States and Overall Allocation Percentages

Alabama 1.64912912509 Alaska 0.26195964359	%
Alaska 0.26105064250	
American Samoa 0.01746099439	%
Arizona 2.37559498829	%
Arkansas 0.97138567999	%
California 9.92138306989	%
Colorado 1.66162912199	%
Connecticut 1.33999180969	%
Delaware 0.49514988929	%
District of Columbia 0.20782931119	%
Florida 7.02591344099	%
Georgia 2.78820801149	%
Guam 0.05130898529	%
Hawaii 0.34432448159	%
Idaho 0.52978891129	%
Illinois 3.32633637029	%
Indiana 2.21689330599	%
Iowa 0.76114489519	%
Kansas 0.80772594809	%
Kentucky 2.10478909439	%
Louisiana 1.52297867699	%
Maine 0.56510067439	%
Maryland 2.11060904949	%
Massachusetts 2.30357610839	%
Michigan 3.40202349899	%
Minnesota 1.29725977069	%
Mississippi 0.89421570869	%
Missouri 2.00564751709	%
Montana 0.34577586459	%
N. Mariana Islands 0.01881100019	%
Nebraska 0.43139199639	%
Nevada 1.25471555599	%
New Hampshire 0.63115506899	%
New Jersey 2.75513545459	%
New Mexico 0.86235328369	%
New York 5.39038134059	%

North Carolina	3.2502525994%
North Dakota	0.1878951417%
Ohio	4.3567051408%
Oklahoma	0.3053135060%
Oregon	1.4309172888%
Pennsylvania	4.5882419559%
Puerto Rico	0.7295764154%
Rhode Island	0.4942737092%
South Carolina	1.5905629933%
South Dakota	0.2193860923%
Tennessee	2.6881474977%
Texas	6.2932157196%
Utah	1.1945774957%
Vermont	0.2876050633%
Virgin Islands	0.0343504215%
Virginia	2.2801150757%
Washington	2.3189040182%
West Virginia	1.1438786260%
Wisconsin	1.7582560561%
Wyoming	0.1987475390%

EXHIBIT M

Settlement Payment Schedule

Payment #/Year	Suspension Applies to:	Atty Fee, Costs & Additional Restitution Amount	Base	Incentives A, B & C (maximum)	Incentive D (Lookback Payment)	Credit	Total
Payment 1 ED+90 days	None	\$103,244,576	\$282,175,271			\$14,580,153	\$400,000,000
Payment 2 July 2022	None		\$658,320,615				\$658,320,615
Payment 3 July 2023	Bonus	\$93,629,192		\$526,905,161		\$71,145,032	\$691,679,385
Payment 4 July 2024	Bonus	\$93,629,191	\$259,273,971	\$549,768,597		\$47,328,241	\$950,000,000
Payment 5 July 2025	Bonus	\$43,720,414	\$262,463,219	\$634,274,384		\$59,541,983	\$1,000,000,000
Payment 6 July 2026	Bonus	\$43,720,414	\$105,720,216	\$54,325,273		\$12,900,764	\$216,666,667
Payment 7 July 2027	Bonus & lookback	\$43,720,414	\$63,074,061	\$54,325,273	\$42,646,154	\$12,900,765	\$216,666,667
Payment 8 July 2028	Bonus & lookback	\$43,720,414	\$63,074,060	\$54,325,272	\$42,646,154	\$12,900,766	\$216,666,666
Payment 9 July 2029	Bonus & lookback		\$82,748,246	\$78,371,501	\$42,646,154	\$12,900,766	\$216,666,667
Payment 10 July 2030	Base, bonus & lookback		\$82,748,248	\$78,371,500	\$42,646,154	\$12,900,765	\$216,666,667
Payment 11 July 2031	Base, bonus & lookback		\$82,748,248	\$78,371,500	\$42,646,153	\$12,900,765	\$216,666,666
Total		\$465,384,615	\$1,942,346,155	\$2,109,038,461	\$213,230,769	\$270,000,000	\$5,000,000,000

NOTES:

1. Any adjustments to attorneys' fees and costs will be addressed in the separate attorneys' fees and costs agreement.

- 2. The attorneys' fees and costs included in the schedule include the Additional Restitution Amount, which will be paid in lieu of attorneys' fees to Settling States listed on Exhibit N.
- 3. Any offsets under Section V would also be deducted from the base, Incentive B & C maximum, and Incentive D lookback payments and applied proportionately to all payments.
- 4. Accelerated payments for Incentive A would adjust figures for base and Incentive B & C payments.
- 5. The dates of payments shown on the schedule are approximate, and will be determined by subsection V.B.1.



STAFF REPORT

DATE: December 14, 2021

TO: Mayor and City Councilors

FROM: City Staff

SUBJECT: UPDATED on 12/10/2021 - Resolution No. 2021 - 57, "Board, Committee and

Commission Appointments"

STRATEGIC PRIORITY & GOAL:



ENGAGEMENT & INCLUSION

Create a culture of acceptance & mutual respect that acknowledges differences & strives for equity.

OBJECTIVE/S: Grow City's employees and Boards and Commissions to reflect our community

Report in Brief:

This is the consideration of Resolution No. 2021-57, appointing volunteers to City boards, committees, and commissions.

Background:

The City of McMinnville has many boards, committees and commissions that support the City's work on a volunteer basis. The City Council makes annual appointments to these boards, committees, and commissions at their meeting in December of each year to fill those positions that are being vacated by people whose terms have expired or have resigned from their position.

The City solicits applications by advertising the vacancies in October and November in the News Register, social media, and other communication opportunities. The applications are then reviewed, and interviews conducted by the Mayor, Council President, and the board, committee or commission chair, who then make recommendations to the City Council for appointment.

Discussion:

After interviews, the following are the recommendations of the interview panel to the City Council for the committee vacancies.

AFFORDABLE HOUSING COMMITTEE	
(3-year term)	
Beth Caster	Expires December 31, 2022
Katie Curry	Expires December 31, 2024
Steve Iversen	Expires December 31, 2024
Philip Higgins	Expires December 31, 2024
AIRPORT COMMITTEE	
(4 -year term)	
	5 · D · 04 0005
John Stanislaw Jr.	Expires December 31, 2025
LUCTODIO I ANDMADICO COMMITTEE	
HISTORIC LANDMARKS COMMITTEE	
(4-year term)	
Mark Cooley	Expires December 31, 2025
Eve Dewan	Expires December 31, 2025
200 Bottain	Expired bedefinder 01, 2020
LANDSCAPE REVIEW COMMITTEE	
(3-year term)	
Brian Wicks	Expires December 31, 2024
PLANNING COMMISSION	
(4-year term)	
Matthew Deppe, (At-Large)	Expires December 31, 2025

Attachments:

- Affordable Housing Committee Applications (redacted) (Added on 12/10/2021)
- Airport Commission Application (redacted) (Added on 12/10/2021)
- Historic Landmarks Committee Applications (redacted)
- Landscape Review Committee Application (redacted)
- Planning Commission Application (redacted)
- Resolution No. 2021-57

Fiscal Impact:

There is no anticipated fiscal impact to the City of McMinnville with this decision.

Recommendation/Suggested Motion:

"I MOVE TO APPROVE RESOLUTION NO. 2021 – 57 APPOINTING VOLUNTEERS TO THE AFFORDABLE HOUSING COMMITTEE, THE AIRPORT COMMITTEE, THE BUDGET COMMITTEE, THE HISTORIC LANDMARKS COMMITTEE, THE LANDSCAPE REVIEW COMMITTEE, THE MCMINNVILLE URBAN RENEWAL ADVISORY COMMITTEE, AND THE MCMINNVILLE PLANNING COMMISSION."



Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name: Beth Caster	Home Phone:		
Address:	Cell Phone:		
Email:	Work Phone		
Board, Commission or Committee for which y	you are an applicant: NOV 1 5 2021		
☐ Advisory Board ☐ Airport Commission ☐ Board of Appeals ☐ Budget Committee	Planning Department Landscape Review Committee McMinnville Affordable Housing Task Force		
☐ Citizens' Advisory Committee	☐ McMinnville Urban Renewal		
☐ Historic Landmark Committee	Advisory Committee (MURAC)		
	☐ Planning Commission		
How many years have you lived in McMinnville? Educational and occupational background: In that capacity, I have served on numerous committees, adviso in my industry regarding Affordable Housing	ory groups, discussion groups and task forces		
Why are you interested in serving?and would like to be part of the solution.	out the lack of affordable housing in McMinnville		
Date November 14, 2021 Si	igned_Beth		



Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name: Katie Curry	Home Pho		
Address	Cell Phone		
	Work Phor		
Email:	NOV 1 5 2021		
Board, Commission or Committee for whice	h you are an applicant:		
☐ Advisory Board	Planning Departmen		
☐ Airport Commission	☐ Landscape Review Committee		
☐ Board of Appeals	■ McMinnville Affordable Housing		
☐ Budget Committee	Task Force		
☐ Citizens' Advisory Committee	☐ McMinnville Urban RenewalAdvisory Committee (MURAC)☐ Planning Commission		
☐ Historic Landmark Committee			
1			
How many years have you lived in McMinnvi Educational and occupational background: Although I went to school at I infield 30 v	/ears ago, I just recently moved to McMinnville.		
In March I took the job as Executive Direct			
I have worked in non-profit management	and the state of t		
Why are you interested in serving? As I continue interests and support (for my job as well a	tinue to learn more about the community, my		
	it is important to be "in the room" where housing		
issues are discussed and decided. Perso			
stronger community is a more attainable	goal when all citizens have access to		
safe and affordable housing. I hope to bri	ing that voice to this committee.		
Date_11/16/2021	Signed		



Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name: Steve Iversen	Home Phone:	
Address	Cell Phone: Work Phone:	
Essa 3.	Work I florie	
Email:		
Board, Commission or Committee for which	n you are an applicant:	
☐ Advisory Board		
☐ Airport Commission	☐ Landscape Review Committee	
☐ Board of Appeals	■ McMinnville Affordable Housing	
☐ Budget Committee	Task Force	
☐ Citizens' Advisory Committee	☐ McMinnville Urban Renewal	
☐ Historic Landmark Committee	Advisory Committee (MURAC)	
SPALIC Petrating should consider MASS III and it is not reall to be installed in the Constitution of the C	☐ Planning Commission	
How many years have you lived in McMinnvill Educational and occupational background: Pt	le? 10+ hD experimental nuclear physics	
30 years experience as scientist & scientist	ence manager	
	or detection of radiation, optical, chemical signatures	
Why are you interested in serving? I have be	en a member of the committee since May 2021.	
My interest in the issue has grown as I've become better i	informed on past efforts and acquainted with community leaders	
and planning staff, and I wish to continue to work on the topi	ic to help guide progress and develop policies that get implemented	
to the point where we can gauge their effectiveness and	use that information to refine the policies or develop new ones,	
Date November 19, 2021	Signe	



Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

lame: Philip Higgins	Home Phone:		
ddres	Cell Phone		
generative Action C	Work Phone:		
· maile	THE WIND PAIN FROM DELICES		
mail:			
Board, Commission or Committee for which	ch you are an applicant:		
☐ Advisory Board			
☐ Airport Commission	☐ Landscape Review Committee		
☐ Board of Appeals	■ McMinnville Affordable Housing		
☐ Budget Committee	Task Force		
☐ Citizens' Advisory Committee	☐ McMinnville Urban Renewal		
☐ Historic Landmark Committee	Advisory Committee (MURAC)		
	☐ Planning Commission		
low many years have you lived in McMinnv Educational and occupational background:	ille?NA- See Attached		
	00T 2 7 2021		
Why are you interested in serving? See Atta	ached		
4.0			
Date 10/25/2021	Signe		

Educational and Occupational Background:

- Yamhill Carlton H.S. Class of 1986
- Bachelor of Arts George Fox College, Writing/Literature, Philosophy Minor
- Commercial Real Estate Broker, Licensed in Oregon & Washington. 25 Years of Experience
- Pacific Crest Real Estate Advisors, Broker/Owner since 2013

Committees / Volunteer Work

- Chehalem Valley Chamber of Commerce, Executive Committee (Secretary) Board of Directors
- Yamhill Downtown Association (YDA) Board of Directors
- Newberg Economic Development Strategy (NEDS)
- Newberg Ad Hoc Economic Opportunities Analysis Committee (Industrial & Commercial Lands UGB Expansion)
- Yamhill County Tourism Partnership (Closed / Disbanded)

Why are you interested in Serving?

Affordable Housing (and the profound lack thereof) is something that touches the communities throughout Yamhill County in significant ways. Lack of Affordable and Workforce housing are hinderances to the bulk of our economic development initiatives, and broadly impacts quality of life for our local residences.

As a community. we pay multiple indirect penalties by the increase in crisis funding of other intervention services (police, mental health, etc.) due to our inability to deliver housing across all demographic sectors – yet "we" (the public and municipalities) are often stymied as to the root (yet interconnected) causes of the scarcity of Affordable Housing.

The opportunity to provide any small part in our collective quest to untangle this mess (80 years in the making), create & guide policy towards a resolution, and to positively impact McMinnville, Yamhill County, and potentially Oregon, would be an honor for me, and I would be humbled by being included.

(Page 2 Below)

Thank You in advance for considering me for this position.

I've been a lifelong Yamhill County resident; I grew up in Yamhill on a small family farm, graduating from Yamhill Carlton Union High School (Class of '86), and then moved to Newberg to attend George Fox College (now of course, University), graduating with a Bachelor of Arts in Writing/Literature, and a Philosophy minor.

The abridged biography; Like so many of my Yamhill County generation, I spent my summers (and then some) working in local agriculture jobs (moving irrigation lines, working on hay crew, feeding dairy cows). Upon graduating from College, I entered the Oregon Wine Industry (then an emerging Agriculture sector). After 5 years in the wine industry, I started/operated a restaurant in Newberg. In my late 20's I began my career in Real Estate.

Fast forward to today; I've been a Licensed Real Estate Broker for well over two decades and have worked throughout the Pacific Northwest (both Oregon & Washington).

While my wife Katrina and I have a long personal connection with Yamhill County – she is 3rd generation, and we're actively raising our family here – We have also made a significant commitment to Newberg and Yamhill County for our professional lives, opening our "storefront" Brokerage office in Newberg and focusing the majority of our Brokerage and Economic Development efforts on Yamhill County.

I'm very interested in the type of work this committee does (some may say "wonkishly so"), and I'm passionate about making (and keeping!) Yamhill County the best it can be.

Again, thank you for your consideration (and time spent reading this submission!) and I would be delighted to serve.

Sincerely,

Philip E Higgins





Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name: John Stanislaw Jr.	Home Phone: Same as Cell	
Address:	Cell Phone:	
	Work Phone: Same as Cell	
Email:		
Board, Commission or Committee for which	n you are an applicant:	
☐ Advisory Board		
Airport Commission	☐ Landscape Review Committee	
☐ Board of Appeals	☐ McMinnville Affordable Housing	
☐ Budget Committee	Task Force	
☐ Citizens' Advisory Committee	☐ McMinnville Urban Renewal	
☐ Historic Landmark Committee	Advisory Committee (MURAC)	
	☐ Planning Commission	
How many years have you lived in McMinnvill Educational and occupational background: 30	+ years experiance as a Firefighter/Paramedic that includes	
certifacation as an Aircraft Rescue Firefighter. My wife Jennife	24-X Nº 100 Nº 100 - 100 196 10	
provide safety products & services to the regional	aviation community. We have operated an office and	
sales showroom at the McMinnville Airport since July of	2020. My leadership and management experience includes	
serving as a lieutenant & Training Officer for the Sheridan Fire	District, and training at the National Fire Academy in Maryland.	
Why are you interested in serving? Jennifer & I h	nave lived Yamhill County since 2004. We love the area and	
	irport is an important gateway to the city and county that	
welcomes a significant number of professionals and exe	ecutives from multiple industries each year. The McMinnville	
Municipal Airport is critical to our local wine industry and other	companies throughout the region. As a Board Member, I will work	
collaboratively with the City, Airport tennants & users, lo	ocal industry, and area residents to ensure that our airport is	
operated in a safe & efficient manner. For these reasons I ask	for your consideration in an appointment to this position.	
Date October 10, 2021	Signed	



Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name: Eve Dewan	Home Phone:		
Address:	Cell Phone: same		
Email:	Work Phone: same RECEIVED OCT 25 2021		
Board, Commission or Committee for which you Advisory Board Airport Commission			
☐ Board of Appeals ☐ Budget Committee	☐ McMinnville Affordable Housing Task Force		
☐ Citizens' Advisory Committee ☐ Historic Landmark Committee	☐ McMinnville Urban RenewalAdvisory Committee (MURAC)☐ Planning Commission		
Ward in which you reside (if applicable): W	ard 1		
How many years have you lived in McMinnville?_			
Educational and occupational background: I rece	eived a B.A. in Classical Studies and Art History (2009)		
a Master's in Anthropology (2016), and a PhD in	Anthropology (2020). I currently work as an		
Archaeologist/ Principal Investigator for a small of	company in the field of Cultural Resources Management.		
I do a lot of work helping different parties comply	with various tribal, state, and federal rules and regulations,		
such as the National Historic Preservation Act, w	hich overlap's with this Committee's charge.		
Why are you interested in serving? I've loved living more of an active role in helping the city thrive.	ng in McMinnville and would be honored to have would like to learn more about the field of historic		
preservation, am eager to get to know more of m	y neighbors, and think I would bring a unique		
perspective as someone relatively new to the are	ea and professionally involved with some aspects		
of cultural heritage and protection.			
Date October 25, 2021 Sign	ned		



Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name: Mark Cooley	Home Phon
Addres	Cell Phone
- makeader is	Work Phon
Email:	5X
Board, Commission or Committee for which you are	e an applicant:
☐ Advisory Board	
☐ Airport Commission	☐ Landscape Review Committee
☐ Board of Appeals	☐ McMinnville Affordable Housing
☐ Budget Committee	Task Force
☐ Citizens' Advisory Committee	☐ McMinnville Urban Renewal
Historic Landmark Committee	Advisory Committee (MURAC)
	☐ Planning Commission
Ward in which you reside (if applicable):	
How many years have you lived in McMinnville?	
Educational and occupational background: 513	years and currently
a residential remodeling co	
Yom Will County. Twenty years pre	
Supply in Washington State.	
Why are you interested in serving? To conti	nue the committeers
important work educating an	d promoting historic preservation
in McMinville. And in particula	
feasible begin to pursue inclusion	n of historic resource
property owners and the public	in General.
Date 12/9/2021 Signed	
property owners and the public Date 12/9/2021 Signed	in General.



Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name: Dhan D. Wicks	Home Phone:
Address:	Cell Phone:
	Work Phone:
Email:	IN FREINFI
	U) (2000 - 200)
Board, Commission or Committee for which	ch you are an applicant: NOV - 9 2021
☐ Advisory Board	2021
☐ Airport Commission	ALandscape Review Committee Parartin er
☐ Board of Appeals	☐ McMinnville Affordable Housing
☐ Budget Committee	Task Force
☐ Citizens' Advisory Committee	☐ McMinnville Urban Renewal
☐ Historic Landmark Committee	Advisory Committee (MURAC)
2 Thotorio Editarian Committee	☐ Planning Commission
High School. I began u	1992 graduate of Maninnille Working for Caxadia Landsoaping
in 1996. I purchased -	the company is acres and
antique to work with	this respected local landsap
company today.	
	s particular board interests
me for a variety of	reasons. The long lasting
The state of the s	the decisions being made
	effects on this town for
decades, my expener	e for the last 20 years
could prove to be a	caluableasset
Date 11-5-2021	Signed
	oignou





Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name: Matthew Deppe	Home Phone:
Address:	Cell Phone:
Email:	Work Phone:
Board, Commission or Committee for which Advisory Board Airport Commission Board of Appeals Budget Committee Citizens' Advisory Committee Historic Landmark Committee	you are an applicant: Landscape Review Committee McMinnville Affordable Housing Task Force McMinnville Urban Renewal Advisory Committee (MURAC) Planning Commission
Ward in which you reside (if applicable): How many years have you lived in McMinnville Educational and occupational background: McMinnville	e? 13 cMinnville Habitat for Humanity Board - 6 years,
	McMinnvillle Water and Light - 13 years, half in
Energy Efficiency and half in Engineering;	BA in Philosophy and Psychology;
interaction I have had with City employees	of McMinnvillle is favorite non-profit and every has shown me people trying to do what is best
for our town and the greater good. I want t	to learn more about how it works and how I can
	that government is wasteful and I want to know
more about the nuance that goes into eve	
Date_10/19/2021	Signed

RESOLUTION NO. 2021 - 57

A Resolution appointing and re-appointing members to the City's various Boards, Committees, and Commissions.

RECITALS:

WHEREAS, the City of McMinnville has several Boards, Committees, Commissions, and Task Forces made up of volunteers; and

WHEREAS, the City Council is responsible for making appointments and reappointments.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMINNVILLE, OREGON as follows:

1. The City Council appoints the following volunteers to the various Boards, Commissions, and Committees as detailed below.

AFFORDABLE HOUSING COMMITTEE	
(3-year term)	
Beth Caster	Expires December 31, 2022
Katie Curry	Expires December 31, 2024
Steve Iversen	Expires December 31, 2024
Philip Higgins	Expires December 31, 2024
AIRPORT COMMITTEE	
(4 -year term)	
John Stanislaw Jr.	Expires December 31, 2025
HISTORIC LANDMARKS COMMITTEE	
(4-year term)	
Mark Cooley	Eypiros Dogombor 21, 2025
Mark Cooley Eve Dewan	Expires December 31, 2025
Eve Dewan	Expires December 31, 2025
LANDSCAPE REVIEW COMMITTEE	
(3-year term)	
(o year term)	
Brian Wicks	Expires December 31, 2024
PLANNING COMMISSION	
(4-year term)	
Matthew Deppe, (At-Large)	Expires December 31, 2025

Resolution No. 2021-57

Effective Date: December 14, 2021

Page 1 of 2

2. This Resolution and these appointments will take effect January 1st, 2022.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 14th day of December 2021 by the following votes:

Ayes:		
Nays:		
Approved this 14 th day of Dece	mber 2021.	
Approved as to form:	Attest:	
	 City Recorder	

Resolution No. 2021-57 Effective Date: December 14, 2021

Page 2 of 2



STAFF REPORT

DATE: November 15, 2021

TO: Mayor and City Councilors

FROM: Jennifer Cuellar, Finance Director

SUBJECT: Resolution 2021-59: Appointments for vacant positions on the City's Budget

Committee

Strategic Priority and Goal:



CITY GOVERNMENT CAPACITY

Strengthen the City's ability to prioritize & deliver municipal services with discipline and focus.

Background:

ORS 294.414(1) requires a local government to establish a budget committee for purposes of acting as the local government's fiscal planning advisory committee. The committee is comprised of the elected members of the governing body and an equal number of electors of the municipal corporation (i.e., qualified voters). The governing body appoints electors to the budget committee for three-year terms.

There are currently two vacancies on the City's Budget Committee. The vacancies were advertised in the News Register and on the City website. We received eleven applications for the vacant positions, one later withdrew her candidacy.

Ten interviews were scheduled with all applicants – Tynan Pierce, Lisa Pool, Matthew Deppe, Cherry Haas, Lu Ann Anderson, Samuel Bear, Victoria Ernst, Rosalie Ayers-Etherington, Jerry Hart and James Goings. Interviews took place on Friday November 12, 2021 in person and on zoom with members of the Audit Committee (Mayor Hill and Councilor Menke).

Mayor Hill and Councilor Menke recommend the new appointment of Victoria Ernst and appointment renewal for Jerry Hart to three-year terms.

Recommendation:

The Audit Committee recommends that City Council appoint the candidates noted above and approve Resolution No. 2021-59 on the consent agenda.

Attachments:

- 1. Interview Schedule
- 2. Committee Applications (redacted)
- 3. Resolution No. 2021-59

City of McMinnville Budget Committee Interview Schedule Kent Taylor Civic Hall

Friday, November 12, 2021

Zoom 9:00 – 9:20 a.m.: Tynan Pierce – Ward 3 Moved to 2:30 zoom interview

9:30 - 9:50 a.m.: Lisa Pool - Ward 2

10:00 – 10:20 a.m.: Matthew Deppe – Ward 3

10:30 – 10:50 a.m.: Cherry Haas – Ward 2

11:00 – 11:20 a.m.: Lu Ann Anderson – Ward 2

11:30 – 11:50 a.m.: Samuel Bear – Ward 1

11:50 – 12:50 p.m.: **LUNCH**

1:00 – 1:20 p.m.: Victoria Ernst – Ward3

1:30 – 1:50 p.m.: Rosalie Ayers – Etherington – Ward 1

Zoom 2:00 – 2:20 p.m.: Jerry Hart – Ward 2

2:30 – 2:50 p.m.: **OPEN**

3:00 – 3:20 p.m.: James Goings – Ward 2 Conducted over speakerphone

3:30 – 3:50 p.m.: **DELIBERATIONS**



Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Name: Jerry B. Hart	Home Phone:
Address:_	
Email: _	
Board, Commission or Committee for which	n you are an applicant:
Advisory Board	NAME OF A CONTROL OF THE OWNER
☐ Airport Commission	☐ Landscape Review Committee
☐ Board of Appeals	☐ McMinnville Affordable Housing
☑ Budget Committee	Task Force
☐ Citizens' Advisory Committee	☐ McMinnville Urban Renewal
☐ Historic Landmark Committee	Advisory Committee (MURAC)
	☐ Planning Commission
Ward in which you reside (if applicable):	·
How many years have you lived in McMinnvil	1e? 39 years - not counting 1954-72
Educational and occupational background:/	Mac (5. 1972; Und 0 1976
	owns and offer public bodies.
Why are you interested in serving? I've	been on the for committee
for a long time; be	one fully that experience
can provide assista	
Process	100 / 00 / 00 / 01
	11 2 11
d = 1 300 i	
Date_ 8-3/-202/	Signed



Thank you for your interest in serving your community. The information on this form will help the Mayor and City Council learn about the background of persons interested in serving on a particular board or commission.

Home Phone	lame: Victoria Ernst
Cell Phone:	ddress:
Work Phone:	mail:
are an applicant:	Board, Commission or Committee for which yo
	☐ Advisory Board
☐ Landscape Review Committee	☐ Airport Commission
☐ McMinnville Affordable Housing	☐ Board of Appeals
Task Force	■ Budget Committee
☐ McMinnville Urban Renewal	☐ Citizens' Advisory Committee
_ Advisory Committee (MURAC)	☐ Historic Landmark Committee
☐ Planning Commission	
er and Law Professor (J.D. and M.A. from	low many years have you lived in McMinnville? ducational and occupational background: Lawy American University and B.S. in Business from
PART CONTRACTOR AND ADMINISTRATION OF CONTRACTOR OF CONTRA	United Nations International Law Commission (remotely
	Before law school, I worked at Arbor Grove Nursery
nd strategy at Arbor Grove Nursery.	and later worked in planning, budgeting,
mhill County (grew up in Newberg) and	Why are you interested in serving? I am from Y
	chose to make McMinnville my home. I am pass
committee, I want to help ensure that the City is	eing involved locally. As a member of the Budget
nat will benefit the residents of McMinnville and	prioritizing responsible, fair, and equitable projects
joy this community as well.	ensure that future residents are able to e
ed.	nate 10/22/21 Siz
ed_	pate 10/22/21 Sig

RESOLUTION NO. 2021-59

A Resolution appointing Jerry Hart and Victoria Ernst as representatives of the City of McMinnville Budget Committee.

RECITALS:

WHEREAS, ORS 294.414(1) requires a local government to establish a budget committee for purposes of acting as the local government's fiscal planning advisory committee.

WHEREAS, the Budget Committee is comprised of the elected governing body and an equal number of volunteer electors who are appointed by the governing body for three year terms.

WHEREAS, there are currently two vacancies on the City of McMinnville Budget Committee. Ten candidates applied for the vacant positions.

WHEREAS, the City has advertised the vacancies in the local newspaper and posted the advertisement on the City's website.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMINNVILLE, as follows:

1. The City Council appoints the following volunteers to the Budget Committee:

BUDGET COMMITTEE (3-year term)

Jerry Hart

Victoria Ernst

2. This Resolution and these appointments will take effect immediately.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 14th day of December, 2021 by the following votes:

Ayes:		
Nays:		
Approved this 14 th day of DecemI	ber, 2021.	
MAYOR		
Approved as to form:	Attest:	
City Attorney	City Recorder	

Resolution No. 2021-59 Effective Date: December 14, 2021

Page 1 of 1



City of McMinnville City Attorney's Office

230 NE Second Street McMinnville, OR 97128 (503) 434-7303

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: November 22, 2021

TO: Jeff Towery, City Manager

FROM: Amanda Guile-Hinman, City Attorney

SUBJECT: Resolution No. 2021-60, A Resolution Approving a First Amendment to

Personal Services Contract with Erskine Law Practice, LLC to Provide City

Prosecutorial Services



OBJECTIVE/S: Identify and focus on the City's core services

Report in Brief:

Resolution No. 2021-60 will authorize the continuation of City Prosecutor services with Erskine Law Practice LLC for the remainder of fiscal year 2021-22.

Background and Discussion:

Beginning in FY17-18, City Prosecutor services were provided by an in-house Deputy City Attorney. When the prior incumbent resigned to take another position in the spring of 2019, the City filled the service need through a contract with Erskine Law Practice LLC.

On December 8, 2020, the City Council passed Resolution 2020-69, which approved a new contract with Erskine Law Practice LLC to provide city prosecutor services through December 31, 2021.

Sam and Shannon Erskine have been providing prosecutorial services for the City on a contract basis since May 2019. They began their legal careers as judicial clerks in the Multnomah County Circuit Court. In addition, Shannon worked for the Multnomah County District Attorney's Office and both have provided services to the St. Helens Municipal Court. They have since formed Erskine Law Practice which provides cities with full scale prosecutorial services.

Staff recommends extending the current contract through the end of the fiscal year at the same monthly cost of \$8,654.70 because Erskine Law Practice LLC is currently meeting the needs and expectations of the City pursuant to the agreement and retaining the current City Prosecutor will provide stability and consistency within the municipal court. Since the cost of the contract amendment exceeds 25% of the original contract amount, Council approval is necessary.

Attachments:

Resolution No. 2021-60

Exhibit 1 to Resolution – First Amendment to Personal Services Contract

Fiscal Impact:

The cost of the contracted services from January 1, 2022 through June 30, 2022 is a total of \$51,928.20. While the current line item within the budget for City Prosecutor Services is not sufficient to cover this entire cost (the line item has \$30,000 budgeted for the remaining 6 months of the fiscal year), the Administration Department budget has sufficient funds to pay the additional cost for this contract extension (or staff will be bringing forward a proposed supplemental budget to cover the additional cost).

Recommendation:

Approve the Consent Agenda.

RESOLUTION NO. 2021 – 60

A Resolution of the City of McMinnville Approving the First Amendment to Personal Services Contract with Erskine Law Practice LLC to Provide City Prosecutorial Services.

RECITALS:

WHEREAS, on December 8, 2020, the City passed Resolution 2020-69, approving a Personal Services Contract ("Contract") between the City and Erskine Law Practice LLC ("Contractor") to provide City Prosecutor services for the 2021 calendar year; and

WHEREAS, the City desires to continue to contract with Contractor to provide City Prosecutor services through the end of the fiscal year (June 30, 2022); and

WHEREAS, the Contract, if extended, will not increase the monthly fee of \$8,654.70 currently paid to Contractor.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMINNVILLE, OREGON as follows:

- 1. The City of McMinnville incorporates the above-stated findings as if fully set forth herein.
- 2. The City of McMinnville approves a First Amendment to Personal Services Contract with Erskine Law Practice LLC to provide City prosecutorial services for through June 30, 2022, which First Amendment is substantially similar to Exhibit 1 attached hereto.
- 3. This Resolution takes effect immediately upon passage.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 14th day of December 2021 by the following votes:

Ayes:	
Nays:	
Approved this <u>14th</u> day of December 202	1.
MAYOR	-
Approved as to form:	Attest:
City Attorney	City Recorder

EXHIBITS:

1. First Amendment to Personal Services Contract with Erskine Law Practice, LLC

Resolution No. 2021-60 Effective Date: December 14, 2021 Page 1 of 1

CITY OF McMINNVILLE FIRST AMENDMENT TO PERSONAL SERVICES CONTRACT

City Prosecutorial Services

This First Amendment to Personal Services Contract ("First Amendment") is effective the	_ day of
2021 ("Effective Date"), by and between the City of McMinnville, a m	unicipal
corporation of the State of Oregon ("City"), and Erskine Law Practice LLC, an Oregon do	omestic
limited liability company ("Contractor"), upon the terms and conditions set forth below.	

RECITALS

WHEREAS, the City entered into a Personal Services Contract ("Contract") with Contractor on December 9, 2020 relating to City Prosecutorial Services; and

WHEREAS, Contractor represents that Contractor is qualified to perform the Services described herein on the basis of specialized experience and technical expertise; and

WHEREAS, Contractor is prepared to provide such Services as the City does hereinafter require;

NOW, THEREFORE, in consideration of these mutual promises and the terms and conditions set forth herein, the parties agree as follows:

AGREEMENT

The Contract is amended as follows:

Section 1. Term

The term of the Contract is hereby extended through June 30, 2022.

Section 2. Compensation

The City will continue to pay the monthly fee of Eight Thousand Six Hundred Fifty-Four and 70/100 dollars (\$8,654.70) as stated in Paragraph 3(a) of the Personal Services Contract for such services.

Section 3. All Other Terms

All of the other terms and conditions of the Contract shall remain in full force and effect, as therein written. Unless otherwise defined herein, the defined terms of the Contract shall apply to this First Amendment.

[Reminder of Page Intentionally Left Blank]

The Contractor and the City hereby agree to all provisions of this First Amendment.

CONTRACTOR:	CITY:
ERSKINE LAW PRACTICE LLC	CITY OF McMINNVILLE
By:	By:
Print Name:	Print Name:
As Its:	As Its:
Employer I.D. No.	
	APPROVED AS TO FORM:
	Amanda R. Guile-Hinman, City Attorney City of McMinnyille, Oregon



City of McMinnville 230 NE 2nd Street McMinnville, OR 97128 www.mcminnvilleoregon.gov

STAFF REPORT

DATE: December 7, 2021

TO: Mayor and City Councilors

FROM: Kylie Bayer, Human Resources Manager

SUBJECT: International Association of Fire Fighters Local 3099 Collective Bargaining

Agreement

STRATEGIC PRIORITY & GOAL:



Strengthen the City's ability to prioritize & deliver municipal services with discipline and focus.

OBJECTIVES: Invest in the City's workforce

Report in Brief:

This action is the consideration of a collective bargaining agreement reached between the City of McMinnville and the International Association of Fire Fighters (IAFF) Local 3099 Union.

Background & Discussion:

In March 2021, the City of McMinnville and the IAFF Local 3099 entered negotiations over the collective bargaining agreement between the parties. On November 22, 2021, the parties came to an agreement on the contents of the contract. The contract was ratified by the IAFF Local 3099 on December 6, 2021.

The City and the IAFF Local 3099 agreed on a 2.0% Cost of Living Adjustment (COLA) effective July 1, 2021, and wage increases and COLAs the following two years in the following way:

Classification	Year 1	Year 2	Year 3	Cost of wage adjustment and COLA
Firefighter	0% + 2% COLA	1% + 2%-4% COLA	1% + 2%-4% COLA	Not to exceed 4%, annually
Engineer/ Apparatus Operator	0% + 2% COLA	1% + 2%-4% COLA	1% + 2%-4% COLA	Not to exceed 4%, annually

Captain	0% + 2%	2% + 2%-4%	1% + 2%-4%	Not to exceed
	COLA	COLA	COLA	5%, annually
Battalion	0% + 2%	2% + 2%-4%	3% + 2%-4%	Not to exceed
Chief	COLA	COLA	COLA	6%, annually
Deputy Fire	0% + 2%	1% + 2%-4%	1% + 2%-4%	Not to exceed
Marshal	COLA	COLA	COLA	4%, annually
Support	0% + 2%	1% + 2%-4%	1% + 2%-4%	Not to exceed
Services	COLA	COLA	COLA	4%, annually
Technician				

The wage increase is consistent with earlier guidance from the City Council and ensures wages are in alignment with the market and with comparable jurisdictions in Oregon.

Other notable changes to the contract are:

- Gender-neutral language throughout the contract
- Incorporation of all existing memoranda of understanding and letters of agreement
- Increases to paid time off (vacation accrual (monetized) and fire holidays (non-monetized)
- Updates to the grievance process
- Bilingual pay incentive
- Additional mental health and wellness resources

Attachments:

Resolution 2021-61 Collective Bargaining Agreement

Fiscal Impact:

Given the uncertain nature of COLAs the actual fiscal impact is unknown. With a maximum COLA of 4.0%, the cost of the contract will not exceed approximately \$384,000 over the life of the agreement. This amount includes the additional six firefighters the City Council authorized earlier this year.

Recommendation:

Staff recommends the City Council move to authorize the City Manager to sign the agreement.

RESOLUTION NO. 2021 - 61

A Resolution ratifying a collective bargaining agreement between the City of McMinnville and the International Association of Fire Fighters Local 3099 for the period starting July 1, 2021.

RECITALS:

WHEREAS, the IAFF Local 3099 has ratified the agreement, conditioned upon the City's approval.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMINNVILLE, OREGON, as follows:

- 1. An increase of 2.0% will apply to the wages of all Association members who are active at the time of ratification effective and retroactive to July 1, 2021.
- 2. For Fiscal Years (FY) 2022-23 and 2023-24 based on the CPI-W West, salaries shall be increased across the board by a minimum of 2.0% and a maximum of 4.0%.
- 3. That the City Manager is authorized and directed to execute the collective bargaining agreement.
- 4. That this Resolution shall take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 14th day of December 2021 by the following votes:

Ayes:		
Nays:		
Approved this 14th day of December 2021.		
MAYOR		
Approved as to form:	Attest:	
City Attorney	City Recorder	

Resolution No. 2021-61 Effective Date: December 14, 2021

Page 1 of 1

COLLECTIVE BARGAINING AGREEMENT

BETWEEN

THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 3099

AND

THE CITY OF MCMINNVILLE

July 1, 2021, through June 30, 2024

Table of Contents

PREAMBLE	4
ARTICLE 1. RECOGNITION	5
ARTICLE 2. MANAGEMENT RIGHTS	6
ARTICLE 3. COMPLETE AGREEMENT	7
ARTICLE 4. CHECK OFF	8
ARTICLE 5. EMPLOYEE RIGHTS	9
ARTICLE 6. CONTRACT NEGOTIATIONS	10
ARTICLE 7. UNION BUSINESS	11
ARTICLE 8. BULLETIN BOARDS	12
ARTICLE 9. DISCIPLINE AND DISCHARGE	13
ARTICLE 10. PERSONNEL FILE	17
ARTICLE 11. GRIEVANCE-ARBITRATION PROCEDURE	20
ARTICLE 12. LEAVE OF ABSENCE	22
ARTICLE 13. NOTICE OF ORDERS	23
ARTICLE 14. SENIORITY, LAYOFF, AND RECALL	24
ARTICLE 15. PROBATIONARY PERIOD	25
ARTICLE 16. HOURS WORKED	26
ARTICLE 17. NOTICE OF SHIFT RE-ASSIGNMENT	27
ARTICLE 18. ADMINISTRATION OF SALARY PLAN	28
ARTICLE 19. OVERTIME/COMPENSATORY TIME	31
ARTICLE 20. CALL SHIFTS	33
ARTICLE 21. DUTY CALL BACK	34
ARTICLE 22. HOLIDAYS/VACATION/TRAINING TIME	35
ARTICLE 23. SICK LEAVE	40
ARTICLE 24. INTEGRATION WITH WORKERS' COMPENSATION	42
ARTICLE 25 BEREAVEMENT LEAVE	43
ARTICLE 26. MILITARY LEAVE	44
ARTICLE 27. REIMBURSEMENTS	45
ARTICLE 28. RETIREMENT	46
ARTICLE 29 EMPLOYEE INSURANCE BENEFITS	47
ARTICLE 30. PHYSICAL AGILITY TESTING, MEDICAL EXAMINATIONS, AND HEALTH PROTECTION FOR FIRE FIGHTERS	49

ARTICLE 31. EQUIPMENT	52
ARTICLE 32. UNIFORMS	53
ARTICLE 33. SAVINGS CLAUSE	54
ARTICLE 34 TERM OF AGREEMENT	55
ARTICLE 35. WAGE SCHEDULES	56
ARTICLE 36. SAFETY, HEALTH AND WELLNESS LABOR/MANAGEMENT COMMITTEE	57
APPENDIX A	58

PREAMBLE

This Agreement is entered into by the City of McMinnville, hereinafter referred to as "City"; and the International Association of Firefighters, Local 3099, hereinafter referred to as the "Union."

The purpose of this Agreement is to set forth those matters pertaining to rates of pay, hours of work, fringe benefits and other conditions of employment and the establishment of an equitable and peaceful procedure for the resolution of disputes.

ARTICLE 1. RECOGNITION

Section A. Recognition: The City recognizes Local 3099, International Association of Firefighters, as the sole and exclusive bargaining agent for all regular employees in the classifications listed in Appendix A, and any new classifications created by the City that perform similar fire suppression duties, fire prevention duties, or emergency medical services as those performed by bargaining unit members (but excluding supervisory or confidential employees as those terms are defined in ORS 243.650).

Section B. Changes in Unit: If the duties of any existing classification are substantially changed, or if a new position or classification is added into the bargaining unit, the City will forward the new or changed job description and the proposed wage scale to the Union for review before the change is implemented. If the Union and the City do not agree on the proposed wage scale or other mandatory subjects of bargaining for the affected employees (that are not otherwise established under this collective bargaining agreement or other agreement between the City and the Union), the City and the Union will engage in expedited bargaining under ORS 243.698 and submit any unresolved disputes to interest arbitration. The arbitrator will establish a fair and equitable pay scale for the new or changed classification.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **5** of **59**

ARTICLE 2. MANAGEMENT RIGHTS

Section A. Management Rights: The City shall retain the exclusive right to exercise all the customary functions of management, including but not limited to:

- 1. To determine the specific programs and services offered by the City, and the methods, means and facilities by which they will be affected.
- 2. To determine the size, nature and qualifications of the work force, to assign duties and equipment and to direct and evaluate the employees in the performance of the work assignments.
- 3. To develop work rules and operating procedures not inconsistent with this Agreement. However, the Union will be informed of the proposed rules and will be given the opportunity to comment and make suggestions thereto, prior to their implementation. When completed, the City agrees to furnish each employee of the bargaining unit access to the current Standard Operating Guidelines, and rules and regulations of the Department. All employees will be notified of changes through an e-mail process.
- 4. To promote, transfer and lay off, and to discipline, demote and discharge employees for just cause.

The City recognizes that this Section is not a waiver of the City's obligation to bargain under the Public Employee Collective Bargaining Agreement (PECBA) in the event the exercise of these functions involves a mandatory subject of bargaining or impacts a mandatory subject of bargaining.

Section B. Subcontracting: The City shall notify the Union as soon as possible of the possibility of the City subcontracting out work and/or services currently performed by members of the bargaining unit. At the time such notice is given the Union, the City and/or the Union will notify the Employment Relations Board that the parties have entered negotiations concerning subcontracting and will ask that a mediator be assigned this issue and schedule, in advance, mediation sessions should the parties reach impasse during negotiations. The parties agree that the City will provide notice and the parties will bargain over any decision to subcontract pursuant to the requirements of the PECBA. Should the parties be at impasse following negotiation and mediation, the parties agree to waive fact-finding and submit the dispute to an arbitrator for resolution.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **6** of **59**

ARTICLE 3. COMPLETE AGREEMENT

Section A. Complete Agreement: Pursuant to their statutory obligations to bargain in good faith, the City and the Union have met in full and free discussion concerning matters in "employment relations" as defined by ORS 243.650(7). This contract incorporates the sole and complete agreement between the City and the Union resulting from these negotiations. The Union agrees that the City has no further obligation during the term of this Agreement to bargain wages, hours or working conditions. However, this article will not be interpreted to restrict the Union's right to bargain the decision and the impact of subjects of bargaining, where the City is compelled to negotiate over the matter by state law. In the case of disagreement between the parties, the Employment Relations Board will make the decision under this subsection as to whether the City is compelled to negotiate under state law.

ARTICLE 4. CHECK OFF

Section A. Dues Deductions: Employees will have the voluntary choice of whether to become members of the Union. The Union will provide the City with a list of Union members within ten (10) days of the date of execution of this Agreement and will provide the City timely notice of any changes in the membership of the Union. The City agrees to deduct monthly (bi-monthly) Union membership dues from the pay of each member who have authorized such deductions in writing on forms provided by the Union. The amount to be deducted will be certified to the City by the Secretary/Treasurer of the Union.

Provided the City acts in good faith, the Union will indemnify, defend, and hold the City harmless against any claims made and any suit instituted against the City as a result of the City's enforcement of this provision.

Section B. In Lieu of Dues Deductions: The terms of this Agreement apply equally to all employees in the bargaining unit. Any bargaining unit employee who does not want to be a member of the Union, but who nonetheless wants to pay for the services provided by the Union, has the option to pay voluntary fair share fees in an amount equal to membership dues. Any member of the bargaining unit may authorize the City to deduct from their pay voluntary fair share fees in an amount equal to union dues charged by the Union. The authorization must be in writing and forwarded to the payroll office.

Section C. Maintenance of Efforts: Each employee's authorization for payroll deductions will remain in full force and effect unless the employee revokes the authorization by sending an original written, signed and dated notice via U.S. Mail or hand delivery to the City. The City will provide a copy to the Union. Any revocation of an employee's authorization to withhold fees must be consistent with the limitations included in the payroll authorizations signed by employees.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **8** of **59**

ARTICLE 5. EMPLOYEE RIGHTS

Section A. Employee Rights: An employee has the right to join and participate in the activities of the Union for the purpose of representation on matters of employee relations. An employee will have the right to refuse to join or participate in the activities of the Union. No employee will be interfered with, intimidated, restrained, coerced or 4 discriminated against by the City or by the Union or its members because of the exercise of these rights.

Section B. Non-Discrimination: The provisions of this Agreement will be applied equally to all members in the bargaining unit without discrimination as to age, marital

status, sexual orientation, partner status, sex, race, color, creed, religion, national origin,

union affiliation or political affiliation. The Union and the City agree to accept their respective responsibilities for applying the provisions of this section.

ARTICLE 6. CONTRACT NEGOTIATIONS

The Union's negotiating team will consist of the executive board, not including legal counsel or observers. Should negotiating sessions with the City be scheduled during duty hours, up to two (2) negotiating team members will be permitted to attend negotiating sessions without loss of pay. Further, the City will provide coverage for no more than two of the Union representatives' shifts during the bargaining session in order to allow them to attend bargaining without interruption. Any other on-duty employees will be expected to respond to calls and alarms which occur during negotiating sessions unless released from such responsibility by the City.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **10** of **59**

ARTICLE 7. UNION BUSINESS

Section A. Union Activities During Work Hours: The parties recognize that it may be necessary that officers of the Union carry out Union activities during duty hours. Union activities are those activities which concern the collective bargaining process, in particular the handling of grievances, collective bargaining during the term of this Agreement, special meetings with the City and handling proceedings before the Employment Relations Board. The parties agree that Union officers will be allowed to carry out Union business during duty hours and in conjunction with assigned station duties when reasonable.

Section B. Union Meetings: Union members will be allowed to attend the equivalent of an accumulative eight (8) monthly membership meetings per year on duty time. Members attending Union meetings while on duty will limit their attendance at these meetings to two (2) hours and will be expected to respond to their duty responsibilities during the membership meeting. Except for emergency meetings, the Union will schedule these meetings during non-peak periods of the Department. The Union agrees not to schedule more than three (3) such meetings in any one-month period.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **11** of **59**

ARTICLE 8. BULLETIN BOARDS

The City agrees to furnish a suitable bulletin board for the exclusive use of the Union. The Union will limit its posting of notices and bulletins to such bulletin boards and posted notices shall be signed.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **12** of **59**

ARTICLE 9. DISCIPLINE AND DISCHARGE

Section A. Discipline: The Union and the City endorse the principle of progressive discipline as applied to bargaining members. Progressive discipline will be utilized where appropriate to correct the behavior of an employee to ensure compliance with City policies and the Collective Bargaining Agreement. The City will follow the principles of progressive discipline. Also, both parties agree that disciplinary action will be commensurate with the offense. Disciplinary action or measures will include only the following:

- Written Reprimand
- Suspension, or in lieu thereof and with the consent of the employee, loss of vacation, holiday, or compensatory time
- Demotion
- Discharge
- Or any combination thereof
- 1. Disciplinary actions will be used to correct unacceptable patterns of performance or misconduct.
- 2. Disciplinary actions will be administered promptly, in a fair, firm, and equitable manner, only for specific and just cause and with employee rights fully protected.
- 3. If the City has reason to reprimand an employee, it will be done in a manner that is least likely to embarrass the employee before other employees or the public.
- 4. To ensure compliance with this Article and the Agreement, the Union Executive Board will be provided copies of all discipline issued to bargaining unit members at the same time as employees.

Section B. Procedures:

- 1. The City will conduct any necessary investigation into allegations of misconduct. The investigation will include an investigatory interview of the employee, at which the employee will be directed to answer questions relating to the matter under investigation. The employee will have the following substantive and procedural rights:
 - a. The employee will be informed of the nature of the investigation and allegations and afforded the opportunity to consult with a Union representative prior to an interview. The employee will be allowed the right to have a Union representative present during the interview.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **13** of **59**

- The opportunity to consult with the Union representative or to have the Union representative present at the interview will not delay the interview more than three (3) hours.
- b. Except for telephone interviews, interviews will take place at Department facilities, or elsewhere as mutually agreed, unless an emergency exists which requires the interview to be conducted elsewhere.
- c. The City will make a reasonable good faith effort to conduct these interviews during the employee's regular working hours, except for emergencies, or other good cause, or where interviews can be conducted by telephone.
- d. Interviews will be done under circumstances devoid of intimidation, abuse, or coercion.
- e. All interviews will be limited in scope to activities, circumstances, events, conduct or acts which pertain to the incident which is the subject of the investigation. Nothing in this Section will prohibit the employer from questioning the employee about information which is developed during the interview.
- f. Either party will be allowed to tape record the interview. If recorded, a copy of the complete interview of the employee, noting all recess periods, will be furnished, upon request, to the other party. There can be no "off the record" questions. Absent a mutual agreement to the contrary, if either party transcribes the recording, the party will provide the other party with a copy of the transcription without charge.
- g. Interviews and investigations will be concluded with no unreasonable delay.
- h. The employee will be advised of the results of the investigation and any further action to be taken on the incident.
- 2. The City may place the employee on paid administrative leave during all or any portion of the investigation. Such leave will be considered non disciplinary in nature. The City will provide the employee and the Union Executive Board with written notice of the paid administrative leave, which will describe in general terms of the subject matter of the investigation. If the investigation expands to include additional subject matters, the City will provide the employee and the Union Executive Board with an updated written notice; however, nothing in either the initial or updated notice will be construed as limiting the scope of the City's investigation of the possible basis for disciplinary action.

- 3. If the discipline contemplated after the investigation is complete is reasonably anticipated to create an economic sanction, the employee who was the subject of the investigation will have the following substantive and procedural rights:
 - a. The City will provide the employee and the Union Executive Board with a written notice of a pre-disciplinary meeting. The notice will inform the employee of the allegations under investigation. It will inform the employee of their right to representation during the meeting, will set the time, date, and location of the meeting, and will inform the employee of the time, date, and location that the employee will be able to obtain the written findings and determination.
 - b. The employee will have the right to a copy of all written complaints and statements, and to be informed of any verbal complaints and statements made regarding them which will be used in the findings and determination to the extent these complaints and statements were not previously provided.
 - c. Meetings will be limited in scope to activities, circumstances, events, conduct or acts which pertain to the incident which is the subject of the investigation.
 - d. Either party will be allowed to tape record the meeting. If recorded, a copy of the complete interview of the employee, noting all recess periods, will be furnished, upon request, to the other party. There can be no "off the record" questions.
 - e. Meetings may be reset if reasonably necessary but will be concluded with no unreasonable delay on the part of either party.
 - f. The City will provide the employee and the Union Executive Board with written notice of the City's findings and determination within no more than four calendar days of the due process hearing, or, should additional time be needed, will provide the employee with a written explanation of the reason for the need for the additional time and with a date certain by which the findings and determination will be available.
- 4. Appeal will be through the grievance process as set out in Article 11 of this contract.
- 5. Once the City has completed an investigation and issued a notice of potential discipline, the Union has a right to attend any pre-disciplinary hearings for bargaining unit members to ensure that this Article and the Agreement's other provisions are followed, even where an employee declines Union representation. The Union will have the right to be present

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **15** of **59** with bargaining unit members and City representatives discussing potential resolutions of disputes about disciplinary action, including any grievances filed by individual employees in the unit. If the Union attends a meeting pursuant to this Section, it will be as an observer and the Union will not speak on behalf of the employee unless the employee requests assistance from the Union.

If individual members of the bargaining unit elect to not have Union representation in the disciplinary process, or are denied the opportunity to have Union representation, the resulting discipline imposed will not be considered as setting precedent for other bargaining unit members. These non-precedent-setting disciplinary actions cannot be relied on by the City in assessing comparable discipline in other situations.

ARTICLE 10. PERSONNEL FILE

Section A. Employee Right to Review File: Each employee, upon request, shall have the right to review the contents of his or her own personnel files.

Section B. Access to File: Access to an employee's personnel file will be limited to only the individual employee involved and/or their designated representative, supervisors, and administrators of the City who are assigned to review or place materials therein, and administrative personnel whose duty is to maintain personnel files, provided such access does not conflict with the provisions of statutes pertaining to personnel records. Nothing in this Article will be construed as limiting the right of the Union to obtain information that it is entitled to receive under the PECBA.

Section C. Entry of Material into File: No material, which in any form can be construed, interpreted, or acknowledged to be derogatory towards the employee, will be

placed in the employee's personnel record without the employee having the opportunity

to review the document. All such documents will bear an employee's signature acknowledging that the employee has reviewed the material and agrees with the contents, or a signature indicating that the employee has reviewed the material but does not agree with the contents. An employee may be ordered to sign the document, and refusal to sign may result in disciplinary action being taken against the employee. A copy of such material will be furnished to the employee upon their written request.

Section D. Limitations on File: Material placed in the personnel file of an employee without conforming with the provisions of this Article will not be used by the City in any disciplinary proceeding involving the employee. However, nothing in this Article will prevent the City from maintaining a working file for the purposes of evaluation or investigation. No portion of an employee's file will be transmitted without the explicit consent and request of the employee other than to those authorized within the City as defined in Section B.

Section E. Record of Employee Conduct: At the written request of the affected employee, the discipline cited below shall be removed from the personnel files maintained by the

Office of the Chief and the City, subject to the time frame specified and the further conditions described below:

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **17** of **59**

- a. Discipline memorialized in a written reprimand will be removed two (2) years from date of issuance.
- b. All other discipline, except letters of demotion or discharge, will be removed five (5) years from effective date of discipline.
- c. Letters of demotion or discharge shall stay in the file indefinitely.
- d. Prior letters in the record: When letters have been issued for any of the categories listed above and there are subsequent letters issued or entered into the personnel file, the time frame for removal of each such prior letter shall be extended by adding the time frame for the subsequent letter to the time frame for the prior letter; additionally, in no instance shall a subsequent letter be removed before a prior letter. Subsequent letters in category (a) above only extend the time frame for a prior letter in category (a). However, subsequent letters in category (b) above may extend the time frame for removal of a prior letter in category (a) and (b) provided that the subsequent letter pertains to the same subject matter as the prior letter. Subsequent letters in category (c) above may extend the time frame for removal of a prior letter in category (a), (b) and (c) provided that the subsequent letter pertains to the same subject matter as the prior letter.

Section F. Removed Discipline: Letters, or copies of letters, imposing discipline, which have been removed from personnel files pursuant to Section E, may not be introduced by either party in subsequent disciplinary proceedings involving the same employee or employees. Both parties acknowledge that the City may be required to maintain properly removed letters of discipline for an extended period pursuant to the State Archivist (Oregon Administrative Rule 166-200-0305). Properly removed letters shall be sealed and shall not be opened absent a court order. Both parties may maintain materials redacted to exclude the disciplined employee's name and use of these materials under the following circumstances:

- The redacted materials may be retained beyond the period established in Section E.
- 2. The redacted materials may be used by either party in its defense to charges of unevenly applied discipline or failure to represent.
- 3. Before using the redacted materials set forth above, the party using the material shall give the other party two (2) weeks prior notice.
- 4. Either party shall have access to the redacted materials of the other party.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **18** of **59**

ARTICLE 11. GRIEVANCE-ARBITRATION PROCEDURE

Section A. Grievance and Grievance Procedure Defined: A grievance, for the purpose of this Agreement, is defined as a dispute regarding the meaning or interpretation of this Agreement or regarding an alleged violation of this Agreement. In an effort to streamline the grievance process and reach amicable agreements without the use of legal proceedings the Union and the City agree to meet prior to filing a grievance in a pre-grievance meeting. If the Union has notified the City of its request to hold a pre-grievance meeting within the 15-calendar day timeline as outlined in Step 1 of this article the timeline will be frozen until such time that the parties can meet in an effort to come to an agreement without the use of the legal process outlined below. Should impasse occur during the meeting the grievance process will continue as outlined below. The following procedure will be followed to resolve the dispute:

- Step 1. The Union or the employee, with or without Union representation, will take up the grievance or dispute in writing with the employee's supervisor within fifteen (15) calendar days of its occurrence or within fifteen (15) calendar days of knowledge of its occurrence, or the date on which the Union or employee could reasonably have been expected to have been aware of the issue. The supervisor will respond in writing to the Union or the employee within fifteen (15) calendar days of receipt of notification of the dispute.
- Step 2. If the grievance remains unsettled, the employee or Union may, within fifteen (15) calendar days after the reply of the supervisor is due, submit written notice to the Fire Chief, including: (a) statement of grievance and nature of employee's position, (b) provisions of this Agreement violated, and (c) remedy sought. The Fire Chief will respond to the employee within fifteen (15) calendar days of receipt.
- Step 3. If the grievance still remains unsettled with the Fire Chief, the Union may advance the grievance to arbitration by notifying the City in writing of its intent to arbitrate the grievance within fifteen (15) calendar days of the receipt of the Chief's response.
- Step 4. After the grievance has been submitted for arbitration, the parties, or their representatives, will either singularly or jointly make a request to the State Employment Relations Board for a list of seven (7) Oregon and Washington arbitrators. The parties will select an arbitrator from the list by mutually agreeing to an arbitrator or by alternatively striking names. The

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **20** of **59** parties will, by lot, determine which party will strike the first name objectionable to it. The final name on the list will be the arbitrator. The arbitrator's decision will be final and binding, but the arbitrator will have no power to alter, modify, add to or subtract from the terms of this Agreement. The arbitrator's decision will be within the scope and terms of this Agreement and in writing. The arbitrator will be asked to submit their award within thirty (30) calendar days from the date of the hearing or submission of closing arguments.

Section B. Timeliness and Waiver: Any and all time limits specified in the grievance procedure may be extended by mutual consent of the parties. Failure by the employee or Union to submit or advance the grievance in accordance with these time limits without such waiver will constitute abandonment of the grievance. Failure by the City to respond within the time limits without such waiver will advance the grievance to the next step. A grievance may be withdrawn at any time upon the receipt of a signed statement from the Union.

Section C. Appeal Process: Appeal of a suspension or discharge will commence with Step 2. Except as mutually agreed, all other grievances will commence with Step 1.

Section D. Arbitration Expenses: Each party shall be responsible for paying the cost of presenting its own case in arbitration, including the payment of witness fees, if any. The cost of the arbitrator, court reporter (if any) and the hearing room will be borne equally by the parties.

ARTICLE 12. LEAVE OF ABSENCE

Section A. Leave of Absence Requirements: An employee may be granted a leave of absence without pay up to ninety (90) days when approved by the Fire Chief. The Chief will not deny such requests for arbitrary or discriminatory reasons. Requests for such leave must be in writing and must establish reasonable justification for the leave and the beginning and ending time of the leave.

Section B. Conditions: Any conditions of the leave of absence will be specified in the approval. Such leaves may be renewed or extended by appropriate action of the Fire Chief.

ARTICLE 13. NOTICE OF ORDERS

Section A. Standard Operating Guidelines and Rules and Regulations Provided: The Union agrees that members will comply with the Department rules and

regulations. Such rules will be consistently and uniformly applied. Neither party waives the right to collectively bargain such rules and/ or regulations as provided by Oregon Law.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **23** of **59**

ARTICLE 14. SENIORITY, LAYOFF, AND RECALL

Section A. Seniority: Seniority will be defined as the length of service by an employee within a job unit* within the McMinnville Fire Department following the employee's most recent date of hire or re-hire. Time spent on military leaves of absence (except as limited by law) after an employee is hired, authorized leaves with pay and time lost because of duty-connected disability will be included in length of service. Ties in seniority shall be resolved by ranking at time of hire. *Job units are listed in Appendix A.

Section B. Layoff: In the event of a layoff for any reason, employees will be laid off by inverse order of job unit seniority within a classification. An employee will have the right to bump into a lower classification within their job unit if that employee is qualified to perform the work required and has more Department seniority than employees in the classification into which they are bumping.

Section C. Recall: An employee will be called back from layoff by classification within a job unit according to Department seniority. No new employees will be hired in any classification until all employees on layoff status have had an opportunity to return to work.

Section D. Recall Notice: The City will notify the laid off employee by certified mail of any opening for which the employee is eligible for recall. Said employee must respond by certified mail within ten (10) calendar days of receipt of notice as evidenced by the signed receipt (regardless of who signs for the certified mail). Failure to do so will result in forfeiture of all recall rights. Laid off employees are required to keep the City informed of any change of address.

An employee will be considered on layoff status for a maximum period of twentyfour (24) months.

Section E. Layoff and Recall Exceptions: The parties recognize that due to the limited size of the McMinnville Fire Department, the City may require the retention of Advanced Life Support certified employees. In the event of layoff, the City will be allowed to retain the individual(s) providing such services.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **24** of **59**

ARTICLE 15. PROBATIONARY PERIOD

For firefighters, probationary period for initial hire and promotions shall be twelve (12) months. For 40-hour employees, probationary period for initial hire and promotions shall be six (6) months. This period may be extended by mutual agreement between the employee, Chief, and Union.

An employee failing a promotional probation shall be returned to their prior position.

The Union recognizes the right of the City to terminate new employees on probationary status with or without cause, except those which are prohibited by law, and such action will not be subject to the grievance procedure.

ARTICLE 16. HOURS WORKED

Section A. Work Week and Hours of Work:

- 1. The work week for firefighters shall be twenty-four hours on duty followed by forty-eight hours off duty.
- 2. The work week for 40-hour employees shall be eight hours per day, Monday through Friday, or an alternative schedule agreed upon between the employee, Union, and the supervisor.
- 3. The scheduled work week for Daytime Firefighters shall be 45 hours per week M-F 8 am 5 pm.
- 4. Daytime Firefighters employees are intended for the Day Car or (Peak Activity) unit and shall not be placed into the full-time rotation with the fulltime bargaining unit members except for call back shifts.
- 5. Shifts worked by fulltime bargaining unit members will not be converted to 40-hour work weeks or otherwise modified to cover the work of the Daytime Positions.

ARTICLE 17. NOTICE OF SHIFT RE-ASSIGNMENT

Except when there is a declared emergency, any shift re-assignment shall require at least thirty (30) days prior written notice to the Union and Employee and the opportunity for the Union and Employee to provide input. However, following such notice and opportunity, the decision of the City will be final. If the City wishes to move an employee with less than (30) days' notice the employee will be given one (1) extra holiday per Article 22 Section A. Whenever possible, on temporary shift reassignments, the employee will be presented with a projected return date. The City also agrees to a total of at least three (3) consecutive days off between each shift reassignment.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **27** of **59**

ARTICLE 18. ADMINISTRATION OF SALARY PLAN

The following rules will govern the use of the salary ranges set forth in Article 35 which is made part hereof:

Section A. Rates of Pay: Each employee will be paid at one of the steps in the range described for their classification and responsibilities.

Section B. Anniversary Date: An employee will be assigned an anniversary date of the first day of the first month of full employment.

Section C. Step Increases: An employee will receive one (1) step increase on their anniversary date subject to an average or higher evaluation.

A performance evaluation will not be done in an arbitrary or capricious manner.

Section D. Longevity Pay: An employee who has ten (10) years' service with the City will receive \$100 per month in longevity pay. This amount increases to \$200 per month when the employee has completed fifteen (15) years of service with the City, and \$350 per month when the employee has completed twenty (20) years of service with the City. The payments will either be placed into a deferred compensation account or go directly into the employee's check, at the employee's option.

Section E. Payday: Payday will be the 15th and the last day of the month. If payday falls on a holiday, a Saturday, or a Sunday, payday shall occur on the nearest preceding weekday that is not a City, State, or Federal holiday.

Section F. Promotions: When an employee is promoted or advanced to a higher classification, the employee will be placed and maintained at a salary step in the higher classification which assures that the employee will not suffer a reduction in compensation due to the promotion.

Section G. Premium Pay: Premium pay is calculated from the top step of the fire fighter's salary scale. An eligible employee will receive a semi-monthly premium in addition to their base salary for the following assignments beginning the first full month after receiving the State of Oregon certification as specified below:

1. Paramedic/ Full Time

10%; Daytime = 8%

2. Intermediate

5%

3. Advanced

3%

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **28** of **59**

4.	AA/AS Degree*	1% (must be related to fire or position
	as approved by the Chief)	
5.	BA/BS Degree	2% (must be related to fire or position
	as approved by the Chief)	
6.	FTO Coordinator	6%
7.	Field training officer	3%
8.	Bilingual (Spanish only)**	2%
9.	Acting in Capacity ***	7%

Daytime positions will receive premium pay at 80% of the Full-Time premium pay for which they qualify.

- * Due to the EMT incentives listed in this Section or the minimum job requirements of some classifications, no employee hired after June 30, 2012, is eligible for associate degree premium pay for an EMT-related degree.
- ** An employee will receive bilingual premium pay if they meet the requirements of the City's Bilingual Pay Incentive Policy.
- *** In the absence of a shift officer or engineer on duty, an individual will be designated the Acting in Capacity for all or part of the shift. The Acting in Capacity will receive assignment pay for each hour performing those duties when the duty is performed for a minimum of four (4) hours. This only applies when there is no other paid Shift Officer or Engineer working. Individuals eligible for Acting in Capacity duty will be pre-selected and approved through a department process. Assignment to Acting in Capacity position will be done by Duty Chief.

Section H. Forced Time Off: An employee who is regularly scheduled to work but is relieved from work for other than disciplinary reasons will receive pay and benefits which normally would have been earned during his/her regularly scheduled shift.

Section I. Trades: No trade will be allowed to cost the City additional wages.

Section J. Lateral Hiring Incentives: Contingent upon changes to the law, current NFPA Firefighter 1 and Oregon State EMS certified Lateral Firefighter new hires, with a minimum of three (3) years' full time Oregon experience, may be offered a recruitment signing bonus of \$6,000(payable in two installments) as follows:

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **29** of **59**

- 1. After completing probationary status and twelve (12) months continuous service.
- 2. After completion of thirty-six (36) months of continuous, satisfactory service.

Should the law change, the parties agree to bargain the impacts. Newly hired lateral probationary employees are subject to the step increase portion of this section and may be eligible for incentive pay at any time, starting with the date of hire.

Lateral hires are eligible for promotional opportunities if they meet the minimum qualifications of the position and in accordance with the following:

- For Acting in Capacity Engineer/AO and Acting in Capacity Captain, employee must have completed their probationary period and have at least eighteen (18) months of continuous service.
- For Engineer/AO, Lieutenant, Captain, and Battalion Chief, employee must have completed their probationary period and have at least three (3) years of continuous service.

ARTICLE 19. OVERTIME/COMPENSATORY TIME

Section A. Overtime for Fire Fighters: Overtime shall be those hours worked which exceed an employee's regularly scheduled shift hours, in accordance with requirements established under the Fair Labor Standards Act, as amended, based on a twenty-seven (27) day pay cycle. "Regularly scheduled shift hours" includes time off with pay. Examples of overtime are as follows:

- 1. Department drills, meetings, and mandatory training
- 2. Court appearances
- 3. Emergency call back (response to fire, EMS calls)
- 4. Mandatory call back (mandatory call back to cover shifts)
- 5. Call shifts (voluntarily covering shift vacancies)
- 6. Shift extension/holdover (when an employee is required to work past their assigned shift)
- 7. Any situation in which the employee works beyond their assigned hours as approved by the Fire Chief or their designee.

Section B. Compensation for Fire Fighters: Overtime will be paid at a minimum of one and one-half (1½) of the employee's regular hourly rate for hours worked. Overtime for Department drills, meetings and court appearance shall be compensated at a minimum of two (2) hours at time and one-half (1½) based upon the employee's regular hourly rate. In the case of Mandatory holdover, the employee will be compensated at a minimum of one and three-fourth (1¾) of the employee's regular hourly rate for hours worked.

Section C. Overtime and Compensatory Time for 40-Hour Employees: Overtime for 40-hour employees shall be those hours worked which exceed an employee's regularly scheduled hours as outlined in Article 16 and is compensable at time and one half (1 $\frac{1}{2}$). All overtime must be pre-authorized by the supervisor or departmental director.

Pursuant to a written agreement with the employee, the Department may provide compensatory time off in lieu of monetary overtime if the principle of "time and one half" is maintained. An employee who has accrued compensatory time and

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **31** of **59** requests the use of time must be permitted to use the time off within a "reasonable period" after making the request if it does not "unduly disrupt" the operations of the Department.

Unauthorized overtime or compensatory time work may be the basis for disciplinary action.

Section D. Overtime and Compensation for Daytime Firefighters:

- a) Overtime shall be those hours that exceed a fifty-three 53-hour work week and will be paid at time and one half $(1 \frac{1}{2})$.
- b) Call Shifts will be compensable at time and one half even if individual has not worked over fifty-three (53) hours in the week. Call Shift hours paid at time and one half (1 ½) will not count towards Fair Labor Standard Act (FLSA) overtime hours worked.

ARTICLE 20. CALL SHIFTS

Call shifts are those shifts that a firefighter works voluntarily when covering a vacancy in the shift assignments. The City will maintain the service level of the Department at minimum staffing levels. Career personnel will have right of first refusal to work in place of another career person who takes vacation time off.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **33** of **59**

ARTICLE 21. DUTY CALL BACK

Section A. Shift Extension/Holdover: Shift extension/holdover will be defined as those times a firefighter is required to work additional hours either prior to or immediately following their assigned shift. Shift extension/holdover will be used when it becomes necessary for a firefighter to come in early or stay late to cover for an unscheduled absence on the part of another firefighter. Shift extension/holdover will not be used to cover scheduled vacation or holiday time off for another firefighter. The City reserves the right to require a firefighter to stay after or report early to work, using the shift extension/holdover callback rotation list. Every attempt will be made to find firefighters who will voluntarily accept the shift callback when time or the event allows. Firefighters who are involved on incident responses immediately after their shifts are scheduled to end will be considered on shift extension/holdover until the incident is completed.

Section B. Court Callback: Court callback occurs any time a firefighter is required to appear in court when that court appearance does not coincide with the firefighter's regularly assigned workday.

Section C. Mandatory Callback: The City reserves the right to require any and all employees to return to work for the purpose of emergency/disaster response or for operational needs at the City's discretion. Every attempt will be made to find employees who will voluntarily accept the shift callback when time or the event allows.

Section D. Emergency Callback: Emergency callback occurs if an employee voluntarily reports for duty in order to respond to Department related emergency responses. Examples are fires, mutual aid calls, and emergency medical service (EMS) responses.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **34** of **59**

ARTICLE 22. HOLIDAYS/VACATION/TRAINING TIME

Section A. Recognized Holidays for Fire Fighters: Fifty-six (56) hour per week employees shall receive nine (9) shifts (floating holidays) off in lieu of holidays worked per year. These holidays shall be awarded to the employee as of July 1st in each fiscal year. Employees starting after July 1st will earn holiday hours at eighteen (18) hours per full month of employment for the remainder of that fiscal year. Holidays may be taken off at any time within the fiscal year the holiday hours were earned, with the prior approval of the supervisor or department director.

In the event the employee should no longer be employed by the City during the fiscal year, then the number of days taken will be prorated by quarters, with the prorated number of days being "earned" as of the first day of the quarter. If more time has been taken than earned, then on a pro rata basis for that quarter, the employee shall have the cash value of the holidays taken deducted from their last paycheck or offset against vacation time.

Holiday time cannot be carried forward to the next fiscal year (July 1 – June 30).

Floating holidays must be used in one-hour increments. Floating holidays will be scheduled in the same manner as paid vacation leave and may not be carried forward into the following fiscal year, be converted into compensatory time, or be converted into monetary compensation.

An individual who has received a shift reassignment with less than thirty (30) days' notice will receive one (1) floating holiday per move. Temporary shift reassignments will only be awarded one (1) holiday when moved and returned to their regular shift within one (1) fiscal year. If shift reassignment occurs within ninety (90) days of the end of the fiscal year, the floating holiday will carry over to the next fiscal year. Any employee moved will have their scheduled time off honored if already scheduled.

Section B. Recognized Holidays for 40-Hour Employees: 40-hour employees are eligible for holidays with pay. The following are designated as paid holidays for 40-hour employees:

- New Year's Day (January 1st)
- Martin Luther King Day (third Monday in January)
- President's Day (third Monday in February)

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **35** of **59**

- Memorial Day (last Monday in May)
- Independence Day (July 4th)
- Labor Day (first Monday in September)
- Veterans' Day (November 11th)
- Thanksgiving Day (fourth Thursday in November)
- Day after Thanksgiving (Friday after Thanksgiving)
- Christmas Day (December 25th)

Whenever a holiday falls on a Sunday, the succeeding Monday will be observed as the holiday. Whenever a holiday falls on a Saturday, the preceding Friday will be observed as the holiday.

Should a 40-hour employee be on authorized leave with pay when a holiday occurs, the holiday will be paid and not charged against sick or vacation leave accumulation. Holidays occurring during a leave without pay will not be compensated.

40-hour employees who are required to work on a recognized holiday will be entitled to compensation at the rate of double time and one half (2 $\frac{1}{2}$) of their established hourly rate for the hours worked on the holiday.

When a holiday falls on a scheduled workday, the holiday hours shall be considered along with the rest of the hours worked during that week in establishing eligibility for overtime or compensatory time. Use of a floating holiday during the work week would be considered along with the rest of the hours worked during that week in establishing eligibility for overtime or compensatory time.

40-hour employees are entitled to four (4) floating holidays each fiscal year. During the initial year of employment, those hired between July 1 and December 31 will receive four (4) floating holidays, and those hired between January 1 and June 30 will receive two (2) floating holidays. Floating holidays will be scheduled in the same manner as paid vacation leave and may not be carried forward into the following fiscal year, converted into compensatory time, or converted into monetary compensation.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **36** of **59** Floating holidays must be used in one (1) hour increments.

Section C. Recognized Holidays for Daytime Firefighters: Daytime firefighters receive nine (9) shifts of their normally scheduled time towards Floating Holidays.

Section D. Vacation Accrual for Firefighters: Firefighters accrue vacation leave based on the employee's anniversary date. After completion of twelve (12) months of continuous employment, an employee shall be entitled to the following vacations with pay at their regular rate:

Annual Accrual Rate for Shift Firefighters

Years of Service	Shifts/Year	Hours/month	
Year 1 through Year 2	6	12	
Year 3 through Year 4	7	14	
Year 5 through Year 9	8	16	
Year 10 through Year 14	10	20	
Year 15 through Year 20	11	22	
21+ Years	13	26	

Daytime Firefighters: Daytime firefighters accrue vacation at a prorated amount based on hours worked.

Section E. Vacation Accrual for 40-Hour Employees: 40-hour employees accrue vacation leave based on the employee's anniversary date. After completion of six (6) months of continuous employment, an employee will have access to their vacation bank with pay at their regular rate.

Vacation leave will not accrue during any unpaid leave of absence but will accrue during any authorized leave of absence with pay, including any leave with pay resulting from an on-the-job injury, military leave, or jury duty.

40-Hour Employees will accrue vacation as follows:

Year 1 through 3 6.67 hours per month Year 4 through 7 8.33 hours per month Year 8 through 13 10.00 hours per month

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **37** of **59** Year 14 through 20 Year 21 and thereafter 12.00 hours per month 13.33 hours per month

Section F. Vacation Draw: Upon approval by the City Manager and the Fire Chief, an employee may draw on their vacation leave before becoming eligible to take a vacation.

NOTE: If vacation time has been approved in advance of eligibility by the City Manager and Fire Chief, and if the employee should terminate work for any reason prior to their "employment year" anniversary, the City may withhold compensation from their final paycheck for any such vacation time taken.

Section G. Prorated Accrual: An employee will accrue vacation on a semimonthly basis.

Section H. Carry-Over: A firefighter may accrue up to 448 hours of vacation time. A 40-hour employee may accrue up to 320 hours of vacation time. If an employee exceeds the allotted accrual amount, the employee must bring that accrual down to the allotted amount of hours by the end of the month or the employee will lose the excess vacation time. However, the employee will not lose accrued vacation time if the employee reasonably attempted to schedule such accrued vacation time and was denied the use of such vacation time by the Department.

Section I. Death, Resignation and Discharge: Whenever an employee dies, resigns, or is discharged, the employee will receive credit for any accrued, carried-over and unused vacation.

Section J. Vacation Schedule: The Fire Chief or designee will approve the time when vacations shall be taken, and they will be scheduled in accordance with the operational needs of the Department.

Section K. Shift Changes: An employee transferring shift schedules shall have their hours converted so as to lose no benefits due to them.

Section L. Training Time: All 56-Hour firefighters will be allotted forty-eight (48) hours of designated paid training time per year; a 40-hour employee will be allotted forty (40) hours of designated paid training time per year. Daytime Firefighters will be allotted forty-five (45) hours of designated paid training time per year.

This training time will be available on the first day of July every year. Unused training time will not carry over to the next year. All training time off requests will

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **38** of **59** go to the appropriate administrative Chief Officer to be authorized. Training that can be directly tied to a certification in an employee's current job classification or to the next career level will have a priority. Training time may also be used for leadership or self-improvement training that improves the Department's ability to serve its employees and citizens. Training time requests that will exceed the "Time Off maximum" (two people off/ shift) must be approved by the Fire Chief.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **39** of **59**

ARTICLE 23. SICK LEAVE

Section A. Accrued Sick Leave: Accrued sick leave will be earned for the purpose stated herein by each employee as follows:

- Firefighters 16 hours per month
- 40-Hour employees –8 hours per month
- Daytime Firefighters accrue prorated sick based on hours worked as compared to full-time Firefighters. This is determined by dividing the hours worked in a pay cycle by the standard hours of a full-time firefighter in a pay cycle (121.34).

40-hour employees will receive 24.00 hours of frontloaded sick leave at time of hire.

Section B. Utilization for Illness or Injury: An employee may utilize their allowance for any purpose allowed under the Oregon Sick Time Act (ORS 653.616), including when they are unable to perform their work duties by reason of illness, injury, or disability due to pregnancy. In such event, the employee will notify the immediate supervisor or the on duty shift commander of the absence due to illness or injury and the expected length thereof as soon as possible prior to the beginning of their regularly scheduled work shift, unless unable to do so because of the serious nature of the illness, injury, or disability due to pregnancy.

Section C. Family Sick Leave: An employee may also use sick leave where there is an illness or injury in their immediate family in order to provide assistance and/or care to the ill relative or to care for the employee's family in accordance with Oregon Family Leave Act (OFLA) (ORS Chapter 659A) and Oregon Sick Leave Law (ORS 653.601-661).

For the purposes of this section, the immediate family will be defined as the employee's 1) spouse, 2) domestic partner, 3) parent, or 4) a parent-in-law of the employee, 5) the grandparent or grandchild of the employee, 6) biological, adopted, foster child, a stepchild, a legal ward, or 7) a person for whom the employee is standing in loco parentis.

Section D. Sick Leave Without Pay: Upon application by the employee, sick leave without pay may be granted or renewed by the City for up to six (6) months after accrued sick leave, vacation and holiday time have been exhausted. When the employee goes into sick leave without pay status, the employee will not accrue

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **40** of **59** benefits. The City may require that the employee submit a certificate from a physician periodically during the period of such disability.

Section E. Maximum Sick Leave: There is no maximum balance of sick leave that may be accrued.

Section F. Accrued Sick Leave/Retirement Credit: Accumulated sick leave reported to Public Employee Retirement System (PERS) will be computed on the basis of a forty (40) hour week. Therefore, when a twenty-four (24) hour shift employee is no longer employed with the City, any accrued sick leave will be reduced to a forty (40) hour week scale. (PERS regulations limit the reporting of accrued sick leave at a rate greater than eight (8) hours per month.) An employee retiring or leaving City employment will have credited to his/her retirement program under PERS all accumulated sick leave up to a maximum of nine hundred sixty (960) hours. The City will notify PERS of the accrued sick leave to which a retired employee is entitled and will provide such proof of accumulation as may be required by PERS.

Section G. Doctor's Certification: The Department may require employees to present a doctor's certification to substantiate the need for the use of sick leave after the employee is absent for more than three (3) consecutive scheduled shifts unless the leave is taken in relation to domestic violence, sexual assault, harassment, or stalking, in which case no doctor's certification can be required. The City will bear the cost of any such certification.

Section H. Misuse of Sick Leave: Fraudulent or deceitful use of sick leave may result in the discipline of the employee so involved, including suspension or termination of employment.

ARTICLE 24. INTEGRATION WITH WORKERS' COMPENSATION

In the event an employee suffers a compensable injury or illness on the job and cannot report for work, the first three (3) workdays of such absence will be deducted from the employee's sick leave unless the employee produces evidence from a doctor which verifies that the injury is sufficient to prevent the employee from performing work.

During the subsequent thirty (30) calendar days, the City will subsidize the difference between the employee's regular wage and the amount paid to the City by the workers' compensation insurance carrier, with no deduction from the employee's accumulated leave time. The City will pay the employee their regular wage. After the thirty (30) calendar day period specified above, the City will continue to subsidize the difference between the employee's regular wage and the amount paid to the City by the workers' compensation insurance carrier. The City will deduct one-third of a day from the employee's accrued leave for each day absent. The City will pay the employee their regular wage.

When an employee is placed on light duty and receiving workers' compensation benefits, they will be considered on duty from 8:00 a.m. to 5:00 p.m., Monday through Friday, unless duty time is otherwise assigned by the Chief. All accruals will be figured on duty time of forty hours per week.

The City may require the employee to report to a doctor of the City's choosing for verification of injury under this article. An employee's abuse of the provisions of this article may result in discipline which may include termination of employment.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **42** of **59**

ARTICLE 25 BEREAVEMENT LEAVE

Section A. Bereavement Leave: An employee shall be granted a special paid funeral leave of absence not to exceed forty (40) hours for 40-hour employees, forty-five (45) for Daytime Firefighters or forty-eight (48) hours for firefighters in the event of a death in the immediate family. This special leave shall not be charged against any accrued leave. Immediate family includes the employee's 1) spouse, 2) domestic partner, 3) parent, 4) a parent-in-law of the employee, 5) the grandparent or grandchild of the employee, 6) biological, adopted, or foster child, a stepchild, a legal ward, or 7) a person for whom the employee is standing in loco parentis. If an employee wishes to use sick leave for the hours specified for special funeral leave they may. Bereavement leave under this Article will run concurrently with leave under the Oregon Family Leave Act.

Section B. Extension: In addition to the authorized bereavement leave, upon approval of the City Manager and Fire Chief, an employee may draw upon, at the employee's discretion, their accrued sick leave, vacation or compensatory time for additional special funeral leave time. Additional bereavement leaves of absence may be granted on an individual need basis. An employee would be required to, if approved for the absence, use their leave accruals during such time. Additional bereavement leave must be approved by the Fire Chief and City Manager.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **43** of **59**

ARTICLE 26. MILITARY LEAVE

Section A. Military Leave (Extended Active Duty): An employee will be entitled to military leave without pay for service with the U.S. Armed Forces in accordance with ORS 408.240 and federal law. Verbal or written notice of military service must be provided to the Chief. An employee going on such leave may elect to be paid for accrued vacation leave and compensatory time. During leave, the employee will be considered for promotions for which they are eligible. Any promotion granted will be effective on the date that it would have become effective if the employee were not on leave.

Section B. Military Training Leave with Pay: An employee will be granted military training leave with pay according to the provisions of ORS 408.290.

ARTICLE 27. REIMBURSEMENTS

Section A. Mileage: Whenever an employee is required to utilize their own vehicle in the performance of their official City duties, compensation will be at the current mileage rate paid by the City. This shall not apply to Department drills, meetings, etc.

Section B. Meals: When employees are out of town across standard mealtimes due to out of county transports, the City will reimburse them for out of pocket expenses, as shown by receipts, up to a maximum of \$15.00 for each meal purchased.

ARTICLE 28. RETIREMENT

Section A. Public Employee Retirement System (PERS): During the life of this Agreement, the City will continue to participate in the PERS or its successor for eligible employees. The City will pick up, assume, or pay the employee's 6% individual retirement contribution to PERS. The City will continue to participate in the sick leave program administered by PERS in accordance with the law.

Section B. Oregon Public Service Retirement Plan Pension Program (OPSRP): During the life of this Agreement, the City will continue to participate in OPSRP or its successor for eligible employees. The City will pick up, assume, or pay the employee's 6% individual retirement contribution to OPSRP.

ARTICLE 29 EMPLOYEE INSURANCE BENEFITS

Section A. Medical, Dental, and Vision Insurance: The City will continue to make available medical, dental and vision insurance programs to eligible employees and their eligible dependents, if any. As of January 1, 2022, coverage will be under Regence BlueCross BlueShield Plan Copay Plan H with the Alternative Care Rider for medical, Delta Dental, or a dental plan substantially equal to or better, and a VEBA.

Each VEBA account will be funded each year, in alignment with the deductible, with the total amount shown below, prorated for employees who are not employed the full year:

Single: \$1,500

Employee and child: \$3,000 Employee and spouse: \$3,000 Employee and children: \$4,500

Family: \$4,500

The accounts will be funded 1/12 of the total amount shown above each month.

An employee must be covered under the City's health insurance to be eligible for a VEBA.

New employees: An eligible employee must have completed and returned all enrollment forms for both the health insurance and the VEBA account before the City will fund the account. The City will fund the new employee's account no later than one month following the date the employee completes and returns the enrollment forms.

Qualifying life events: The amount which the City contributes to each employee's VEBA is tied to the employee's health insurance tier (single, family, etc.). Health insurance tiers can change during a health insurance year if the employee experiences a qualifying life event. If a qualifying employee experiences a qualifying life event during a health insurance year, the monthly funding of the employee's VEBA account will be increased or decreased to reflect the amount which attaches to the new health insurance tier, starting the first full month following the qualifying life event, provided the employee has informed the finance department by the first day of the first full month following the qualifying life event. It is the employee's responsibility to inform the finance department of any qualifying life events. The City may recover overpayments if an employee fails to inform the City of the life event or if the City credits money to an account erroneously.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **47** of **59** All insurance programs will be substantially equal to or better than the program in effect as of July 1, 2021.

Section B. Premium Payment: In each of the three (3) years of this collective bargaining agreement, the City agrees to pay 90% of the monthly health insurance premium and the employee will pay 10% of the monthly health insurance premium. The employee portion will be paid through payroll deduction.

Section C. Status Change: When an employee's family status changes, and that change would reduce the monthly insurance premium the City pays for that employee, the employee will notify the City finance department of the change in family status within 30 days and complete any paperwork required by the insurance carrier. If notification and associated paperwork is not done within 30 days, the employee will pay any amount over the premium for which they would be eligible.

Section D. Life Insurance: The City will provide a base of not less than \$50,000 of term life insurance coverage for each employee covered by this Agreement. This amount will be increased to \$100,000 for accidental death.

Section E. Long Term Disability Insurance: The City will provide long-term disability insurance coverage. This coverage will provide benefits of not less than two-thirds (2/3) of the employee's regular salary commencing ninety (90) days after the date of injury or at the time the employee's sick leave is exhausted, whichever occurs later.

Section F. Mental Health: It is recognized by the City and the Union that mental health is an important part of an employee's wellbeing in the fire service. The City will continue to provide a Peer Support Group for employees to use when needed. Peer support Staff will be allowed paid time off to assist staff as needed with acute mental health situations as well as for training. The City and the Union agree to discuss issues related to the Peer Support Group as part of the labor management committee established in Article 36.

ARTICLE 30. PHYSICAL AGILITY TESTING, MEDICAL EXAMINATIONS, AND HEALTH PROTECTION FOR FIRE FIGHTERS

Section A. Comprehensive Fire Fitness Program: City will select, and make available to any interested Union member, a comprehensive fire fitness program which will be substantially equivalent to the program developed in 2007. This program will include physical fitness screening, training, and nutrition analysis and advice.

Section B. Annual Physical Examinations and Health Protection: The City will provide annual occupational medical and mental health examinations for firefighters according to NFPA 1582 guidelines in effect as of the date of this contract and the occupational fitness evaluation as outlined in Appendix B. Mental health examinations are optional and available to 40-hour employees. The City and Union will mutually agree upon a provider to conduct mental health examinations. Results of mental health examinations are confidential, and the results are not shared with the City unless the provider must share information they are required to report by law.

Section C. Annual Examination Follow-up:

- 1. The Annual Occupational Medical Examinations (see Article 30, B.) performed by a physician selected by the City, will be deemed mandatory for all Union members. The employee may select a doctor for a second opinion, at the employee's own expense. Should the opinions differ, the two doctors may select a third doctor who will either conduct an exam or review the findings of the two doctors and reach an independent conclusion, at the City's expense.
- 2. The City will compensate the employee for time spent during the Annual Occupational Medical Exam and the Annual Occupational Fitness Evaluation as on duty. Trained department members will conduct the occupational fitness evaluation internally. If an employee is going to miss, or has missed, a scheduled appointment, s/he will be required to notify administration as soon as possible in order to facilitate rescheduling.
- Refusal to participate in either the Annual Occupational Medical Exam or Occupational Fitness Evaluation may result in disciplinary action for just cause.
- 4. Individuals identified as physically unfit for duty for any reason (either an inability of the individual to successfully complete an Annual Occupational Medical Examination or the Occupational Fitness Evaluation as required in Article 30 B). shall be placed on light duty, if appropriate and available, or on sick or other available leave until such time as a medical evaluation is

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **49** of **59** made by a physician selected by the City (subject to the process identified in section C-1). If the evaluation indicates the individual is able to perform the functions of their position they will have the leave used credited to the appropriate account. If the evaluation indicates that the individual is not, medically or physically, able to perform the functions of their position, the employee will continue on light duty, provided light duty is available, or on leave, whichever is appropriate, until such time as they are released to work in a full or modified capacity or terminated.

- 5. The City may request the physician selected by the City to develop an improvement plan for any individual evaluated pursuant to Article 30, C .4, and may place the individual on the improvement plan. The improvement plan will contain a reasonable estimate of the time period required for the employee to meet city standards. The plan may include, but will not be limited to, nutrition recommendations, aerobic exercise programs, and weight training programs, rehabilitation, medical treatment and any other recommendations that may be deemed necessary.
- **6.** Refusal to participate in an improvement plan may result in disciplinary action for just cause.
- 7. Should the individual require additional treatment or continuing care, the physician selected by the City will release the individual into the care of the employee's own healthcare provider. The City will not be financially responsible for illness or injury discovered or identified by a representative of the City, unless the illness or injury has arisen as a direct result of employment with the City.
- **8.** If an employee has been off work for more than thirty (30) days due to off duty injury or illness, the Chief may require the employee to complete all or part of an examination equivalent to the Annual Occupational Medical and/or Occupational Fitness Examination prior to returning to duty.

Section D. Annual Wellness Stipend:

- The stipend will be available to employees for any of the following items up to \$250.00 each fiscal year (July 1 – June 30):
 - a. Gym memberships
 - b. Yoga studio classes
 - c. Meditation apps (Calm, Headspace)
 - d. Fitness apps (MyFitnessPal, Aaptiv)
 - e. One-time race fees (5ks, 10ks, Spartan Races, etc.)
 - f. Workout clothing or other gear
 - g. Books on healthy eating, fitness, mental health, etc.
 - h. Health classes or 1:1 sessions with personal trainers, health coaches, etc.
 - i. Any other item relevant to an employee's health

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **50** of **59**

ARTICLE 31. EQUIPMENT

Section A. Safety: The City and employees (after appropriate notice) agree to abide by all applicable federal and state safety regulations. Further, the City agrees to establish a reporting and remedial procedure for safety concerns expressed by members of the bargaining unit.

Section B. Equipment: The City agrees to provide employees with required equipment to carry out their duties. The City does not agree to repair, replace or reimburse any employee for personal equipment used by the employee during duty hours which was damaged or stolen. However, an employee shall be allowed, with the Chief's approval, to continue to provide personal equipment for duty use as per past practice.

ARTICLE 32. UNIFORMS

Section A. Uniforms

- 1. The City will determine the type and style of uniforms and clothing to be worn while on duty (with the exception of exercise/ work out apparel and sleep wear) and shall provide employees with said uniforms and clothing. For the purpose of definition, this shall include: protective apparel, shirts, pants, shoes, belts, jackets/ coats, hats, turnouts, T-shirts, sweatshirts.
- 2. Damage done to uniforms due to unauthorized use will be repaired or replaced at the employee's expense. Uniforms are to be worn only on duty, or directly to and from work or on other special occasions by permission of the Fire Chief or their designee.
- 3. Apparel provided to the employee will be maintained and washed by the employee, except in the event of contamination, when the City will launder or if necessary replace the garment. Apparel that is worn past its useful life will be turned in to the employee's supervisor for replacement.
- 4. A Class A uniform will be offered to an employee who has completed probation. Should an employee who received a Class A uniform terminate employment prior to five (5) years of service, the employee agrees to reimburse the cost of the uniform from their final check. After five (5) years of employment the employee will keep their Class A at no cost. The City is responsible for tailoring and updating the Class A as needed for promotional advancement or changes in years of service.
- 5. Uniforms will be worn as outlined in the Uniform Standard Operating Guidelines (SOG).

Section B. Protective Clothing

- 1. The City will purchase Protective ensembles (turnouts and wild land apparel) in accordance with the current National Fire Protection Association (NFPA) standard at the time of the purchase. The City will also replace the protective clothing as indicated by the appropriate NFPA standard.
- 2. Any employee who terminates employment will be required to return all City issued property to the City with the exception of the Class A uniform.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **53** of **59**

ARTICLE 33. SAVINGS CLAUSE

Should any article, section, or portion thereof of this Agreement be held or rendered unlawful and unenforceable by legislation or by final order of any court of competent jurisdiction or any administrative agency having jurisdiction over the subject matter, such legislation or decision will apply only to the specific article, section or portion thereof directly affected in the legislation or decision. Upon the issuance of such legislation or decision, the parties must agree immediately to negotiate a substitute, if possible, for the invalidated article, section or portion thereof. All other portions of this Agreement, and the Agreement as a whole will continue without interruption for the term hereof.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **54** of **59**

ARTICLE 34 TERM OF AGREEMENT

This Agreement became effective July 1, 2021, and shall continue in effect until June 30, 2024, or until a successor agreement has been agreed to by the parties, whichever is the later date. The Agreement shall automatically be renewed from year to year thereafter unless either party notifies the other in writing not later than January 15 of the year of expiration that it wishes to bargain.

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **55** of **59**

ARTICLE 35. WAGE SCHEDULES

Section A. July 1, 2021, through June 30, 2022, Cost of Living Adjustment (COLA): Effective July 1, 2021, the wage schedule of all employees shall be adjusted by two percent (2.0%) based upon the CPI-W West Consumer Price Index to the second half of the prior year.

Section B. July 1, 2022, through June 30, 2023, COLA: Effective July 1, 2022, the wage schedule of all employees shall be adjusted by not less than two percent (2.0%) and not more than four percent (4.0%) based upon the CPI-W West Consumer Price Index for the second half of the prior year.

Section C. July 1, 2023, through June 30, 2024, COLA: Effective July 1, 2023, the wage schedule of all employees shall be adjusted not less than two percent (2.0%) and not more than four percent (4.0%) based upon the CPI-W West Consumer Price Index.

Wage adjustments in addition to the COLAs as outlined above:

Classification	Year 1	Year 2	Year 3	Cost of COLA
				and wage
				adjustment
Firefighter	0%	1%	1%	Not to exceed
				4%, annually
Engineer/AO	0%	1%	1%	Not to exceed
				4%, annually
Captain	0%	2%	1%	Not to exceed
				5%, annually
Battalion	0%	2%	3%	Not to exceed
Chief				6%, annually
Deputy Fire	0%	1%	1%	Not to exceed
Marshal				4%, annually
Support	0%	1%	1%	Not to exceed
Services				4%, annually
Technician				

ARTICLE 36. SAFETY, HEALTH AND WELLNESS LABOR/MANAGEMENT COMMITTEE

Section A. Committee Defined: The Joint Labor Management Committee will meet regarding Safety, Health and Wellness programs offered by the department. They will make recommendations for improvements to existing department programs or identifying new programs that will enhance the Safety/ Health and Wellness of the organization's members.

Subjects covered by the Committee:

- Occupational Medical Exams
- Occupational Fitness Evaluations
- Injury Prevention and Rehabilitation
- Behavioral Health
- Data Collection
- Workplace Safety

Section B. Responsibility of Committee Members

- Attending, when possible, all meetings
- Committee will meet no less than twice a year
- Sharing information freely with others on the committee
- Providing problem solving ideas.
- Supporting and educating their fellow Union members with regard to the full committee recommendations.

Section C. Wages: Overtime for participating in the committee meetings will be paid.

Section D. Committee Members: The committee shall consist of two (2) exempt department members, with the Union appointing three represented employees making an effort to be diverse in the appointment.

APPENDIX A

Job Units:

For the purpose of Article 14, the following are job units. Bumping between full-time regular budgeted employees may occur within these units.

Operations Unit

- Battalion Chief
- Captain
- Lieutenant
- Fire Engineer/AO
- Firefighter
- Daytime Firefighter

40-Hour Unit

- Deputy Fire Marshal
- Fire Prevention Specialist
- Support Services Technician

DATED this day of	_, 2021
CITY OF MCMINNVILLE, OREGON	I.A.F.F., LOCAL 3099
Jeff Towery	Todd Godfrey
City Manager	President
Rich Leipfert	David Barsotti
Fire Chief	Vice President
Approved as to Form	Kody Quinlan
	Secretary
	Kristina Beaudoin
	Treasurer

City of McMinnville and Local 3099 Collective Bargaining Agreement 2021-2024 Page **59** of **59**

CITY OF McMINNVILLE CITY COUNCIL WORK SESSION

Held via Zoom Video Conference and at the Kent L. Taylor Civic Hall on Gormley Plaza McMinnville, Oregon

Tuesday, August 11, 2020 at 5:30 p.m.

Presiding: Scott Hill, Mayor

Recording Secretary: Claudia Cisneros

Councilors: Present Excused Absence

Adam Garvin
Zack Geary
Sal Peralta
Wendy Stassens

Kellie Menke, Council President

Remy Drabkin

Also present were City Manager Jeff Towery, City Attorney Amanda Guile-Hinman, City Recorder Claudia Cisneros, Parks and Recreation Director Susan Muir, Finance Director Jennifer Cuellar, Police Captain Tim Symons, Human Resources Manager Kylie Bayer-Fertterer, Fire Chief Rich Leipfert, Operations Chief Amy Hanifan, Information System Director Scott Burke, and member of the News Media –and Jerry Eichten, McMinnville

Community Media.

- 1. CALL TO ORDER: Mayor Hill called the meeting to order at 5:48 p.m.
- 2. DISCUSSION Fire Department Consolidation Discussion

City Manager Towery introduced the panelists.

Fire Chief Leipfert led the discussion on Fire Department consolidation.

George Dunkel, Special Districts Association of Oregon, gave his background and discussed trends of cities providing fire and emergency services through annexations, mergers, and consolidations with rural fire districts. Generally these had benefitted the tax payers and improved service levels. Possible issues were dealing with existing debt, transferring of capital assets, and evaluating the costs. Involving the volunteer associations and labor groups early on was a key to success. He then shared success models that McMinnville should consider.

Tim Moor, Sunriver Fire Chief, discussed his experience in creating a fire district in Redmond. Three critical areas were financial formula, governance, and district benefits. Educated elected officials were important as well as completing the due diligence without a consultant. He recommended polling to see if citizens were in support.

There was discussion regarding establishing a tax rate and getting community buy in.

Randy Groves, retired Fire Chief, discussed the shared services model in Eugene and how they integrated into one system. He also discussed the benefits of this model and how to reduce costs.

Rodney Stewart explained the labor management relationship issues within the Eugene process. Lessons they learned were the need for trust among the parties and lining that up with the labor contract negotiations.

There was discussion regarding creating a district in Eugene, financial efficiencies, challenges along the way, direct and indirect costs, how the process would be more straightforward in McMinnville, how they would potentially manage the financial changes and IGAs, overlapping during the transition, community polling, and transferring ownership of facilities and equipment.

3. ADJOURNMENT: Mayor Hill adjourned the Work Session at 7:00 p.m.

Claudia Cisneros, City Recorder

CITY OF McMINNVILLE MINUTES OF CITY COUNCIL MEETING

Held via Zoom Video Conference and at the Kent L. Taylor Civic Hall on Gormley Plaza McMinnville, Oregon

Tuesday, August 11, 2020 at 7:00 p.m.

Presiding: Scott Hill, Mayor

Recording Secretary: Claudia Cisneros

Councilors: Present Absent

Remy Drabkin
Adam Garvin
Sal Peralta
Wendy Stassens

Kellie Menke, Council President

Zack Geary

Also present were City Manager Jeff Towery, City Attorney Amanda Guile-Hinman, City Recorder Claudia Cisneros, Planning Director Heather Richards, Police Captain Tim Symons, Finance Director Jennifer Cuellar, Parks and Recreation Director Susan Muir, Information Technology Director Scott Burke, and Jerry Eichten, McMinnville Community Media.

- 1. CALL TO ORDER: Mayor Hill called the meeting to order at 7:05 p.m. and
 - welcomed all in attendance in person and via Zoom.
- 2. PROCLAMATION
- 2.a. Lemonade Day

Mayor Hill read the proclamation declaring August 15, 2020 as Lemonade Day.

Gioia Goodrum, CEO/President of the McMinnville Chamber of Commerce, announced the activities and student participation for the event.

3. INVITATION TO CITIZENS FOR PUBLIC COMMENT: Mayor Hill

invited the public to comment.

Jennifer Fisher, McMinnville resident, spoke about the eviction moratorium which was soon to expire and how plans and funds should be put into housing assistance.

- 4. ADVICE/ INFORMATION ITEMS
- 4.a. Reports from Councilors on Committee & Board Assignments

Councilor Drabkin discussed YCAP's rental assistance funds, food boxes, and moteling project.

Council President Menke attended a Webinar on the eviction crisis.

Councilor Geary reported on the Landscape Review Committee and Mac Pac meetings.

Councilor Garvin said YCOM had finished paving.

Mayor Hill reported on the Urban Renewal Advisory Committee and Mid-Willamette Valley Transportation Action Advisory Committee meetings.

4.b. Department Head Reports

City Manager Towery introduced new City Attorney, Amanda Guile-Hinman.

City Attorney Guile-Hinman discussed a recent Oregon Federal Court decision regarding local regulation of the involuntarily homeless population. She would provide a legal memorandum regarding how this applied to McMinnville.

Parks and Recreation Director Muir gave an update on fall park activities, provision of child care, and canceling of the Kids on the Block program.

Finance Director Cuellar discussed CARES Act funds that had been received and ways to maximize the revenues by pairing the funds with other funding sources.

Planning Director Richards discussed housing assistance resources. CONSENT AGENDA

- a. Consider request from American Sake Co. LLC dba SOGOOD Sake at 2803 NE Orchard Avenue for a 1st Winery Location liquor license.
- b. Consider Resolution No. 2020-49: A Resolution Approving the Appointment of a new City Attorney.

Councilor Geary MOVED to adopt the consent agenda as presented; SECONDED by Councilor Drabkin. Motion PASSED unanimously.

6. RESOLUTIONS

5.

6.a. Consider **Resolution No. 2020-47**: A Resolution amending the Planning Department Fee Schedule, adding Grading and Excavation Plan Review and Permit Fees, and House Relocation Permit Fees.

Planning Director Richards said this resolution would add fees to the Planning Department fee schedule based on code amendments that were approved at the last meeting. House relocation fees were not new, but were being moved into the fee schedule. The grading and excavation plan review and permit fees were new. This was for grading projects outside of the norm and the fees were nominal. If approved, the fees would go into effect immediately.

There was discussion regarding how the new fees would work.

Councilor Drabkin MOVED to approve Resolution No. 2020-47, amending the Planning Department Fee Schedule, adding Grading and Excavation Plan Review and Permit Fees, and House Relocation Permit Fees; SECONDED by Council President Menke. Motion PASSED 4-0 by the following vote:

Aye - Councilors Drabkin, Geary, Garvin, and Menke

Consider **Resolution No. 2020-50**: A Resolution adopting a supplemental budget for fiscal year 2020-2021, making supplemental appropriations and authorizing the City Manager to sign a contract with Biz Oregon to accept the grant funds.

Planning Director Richards explained the emergency business assistance grant program to help businesses through the pandemic, McMinnville's economic status post-Covid, what this resolution would do, qualifying criteria for businesses, ineligible businesses, funds distribution, what the funds could be used for, and timeframe to solicit applications and disburse funds. She explained the marketing to reach historically disadvantaged businesses, when applications would be accepted and vetted, EVLC's decision on the awards, when the grants would be disbursed, and next steps.

There was discussion regarding prioritizing based on the most need, providing technical assistance, other partners who had funds for distribution, and multi-lingual marketing materials and applications.

Mayor Hill opened the public hearing.

There was no public testimony.

Mayor Hill closed the public hearing.

Council President Menke MOVED to approve Resolution No. 2020-50, adopting a supplemental budget for fiscal year 2020-2021, making supplemental appropriations and authorizing the City Manager to sign a

6.b.

contract with Biz Oregon to accept the grant funds; SECONDED by Councilor Geary. Motion PASSED 4-0 by the following vote:

Aye – Councilors Drabkin, Geary, Garvin, and Menke

7. ORDINANCES

7.a. Consider first with possible second reading of **Ordinance No. 5095**: An Ordinance Amending an Existing Planned Development Overlay District to Add Multiple Family Residential as an Allowable Use, Amend Existing Building Height Limitations, And Amend the Master Plan for the Planned Development Overlay District.

No Councilor present requested that the Ordinance be read in full.

City Attorney Guile-Hinman read by title only Ordinance No. 5095, An Ordinance Amending an Existing Planned Development Overlay District to Add Multiple Family Residential as an Allowable Use, Amend Existing Building Height Limitations, And Amend the Master Plan for the Planned Development Overlay District.

Planning Director Richards said the ordinance would amend Ordinance No. 4667 to add multi-family as an allowed use and amend certain conditions of approval. She discussed the site location and zoning, site and Planned Development history, amendment request, review criteria, review of the proposal objectives, amendments to the Planned Development, amendments to the conditions of approval, public hearing and neighborhood meeting processes, Three Mile Lane Plan, recommendations from the Planning Commission, and next steps.

There was discussion regarding the allowed building height and flexibility to meet the community's needs.

Council President Menke MOVED to pass Ordinance No. 5095 to a second reading; SECONDED by Councilor Drabkin. Motion PASSED unanimously.

City Attorney Guile-Hinman read by title only for a second time Ordinance No. 5095.

Councilor Drabkin MOVED to approve the second reading of Ordinance No. 5095, amending an existing Planned Development Overlay District to add multiple family residential as an allowable use, amend existing building height limitations, and amend the Master Plan for the Planned Development Overlay District; SECONDED by Council President Menke. Motion PASSED 4-0 by the following vote:

Aye - Councilors Drabkin, Geary, Garvin, and Menke

7.b.

Consider first with possible second reading of Ordinance No. 5096: An Ordinance Amending Ordinance No. 5092, Relating to the City of McMinnville's New Requirements and Regulations Relating to Campaign Finance Declaring an Emergency.

No Councilor present requested that the Ordinance be read in full.

City Attorney Guile-Hinman read by title only Ordinance No. 5096, An Ordinance Amending Ordinance No. 5092, Relating to the City of McMinnville's New Requirements and Regulations Relating to Campaign Finance Declaring an Emergency.

Finance Director Cuellar said in the city of Portland's ordinance, the auditor was allowed to give warnings but in McMinnville's ordinance there was a minimum fine. This ordinance would waive the requirement of a minimum fine associated with violations.

There was discussion regarding the equity of this policy.

Council President Menke MOVED to pass Ordinance No. 5096 to a second reading; SECONDED by Councilor Drabkin. Motion PASSED unanimously.

City Attorney Guile-Hinman read by title only for a second time Ordinance No. 5096.

Councilor Drabkin MOVED to approve the second reading of Ordinance No. 5096, amending Ordinance No. 5092, relating to the City of McMinnville's new requirements and regulations relating to campaign finance declaring an emergency; SECONDED by Council President Menke. Motion PASSED 3-1 by the following vote:

Aye – Councilors Drabkin, Garvin, and Menke Nay – Councilor Geary

7. ADJOURNMENT: Mayor Hill adjourned the meeting at 8:58 p.m.

Claudia Cisneros, City Recorder

CITY OF McMINNVILLE MINUTES OF CITY COUNCIL WORK SESSION

Held via Zoom Video Conference and at the Kent L. Taylor Civic Hall on Gormley Plaza McMinnville, Oregon

Wednesday, August 19, 2020 at 6:00 p.m.

Presiding: Scott Hill, Mayor

Recording Secretary: Claudia Cisneros

Councilors: Present Absent

Zack Geary Adam Garvin

Kellie Menke, Council President

Sal Peralta Wendy Stassens Remy Drabkin

Also present were City Manager Jeff Towery, City Attorney Amanda Guile-Hinman, City Recorder Claudia Cisneros, Planning Director Heather Richards, Senior Planner Chuck Darnell, Senior Planner Tom Schauer, Associate Planner Jamie Fleckenstein, Project Manager DJ Heffernan, Legal Counsel Spencer Parsons, Code Compliance Officer Claudia Martinez, and Code Compliance Officer Nic Miles.

1. CALL TO ORDER: Mayor Hill called the meeting to order at 6:00 p.m.

2. PRESENTATION/DISCUSSION – URBAN GROWTH BOUNDARY (UGB) REMAND RESPONSE UPDATE:

Planning Director Richards gave a presentation on McMinnville's UGB remand which was a response to the LCDC remand to the City for the MGMUP 2003-2023, first submitted in 2003 and modified in 2005. The remand was based on the Court of Appeals remand to LCDC. The court's decision was that the City erred in its application of ORS 197.298 and a correct application of the law could compel a different result. The court directed the City to determine the land that was needed, refine the study area, identify buildable land in the study area, apply ORS 197.298 land selection for locational analysis, and evaluate the land per Goal 14 location factors. They were using the Housing Needs Analysis and Buildable Lands Inventory that was in the public record for the remand. This was a 20 year planning horizon of 2003-2023. That included a population forecast in 2023 of 44,055, persons per household of 2.54, and number of new housing units of 6,014. She explained the determination of need in the MGMUP which yielded a 2003 net land need outside the UGB to be about 1,140 acres total.

There was discussion regarding the remand response needs versus existing conditions today.

Planning Director Richards said in 2006 the record was corrected to a new land need number of 1,125. She explained the maps of the study areas, gross vs. buildable acres, summary of land supply, and exception land housing capacity. The MGMUP reflected significant housing development on three exception land areas that were brought into the UGB in 2004 but no urban development had taken place. In addition, planned zoning for multi-family in transit corridors was rescinded after the remand decision and the neighborhood activity centers did not move forward. The question was should they amend the record to revise the housing capacity in the exception lands and the existing UGB. Since the 2003 MGMUP submittal there had been a study conducted by ECONorthwest demonstrating that parcelized rural residential land brought into a UGB did not typically redevelop into urban densities, especially one and two acre parcels. She gave an example of Riverside South which was mostly 1-2 acre parcels that would more than likely not redevelop into urban densities, yet the MGMUP assumed 552 new housing units would go into this area. The 2003 MGMUP proposed that 15.6 acres of vacant land in future transit corridors be rezoned for MFR as an efficiency measure, however it reverted to its prior SFR zoning after the remand. This land had developed at the lower density SFR. The 2003 MGMUP proposed a neighborhood activity center as a mixed-use development with high density residential in two specific expansion areas: the Northwest Neighborhood Activity Center and Grandhaven. Both areas had since developed with lesser housing density. She then discussed the pros and cons of the following options: amend the record to provide a more realistic capacity forecast or leave the record as is and address this question as part of the URA process but start the URA process immediately. Staff recommended option 2, to leave the record as is and address the question in the URA process.

There was discussion regarding these options, the Urban Reserve Area process, population forecasts, penalties if the City was not fulfilling its land use planning obligations, and the State's position that the City was showing an intention to move forward and the State was supportive.

Project Manager Heffernan described the land needs for affordable housing. The 2001 residential land need analysis included information about low to moderate housing needs but did not forecast how many households nor estimated land needs for that housing. Staff prepared an estimate for this cohort based on information in the record. They also researched land needs including the impact of site development costs on housing costs. The question for the Council was should we amend the record to include affordable housing needs and land suitability facts. He reviewed the findings from 2001 that had been acknowledged in the record. These included: the distribution of household incomes in McMinnville was likely to remain the same over time, about 43% of new households would be considered low and moderate income and of that about 30% would be low income, and more than 60% of households headed by persons under age 35 and over age 65 would be low income. Most moderate income households would live in rental housing, most low income households would live in apartments, and in response future housing products were likely to transition toward smaller units and more attached housing. Given limited redevelopment opportunities in existing neighborhoods, most housing for new residents, including low and moderate income households, would need to come from new construction on vacant land. He then explained the 2023 low to moderate housing forecast and total housing mix. The 2003

Buildable Land Analysis found that YCHA and other organizations were likely to build 300 to 400 assisted housing units in McMinnville through 2023. The balance that must be built by the private sector was 83%. Most of the study areas had slopes, and the PSU Center for Real Estate Studies concluded that single family housing built on land with slopes greater than 10% had about 24% higher site development costs than on land with less slope. This added an estimated \$20-34 thousand dollars per lot and as much as \$100K to the final price. Target market decisions aside, land with greater than 10% slope was much more expensive to develop and more difficult to develop for income constrained households. Multi-family housing built on land with slopes greater than 10% carried about 50% higher site development costs than land with less than 5% slope. The research found many fewer market-rate projects on steeper slopes and those found tended to have much higher overall cost for finished products. Researchers only found a few examples of affordable housing projects on land with slopes greater than 5%. Affordable housing developers in general said they did not build on sloped sites. Researchers found that slope posed similar cost markups for affordable projects to the impact on market-rate projects. The burden that slope added to affordable projects was compounded by the competitive nature of the financing process. Sites with higher unit costs had a harder time competing for funding than those without that burden. The question for Council was should McMinnville add affordable housing need to the record and use it as a criterion for screening land to add to the UGB.

Project Manager Heffernan discussed the serviceability analysis for buildable lands. All study areas could be served, but some were very challenging and not economically practical. The service concepts rated were based on "first principles" for ease of implementation. A 1-5 point system would be used to evaluate areas, with areas that had fewer constraints being assigned more points. He explained the preliminary work that had been done and the map with areas that were easy to expand services, areas that had some constraints, and those that had significant serviceability constraints. He then described the Grandhaven conservation easement issues. In 2008 a conservation easement was placed on 170 acres of land in the Grandhaven area. Of these, 81 acres were in the existing UGB. That land was designated for residential development on the plan map. The easement in effect removed that land from the buildable inventory. It also removed an additional 15 acres from the buildable land inventory due to lack of access for a total of 96 acres. Which course of action should we pursue to resolve the loss of residential capacity in the UGB? He showed a map of this area and the conservation easement. He reviewed the pros and cons of the options including addressing the issue in the remand submission, addressing the issue in the URA submission, or preparing a UGB swap after the UGB remand response and prior to URA submittal.

Planning Director Richards discussed areas subject to natural hazards. Oregon Land Use Goal #7 required local governments to adopt comprehensive plan inventories, polices, and implementing measures to reduce the risk to people and property form natural hazards. For the purposes of this goal, natural hazards were floods, landslides, earthquakes, wildfire, etc. The 2003 MGMUP identified and eliminated slopes over 25% and floodplains as not appropriate for building but did not identify any other hazard areas. Recent data showed significant risk in portions of McMinnville and in the study areas for high risk landslides and liquefaction during an earthquake. The question for Council was should we identify the high risk hazard areas and identify them as unbuildable or limit development on them. She explained the new hazard

information for McMinnville including a social vulnerability assessment. For McMinnville, the hazards to focus on were earthquakes, floods, and landslides which all had a high local vulnerability ranking for Yamhill County. Three main factors influenced an area's susceptibility to landslides: geometry of the slope, geologic material, and water. Yamhill County had an extremely likely probability for landslides. They were projected to occur more frequently due to climate change weather issues, soil changes with drought, and large rain events. They could damage property and infrastructure. McMinnville had high risk landslide soils both within the UGB and the study areas per recent DOGAMI maps. She showed maps with the landslide areas in the study areas. The City was now aware of high risk landslide soils in the West Hills, including some areas that were already developed and some areas that were within the existing UGB. The question for Council was how should the City proceed, to call the land buildable or not buildable. Staff recommended proceeding with caution, putting low density development with mitigation measures on these lands, and adopting hazard policies in the future. The options were to declare the high risk areas unbuildable and develop policies and findings or limit density allocation on high risk landslide soils as part of the Goal 14 screening criteria. Staff thought they should also look for park land opportunities and for rural/urban transition and buffer zones. She discussed the types of earthquakes that could affect Yamhill County. McMinnville was especially vulnerable to the Cascadia event due to the liquefaction soils it was built on and that surrounded the City which would lead to landslides damaging property. She showed maps of the high risk liquefaction soil areas. The options for Council were to declare the high risk soil areas unbuildable and develop policies and findings or limit the density allocation on the high risk liquefaction soils as part of the Goal 14 screening criteria. Staff again recommended to proceed with caution, assign low density development with mitigation measures on these areas, and adopt hazard policies in the future as well as look for park land opportunities and rural/urban transition and buffer zones. She then showed maps of the steep slopes in the study areas. The options were to remove the slopes from the buildable lands inventory per allowance in state law or keep them in to retain acreage in the study area. Staff recommended removing the slopes. She explained the new study areas taking out the steep slopes and conservation easement, about 250 acres. She then reviewed the next steps.

There was discussion regarding the potential for challenge if these items were changed, hazard areas and what was and was not buildable, how these items were safe harbor and could be challenged but it was unlikely, reasons to add affordable housing needs to the record, and balancing all the statewide planning goals.

There was support for staff's recommendation to leave the remand record as is and not change the buildable lands inventory in terms of capacity inside the UGB but make it part of the URA process and start the URA process immediately. There was also support to add affordable housing needs to the record and use it as a criterion for screening land to add to the UGB. Staff should prepare a UGB swap after the UGB remand response and prior to URA submittal.

There was discussion regarding the timeframe to create and adopt hazard policies and low density development in hazard areas.

For landslides and earthquake areas, there was support to proceed with caution, allow low density development with mitigation measures, and adopt hazard policies in the future. There was also support for removing slopes greater than 25% from the buildable land inventory per allowance by state law.

3. PRESENTATION/DISCUSSION – RENTAL HOUSING MAINTENANCE PROGRAM:

Planning Director Richards gave a presentation on the rental inspections program. In April, code compliance staff provided information on this program and asked Council if they wanted to pursue it further. Council directed staff to do more research and bring it back for further consideration and direction. She explained the purpose of a rental inspection program. The program would address the issue of substandard rental properties, promote greater compliance with health and safety standards, and preserve the quality of McMinnville neighborhoods and available housing. Council directed staff to bring back a code that would adopt the IPMC as a minimum standard of maintenance for residential structures. There was some discussion about a proactive rental inspection program with a database and registration structure, and Council asked staff to bring back more information about it. She described the standards in the IPMC and how the program would work. The program established a minimum standard of habitability for residential rentals in McMinnville. If a tenant had a problem, they needed to work with the landlord to resolve it and must prove that this effort occurred. If a tenant could not resolve the issue, they would call Code Compliance who would conduct an inspection and enforce compliance with the landlord to the minimum standards. Since this would be compliant basis only, current code compliance staffing had capacity with new efficiency systems to absorb the anticipated workload. There would be no new staffing impact. She discussed the differences between a proactive and reactive program. She went through what a proactive program would look like. The advantages of a proactive program were they preserved safe and healthy rental housing, took the burden off the tenant, helped protect the most vulnerable tenants, and preserved neighborhood property values. The basic program structure was registration, periodic inspections, and enforcement. The types of housing to include were multi-unit properties, single family homes, and government owned. The scope of inspections included both exterior and interior. Staff recommended phasing in this type of program. They could do this by the following options: do drive-by exterior inspections first, focus on properties with historic complaints, inspect the oldest properties first, or divide the City into neighborhoods or quadrants. Strategies for success included: involving diverse stakeholders in designing the program, providing training for code enforcement staff, providing education, outreach, and ongoing support for landlords and tenants, and implementing complementary programs. Challenges to implementation were: discovery of uninhabitable and illegal housing units, tenant side code violations, rent increases, and displacement of marginalized households. Most cities operated this type of program as a full cost recovery program with low fee structures.

Code Compliance Officer Martinez explained the City of Gresham's program which could be a model for McMinnville. The structure of Gresham's program was a rental licensing program. They used the tax assessor's records to identify any non owner-occupied residences

where the owner's address differed from the property address. They inspected a random statistical sampling every year and responded to complaints. She then explained the inspection timeline, program statistics, and interview with Gresham's program staff.

There was discussion regarding accommodating for tenant work schedules and possible night inspections.

Planning Director Richards suggested working towards developing a program similar to Gresham. It would be a hybrid proactive and complaint based program, but with random sampling which would not be as administratively labor intensive. This would provide for consistency and transparency. They would work with rental property owners over the next year on the development of a program and implement a registration/licensing program in 2022.

There was discussion regarding registration of apartment complexes, how anyone could complain about a non-compliant property, how to address short term rentals, how to implement this program without a business license program already in place, staff capacity to put the program together and administer it, need for a balanced program to help both landlords and tenants, implementing the complaint based process next week, applying an equity lens, items that were already covered under the nuisance and fire code, dislocating tenants from uninhabitable units and connecting them with non-profits that could help, fee structure's impact on affordable housing, opportunity for public comment, need for a program like this, flexibility in the code for mental health or physical issues, and how to prohibit retaliation.

There was consensus for staff to move forward as proposed.

4. ADJOURNMENT: Mayor Hill adjourned the Work Session at 9:25 p.m.

CITY OF McMINNVILLE MINUTES OF CITY COUNCIL MEETING

Held at the Kent L. Taylor Civic Hall on Gormley Plaza McMinnville, Oregon

Tuesday, August 25, 2020 at 7:00 p.m.

Presiding: Scott Hill, Mayor

Recording Secretary: Claudia Cisneros

Councilors: Present Absent

Remy Drabkin Zack Geary

Adam Garvin

Kellie Menke, Council President

Wendy Stassens Sal Peralta

Also present were City Manager Jeff Towery, City Attorney Amanda Guile-Hinman, City Recorder Claudia Cisneros, Police Chief Matt Scales, Finance Director Jennifer Cuellar, Information Technology Director Scott Burke, Parks and Recreation Director Susan Muir, Jerry Eichten, McMinnville Community Media, and Jodie DeJonge, NewsRegister.

1. CALL TO ORDER: Mayor Hill called the meeting to order at 7:01 p.m. and welcomed all in attendance in person and via Zoom.

2. PRESENTATION

2.a. Recology Rate Review

Carl Peters, Recology General Manager, gave a Covid response update and discussed how garbage and recycling volumes were down and yard debris was up, how they supported the community, and request for the deferred rates to be effective September 1.

3. INVITATION TO CITIZENS FOR PUBLIC COMMENT: Mayor Hill invited the public to comment.

Brittany Ruiz, McMinnville resident, was surprised at the recent addition of two agenda items, especially one that was highly contentious. It was an important discussion and residents should be given at least a week's notice, not 24 hours. She requested no rate increases be approved at this time. She would also like clarification on why rates were increasing.

4. ADVICE/ INFORMATION ITEMS

4.a. Reports from Councilors on Committee & Board Assignments

Councilor Drabkin said the Affordable Housing Task Force would meet tomorrow.

Councilor Garvin said the jet air tank was operational at the airport.

Councilor Peralta said the Willamette Workforce Partnership had recently reopened grants for small businesses affected by Covid. He asked for an update on the grants the City was allocating.

City Manager Towery said applications would be accepted August 31 to September 4. Mayor Hill said MEDP and the Chamber had advertised that information.

Councilor Stassens said MURAC had approved special façade improvement grants to help downtown businesses at their last meeting and would be reviewing more at their next meeting.

Mayor Hill reported he was on the Governor's call regarding Covid and how it related to schools. Tomorrow he would be in a Mayor's conference and in interviews for MURAC.

4.b. Department Head Reports

Finance Director Cuellar said the Audit Committee would meet tomorrow to discuss reserves and fund balances.

City Recorder Cisneros said the Willamette Workforce grants information was on the City's website.

City Manager Towery discussed the DEI and Social Justice Plan.

5. CONSENT AGENDA

a. Consider **Resolution No. 2020-52**: A Resolution for City of McMinnville, Oregon Extending the City's Declaration of State of Emergency Expressed in Resolution 2020-18, Resolution 2020-28, Resolution 2020-43 and Resolution 2020-48.

b. Consider request from Rose & Arrow, LLC.: Rose & Arrow, LLC located at 1445 ne Miller Street Building B, Suite 1-4 for an OLCC Winery 1st Location Liquor License.

Councilor Peralta MOVED to adopt the consent agenda as presented; SECONDED by Council President Menke. Motion PASSED unanimously.

6. CONSIDER A REQUEST TO PERMIT A WAIVER OF THE NOISE ORDINANCE FROM MR. SMARK FOR SEPTEMBER 26TH, 2020.

City Manager Towery said Mr. Smark was the Board Director for the Portland Karting Association. He requested night time go-kart races on September 26 from noon to 10:30 p.m. This would require a waiver to the City's noise limitations after hours.

There was discussion regarding safety measures related to Covid, possible liability, notification to neighbors, and past complaints.

Mike Schorn, Portland Karting Association, discussed the number of people expected. They planned to stay within the state mandates. They would be using a reader board from the Fairgrounds for notification.

Councilor Garvin MOVED to grant the waiver request; SECONDED by Councilor Drabkin. Motion PASSED unanimously.

7. RESOLUTIONS

7.a. Consider **Resolution No. 2020-53**: A Resolution of the City of McMinnville Approving a Collection Rate Increase Not to Exceed 2.90% for Recology Inc.

Councilor Peralta recused himself from this item due to a potential conflict of interest as he did statewide policy work with Zero Waste McMinnville and Recology was a financial supporter of Zero Waste McMinnville.

City Attorney Guile-Hinman said this resolution would increase Recology's service rates for solid waste and recycling by 2.9%. They had delayed the rate increase to September 1 instead of July 1 due to the pandemic. Recology had met the standards in the franchise agreement to support this rate request.

Mark Davis, McMinnville resident, did not think there was a basis for this increase. He thought the calculations should be made public so citizens could see if they were correct. He suggested a 2.5% increase instead or for Recology to bring it back with more information that could be reviewed.

There was discussion regarding the operating margin allowed in the franchise agreement, month used for the CPI calculation, reasons for the increases since 2016, and how the process was consistent with what had been done in the past.

Carl Peters, Recology, and Dave Larmouth, Rate Analyst, explained the process and calculations for the cost of service model that was used for the rates. They also discussed operational changes with Recology compared with

Page **3** of **5**

Western Oregon Waste. The reason they picked the February index was due to Covid and getting accurate numbers.

There was further discussion regarding transparency and the economies of scale and buying power of Recology which ultimately resulted in cost savings.

City Manager Towery noted the City did an independent rate review of Recology and found that the calculations were consistent with the requirements in the City's franchise agreement and industry best practices. This was proprietary information and shielded from disclosure under the Oregon public records law. The Council heard this information in Executive Session and a high level policy recommendation was given at a regular Council meeting.

City Attorney Guile-Hinman said the index month used was acceptable given Covid. Recology had said they would not look for another rate increase until 2022 and if the rate was lowered they would probably be looking at a higher rate increase down the line.

There was discussion regarding the recycling market, how Recology had reduced contributions to the community due to increased costs, management and administrative services costs which were related to revenues, and how operational personnel costs were the main expense line for Recology and were subject to the union contract.

Brittany Ruiz, McMinnville resident, did not think this was the time to increase rates when some citizens had not received their unemployment checks or federal aid due to Covid. She thought citizens did not know this was happening and more time should be given for them to review the information.

There was discussion regarding how the standard process had been followed with notification, timing of the request, and whether or not to delay the vote.

Council President Menke MOVED to approve Resolution No. 2020-53, approving a collection rate increase not to exceed 2.90% for Recology Inc.; SECONDED by Councilor Stassens. Motion PASSED 4-0-1 by the following vote:

Aye – Councilors Drabkin, Garvin, Stassens, and Menke Recused – Councilor Peralta

Consider **Resolution No. 2020-54**: Appointing Youth Liaisons to the Planning Commission and McMinnville Urban Renewal Advisory Committee.

City Manager Towery said adding youth liaisons to City committees was a Council initiative. This resolution would appoint Ethan Downs to the

7.b.

Planning Commission and Ukiah Hollaran Steiner to the McMinnville Urban Renewal Advisory Committee for two year terms.

Mayor Hill said he, Council President Menke, and Planning Director Richards interviewed the candidates. The two chosen had the desire to serve the community and had a passion for the committee they would be on.

Ukiah Hollaran Steiner introduced herself.

Councilor Drabkin MOVED to approve Resolution No. 2020-54, appointing youth liaisons to the Planning Commission and McMinnville Urban Renewal Advisory Committee; SECONDED by Councilor Peralta. Motion PASSED 5-0 by the following vote:

Aye – Councilors Drabkin, Garvin, Stassens, Peralta, and Menke Nay – None

ADJOURNMENT: Mayor Hill adjourned the meeting at 8:38 p.m.

8.

Claudia Cisneros, City Recorder



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311
www.mcminnvilleoregon.gov

STAFF REPORT

DATE: December 14, 2021

TO: Mayor and City Councilors

FROM: Heather Richards, Planning Director

SUBJECT: Resolution No. 2021-58 (Public Hearing and Consideration)

Alternative Procurement – Navigation Center

STRATEGIC PRIORITY & GOAL:



OBJECTIVE/S: Collaborate to improve the financial feasibility of diverse housing development opportunities

Report in Brief:

This is a public hearing to consider Resolution No. 2021-58, adopting findings by the Contract Review Board to engage in a Construction Management / General Contractor procurement method for the Navigation Center Project.

Background:

In June, 2021, the City of McMinnville received \$1.5 million to construct and operate a Navigation Center per HB 2006 that was passed in the 2021 Oregon Legislative Session. (Please see attached HB 2006).

A navigation center as defined by HB 2006 is a low-barrier emergency shelter that is open seven days per week and connects individuals and families with health services, permanent housing and public benefits. The Oregon Department of Administrative Services may award grants to local government to plan the location, development or operations of a navigation center, contrast, purchase or lease a building for use as a navigation center and operate a navigation center that has been constructed, purchased or leased.

Navigation centers need to be operable by July 1, 2022.

The City of McMinnville is working with the Yamhill Community Action Partnership (YCAP) on the development and operation of the Navigation Center. A site has been chosen and a development plan conceptualized. The City is currently in negotiations for a design contract with an architect and would like to enter into a Construction Management /General Contractor (CM/GC) contract with a firm that will lead the construction of the project. The City is evaluating a CM/GC procurement for this project due to the tight timeframes and complex site conditions for the new construction. It is believed that a CM/GC

methodology will save the City money in developing the project and maintaining timely performance per the grant.

Discussion:

ORS Chapter 279C requires a competitive bidding process for Public Improvement Contracts, unless a statutory exception applies, a class of Contracts has been exempted from the competitive bidding process, or an individual Contract has been exempted from the competitive bidding process, in accordance with ORS 279C.335 and any applicable Contracting Agency administrative rules. Use of Alternative Contracting Methods may be directed by the Contracting Agency if that use is within the competitive bidding process, if feasible, or through an available statutory exception to the competitive bidding process. Use of Alternative Contracting Methods must be directed through a Contracting Agency's Contract Review Authority.

Alternative contracting methods means innovative techniques for procuring or performing Public Improvement Contracts, utilizing processes other than the traditional methods involved in the design-bid-build construction contracting method (with Award of a Public Improvement Contract based solely on price, in which a final design is issued with formal Bid documents, construction Work is obtained by sealed bid awarded to the responsible bidder submitting the lowest responsive bid, and the project is built in accordance with those documents). ORS 279C.335 and OARS 137-049-0600 – 137-049-0690 govern how to consider an alternative contracting method.

The City of McMinnville would like to use a Construction Manager / General Contractor (CM/GC) alternative contracting method for the Navigation Center project. CM/GC is defined by ORS 279C.332(3) as a method that procures a CM/GC at the same time as the design team so that the CM/GC can review and analyze the design as developed and suggest changes in the design that will minimize potential errors, delays, unexpected costs and other problems during construction.

Per ORS 279C.335(2), the Contract Review Board may exempt a public improvement contract from the competitive bidding requirements upon approval of findings submitted by the contracting agency seeking exemption. The findings document is attached.

Findings per ORS 279C.330 means the justification for a conclusion that a contracting agency, in seeking an exemption from the competitive bidding requirement based on the considerations set forth in ORS 279C.335(2), which includes but is not limited to operational, budget and financial data; public benefits; value engineering; specialized expertise required; public safety; market conditions; technical complexity; and funding sources.

The findings need to demonstrate that:

- 1.) The exemption is unlikely to encourage favoritism in awarding public improvement contracts or substantially diminish competition for public improvement contracts.
- 2.) Awarding a public improvement contract under the exemption will likely result in substantial cost savings and other substantial benefits to the contracting agency.

Based on the attached findings, the Construction Manager / General Contractor alternative contracting method will likely result in substantial cost savings to the public and provide the opportunity for the necessary specialized expertise required for the rehabilitation of a significant historic structure reducing the risk to the public.

Attachments:

- Resolution No. 2021-58
 - Exhibit 1 Findings and Decisions of The City Of McMinnville Contract Review Board to Allow an Exemption to the Public Contracting Requirements for a Public Improvement Contract for the Navigation Center Project
- HB 2006

Fiscal Impact:

A CM/GC procurement methodology should yield financial savings to the City of McMinnville. This project is funded by a State of Oregon \$1.5 million dollar grant.

Recommendation:

Staff recommends moving forward with adopting the proposed findings after conducting a public hearing.

"I move to approve Resolution No. 2021-58."

RESOLUTION NO. 2021 - 58

A Resolution by the McMinnville Contract Review Board adopting findings to utilize a Construction Manager / General Contractor as an alternative procurement method for the Navigation Center.

RECITALS:

WHEREAS, ORS Chapter 279C requires a competitive bidding process for Public Improvement Contracts, unless a statutory exception applies, a class of Contracts has been exempted from the competitive bidding process, or an individual Contract has been exempted from the competitive bidding process, in accordance with ORS 279C.335 and any applicable Contracting Agency administrative rules; and

WHEREAS, ORS 279.335 (2) provides for alternatives to the competitive bidding requirement that otherwise applies to public contracting, upon the adoption of certain findings following a public process; and

WHEREAS, The City of McMinnville (City) would like to use a Construction Manager / General Contractor (CM/GC) alternative contracting method for the Navigation Center Project (Project). CM/GC is defined by ORS 279C.332(3) as a method that procures a CM/GC at the same time as the design team so that the CM/GC can review and analyze the design as developed and suggest changes in the design that will minimize potential errors, delays, unexpected costs and other problems during construction; and

WHEREAS, the City of McMinnville's local Contract Review Board (Board) finds that under ORS 279.335 it has authority to grant specific exemptions from the competitive bidding requirements based on the following findings;

- (a) It is unlikely that such exemption will encourage favoritism in the awarding of the public contract or substantially diminish competition for the public contract, and
- (b) The awarding of the public contract pursuant to the exemption will result in substantial cost savings to the public; and

WHEREAS, The Board has drafted findings and set a public hearing that were the subject of a notice complying with ORS 270.335(5); and

WHEREAS, the Board has conducted a public hearing for the purpose of taking comments on the draft findings for the use of the CM/GC approach as an exemption from the competitive bidding requirements for the Project; and

WHEREAS, the Board, having considered the comments of interested parties, and upon deliberation upon the entire record herein;

Resolution No. 2021-58 Effective Date: December 14, 2021

Page 1 of 2

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMINNVILLE, OREGON as follows:

- The City Council adopts the findings attached hereto and incorporated by reference herein as Exhibit 1 to pursue an alternative procurement method for the Navigation Center
- 2. This Resolution will take effect immediately.

Adopted by the Common Council of the City of McMinnville serving as the McMinnville Contract Review Board at a regular meeting held the 14th day of December 2021 by the following votes:

Ayes:		
Nays:		
Approved this 14 th day of December 2021.		
MAYOR		
Approved as to form:	Attest:	
City Attorney	City Recorder	

EXHIBITS:

1. Findings and Decisions of The City Of McMinnville Contract Review Board to Allow an Exemption to the Public Contracting Requirements for a Public Improvement Contract for the Navigation Center Project.

Resolution No. 2021-58 Effective Date: December 14, 2021

Page 2 of 2

FINDINGS AND DECISIONS OF THE CITY OF MCMINNVILLE CONTRACT REVIEW BOARD TO ALLOW AN EXEMPTION TO THE PUBLIC CONTRACTING REQUIREMENTS FOR A PUBLIC IMPROVEMENT CONTRACT FOR THE

NAVIGATION CENTER PROJECT

Statutory Requirements

Oregon public contracting code as set forth in Oregon Revised Statutes ORS Chapter 279C, allows the use of a Construction Manager / General Contractor (CM/GC) alternative contracting method for public improvement contracts and provides flexibility in both proposal evaluation and contract negotiation under specific conditions and when authorized by the Local Contract Review Board. In order to utilize a competitive RFP for public improvements, ORS 279C.335 requires that the Local Contracting Review Board make certain findings as part of authorizing the use of an alternative contracting method. The findings must demonstrate that:

- It is unlikely that the exemption will encourage favoritism in the awarding of the public improvement contract or substantially diminish competition for the public improvement contract; and
- 2. The awarding of public improvement contracts under the exemption will likely result in substantial cost savings to the public.

For public improvement projects, findings must address certain additional factors, defined by ORS 279C.330. These include, but are not limited to:

- 1. Operational, budget and financial data:
- 2. Public Benefits:
- 3. Value Engineering;
- 4. Specialized expertise required;
- 5. Public safety;
- 6. Market Conditions;
- 7. Technical Complexity;
- 8. Funding Sources.

The rules also require that the owners give public notice and hold a public hearing to receive public comment on the findings before taking action on granting and exemption to a public improvement contract from the requirement of competitive bidding.

In reviewing this exemption from competitive bidding, the Board has considered the following factors:

Competition/Favoritism

It is unlikely that the process of selecting a CM/GC firm will encourage favoritism in the awarding of the public contract or substantially diminish competition for the public contract.

1. A Request for Proposal (RFP) will be publicly advertised for the CM/GC to ensure a fair, open, and competitive process. The City will use a formal competitive RFP process for

selection. The RFP process allows the City to select the company best suited for the project based on factors such as experience, ability to respond to technical complexity, unique character of the project, past performance, ability to design and construct within our budget, and other factors specific to the project.

- 2. Objective selection criteria and a formal selection process will be included in the RFP for selection of the CM/GC. The selection process to determine the highest ranking proposal will be based on a team review of weighted evaluation criteria identified in the RFP.
- 3. The CM/GC alternative contracting method will include special requirements pursuant to federal, state, and local public contracting code to ensure fair and open competition for any subcontractors. The CM/GC must follow procedures subject to the applicable federal, state, and local public contracting code for soliciting, receiving bids, and awarding any subcontracts.

Substantial Cost Savings

A CM/GC alternative contracting method should result in substantial project cost savings due to the unique nature of the Navigation Center project per the following: being a rehabilitation of two existing structures on separate lots that will be connected with a newly constructed addition.

- 1. This project will be rehabilitating two existing structures on two separate lots that are adjacent to each other and then constructing an addition between the two structures effectively connecting them. However, the two existing structures are located on two unique topographical sites with potential slope and soil issues that will make the design and construction of the addition of the two structures complex to design. A CM/GC can work with the designer to provide constructability feedback on the proposed designs of the new construction, which will help to inform the design and prevent costly change orders during construction.
- Use of a CM/GC form of contract will obtain the services of a construction manager to
 ensure that work is well coordinated and that the costs are properly evaluated. Costs
 options for materials, construction sequences, packaging of bids, bid timing, and other
 factors affecting the production of bid documents can be viewed with greater certainty
 and knowledge.
- 3. During the design phase prior to material and subcontractor bidding, the CM/GC will provide value engineering and update cost estimate information. This engineering and cost estimate will assist final decision-making about the project scope, product quality and material finish. Substantial cost savings are anticipated from the Project Team approach that is utilized in the CM/GC method of delivery because decision-making is based on cost effective and informed solutions.
- 4. Use of the CM/GC will result in substantial time savings to the City of McMinnville which is critical for two reasons. The City of McMinnville was awarded a grant for the construction of the Navigation Center, but the grant timeframe is very compressed. Additionally, construction materials are inflating rapidly so any time savings will result in cost savings to the overall project. The General selection of the CM/GC can be accomplished simultaneously with the earlier phases of the design work. The contract can be approved with the CM/GC and the CM/GC can participate in the plans review so

EXHIBIT 1

that the guaranteed maximum price can be determined more quickly with the CM/GC process than with the competitive bid process.

5. By having the CM/GC as a part of the project team and developing a guaranteed maximum price, the City is assured that the project scope and budget will match. The Guaranteed Maximum Price ("GMP") includes the expected cost to construct the project, the CM/GC firm's fee, and a contingency amount that the CM/GC believes should be available to cover changes to the proposed scope. Any increase in cost due to subcontractor bids higher than estimated, or added cost of scope items included in the contract documents but left out of he CM/GC's estimate, must be absorbed within the GMP. The CM/GC has no incentive to identify change orders that require additional funds and an overhead premium. All costs must be held within the GMP.

Other Findings Criteria (ORS 279C.330)

As set forth in ORS 279C.330, the justification of exemption may include consideration of other factors including, but not limited to:

- 1. <u>Operational, Budget and Financial Data:</u> The overall project will have a construction budget not to exceed \$900,000, including hard costs, soft costs, fixtures, and furnishings.
- 2. <u>Public Benefits:</u> This project provides needed emergency shelter and on-site services for McMinnville's homeless population.
- 3. <u>Value Engineering:</u> The CM/GC process provides many benefits and opportunities for cost savings. System options and real-time cost estimates provided by the CM/GC throughout the constructability reviews will aid the Project and allows the City to make informed cost-benefit tradeoff. During the Preconstruction phase, the CM/GC will be evaluating the budget and making suggestions for cost-saving changes and value enhancements. The CM/GC will evaluate major systems and make design recommendations to the Project Team about which systems are most cost-effective both in to purchase and install and for long term maintenance and operations.

The CM/GC also identifies whether Project sequencing is viable and design elements can be built as drawn. All of these beneficial actions by the CM/GC will improve design, expedite construction and eliminate the potential for costly change orders. The benefits of value engineering are not available with the low bid process.

4. <u>Public Safety:</u> The CM/GC will be required to maintain public safety during completion of work on the site. Additionally the competitive selection process will allow consideration of safety records and experience with similar construction projects that would not be possible as part of a traditional competitive bid process.

The Project will provide for safe public access and full compliance with ADA requirements. All work during the construction will be done in accordance with OR-OSHA safety regulations. The CM/GC selected will be highly qualified and capable and show evidence of construction safety practices that are at the highest level of integrity. The CM/GC's input into work and trade sequencing, and construction methodologies can reduce issues related to safety and provides for close controls and related risk reductions on the site.

The CM/GC method of delivery is a team approach and provides for a high level of responsibility and visible adherence to public safety. The contractor's performance on prior projects in satisfying these safety needs can be determined as part of the City's contractor selection process; this determination is not available under the low bid process.

5. <u>Market Conditions:</u> Construction prices are on the rise. Contractor knowledge is essential to create and expedite bid packages in the competitive bidding environment.

EXHIBIT 1

The CM/GC contracting process is a modern construction delivery method used by both public and private organizations. The CM/GC is tasked with keeping the Project Team up-to-date on the latest construction techniques and products. The CM/GC will inform the Project Team of current market conditions, labor and materials availability, and construction methodologies that can reduce design and construction time and costs

The CM/GC process allows "fast track" construction to start while detailing structures, interiors, and systems at the same time as awarding site work, foundations, and long-lead items. Timing the market for the various aspects of construction can result in cost savings and ultimately keeps the Project Team on a schedule. These fast-track benefits are not available under the low bid process.

6. <u>Technical Complexity:</u> This project will be new construction on a very steep site with potential soil instability connecting two existing structures that are not on the same level..

The Project has significant technical complexities which will be best addressed by a full team approach, with the CM/GC firm working with the City and the Architect to solve specific challenges identified during the preconstruction phase.

7. <u>Funding Sources:</u> Funding Sources for the project will come from a grant received by the City of McMinnville from the State of Oregon to build a Navigation Center per HB 2006 (2021 Oregon Legislative Session). Funding is limited so securing a Guaranteed Maximum Price and a project schedule reduces uncertainty and reduces the financing risks for the project.

The CM/GC method of contracting provides the greatest cost controls for limited budgets and therefore benefits the City. The team approach, the schedule, the value analysis, and constructability reviews provides the ultimate in effective cost analysis. It is critical, and also consistent with the spirit of collaboration encouraged throughout the process that everyone on the Project Team works towards a budget of which they can take ownership.

The resulting contract from the CM/GC alternative procurement process will be treated as a public contract for public improvement as defined by public contracting code and will be subject to all requirements for public improvement contracts, including but not limited to hours of labor, retainage and payment, subcontractors, bonds, insurance, warranties, reviews, and well as prevailing wage requirements.

EXHIBIT 1

Conclusion:

Based on the foregoing, the findings outlined above justify the proposed exemption and use of an alternative contracting method. After careful consideration, the City of McMinnville Contract Review Board has found the CM/GC alternative contracting method more appropriate than a traditional design-bid-build process to meet the overall project objectives for the Navigation Center Project.

The Project is a technically complex rehabilitation and connection of two existing structures on a steeply sloped sites with potential soil instability. The CM/GC process offers the best opportunity for successfully managing a complex construction on a budget and on time.

Enrolled House Bill 2006

Sponsored by Representative KOTEK; Representatives CAMPOS, DEXTER, EVANS, FAHEY, GRAYBER, HOLVEY, KROPF, LEIF, MARSH, MCLAIN, MEEK, MORGAN, NATHANSON, NERON, NOBLE, REARDON, SOLLMAN, WILDE, WILLIAMS, ZIKA, Senator PATTERSON

CHAPTER	

AN ACT

Relating to housing; creating new provisions; amending ORS 203.082, 446.265 and 458.650; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Sections 2 and 3 of this 2021 Act are added to and made a part of ORS chapter 197.

SECTION 2. (1) As used in this section, "emergency shelter" means a building or cluster of buildings that provides shelter on a temporary basis for individuals and families who lack permanent housing.

- (2) A building or cluster of buildings used as an emergency shelter under an approval granted under section 3 of this 2021 Act or section 11, chapter 12, Oregon Laws 2020 (first special session):
- (a) May resume its use as an emergency shelter after an interruption or abandonment of that use for two years or less, notwithstanding ORS 215.130 (7).
- (b) May not be used for any purpose other than as an emergency shelter except upon application for a permit demonstrating that the construction of the building and its use could be approved under current land use laws and local land use regulations.
- (3) An approval of an emergency shelter under section 3 of this 2021 Act or section 11, chapter 12, Oregon Laws 2020 (first special session) is void unless the shelter is operating within two years following the approval.

SECTION 3. (1) A local government shall approve an application for the development or use of land for an emergency shelter, as defined in section 2 of this 2021 Act, on any property, notwithstanding ORS chapter 195, 197, 197A, 215 or 227 or any statewide plan, rule of the Land Conservation and Development Commission or local land use regulation, zoning ordinance, regional framework plan, functional plan or comprehensive plan, if the emergency shelter:

- (a) Includes sleeping and restroom facilities for clients;
- (b) Will comply with applicable building codes;
- (c) Is located inside an urban growth boundary or in an area zoned for rural residential use as defined in ORS 215.501;
- (d) Will not result in the development of a new building that is sited within an area designated under a statewide planning goal relating to natural disasters and hazards, in-

cluding flood plains or mapped environmental health hazards, unless the development complies with regulations directly related to the hazard;

- (e) Has adequate transportation access to commercial and medical services; and
- (f) Will not pose any unreasonable risk to public health or safety.
- (2) An emergency shelter allowed under this section must be operated by:
- (a) A local government as defined in ORS 174.116;
- (b) An organization with at least two years' experience operating an emergency shelter using best practices that is:
 - (A) A local housing authority as defined in ORS 456.375;
 - (B) A religious corporation as defined in ORS 65.001; or
- (C) A public benefit corporation, as defined in ORS 65.001, whose charitable purpose includes the support of homeless individuals, that has been recognized as exempt from income tax under section 501(a) of the Internal Revenue Code on or before January 1, 2018; or
 - (c) A nonprofit corporation partnering with any other entity described in this subsection.
 - (3) An emergency shelter approved under this section:
 - (a) May provide on-site for its clients and at no cost to the clients:
 - (A) Showering or bathing;
 - (B) Storage for personal property;
 - (C) Laundry facilities;
 - (D) Service of food prepared on-site or off-site;
 - (E) Recreation areas for children and pets;
- (F) Case management services for housing, financial, vocational, educational or physical or behavioral health care services; or
 - (G) Any other services incidental to shelter.
- (b) May include youth shelters, winter or warming shelters, day shelters and family violence shelter homes as defined in ORS 409.290.
- (4) An emergency shelter approved under this section may also provide additional services not described in subsection (3) of this section to individuals who are transitioning from unsheltered homeless status. An organization providing services under this subsection may charge a fee of no more than \$300 per month per client and only to clients who are financially able to pay the fee and who request the services.
- (5) The approval of an emergency shelter under this section is not a land use decision and is subject to review only under ORS 34.010 to 34.100.
 - SECTION 4. (1) Section 3 of this 2021 Act is repealed on July 1, 2022.
- (2) The repeal of section 3 of this 2021 Act by subsection (1) of this section does not affect an application for the development of land for an emergency shelter that was completed and submitted before the date of the repeal.

SECTION 5. ORS 446.265 is amended to read:

- 446.265. (1) Inside an urban growth boundary, a local government may authorize the establishment of transitional housing accommodations used as individual living units by one or more individuals. Use of transitional housing accommodations is limited to [persons] individuals who lack permanent or safe shelter and who cannot be placed in other low income housing. A local government may limit the maximum amount of time that an individual or a family may use the accommodations.
- (2) Transitional housing accommodations are intended to be used by individuals or families on a limited basis for seasonal, emergency or transitional housing purposes and may include yurts, huts, cabins, fabric structures, tents and similar accommodations, as well as areas in parking lots or facilities for individuals or families to reside overnight in a motor vehicle, without regard to whether the motor vehicle was designed for use as temporary living quarters. The transitional housing accommodations may provide parking facilities, walkways and access to water, toilet, shower, laundry, cooking, telephone or other services either through separate or shared facilities.

The Oregon Health Authority may develop public health best practices for shared health and sanitation facilities for transitional housing accommodations.

- (3) Transitional housing accommodations are not subject to ORS chapter 90.
- (4) As used in this section, "yurt" means a round, domed tent of canvas or other weather resistant material, having a rigid framework, wooden floor, one or more windows or skylights and that may have plumbing, electrical service or heat.

SECTION 6. ORS 203.082 is amended to read:

203.082. [(1) Any political subdivision in this state may allow churches, synagogues and similar religious institutions to offer overnight camping space on institution property to homeless persons living in vehicles.]

- [(2) In addition to any conditions or limitations imposed by a political subdivision, a religious institution located within the political subdivision and offering camping space described under subsection (1) of this section must:]
 - [(a) Limit camping space at the institution site to three or fewer vehicles at the same time; and]
- [(b) Provide campers with access to sanitary facilities, including but not limited to toilet, hand washing and trash disposal facilities.]
- (1) Any political subdivision may allow any public or private entity to allow overnight camping by homeless individuals living in vehicles on the property of the entity.
- (2) A political subdivision may impose reasonable conditions upon offering camping space under this section, including establishing a maximum number of vehicles allowed.
- (3) Entities providing camping spaces under this section must also provide access to sanitary facilities, including toilet, handwashing and trash disposal facilities.

SECTION 7. ORS 458.650 is amended to read:

- 458.650. (1) The Emergency Housing Account [shall be] is administered by the Housing and Community Services Department to assist homeless [persons] individuals and those [persons] individuals who are at risk of becoming homeless. An amount equal to 25 percent of moneys deposited in the account pursuant to ORS 294.187 is dedicated for expenditure for assistance to veterans who are homeless or at risk of becoming homeless. For purposes of this section, "account" means the Emergency Housing Account.
- (2) The Oregon Housing Stability Council, with the advice of the Community Action Partnership of Oregon, shall develop policy for awarding grants to organizations that shall use the funds:
- (a) To provide to low and very low income [persons] individuals, including but not limited to, [persons] individuals more than 65 years of age, persons with disabilities, farmworkers and Native Americans:
 - (A) Emergency shelters and attendant services;
- (B) Transitional housing services designed to assist [persons] individuals to make the transition from homelessness to permanent housing and economic independence;
- (C) Supportive housing services to enable [persons] individuals to continue living in their own homes or to provide in-home services for such [persons] individuals for whom suitable programs do not exist in their geographic area;
 - (D) Programs that provide emergency payment of home payments, rents or utilities; or
 - (E) Some or all of the needs described in subparagraphs (A) to (D) of this paragraph.
- (b) To align with federal strategies and resources that are available to prevent and end homelessness.
- (3)(a) The council shall require as a condition of awarding a grant that the organization demonstrate to the satisfaction of the council that the organization has the capacity to deliver any service proposed by the organization.
- (b) Any funds granted under this section [shall] **may** not be used to replace existing funds. Funds granted under this section may be used to supplement existing funds. An organization may use funds to support existing programs or to establish new programs.
- (c) The council, by policy, shall give preference in granting funds to those organizations that receive grants from the Housing Development Grant Program established under ORS 458.625.

- (4) The department may expend funds from the account for:
- (a) The administration of the account as provided for in the legislatively approved budget, as that term is defined in ORS 291.002, for the department.
- (b) The development of technical assistance and training resources for organizations developing and operating emergency shelters as defined in section 2 of this 2021 Act and transitional housing accommodations as described in ORS 446.265.
- $\underline{SECTION~8.}$ Section 9 of this 2021 Act is added to and made a part of ORS 458.600 to 458.665.
- SECTION 9. (1) As used in this section, "low-barrier emergency shelter" means an emergency shelter, as defined in section 2 of this 2021 Act, that follows established best practices to deliver shelter services that minimize barriers and increase access to individuals and families experiencing homelessness.
- (2) The Housing and Community Services Department shall award grants and provide technical assistance to organizations to fund:
- (a) The construction, purchase or lease of facilities to be used as low-barrier emergency shelters;
- (b) The operation, use or staffing of low-barrier emergency shelters, including the costs to provide clients with access to the shelters;
- (c) The development or use of amenities or facilities that provide no-cost services to individuals and families who are homeless, including restroom and hygiene facilities, laundry facilities, dining facilities, storage for personal property, meeting or gathering spaces and facilities providing case management services; or
 - (d) Rapid rehousing services and supports for individuals and families.
- (3) In awarding grants and providing technical assistance under this section, the department shall:
 - (a) Ensure that funds are distributed among different regions of the state; and
- (b) Prioritize funding areas of highest need as identified in the August 2019 Oregon Statewide Shelter Study.
 - (4) Grants under this section must be awarded:
 - (a) Through a competitive process that emphasizes collaborative proposals; or
 - (b) To one or more community action agencies.
- SECTION 10. (1) As used in this section, "navigation center" means a low-barrier emergency shelter, as defined in section 9 of this 2021 Act, that is open seven days per week and connects individuals and families with health services, permanent housing and public benefits.
- (2) The Oregon Department of Administrative Services may award grants to local governments to:
 - (a) Plan the location, development or operations of a navigation center;
 - (b) Construct, purchase or lease a building for use as a navigation center;
- (c) Operate a navigation center that has been constructed, purchased or leased under paragraph (b) of this subsection; or
 - (d) Contract for the performance of activities in this subsection.
- (3) The department shall require that each local government receiving a grant under this section agree to return all moneys granted unless the local government has developed a navigation center that is operating on or before July 1, 2022.
- SECTION 11. Notwithstanding ORS 458.650 (2) and (3), the Housing and Community Services Department may expend funds from the Emergency Housing Account to award grants and provide technical assistance under section 9 of this 2021 Act.
 - SECTION 12. Sections 9, 10 and 11 of this 2021 Act are repealed on January 2, 2024.
- SECTION 13. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect on its passage.

Passed by House April 5, 2021	Received by Governor:
	, 2021
Timothy G. Sekerak, Chief Clerk of House	Approved:
	, 2021
Tina Kotek, Speaker of House	
Passed by Senate May 3, 2021	Kate Brown, Governor
	Filed in Office of Secretary of State:
	, 2021
Peter Courtney, President of Senate	
	Shemia Fagan, Secretary of State



Planning Department 231 NE Fifth Street McMinnville, OR 97128 (503) 434-7311

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: December 14, 2021

TO: Mayor and City Councilors

FROM: Heather Richards, Planning Director

SUBJECT: Ordinance No. 5107, Adopting the McMinnville OR 99W (NE McDonald Lane to

Linfield Avenue) Active Transportation Concept Plan as a Supplemental

Document to the City of McMinnville Transportation System Plan. (Docket G 4-21)

STRATEGIC PRIORITY & GOAL:





Report in Brief:

This is the consideration of Ordinance No. 5107 to adopt the *McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan* as a supplemental document to the *McMinnville Transportation System Plan*, and to add Buffered Bike Lanes and Neighborhood Greenways to Chapter 6, "Bicycle System Plan", of the *Transportation System Plan*, as bicycle facility types to utilize in McMinnville.

The Planning Commission hosted a public hearing on October 21, 2021 and voted unanimously to recommend approval of the proposed *McMinnville Transportation System Plan* amendments to the McMinnville City Council.

Attachments:

Attachment A: Public Testimony Received

Attachment B: Planning Commission Minutes, October 21, 2021

Attachment C: Ordinance No. 5107

Exhibit A: Decision Document – G 4-21

Exhibit B: OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan

Exhibit C: OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan Appendix Exhibit D: Amendment to Chapter 6, Bicycle System Plan, McMinnville Transportation System Plan

Page 11

Background:

Recently ODOT adopted the "Blueprint for Urban Design" or (BUD) to establish a framework for determining how their facilities are used in urban situations for motorists, freight, transit, bicyclist, and pedestrian.

To implement the program, ODOT identified the need for a pilot project. A couple of years ago, community stakeholders met with Jenna Berman, ODOT Region 2, Active Transportation Liaison, to discuss opportunities to improve bicycle and pedestrian infrastructure on ODOT facilities in McMinnville. Jenna was impressed with the turnout for the meeting which included city staff and community members coming together with a common goal.

At the same time, portions of Highway 99W as it travels through McMinnville were identified as a "high-risk" corridor for people walking and biking in ODOT's statewide systemic safety analysis. New walking and biking infrastructure is needed to support safe connections for people utilizing Highway 99W as a transportation corridor that is not in a car.

When thinking about a potential pilot project, Jenna Berman approached city staff about utilizing McMinnville and Highway 99 as a potential pilot study for the BUD program. ODOT would provide the necessary resources to hire a consultant team to work with ODOT staff and City of McMinnville stakeholders on an Active Trans Plan for 99W utilizing the process and principles of the Blueprint for Urban Design (BUD) program.

City staff was enthusiastic to work with ODOT on the study and the project was conceptualized and underway within four months.

The primary purpose of the McMinnville OR 99W (Linfield to McDonald) Active Transportation Concept Plan is to identify improvements within the corridor that will result in a safer, more comfortable, and attractive place to walk, bike, roll and facilitate transit use.

The project management team (comprised of consultants from Kittleson and Associates, ODOT staff and City staff) worked with a project advisory committee over the past year to identify solutions for improving Highway 99W (from Linfield to McDonald) for active (non-vehicular) modes of transportation.

Active Transportation is a term that describes self-propelled, human-powered transportation modes, such as walking, biking, skateboarding, and using a wheelchair.

Members of the Project Advisory Committee:

Name of Member	Representation
Jack Crabtree	McMinnville School District
Jamie Fleckenstein	McMinnville Planning Department / Avid Cyclist
Zack Geary	McMinnville City Council
Peter Higbee	Bicyclist Community
Charles Hillestad	Community Member / Accessibility Advocate

Attachments:

Attachment A: Public Testimony Received

Attachment B: Planning Commission Minutes, October 21, 2021

Attachment C: Ordinance No. 5107

Exhibit A: Decision Document – G 4-21

Exhibit B: OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan

Exhibit C: OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan Appendix

Exhibit D: Amendment to Chapter 6, Bicycle System Plan, McMinnville Transportation System Plan

Barb Jones	Accessibility Advocate
Steve Macartney	McMinnville Police Department
Cole Mullis	ODOT District Manager
Bahram Refael	Linfield University
Dave Rucklos	McMinnville Downtown Association
Cyrus Scarboro-Ford	McMinnville High School Student
Lori Schanche	Planning Commission, Retired Active Transportation Planner

Discussion:

The results of that work have resulted in the OR 99W (NE McDonald to Linfield Avenue) Active Transportation Concept Plan.

The OR 99W Active Transportation Plan has identified the need for buffered bicycle lanes on Highway 99 as it travels through McMinnville as well as several enhanced pedestrian crossings, and a parallel local route (neighborhood greenway) that is dedicated to active transportation as well (mostly on Davis Avenue) to alleviate the pressure on Highway 99W.

The neighborhood greenway, although a new concept for McMinnville, has emerged as a popular alternative public improvement to create local transportation infrastructure in a community that prioritizes active transportation modes for destination travel. Implementation is relatively inexpensive, and if strategically deployed, utilization is often very successful.

Attachments:

- Public Testimony Received
- Planning Commission Minutes, October 21, 2021
- Ordinance No. 5107
 - Exhibit A: Decision Document: G 4-21
 - Exhibit B: OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan
 - Exhibit C: OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan Appendix
 - Exhibit D: Suggested Amendment to Chapter 6, Bicycle System Plan of the McMinnville Transportation System Plan

Fiscal Impact:

This project was funded entirely by ODOT. Improvements to Highway 99W will likely be part of future ODOT improvement projects on the corridor and local improvements identified by the plan will need to eventually become part of the City's capital improvement plan but could be funded through Safe Routes to School grants and other funding mechanisms.

Attachments:

Attachment A: Public Testimony Received

Attachment B: Planning Commission Minutes, October 21, 2021

Attachment C: Ordinance No. 5107

Exhibit A: Decision Document - G 4-21

Exhibit B: OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan

Exhibit C: OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan Appendix Exhibit D: Amendment to Chapter 6, Bicycle System Plan, McMinnville Transportation System Plan

Recommendation:

Staff recommends the City Council adopt Ordinance No. 5107

"I MOVE TO APPROVE ORDINANCE NO. 5107 TO AMEND THE MCMINNVILLE COMPREHENSIVE PLAN BY ADOPTING THE OR 99W (NE MCDONALD LANE TO LINFIELD AVENUE) ACTIVE TRANSPORTATION CONCEPT PLAN AS A SUPPLEMENTAL DOCUMENT TO THE MCMINNVILLE TRANSPORTATION SYSTEM PLAN PRESENTED IN DOCKET G 4-21 AND TO AMEND CHAPTER 6 OF THE MCMINNVILLE TRASPORTATION SYSTEM PLAN."

Attachments:

Attachment A: Public Testimony Received

Attachment B: Planning Commission Minutes, October 21, 2021

Attachment C: Ordinance No. 5107

Exhibit A: Decision Document - G 4-21

Exhibit B: OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan

Exhibit C: OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan Appendix

Exhibit D: Amendment to Chapter 6, Bicycle System Plan, McMinnville Transportation System Plan

ATTACHMENT A

From: TARA RICH
To: Sarah Sullivan

Subject: In support bike corridor on Davis St

Date: Thursday, October 21, 2021 8:42:02 AM

This message originated outside of the City of McMinnville.

Hello Sarah

This email is in support of bike corridor on Davis Street. I live in the neighborhood and ride my bike to 3rd st and beyond often. McMinnville needs safer roads for bikers throughout. Davis street has heavy traffic with county employees and many park on streets during work hours creating a very narrow street for cars and bikes. We need more safety measures for bikers on McMinnville streets.

Thank you Tara Rich From: Jill Mann
To: Sarah Sullivan
Subject: Bike Corridor

Date: Thursday, October 21, 2021 8:49:01 AM

This message originated outside of the City of McMinnville.

Dear Sarah,

My name is Jill Mann and I live at 929 NE Davis St in McMinnville. I heard from my neighbor that you will be meeting today about putting a bike corridor in town, either on Davis Street or on 99W. I would very much prefer the bike corridor be on Davis Street. As a parent of two kids, 8 and 11, I would feel much better about them biking up my street than on the highway with all of the traffic. I have found drivers in McMinnville are not always keeping an eye out for bikers and with the speeds on 99W, it just doesn't make sense to have a bike corridor on the highway. I do hope that if there is a bike corridor on Davis Street (which I think is an awesome idea), that there will be adequate signage to that effect to alert drivers to be aware of cyclists in the street.

Many thanks and best wishes, Jill Mann From: <u>Travis McGuire</u>
To: <u>Sarah Sullivan</u>
Subject: Bike Corridor

Date: Thursday, October 21, 2021 8:52:37 AM

This message originated outside of the City of McMinnville.

Hi Sarah,

I understand that the city planning commission is meeting today to talk about a bike corridor and one of the topics is weighing the merits of Davis St. vs. Baker St.

I live near both streets, but I strongly prefer Davis Street. I have two elementary school-aged children. I believe it's much safer for them to be off of the highway. It's somewhat difficult finding safe biking areas near downtown due to deteriorating sidewalks and traffic. Being on Davis Street opens up a place for them to safely ride near our home.

Thank you for considering my point of view.

Sincerely, Travis McGuire From: <u>lisa macy</u>
To: <u>Sarah Sullivan</u>
Subject: Bike corridor on Davis

Date: Thursday, October 21, 2021 8:53:03 AM

This message originated outside of the City of McMinnville.

Hi Sarah,

I hope this finds you well. I'd like to submit testimony in support of the potential bike corridor on Davis St. We own a home on Davis and would welcome a cycling corridor.

Thank you!

Lisa Macy-Baker 1035 NE Davis St McMinnville, OR 97128 971-241-8414 From: <u>Willamette Valley Cyclists</u>

To: <u>Sarah Sullivan</u>
Subject: Bike corridor on Davis

Date: Thursday, October 21, 2021 8:55:26 AM

This message originated outside of the City of McMinnville.

McMinnville Planning, I'm the board member of nonprofit in McMinnville that focuses on increasing the outdoor recreation options for the county. My main focus is increasing the cycling option available to our community. The nonprofit supports the effort to place the bike corridor on Davis Street.

Also as a resident who lives directly on Davis Street I support and want this corridor on Davis. I have two young kids and would feel much safer having the corridor located on a quiet street like Davis instead of the highway.

Thanks for your time, effort, works, and consideration for this great project.

--

Ron Baker Willamette Valley Cyclists Treasurer/Board Member Nonprofit 501(C)3 #91-1844241 http://wvcyclists.org/ From: Philip Higgins
To: Sarah Sullivan
Subject: Cycling Lane

Date: Thursday, October 21, 2021 9:04:17 AM

This message originated outside of the City of McMinnville.

Oops. Street typo please use this one

Hello Sarah! My understanding is that the city is considering a bike Corredor either on the highway or on Davis Street.

As a avid cyclist here in Yamhill County, and somebody who is connected to Cycling tourism, I highly recommend the Davis Street route.

Moving cyclists away from automobiles, is the ideal outcome. Even protected bike lanes are subject to car cast Debris, Wind from passing vehicles, emissions, and all manner of other unpleasantries.

We want the cyclist experience in the beautiful city of McMinnville to be memorable and safe.

Philip E Higgins Pacific Crest REA 503-793-9039

Philip E Higgins Pacific Crest REA 503-793-9039

(Please excuse any mis-spelling or auto-correct oddities)

From: Jeff Burgess
To: Sarah Sullivan
Subject: Bike corridor

Date: Thursday, October 21, 2021 9:17:40 AM

This message originated outside of the City of McMinnville.

Hi, Sarah. I understand the planning commission is discussing this issue today. We would love to see the bike corridor on Davis rather than the highway to keep the kiddos safer. This would be such an important immunity amenity! Thanks for undertaking his important work.

Jeff and Tiffany Burgess

Sent from my iPhone

From: Jill Driggs Gross
To: Sarah Sullivan
Subject: Bike corridor

Date: Thursday, October 21, 2021 9:25:33 AM

This message originated outside of the City of McMinnville.

Good morning,

So I live near Davis and would absolutely love to see the bike corridor on Davis Street. We have 2 young kids and would much rather the bike corridor off the highway because it would be so much safer for them!

Thank you so much for our consideration,

Jill Gross

From: <u>David Barsotti</u>
To: <u>Sarah Sullivan</u>
Subject: Bike corridor

Date: Thursday, October 21, 2021 9:28:34 AM

This message originated outside of the City of McMinnville.

Hi Sarah,

I know the planning commission is meeting today and the bike corridor is on the list. I think it would be safer to have the bike corridor on Davis or somewhere off the highway. I don't think most families would feel comfortable with their kids biking on the highway, even I try to avoid it. Just my opinion to add to the discussion.

Thanks,

Dave Barsotti 235 NW 8TH STREET Mac From: Katie Baker
To: Sarah Sullivan
Subject: Bike corridor

Date: Thursday, October 21, 2021 9:40:50 AM

This message originated outside of the City of McMinnville.

McMinnville is in desperate need of safe bike routes. Davis st is a great option

Sent from my iPad

From: Cole Gross
To: Sarah Sullivan
Subject: Bike corridor

Date: Thursday, October 21, 2021 9:41:54 AM

This message originated outside of the City of McMinnville.

Good morning, my name is Cole Gross and I live near Davis and would really like to see a bike corridor on Davis street created. I have two young daughters and feel it's necessary to have a safe lane for them to bicycle in. This would be a great resource for the community and provide safety for our children. Thank you for your time and hard work.

Cole Gross

From: Jeff McNamee
To: Sarah Sullivan
Subject: Bike Corridor

Date: Thursday, October 21, 2021 9:52:56 AM

This message originated outside of the City of McMinnville.

Sarah-

My name is Jeff McNamee. I am professor at Linfield. It's my understanding that there is an ongoing discussion about a bike corridor on Davis St. I strongly support the bike corridor being positioned on Davis St versus out at the highway. As an active commuter, having a safe route to downtown would be wonderful for the Linfield community and surrounding neighborhoods. As you know, many students a block or two from Davis St.

Thank you, Jeff

Jeff McNamee, Ph.D.
Chair and Professor of Human Performance
Department of Health, Human Performance, and Athletics
Linfield University
900 SE Baker
McMinnville, OR 97128

Office: 503-883-2604

From: Shannon Dunn
To: Sarah Sullivan
Subject: Bike Corridor

Date: Thursday, October 21, 2021 9:53:27 AM

This message originated outside of the City of McMinnville.

Hi Sarah--I hope you can take minute to read this. I live near NE Davis Street in McMinnville. I would love to see the bike corridor on Davis and off the highway. There are a couple of high-crash intersections at 12th and 99W and Evans and 99W by the Grocery Outlet. I would like to see the bike corridor off the main drag. I have young kids. They like to ride their bikes and I worry about their safety and the safety of all in McMinnville. I hope you worry about them too and advocate for this.

Thank you, Shannon Dunn

Shannon M. Dunn (she/her/hers)
Linfield University
HHPA Assistant ext: 2411
International Programs Community Liaison ext: 2381
Isolation and Quarantine Logistics Coordinator



From: Ron Baker
To: Sarah Sullivan

Subject: Bike

Date: Thursday, October 21, 2021 9:56:49 AM

This message originated outside of the City of McMinnville.

I would love to see a bike lane on Davis Street only if parking is eliminated On one side or both of the street.

Sent from my iPhone

From: Abigail Quist
To: Sarah Sullivan
Cc: abigail quist
Subject: Bike corridor

Date: Thursday, October 21, 2021 9:59:23 AM

This message originated outside of the City of McMinnville.

Hello Sarah!

My neighbor filled me in about the potential plans for a bike corridor with some traffic calming features being added to the downtown I live right near Davis and have three active kiddos and would love to see the bike corridor on Davis street. It would be so much safer than 99 which is just not a possibility for use for our family. I am also a local business owner and know that any human (bike/pedestrian) friendly measures are good for economic development in addition to being good for the community.

Please feel free to reach out!

Best,

Abigail (she/her)

From: sinell harney
To: Sarah Sullivan
Subject: Bike trail

Date: Thursday, October 21, 2021 10:12:06 AM

This message originated outside of the City of McMinnville.

Hi Sarah,

I live near Davis Street and have young children, one with a disability. We have lived in Mcminnville for 10 years now and enjoy biking as a family in our neighborhood. It is often too challenging to haul 5 bikes to any trail, so we depend on our neighborhood being bike friendly. Adding a bike lane to Davis rather than on the highway seems to make much more sense and seems less dangerous to pedestrians, cars, and cyclists. I would not feel comfortable riding on the highway even alone.

Thank you for your consideration.

Sinell Harney

From: <u>Hallie Carpenter</u>
To: <u>Sarah Sullivan</u>

Subject: McMinnville bike corridor

Date: Thursday, October 21, 2021 10:13:17 AM

This message originated outside of the City of McMinnville.

Hi Sarah,

I understand that the planning commission is meeting today to talk about a bike corridor in McMinnville. Living near downton and having children, I always have safety and accessibility in mind. For those reasons, I do not support a bike corridor on the highway, but rather would love to see it off of the highway on Davis Street. We have so few safe places for kids to ride bikes, get around town on bikes, and to enjoy being active in our community, and if we are adding something, I think safety should be important.

Thank you.

Hallie Carpenter

From: <u>kourtneywessels@gmail.com</u>

To: <u>Sarah Sullivan</u>
Subject: Bike corridor

Date: Thursday, October 21, 2021 10:22:45 AM

This message originated outside of the City of McMinnville.

Good morning,

It has come to my attention that the city is considering placement of a bike corridor in McMinnville. We live on 408 NE 13Th Street on the corner of Davis. We also own a house on NE 10th and Galloway. We would be thrilled to have a bike corridor on Davis Street. We have an 11 and 13 year old who bike downtown and to school, and we want them to ride safely. We would happily welcome bike traffic on our street. It's important to get corridors off of busy thoroughfares like the highway and into neighborhoods. Having lived in big biking cities such as Portland, Quito, Ecuador, and Bamako, Mali, we are very aware of the benefits of encouraging biking in town. My husband was hit by a car on Cowls by the Davis Street tennis courts about 8 years ago on his commute home from Duniway. Since then, stop signs have been put in. McMinnville has a long way to go to making it a safe biking town, and an in-town, off-highway option is a vital next step. Drivers here still don't see bikes on the road well enough. We remain invisible. Putting the corridor on Davis is a safer solution.

Please don't hesitate to contact me to discuss further. Kourtney Wessels 503-437-4739

Sent from my iPhone

From: <u>Kitri McGuire</u>
To: <u>Sarah Sullivan</u>

Subject: McMinnville Planning Commission Letter of Support

Date: Thursday, October 21, 2021 10:24:31 AM

This message originated outside of the City of McMinnville.

Hello Sarah & the McMinnville Planning Commission:

I'm writing to support your plan of a bike corridor on NE Davis Street.

I live on NE 6th & Cowls, only one block from Davis. My young children, currently attending Memorial Elementary School, love to ride their bikes in our neighborhood to visit friends and burn off energy. Cars tend to travel quickly through that corridor, avoiding traffic on the busier nearby streets of Baker and Evans.

Please help keep our neighborhood a safe place for our kids to ride and play by creating a safe biking corridor on Davis Street. Thank you!

Kitri

Kitri McGuire | Marketing Director she/her/hers Visit McMinnville O: 503-857-0182 | C: 503-260-3337 328 NE Davis Street, #1, McMinnville, Oregon 97128 From: Jas Carpenter
To: Sarah Sullivan
Subject: Bike corridor

Date: Thursday, October 21, 2021 10:32:23 AM

This message originated outside of the City of McMinnville.

Good morning,

I'm emailing you in regards to the idea of a bike corridor. I live near Davis street and think that it would be very beneficial to add a bike corridor for a safe passage for our youth. I have three kids and I often worry about their safety when biking across Adams and Baker. I think that this would be a great addition to our community.

Thank you,

Jas Carpenter

From: Casey Rich
To: Sarah Sullivan
Subject: Davis Street Biking

Date: Thursday, October 21, 2021 10:36:20 AM

This message originated outside of the City of McMinnville.

Hello,

I live on 10th and Evans and really see the value in having a bike corridor down Davis Street. I have two children and would really appreciate the safety of having that option for biking north-south in town. Thanks for your consideration.

Sincerely, Casey Rich 518 NE 10th St McMinnville 503-472-9921 From: amy bizon
To: Sarah Sullivan

Subject: Public Comment:Bike Corridor

Date: Thursday, October 21, 2021 10:47:50 AM

This message originated outside of the City of McMinnville.

Good morning Sarah,

Please see this public comment re: Bike Corridor

Mcminnville Planning Commission,

Please consider implementing the planning and resources to provide for all considered Bike Corridors.

We need more safe space for bicycle travel for all of our community coming into town and through town. Regards,

Amy & Jason Bizon

315 SE Lawson Lane, Mcminnville

From: Corey Rich
To: Sarah Sullivan
Subject: Bike Corridor

Date: Thursday, October 21, 2021 10:54:56 AM

This message originated outside of the City of McMinnville.

Hello Sarah,

I live on Cowls street near downtown McMinnville. I am also a Downtown business owner and own a commercial building on Davis street. I would love to see a bike corridor on Davis street in McMinnville.

Thank you, Corey Rich From: Mary Sue Macy
To: Sarah Sullivan
Subject: Bicycle Route Input

Date: Thursday, October 21, 2021 11:22:47 AM

This message originated outside of the City of McMinnville.

Hello Sarah,

My name is Mary Sue Macy. I live on the corner of Seventh and Cowls Streets. I have two grandchildren ages 5 and 9. Although they live in the Portland area, one of the things we enjoy doing is riding bikes when they visit. It is very difficult to find a safe route with little car traffic for us to reach destinations such as parks and the corridor between Wallace Road and Baker Creek Road (our favorite place to ride safely). I would never ride on 99W. I believe this is one of the routes you are considering. There is too much traffic going in different directions. In your planning I am sure you are considering biking destinations such as parks, less traveled roads, etc. I would rather have bikes in my neighborhood than automobiles. Thank you for allowing my input.

Mary Sue Macy

From: <u>Matthew Roth</u>

To: Sarah Sullivan; Eric Ladouceur

Subject: Adoption of OR 99W Active Transportation Concept Plan

Date: Thursday, October 21, 2021 11:40:33 AM

This message originated outside of the City of McMinnville.

Planning Commission

City of McMinnville 200 NE 2nd Street McMinnville, OR

October 21, 2021

Re: Adoption of OR 99W Active Transportation Concept Plan

Dear Commissioners,

Thank you for the opportunity to comment on the OR 99W Active Transportation Concept Plan before you today. Along with my co-owner Eric Ladouceur, we represent Tommy's Bicycle Shop, a storied McMinnville business in the heart of downtown and situated on Baker Street in the Concept Plan area. We are very excited that the plan is before you today and we encourage its adoption into the McMinnville Comprehensive Plan.

We want to commend all involved in the creation of the plan, including the Project Management Team, ODOT Review team, the members of the Public Advisory Committee, the staff at the Planning Department, and all the members of the community who have dedicated their time to sharing feedback. The results of the initiative are thorough and impressive.

As business owners in the plan area, we are excited about any opportunity to improve active transportation in McMinnville and particularly on the OR 99W corridor. We are encouraged by the staff proposal for the Community Greenway on Davis Street. We imagine this approach creating a wonderful space for bicycle riders of all ages to travel through downtown in comfort and safety.

We're also encouraged by the proposed improvements on Baker Street and Adams Street, including the buffered bike lanes and the many enhancements for pedestrian crossings. Our customers and our employees often walk or bike to our store and then explore the adjacent downtown in a similar fashion, so their safety is an important consideration for us.

We hope you will support the OR 99W Active Transportation Concept Plan and we look forward to seeing it proceed to City Council and to its eventual adoption by the city.

All best wishes

Matthew Roth and Eric Ladouceur Tommy's Bicycle Shop 103 SE Baker St McMinnville, OR 97128

--

Matthew Roth Tommy's Bicycle Shop matthewr@tommyscicycleshop.com 917-825-3027 - mobile 503-472-2010 - shop From: Lysha Wasser
To: Sarah Sullivan
Subject: Bike Corridor Support

Date: Thursday, October 21, 2021 11:56:51 AM

This message originated outside of the City of McMinnville.

Good morning,

It has come to my attention that the city is considering placement of a bike corridor in McMinnville. We live on 408 NE 13th Street on the corner of Davis. We also own a house on NE 10th and Galloway. We would be thrilled to have a bike corridor on Davis Street. We have 11 and 13 year olds who bike downtown and to school, and we want them to ride safely. We would happily welcome bike traffic on our street.

It's important to get corridors off of busy thoroughfares like the highway and into neighborhoods. Having lived in big biking cities such as Portland, Oregon, and Quito, Ecuador, and Bamako, Mali, we are very aware of the benefits of encouraging biking in town. I was hit by a car on Cowls by the Davis Street tennis courts about 8 years ago on my commute home from Duniway. Since then, stop signs have been put in. McMinnville has a long way to go to make it a safe biking town, and an in-town, off-highway option is a vital next step. Drivers here still don't see bikes on the road well enough. We remain invisible. Putting the corridor on Davis is a safer solution.

Please don't hesitate to contact me to discuss further.

Lysha Wasser 503-437-5198

ATTACHMENT B



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311

www.mcminnvilleoregon.gov

MINUTES

October 21, 2021 6:30 pm
Planning Commission Zoom Online Meeting
Work Session Meeting McMinnville, Oregon

Members Present: Roger Hall, Robert Banagay, Sylla McClellan, Brian Randall, Beth Rankin,

Lori Schanche, Dan Tucholsky, and Sidonie Winfield

Members Absent: Gary Langenwalter

Staff Present: Heather Richards – Planning Director and Adam Tate – Associate Planner

1. Call to Order

Chair Hall called the meeting to order at 6:30 p.m.

2. Citizen Comments

Planning Director Richards introduced new Associate Planner, Adam Tate. Associate Planner Tate discussed his background.

3. Public Hearing:

A. Quasi-Judicial Hearing: Comprehensive Plan Map Amendment (CPA 2-20) and Zone Change, including Planned Development Overlay Designation (ZC 3-20) – (Exhibit 1) (Continued from September 16, 2021 PC Meeting)

Continuance Requested to November 18, 2021, PC Meeting

Request:

Approval to amend the Comprehensive Plan Map from Industrial to Commercial, and an amendment to the Zoning Map from M-2 (General Industrial) to C-3 PD (General Commercial with a Planned Development Overlay), for approximately 37.7 acres of a 90.4-acre property.

The 37.7 acres includes 4.25 acres intended for right-of-way dedication for a future frontage road. The application also shows a portion of the area subject to the map amendment intended for a north-south extension of Cumulus Avenue and future east-west street connectivity.

The request is submitted per the Planned Development provisions in Section 17.51.010(B) of the Zoning Ordinance, which allows for a planned development overlay designation to be applied to property without a development plan; however, if approved, no development of any kind can occur on the portion of the property subject to the C-3 PD overlay until a final development plan has been submitted and approved in accordance with the Planned Development provisions of the Zoning Ordinance. This requires the application for the final development plan to be subject

Amended on 12.15.2021 385 of 1001 to the public hearing requirements again at such time as the final development plans are submitted.

Location: The subject site is located at 3310 SE Three Mile Lane, more specifically described

at Tax Lot 700, Section 26, T.4S., R 4 W., W.M.

Application: Kimco McMinnville LLC, c/o Michael Strahs

Commissioner Tucholsky MOVED to CONTINUE the hearing for CPA 2-20 and ZC 3-20 to November 18, 2021. The motion was seconded by Commissioner Schanche and PASSED 8-0.

B. Legislative Hearing: Proposed Comprehensive Plan Amendments (G 4-21)

Requests: This is a legislative amendment, initiated by the City of McMinnville, proposing

amendments to the McMinnville Comprehensive Plan to adopt the McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan as a Supplemental Document to the City of McMinnville Transportation System Plan.

Applicant: City of McMinnville

Opening Statement: Chair Hall read the opening statement and described the application.

Disclosures: Chair Hall opened the public hearing and asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. He asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none.

Staff Presentation: Planning Director Richards said this was an amendment to the Transportation System Plan to include the Active Transportation Concept Plan as a supplemental document. She gave a background on the project and Project Advisory Committee's work. She then discussed the study area on OR 99 between NE McDonald Road (north) and Linfield Avenue (south) and how parallel side streets were considered as alternative bicycle routes. She read the corridor vision statement and explained how this would meet community needs. She listed the gaps and barriers in the walking and biking network and gave an overview of the bicycle design concepts, OR 99W concept evaluation, virtual open house and public preferences, enhanced crossing study and plan, enhanced crossing recommended locations at 15th St/Adams & Baker St, 8th St/Adams & Baker St, 3rd St/Adams St, and Cowls St/Baker St, preferred solution concepts, implementation, and findings to support the action. As noted in the Street System Plan, pavement conditions had deteriorated on Adams and Baker Streets. At some point in time, both streets would likely need to be constructed to safely carry future traffic demand. McMinnville should coordinate with ODOT to define and program the reconstruction of Adams and Baker Streets in the future update of the Statewide Transportation Improvement Program (STIP), including with it a number of pedestrian and bicycle access and safety enhancements. She explained the pedestrian system goal and the need to better link and weave the Highway 99W corridor into the multi-modal fabric of greater McMinnville with stronger pedestrian connections to Downtown. There was also a need to improve the pedestrian environment along Adams and Baker. This action would also amend Chapter 6 of the TSP to add buffered bike lanes and neighborhood greenways. She described the funding for the projects through the Capital Improvement Program in the TSP and potential funding sources in the ATCP. Notices of this hearing were sent to DLCD and the News Register. Testimony had been received from about 27 people who were in support. Comments from Commissioners had also been received regarding undergrounding utilities and safety measures for scooters.

Commission Questions: Commissioner Winfield thought when roads were dug up, utilities should be put underground.

Commissioner Rankin asked about truck traffic. Planning Director Richards said 99W did carry freight, but it was not a designated freight route like Highway 18.

Commissioner Rankin suggested adding signage to encourage trucks to use Highway 18 instead.

Commissioner McClellan asked about bicycle safety on Davis Street. Planning Director Richards said the intent was to make driving through at a quick pace not possible.

Commissioner Tucholsky asked about the funding for the projects. Planning Director Richards said Safe Routes to Schools and the General Fund were potential funding sources. They had not yet identified the timing to implement the projects and exactly how they would be funded.

There was discussion regarding bike lanes on 99W.

Public Testimony: Mark Davis, McMinnville resident, was in support of this application. He liked the flashing lights that were proposed for crosswalks. He thought it was a good plan for pedestrians. He thought they should make 99W as viable as possible and try to keep businesses in the City limits.

Chair Hall closed the public hearing.

Commission Deliberation: Commissioner Tucholsky asked if this plan was adopted, would it be implemented. Planning Director Richards said it would become part of the TSP and implemented.

Commissioner Randall was in support of the plan.

Commissioner Tucholsky asked if adequate public notice had been provided in the residential areas that would be affected. Planning Director Richards said they had not been sent a mailing, but most people who submitted testimony lived in those areas. When they planned for a specific project, they would send notice to the nearby residents.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by staff, Commissioner Schanche MOVED to RECOMMEND APPROVAL of G 4-21, adopting the Active Transportation Concept Plan as a supplemental document to the McMinnville Transportation System Plan, to the City Council. SECONDED by Commissioner Banagay. The motion PASSED 8-0.

4. Discussion Item

Work Session – Transit Plan

Planning Director Richards said this Work Session would help the Commission become familiar with the Yamhill County Transit Area Transit Development Plan. Staff was proposing to adopt the plan as a supplemental document to the Transportation System Plan and amend the Comprehensive Plan Policies and Development Code as necessary with the TSP update. She gave a history of transit in McMinnville. Transit service was provided by the Yamhill County Transit Area. McMinnville had development code that referenced the adopted Transit Plan for location of high density residential housing. The last adopted Transit Plan was the 1997 YCTA Transit

Feasibility Study. The purpose of the project was to provide strategic guidance to help YCTA provide a sustainable and innovative transit system serving both urban and rural users over a 20 year period. The potential desired outcomes for a successful plan included identifying transitsupportive land use policies and provide local jurisdictions with guidance for planning and decision making, meeting needs expected from future regional growth and tourism, and preserving the function of state highways by expanding regional transit and reducing single occupant vehicle travel. There were six transit goals for YCTA: mobility, accessibility, passenger experience, safety and security, livability and economy, and efficiency and financial accountability. She discussed how YCTA resources should be allocated, McMinnville Transit Feasibility Study from June 1997, density and transit service, linking land use and transportation, transit policies, and existing service. YCTA in a snapshot had: \$2 million annual operating budget, 4 intercity routes and local service in McMinnville and Newberg, 300,000 annual rides, and 70% of people and jobs within a quarter mile of YCTA routes/stops in McMinnville. She explained the existing YTCA ridership and service hours, how people used the system today, weekday and weekend routes, dial-a-ride trips, key issues from existing conditions, future service, plan time frames, and public and stakeholder input. She discussed the immediate, near, and long term changes to the McMinnville routes, capital priorities, technology and programs, and adoption. She also described the evaluation of McMinnville's codes. Staff recommended adopting the 2018 Yamhill County Transit Area Transit Development Plan as a supplemental document to the McMinnville Transportation System Plan. Staff also recommended changing all the references from the 1997 YCTA Transit Plan in the Comprehensive Plan, the McMinnville City Code, and the McMinnville Transportation System Plan to the 2018 Yamhill County Transit Area Transit Development Plan. Staff also recommended evaluating and amending the McMinnville Comprehensive Plan Goals and Policies and McMinnville Municipal Code as appropriate with the upcoming McMinnville Transportation System Plan update.

There was consensus for staff to bring this item back to the November meeting for Commission action.

5. Commissioner Comments

Commissioner McClellan suggested a discussion about requiring future lodging development in the City Center Overlay Zone to provide off street parking for their guests. Planning Director Richards said she could bring the Commission Work Plan to the next meeting to see where it could fit in.

Commissioner Rankin was researching investor purchasing of new construction.

6. Staff Comments

Planning Director Richards said they had hired a new planner.

7. Adjournment

Chair Hall adjourned the meeting at 8:14 p.m.

Heather Richards

Secretary

ORDINANCE NO. 5107

AN ORDINANCE ADOPTING THE OR 99W (LINFIELD TO MCDONALD) ACTIVE TRANSPORTATION CONCEPT PLAN AND ITS APPENDIX AS A SUPPLEMENTAL DOCUMENT TO THE MCMINNVILLE TRANSPORTATION SYSTEM PLAN AND AMENDING CHAPTER 6 OF THE MCMINNVILLE TRANSPORTATION SYSTEM PLAN, ENTITLED BICYCLE PLAN, TO ADD BUFFERED BIKE LANES AND NEIGHBORHOOD GREENWAYS AS BICYCLE FACILITY TYPES TO UTILIZE IN MCMINNVILLE.

RECITALS:

WHEREAS, on February 23, 2010, the McMinnville City Council approved Ordinance No. 4922 adopting the *McMinnville Transportation System Plan* as part of the *McMinnville Comprehensive Plan*; and

WHEREAS, on May 25, 2010, the McMinnville City Council approved Ordinance No. 4927 amending the *McMinnville Transportation System Plan*; and

WHEREAS, Chapter 5, Pedestrian System Plan, of the *McMinnville Transportation* System Plan, identified the "need to better link and weave the Highway 99W corridor into the multi-modal fabric of greater McMinnville, with strategic pedestrian connections to Downtown"; and

WHEREAS, Chapter 5, Pedestrian System Plan, of the *McMinnville Transportation* System Plan, also states that "there is also need to improve the pedestrian environment along Adams and Baker Streets by removing obstacles that impede safer travel and adding enhancements to the pedestrian environment"; and

WHEREAS, on pages 5-10 and 5-11 of the *McMinnville Transportation System Plan*, the plan notes that "pavement conditions have deteriorated on Adams and Baker streets. At some point in time, both streets will likely need to be reconstructed to safely carry future traffic demand. McMinnville should coordinate with ODOT to define and program the reconstruction of Adams and Baker streets in the future update of the Statewide Transportation Improvement Program (STIP), including with it a number of pedestrian and bicycle access and safety enhancements"; and

WHEREAS, in July 2020, the Oregon Department of Transportation Active Trans Group, approached the City of McMinnville about preparing an Active Trans Plan for Oregon Highway 99W in McMinnville as a pilot program for the *Blueprint for Urban Design*; and

WHEREAS, From August 2020 to April 2021, a Project Management Team (PMT) worked with a Public Advisory Committee (PAC) and the consultants on evaluating existing conditions and recommending a draft *OR 99W Active Trans Plan from NE McDonald Lane to Linfield Avenue*; and

WHEREAS, On April 27, 2021, a joint work session was conducted with the McMinnville City Council and McMinnville Planning Commission to present the final draft of the plan; and

WHEREAS, on October 21, 2021, the Planning Commission held a duly noticed public hearing to consider the proposed amendments and the Planning Commission recommended approval of the proposed amendments; and

WHEREAS, Docket G 4-21 is a legislative package of City-initiated *McMinnville Transportation System Plan* amendments related to Active Transportation; and

WHEREAS, the City Council, being fully informed about said request, found that the requested amendments conformed to the applicable Comprehensive Plan goals and policies, as well as the McMinnville Municipal Code based on the material submitted by the Planning Department and the findings of fact and conclusionary findings for approval contained in Exhibit A; and

WHEREAS, the City Council having received the Planning Commission recommendation and staff report, and having deliberated;

NOW, THEREFORE, THE COMMON COUNCIL FOR THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:

- 1. That the Council adopts the Decision, Findings of Fact and Conclusionary Findings, as documented in Exhibit A for G 4-21; and
- 2. That the *OR 99W (Linfield to McDonald) Active Transportation Concept Plan* and its Appendix are adopted as a supplemental document to the *McMinnville Transportation System Plan* as provided in Exhibits C and D.
- 3. That Chapter 6 of the *McMinnville Transportation System Plan* is amended as provided in Exhibit D.
- 4. That this Ordinance shall take effect 30 days after its passage by the City Council:

Passed by the Council this 14th day of December 2021, by the following votes:

Ayes:

Nays:

MAYOR

Attest:

Approved as to form:

CITY RECORDER

CITY ATTORNEY

Exhibits:

Exhibit A: Decision Document – G 4-21
Exhibit B: OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan

Exhibit C: OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan Appendix Exhibit D: Amendment to Chapter 6, Bicycle System Plan, McMinnville Transportation System Plan

Ordinance No. 5107 (G 4-21)



CITY CITY OF MCMINNVILLE PLANNING DEPARTMENT

231 NE FIFTH STREET MCMINNVILLE, OR 97128

503-434-7311 www.mcminnvilleoregon.gov

DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF AMENDING THE MCMINNVILLE COMPREHENSIVE PLAN BY ADOPTING THE MCMINNVILLE OR 99W (NE MCDONALD LANE TO LINFIELD AVENUE) ACTIVE TRANSPORTATION CONCEPT PLAN AS A SUPPLEMENTAL DOCUMENT TO THE CITY OF MCMINNVILLE TRANSPORTATION SYSTEM PLAN.

DOCKET: G 4-21

REQUEST: The City of McMinnville is proposing to amend the McMinnville

Comprehensive Plan by adopting the McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan as a supplemental document to the City of McMinnville Transportation System Plan and to add Buffered Bike Lanes and Neighborhood Greenways to Chapter 6, Bicycle System Plan, of the Transportation System Plan, as

bicycle facility types to utilize in McMinnville.

LOCATION: City-Wide

ZONING: N/A

APPLICANT: City of McMinnville

STAFF: Heather Richards, Planning Director

HEARINGS BODY: McMinnville Planning Commission

DATE & TIME: October 21, 2021. Public hearing held virtually via Zoom meeting software,

Zoom Online Meeting ID 892 4702 7868.

DECISION-MAKING

BODY: McMinnville City Council

DATE & TIME: December 14, 2021. Meeting held virtually via Zoom meeting software.

Zoom Online Meeting ID 810 3108 8042

PROCEDURE: The application is subject to the legislative land use procedures specified

in Sections 17.72.120 - 17.72.160 of the McMinnville Municipal Code.

CRITERIA: Amendments to the McMinnville Comprehensive Plan must be consistent

with Oregon State Regulations (ORS) governing Oregon land use goals,

.....

the Goals and Policies in Volume II of the Comprehensive Plan, and the Purpose of the Zoning Ordinance.

APPEAL:

The Planning Commission will make a recommendation to the City Council. The City Council's decision on a legislative amendment may be appealed to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date written notice of the City Council's decision is mailed to parties who participated in the local proceedings and are entitled to notice and as provided in ORS 197.620 and ORS 197.830, and Section 17.72.190 of the McMinnville Municipal Code.

DECISION

Based on the findings and conclusions and the recommendation of the McMinnville Planning Commission, the McMinnville City Council **APPROVES** the attached Comprehensive Plan amendments (G 4-21).

//////////////////////////////////////	ROVAL
City Council:Scott Hill, Mayor of McMinnville	Date:
Planning Commission: Roger Hall, Chair of the McMinnville Planning Commis	Date:ssion
Planning Department:Heather Richards, Planning Director	Date

I. APPLICATION SUMMARY:

The City of McMinnville is proposing to amend the McMinnville Comprehensive Plan by adopting the *McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan* as a supplemental document to the City of McMinnville Transportation System Plan and to add Buffered Bike Lanes and Neighborhood Greenways to Chapter 6, Bicycle System Plan, of the Transportation System Plan, as bicycle facility types to utilize in McMinnville.

II. CONDITIONS OF APPROVAL

None.

III. FINDINGS OF FACT

- 1. In July 2020, the Oregon Department of Transportation, Active Trans Group, approached the City of McMinnville about preparing an Active Trans Plan for Oregon Highway 99W in McMinnville as a pilot program for the *Blueprint for Urban Design*.
- From August 2020 to April 2021, a Project Management Team (PMT) worked with a Public Advisory Committee (PAC) and the consultants on evaluating existing conditions and recommending a draft OR 99W Active Trans Plan from NE McDonald Lane to Linfield Avenue.
- 3. On April 27, 2021, a joint work session was conducted with the McMinnville City Council and McMinnville Planning Commission to present the final draft of the plan.
- 4. Notice of the proposed amendment was provided to the Department of Land Conservation and Development (DLCD) on September 15, 2021.
- 5. Notice of the application and October 21, 2021, Planning Commission public hearing was published in the News Register on Tuesday, October 12, 2021, in accordance with Section 17.72.120 of the Zoning Ordinance.
- 6. On October 21, 2021, the Planning Commission held a duly noticed public hearing to consider the request and voted to recommend the approval of the proposed comprehensive plan amendments to the McMinnville City Council.
- 7. On December 14, 2021, the McMinnville City Council held a meeting to consider the Planning Commission's recommendation and voted to adopt Ordinance No. 5107 approving the comprehensive plan amendments.

IV. COMMENTS RECEIVED

The following comments were received in support of the plan and are on file with the City of McMinnville Planning Department.

- Email from Abigail Quist, 10.21.21
- Email from Amy Bizon, 10.21.21
- Email from Casey Rich, 10.21.21
- Email from Cole Gross, 10.21.21

.....

- Email from Corey Rich, 10.21.21
- Email from David Barsotti, 10.21.21
- Email from Hallie Carpenter, 10.21.21
- Email from Jas Carpenter, 10.21.21
- Email from Jeff Burgess, 10.21.21
- Email from Jeff McNamee, 10.21.21
- Email from Jill Driggs Gross, 10.21.21
- Email from Jill Mann, 10.21.21
- Email from Katie Baker, 10.21.21
- Email from Kitri McGuire, 10.21.21
- Email from Kourtney Wessels, 10.21.21
- Email from Lisa Macy, 10.21.21
- Email from Lysha Wasser, 10.21.21
- Email from Mary Sue Macy, 10.21.21
- Email from Matthew Roth, 10.21.21
- Email from Phil Higgins, 10.21.21
- Email from Ron Baker, 10.21.21
- Email from Shannon Dunn, 10.21.21
- Email from Sid Winfield, 10.21.21
- Email from Sinelli Harney, 10.21.21
- Email from Tara Rich, 10.21.21
- Email from Travis McGuire, 10.21.21
- Email from Willamette Valley Cyclists, 10.21.21

V. CONCLUSIONARY FINDINGS:

Alignment with Oregon's Statewide Planning Goals and Administrative Rules:

Oregon Statewide Planning Goal #1, Citizen Involvement (OAR 660-015-0000(1)) – To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the ongoing land-use planning process.

The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues.

Federal, state and regional agencies and special-purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement programs established by counties and cities.

The citizen involvement program shall incorporate the following components:

1. Citizen Involvement -- To provide for widespread citizen involvement. The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process. As a component, the program for citizen involvement shall include an officially recognized committee for citizen involvement (CCI) broadly representative of geographic areas and interests related to land use and land-use decisions. Committee members shall be selected by an open, well-publicized public process. The committee for

citizen involvement shall be responsible for assisting the governing body with the development of a program that promotes and enhances citizen involvement in land-use planning, assisting in the implementation of the citizen involvement program, and evaluating the process being used for citizen involvement. If the governing body wishes to assume the responsibility for, development as well as adoption and implementation of the citizen involvement program or to assign such responsibilities to a planning commission, a letter shall be submitted to the Land Conservation and Development Commission for the state Citizen Involvement Advisory Committee's review and recommendation stating the rationale for selecting this option, as well as indicating the mechanism to be used for an evaluation of the citizen involvement program. If the planning commission is to be used in lieu of an independent CCI, its members shall be selected by an open, well-publicized public process.

<u>FINDING</u>: **SATISFIED**. Chapter X of the McMinnville Comprehensive Plan outlines compliance with Oregon State Land-Use Goal #1. The Planning Commission has been identified as the Committee for Citizen Involvement for the City of McMinnville per McMinnville Comprehensive Plan Policy #190.00. The Planning Commission hosted a public hearing to consider this proposed amendment on October 21, 2021.

Policy #193.00 of Chapter X of the McMinnville Comprehensive Plan also encourages the City to engage local citizens in Project Advisory Committees for major Comprehensive Plan Amendments.

The Following Project Advisory Committee was established for this project:

Members of the Project Advisory Committee:

Name of Member	Representation
Jack Crabtree	McMinnville School District
Jamie Fleckenstein	McMinnville Planning Department / Avid Cyclist
Zack Geary	McMinnville City Council
Peter Higbee	Bicyclist Community
Charles Hillestad	Community Member / Accessibility Advocate
Barb Jones	Accessibility Advocate
Steve Macartney	McMinnville Police Department
Cole Mullis	ODOT District Manager
Bahram Refael	Linfield University
Dave Rucklos	McMinnville Downtown Association
Cyrus Scarboro-Ford	McMinnville High School Student
Lori Schanche	Planning Commission, Retired Active Transportation
	Planner

Oregon Statewide Planning Goal #2, Land Use Planning (OAR 660-015-0000(2)) – To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual base for such decisions and actions.

<u>FINDING</u>: **SATISFIED**. The City of McMinnville has an acknowledged adopted Comprehensive Plan that provides a land use planning process and policy framework for all decisions and actions

.....

related to the use of land. The Comprehensive Plan is implemented through the McMinnville Municipal Code.

On February 23, 2010, the McMinnville City Council adopted Ordinance No. 4922 which adopted the *City of McMinnville Transportation System Plan* as part of Volume I of the McMinnville Comprehensive Plan.

This action amends the McMinnville Comprehensive Plan by adopting the *McMinnville OR 99W* (*NE McDonald Lane to Linfield Avenue*) Active Transportation Concept Plan as a supplemental document to the McMinnville Transportation Plan.

Oregon Statewide Planning Goals #3 – 11 do not apply to this action.

Oregon Statewide Planning Goal #12, Transportation (OAR 660-015-0000(12)) – To provide and encourage a safe, convenient, and economic transportation system.

A transportation plan shall (1) consider all modes of transportation including mass transit, air, water, pipeline, rail, highway, bicycle, and pedestrian; (2) be based upon an inventory of local, regional, and state transportation needs; (3) consider the differences in social consequences that would result from utilizing differing combinations of transportation modes; (4) avoid principal reliance upon any one mode of transportation; (5) minimize adverse social, economic and environmental impacts and costs; (6) conserve energy; (7) meet the needs of the transportation disadvantaged by improving transportation services; (8) facilitate the flow of goods and services so as to strengthen the local and regional economy; and (9) conform with local and regional comprehensive land use plans.

Each plan shall include a provision for transportation as a key facility. Transportation -- refers to the movement of people and goods. Transportation Facility -- refers to any physical facility that moves or assists in the movement of people and goods excluding electricity, sewage, and water. Transportation System -- refers to one or more transportation facilities that are planned, developed, operated, and maintained in a coordinated manner to supply continuity of movement between modes, and within and between geographic and jurisdictional areas. Mass Transit -- refers to any form of passenger transportation which carries members of the public on a regular and continuing basis. Transportation Disadvantaged -- refers to those individuals who have difficulty in obtaining transportation because of their age, income, physical or mental disability.

GUIDELINES

A. PLANNING

- 1. All current area-wide transportation studies and plans should be revised in coordination with local and regional comprehensive plans and submitted to local and regional agencies for review and approval.
- 2. Transportation systems, to the fullest extent possible, should be planned to utilize existing facilities and rights-of-way within the state provided that such use is not inconsistent with the environmental, energy, land-use, economic or social policies of the state.
- 3. No major transportation facility should be planned or developed outside urban boundaries on Class 1 and II agricultural land, as defined by the U.S. Soil Conservation Service unless no feasible alternative exists.
- 4. Major transportation facilities should avoid dividing existing economic farm units and urban social units unless no feasible alternative exists.

.....

- 5. Population densities and peak hour travel patterns of existing and planned developments should be considered in the choice of transportation modes for trips taken by persons. While high density developments with concentrated trip origins and destinations should be designed to be principally served by mass transit, 2 low-density developments with dispersed origins and destinations should be principally served by the auto.
- 6. Plans providing for a transportation system should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. IMPLEMENTATION

- 1. The number and location of major transportation facilities should conform to applicable state or local land use plans and policies designed to direct urban expansion to areas identified as necessary and suitable for urban development. The planning and development of transportation facilities in rural areas should discourage urban growth while providing transportation service necessary to sustain rural and recreational uses in those areas so designated in the comprehensive plan.
- 2. Plans for new or for the improvement of major transportation facilities should identify the positive and negative impacts on: (1) local land use patterns, (2) environmental quality, (3) energy use and resources, (4) existing transportation systems and (5) fiscal resources in a manner sufficient to enable local governments to rationally consider the issues posed by the construction and operation of such facilities.
- 3. Lands adjacent to major mass transit stations, freeway interchanges, and other major air, land and water terminals should be managed and controlled so as to be consistent with and supportive of the land use and development patterns identified in the comprehensive plan of the jurisdiction within which the facilities are located.
- 4. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal

<u>FINDING</u>: **SATISFIED**. The City of McMinnville has an acknowledged adopted Transportation System Plan that addresses Oregon Land Use Goal #12. This action focuses on one aspect of the transportation network (active trans facilities) on one major arterial in the community – Oregon Highway 99W.

Oregon Statewide Planning Goals #13 – 19 do not apply to this action.

Alignment with McMinnville's Comprehensive Plan Goals and Policies:

City of McMinnville Comprehensive Plan, Volume II, Goals and Policies

The following policies from Chapter VI, "Transportation System", support this planning effort.

GOAL VI 1: TO ENCOURAGE DEVELOPMENT OF A TRANSPORTATION SYSTEM THAT PROVIDES FOR THE COORDINATED MOVEMENT OF PEOPLE AND FREIGHT IN A SAFE AND EFFICIENT MANNER.

130.00 The City of McMinnville shall encourage implementation of the Bicycle System Plan that connects residential areas to activity areas such as the downtown core, areas of work, schools, community facilities, and recreation facilities. (Ord.4922, February 23, 2010)

132.24.00 The safety and convenience of all users of the transportation system including pedestrians, bicyclists, transit users, freight, and motor vehicle drivers shall be accommodated and balanced in all types of transportation and development projects and through all phases of a project so that even the most vulnerable McMinnville residents – children, elderly, and persons with disabilities – can travel safely within the public right-of-way. Examples of how the Compete Streets policy is implemented:

- 1. Design and construct right-of-way improvements in compliance with ADA accessibility guidelines (see below).
- 2. Incorporate features that create a pedestrian friendly environment, such as:
 - a. Narrower traffic lanes:
 - b. Median refuges and raised medians;
 - c. Curb extensions ("bulb-outs");
 - d. Count-down and audible pedestrian signals;
 - e. Wider sidewalks;
 - f. Bicycle lanes; and
 - g. Street furniture, street trees, and landscaping
 - 3. Improve pedestrian accommodation and safety at signalized intersections by:
- a. Using good geometric design to minimize crossing distances and increase visibility between pedestrians and motorists.
- b. Timing signals to minimize pedestrian delay and conflicts.
- c. Balancing competing needs of vehicular level of service and pedestrian safety. (Ord. 4922, February 23, 2010)
- 132.26.00 The vehicle, pedestrian, transit, and bicycle circulation systems shall be designed to connect major activity centers in the McMinnville planning area, increase the overall accessibility of downtown and other centers, as well as provide access to neighborhood residential, shopping, and industrial areas, and McMinnville's parks and schools.
- 132.30.00 The implementation of transportation system and transportation demand management measures, provision of enhanced transit service, and provision of bicycle and pedestrian facilities in the McMinnville planning area shall be embraced by policy as the first choice for accommodating travel demand and relieving congestion in a travel corridor, before street widening projects for additional travel lanes are undertaken.

.....

- 132.31.00 The City of McMinnville shall make the design, construction, and operation of a safe transportation system for all modes of travel a high priority. (Ord. 4922, February 23, 2010)
- 132.35.00 Transportation facilities in the McMinnville planning area shall be, to the degree possible, designed and constructed to mitigate noise, energy consumption, and neighborhood disruption, and to encourage the use of public transit, bikeways, sidewalks, and walkways. (Ord. 4922, February 23, 2010)
- 132.37.00 Through implementation of the TSP and the Comprehensive Plan, the City of McMinnville will, to the extent possible, seek measures that simultaneously help reduce traffic congestion, pollution, crashes and consumer costs, while increasing mobility options for non-drivers, and encouraging a more efficient land use pattern. (Ord. 4922, February 23, 2010)
- 132.39.00 The City of McMinnville shall coordinate its transportation planning and construction efforts with those of Yamhill County and the Oregon Department of Transportation (ODOT). McMinnville's transportation plan shall be consistent with those developed at the regional and state level. (Ord. 4922, February 23, 2010)
- 132.56.00 Provide Bicycle Facilities on Arterials and some Collector Streets To the extent possible, arterial and some collector streets undergoing overlays or reconstruction will either be re-striped with bicycle lanes or sharrow (bicycle/auto shared-lane) routes as designated on the Bicycle System Plan Map. Every effort will be made to retrofit existing arterials and selective collectors with bicycle lanes, as designated on the Bicycle System Plan Map. (Ord. 4922, February 23, 2010)
- 132.56.10 Eliminate Barriers to Bicycle Travel The City will actively pursue a comprehensive system of bicycle facilities through designing and constructing projects, as resources are available, and implementing standards and regulations designed to eliminate barriers to bicycle travel. As a result of this policy, new developments or major transportation projects will neither create new, nor maintain existing, barriers to bicycle travel. (Ord. 4922, February 23, 2010)
- 132.56.20 Complete the Major Bicycle System A completed system of major bicycle facilities is one of the most important factors in encouraging bicycle travel. The City will work toward annually completing a minimum five percent addition to the bicycle system, as designated on the Bicycle System Plan Map, with priority given to projects that fill critical missing links in the bicycle system or address an identified safety hazard. (Ord. 4922, February 23, 2010)
- 132.60.15 Bicycle and Pedestrian System Funding The City should establish a new allocation and set aside 1.0% of its Motor Vehicles Fuel Tax funds for creation of on-street bicycle facilities and curb ramp replacements. (Ord. 4922, February 23, 2010)

<u>FINDING</u>: **SATISFIED**. The *McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan* achieves the above stated goals of the McMinnville Comprehensive Plan.

Alignment with McMinnville's Transportation System Plan:

Chapter 5 of the City of McMinnville Transportation Plan, the Pedestrian System Plan, identified the

.....

"need to better link and weave the Highway 99W corridor into the multi-modal fabric of greater McMinnville, with strategic pedestrian connections to Downtown. There is also need to improve the pedestrian environment along Adams and Baker Streets by removing obstacles that impede safer travel and adding enhancements to the pedestrian environment."

"As noted in the Street System Plan, pavement conditions have deteriorated on Adams and Baker streets. At some point in time, both streets will likely need to be reconstructed to safely carry future traffic demand. McMinnville should coordinate with ODOT to define and program the reconstruction of Adams and Baker streets in the future update of the Statewide Transportation Improvement Program (STIP), including with it a number of pedestrian and bicycle access and safety enhancements." (Page 5-10 and 5-11 of the *City of McMinnville Transportation Plan.*)

FINDING: **SATISFIED**. The McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan responds to the action called for in Chapter 5 of the City of McMinnville Transportation System Plan.

.....

CITY OF MCMINNVILLE

OR 99W (Linfield to McDonald) ACTIVE TRANSPORTATION CONCEPT PLAN



ACKNOWLEDGMENTS

Project Management Team

Jenna Berman, ODOT Region 2, Active Transportation Liaison
Daniel Fricke, ODOT Region 2, Senior Transportation Planner
Larry Sherwood, The City of McMinnville, Engineering Services Manager
Heather Richards, The City of McMinnville, Planning Director
Mike Bisset, The City of McMinnville, Community Development Director

ODOT Review Team

Dorothy Upton, ODOT Region 2, Region Traffic Operations Engineer Arielle Ferber, ODOT Region 2, Traffic Analysis Engineer Kristie Gladhill, ODOT Transportation Planning Analysis Unit, Senior Transportation Analyst

Consultant Project Team

KITTELSON & ASSOCIATES, INC.

Marc Butorac, PE, PTOE, PMP, Project Principal
Nick Gross, Project Manager
Amy Griffiths, EIT, Lead Analyst
Eric Germundson, Lead Designer
Steve Rhyne
Jon Sommerville

Project Advisory Committee

Barb Jones, Accessibility Advocate

Katie Taylor

Bahram Refaei, Linfield University

Cyrus Scarboro-Ford, McMinnville High School Student

Chuck Hillestad, Former Planning Commissioner, Board of Yamhill County Historic Society

Dave Rucklos, Director of McMinnville Downtown Association

Jack Crabtree, McMinnville School District

Jamie Fleckenstein, McMinnville Planning Department and Avid Cyclist

Cole Mullis, ODOT District Manager

Peter Higbee, Bicyclist Community

Steve Macartney, Public Safety

Zack Geary, McMinnville City Council

Lori Schanche, Planning Commission, Active Transportation Planner

CONTENTS

Introduction	,5
Keeping the End User in Mind	.7
What Needs Improving	.11
Who Participated in the Planning Process?	.15
Proposed Solutions	.19
Preferred Solution Concepts	.25
Enhanced Pedestrian Crossings	.85
Making the Preferred Concept a Reality	.87
Supporting Documentation	.89





active transportation

is a term that describes self-propelled, human-powered transportation modes, such as walking, biking, skateboarding, and using a wheelchair.

1 / Introduction



An Active, Thriving Future for McMinnville

The primary purpose of the McMinnville OR 99W (Linfield to McDonald) Active Transportation Concept Plan is to identify improvements within the corridor that will result in a safer, more comfortable, more attractive place to walk, bike, roll, and facilitate transit use.

Today, the high speeds and traffic volumes on OR 99W make walking and biking uncomfortable for most people. The Adams Street-Baker Street segment of OR 99W ("the couplet") does not have bike lanes. Portions of these roads were identified in the Oregon Department of Transportation (ODOT) statewide systemic safety analysis as a high-risk corridor for people walking and biking. New walking and biking infrastructure are needed to support low-stress, safe connections for people walking and biking on and around OR 99W.

The project study area is the segment of OR 99W between NE McDonald Lane (north) to Linfield Avenue (south). Parallel neighborhood streets (under the jurisdiction of the City of McMinnville) were also considered for potential alternative bicycle routes.

This Concept Plan identifies the vision and presents a solution to address the needs of people walking, biking, and rolling along the OR 99W corridor.

Adoption of this Concept Plan into the McMinnville Transportation System Plan allows both the City and ODOT to pursue funding for the various concepts presented here. Once funding is received for implementation, the concepts will be further refined through a detailed design process before being constructed.



2 / Keeping the End User in Mind

Who is McMinnville?

With over 34,000 people, McMinnville is Yamhill County's largest city, and the gateway to wine country.

Downtown McMinnville's historic character, antique stores, breweries, restaurants, and galleries make it attractive to both visitors and locals traveling on foot or by bike. McMinnville High School at the north and Linfield University at the south end of the corridor generate a substantial number of walking and biking trips, particularly for student populations.

Other walking and biking activity in the area is driven by transit stops, schools, libraries, gyms, grocery stores, health clinics, municipal buildings, community centers, places of worship, bike shops, and parks.

The area surrounding the OR 99W corridor is home to many people from transportation-disadvantaged groups: people 65 and older, 17 and younger, non-white or Hispanic (who speak little or no English), low-income, with a disability, living in crowded households, or living in households without vehicle access. On average, the people living around OR 99W at the northern end of the corridor fit into slightly more transportation disadvantaged categories and the people living near Linfield University fit into slightly fewer.

Designing to Meet Community Needs

Traditionally, transportation planners and engineers applied a set of one-size-fits-all design standards to roadway projects. These standards did not necessarily fit the unique circumstances of every community or project. The result could be undesirable, sometimes uncomfortable conditions for people using the transportation system.

Performance-based or context-sensitive design is a shift away from applying strict design standards toward designing based on a community's specific setting and circumstances. Performance-based design supports planning efforts to create projects that are contextsensitive and reflect the original intended outcomes where people want to live, work, and play.

The ODOT Blueprint for Urban Design establishes a framework for determining the urban context along state roadways. Identifying desired project outcomes and understanding the urban context, and who will be using the roadway, helps decision-makers determine appropriate performance measures to evaluate the trade-offs of various design decisions.

Project Schedule & Performance-Based Approach

AUGUST-OCTOBER SEPTEMBER-DECEMBER DECEMBER-APRIL Establish Project Goals, Evaluate Performance of Select and Develop Context. and Desired Each Alternative Concept Design Outcomes Alternatives development and preferred Corridor vision statement • Analysis methodology and assumptions alternative concept • Evaluation criteria and performance • Existing and future needs Concept Plan · Planned improvements, alternatives, and • Performance-based design framework recommendations • Plans and policy review · Draft urban design concurrence document

4 of 46

Existing Conditions & Recommendations by Mode

OR 99W Segment	Recommended Context	High Priority Modes	Vehicular Speed Comparison	Bicyclist Facility Comparison	Pedestrian Facility Comparison
NE McDonald Lane to NW 15th Street	Urban Mix	Pedestrian, Bicyclist, and Transit	Existing: 30-35 mph Recommended: 25-30 mph	Existing: standard on-street bike lanes/none Recommended: wide, comfortable, buffered facilities	Existing: standard sidewalks, no buffer Recommended: wide, comfortable, buffered facilities
NW 15th Street to SE 1st Street	Traditional Downtown/Central Business District	Pedestrian, Bicyclist, and Transit	Existing: 30 mph Recommended: 25 mph	Existing: none Recommended: wide, comfortable facilities	Existing: standard sidewalks, no buffer Recommended: wide, comfortable, buffered facilities
SE 1st Street to SW Linfield Avenue	Urban Mix	Pedestrian, Bicyclist, and Transit	Existing: 35 mph Recommended: 25-30 mph	Existing: standard, on-street bike lanes/none Recommended: wide, comfortable, buffered facilities	Existing: standard sidewalks, no buffer Recommended: wide, comfortable, buffered facilities



a transportation mode

is a way of transporting people or goods. ODOT's Blueprint for Urban Design recognizes five modes: Motorist, Freight, Transit, Bicyclist, and Pedestrian.



Source: Wikimedia Commons, by Visitor7 - Own work, CC BY-SA 3.0. https://commons.wikimedia.org/w/index.php?curid=273769

WHAT ABOUT PARKING?

Analysis Shows Minimal Impacts

By removing parking from the west side of Adams Street, this project can affordably provide walking, biking, and rolling facilities while maintaining space needed for motor vehicle and freight through movements.

Current and historic analysis shows that street parking along Adams
Street is underused. Peak parking utilization for the total 208 spaces along Adams Street was 10%. The highest parking demand was observed along Adams Street south of 2nd Avenue and is likely generated by residences. Parking along the corridor could be accommodated below 85% occupancy—the nationally accepted target for parking utilization—during peak hours along one side of the roadway.

The study evaluated solutions that stay within the roadway's existing curb-to-curb width to reduce costs and minimize impacts to private rights of way.

Thursday Peak Hour



Friday Peak Hour

Parking Utilization: ● 0% ● 1-35% ● 36-85% ● 86-100% ● No parking

ONCEPT PLAN

How Did We Choose the Best Concept?

The City's Transportation System Plan (TSP) established goals and policies that were used to evaluate the suitability of each alternative concept for active transportation facilities along the OR 99W corridor through McMinnville. These criteria align with the Corridor Vision for OR 99W.

The table below lists the evaluation criteria and how each was used to evaluate the alternative concepts for the corridor. Public opinion was an important factor in arriving at the preferred concept.

Evaluation Criteria & Performance Measures

Evaluation Criterion	Description		
Complete Streets	The preferred concept provides comfortable facilities for people walking and biking, regardless of age and ability. The "complete streets" criterion addresses the "Complete Streets" goal and supplemental policy identified in the TSP.		
Multimodal Transportation System	The preferred concept provides an integrated network of facilities and services for a variety of motorized and non-motorized travel modes based on the appropriate relative priority given the corridor context. The "multimodal transportation system" criterion addresses the "Multimodal Transportation System" goal and supplemental policy identified in the TSP.		
Connectivity	The preferred concept provides comprehensive connectivity and circulation to existing active transportation facilities in McMinnville. The preferred concept encourages walking and biking to essential destinations within the city. The "connectivity" criterion addresses the "Connectivity and Circulation," "Transportation System and Energy Efficiency," and "Transportation Sustainability" goals and supplemental policies identified in the TSP.		
Safety	The preferred concept establishes safety countermeasures to reduce the number of fatal and severe injury crashes. The "safety" criterion addresses the "Transportation Safety" and "Transportation Sustainability" goals and supplemental policies identified in the TSP.		
Equity	The preferred concept meets the requirements set forth in the Americans with Disabilities Act (ADA) and provides transportation options to transportation disadvantaged populations. The "equity" criterion addresses the "Accessibility for Persons with Disabilities" and "Health and Welfare" goals and supplemental policies identified in the TSP.		
Livability	The preferred concept minimizes impacts to adjacent property owners and encourages the use of public transit, bikeways, sidewalks, and walkways. The preferred concept provides equity and receives public support. The "livability" criterion addresses the "Livability" and "Aesthetics and Streetscaping" goals and supplemental policies identified in the TSP.		
Design Feasibility	The preferred concept has no major design feasibility concerns. The "design feasibility" criterion does not directly address any goals or supplemental policies identified in the TSP.		





3 / What Needs Improving



What Stands in the Way of Walking, Biking, and Rolling in McMinnville Today?

The project team reviewed the project study area's characteristics, safety conditions, and existing walking and biking facilities to identify gaps and deficiencies.

A gap is a missing link in the network—for example, a missing sidewalk, crosswalk, pedestrian ramp, or bicycle facility.

A deficiency is a pedestrian or bicycle facility—a sidewalk or bike lane, for example—that is insufficient to meet the needs of its users. An example of a deficient facility is a roadway near a school that is stressful for the students who travel on foot or by bike.

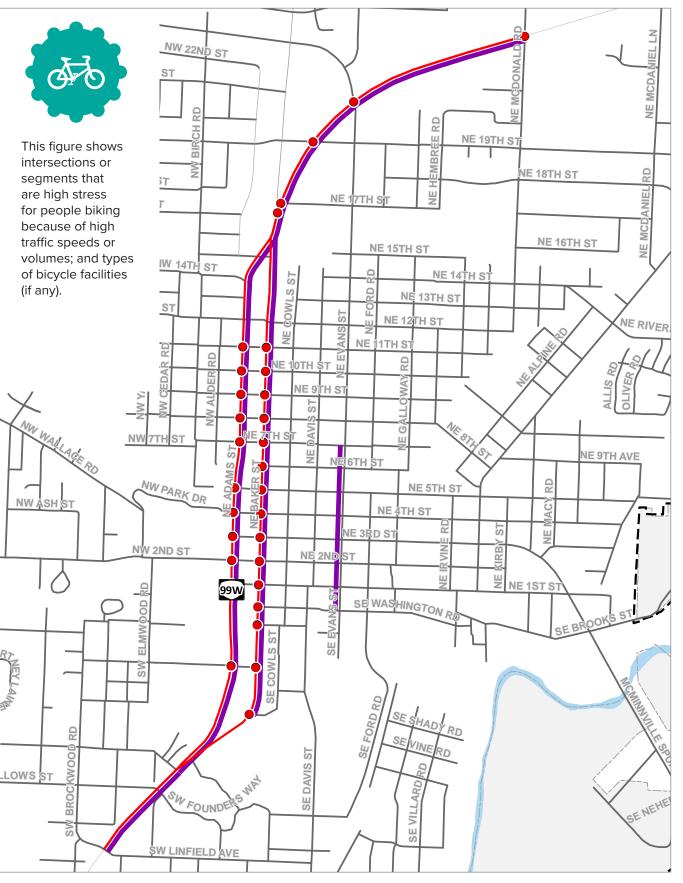


"If there were ways to **slow down vehicle traffic** and to provide clean bike lanes
(often there is a lot of debris on the road),
I would consider using OR 99W as my
main route. However, I don't think Oregon
drivers will gladly share such a main road
with non-vehicular traffic based on my
dealings as a cyclist with drivers."

-Public comment

- Exceeds recommended level of traffic stress (see supporting documentation)
- Top 40% pedestrian risk, per ODOT statewide systemic safety analysis

Bicyclist Gaps & Deficiencies



- Exceeds recommended level of traffic stress (see supporting documentation)
- Top 40% bicyclist risk, per ODOT statewide systemic safety analysis



4 / Who Participated in the Planning Process?

Community Leadership

A diverse group of 12 community members and stakeholders all interested in improving walking, biking, and rolling facilities along OR 99W—served on the Project Advisory Committee (PAC). Their responsibilities included attending committee meetings, reviewing and commenting on draft technical memoranda prepared by the project team, providing information about existing and future needs for active transportation facilities in the study area, attending and advertising the public virtual meeting, and providing input on the concepts described in this plan.

Virtual Open House

The project team, ODOT, and the City of McMinnville hosted a virtual open house for the project in early 2021. The goal of the virtual open house was to educate the public on the project and solicit feedback on the selection of a preferred concept for advancement into the draft Concept Plan.

The virtual open house included a survey, which was open from February 25 through March 11, 2021. A livestreamed virtual meeting was held on Thursday, March 4 and a recording of this meeting was posted to the virtual open house website.



38%

29%

14%

12%

7%

Comfortable biking on...

Quiet, low-traffic streets

Just about anywhere

Separated paths only

Busy streets, as long as there is a bike lane (e.g., Evans Street)

(including with traffic along OR 99W)

76

536 page views

How do they get around?







Why do they walk or bike

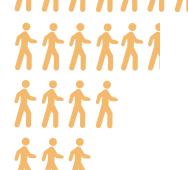
Exercise

Shopping or Errands

Social Events

Commuting to/from School

> I Do Not Walk or Bike



Cannot ride a bike/not interested

8 of 46

We received **76 comments** from community members through interactive maps, emailed comments, a community survey and virtual open house. Here's what people had to say:





THE ROAD HERE IS FAST AND GETS NARROW, WOULD THERE BE A BIKE LANE?

intersection is not pedestrian friendly! Cars are looking out

PLEASE!! ADD A DEDICATED **LEFT HAND TURN LANE GOING EAST ONTO HWY 99** AT THIS INTERSECTION!!! IT IS **SO DANGEROUS FOR KIDS/** PEDESTRIANS TRYING TO CROSS THAT HIGHWAY THERE! WITH SCHOOLS RESUMING, IT'S **INCREASINGLY IMPORTANT. THANK YOU!!**

I will be surprised if residents on Davis and Evans want what is proposed in their neighborhood. Does the solution have to be one concept or another? Can we have bike lanes on OR 99W and a neighborhood greenway?

...I SUPPORT [A SIGNAL ICON] AT 8TH AND ADAMS AND BAKER. TRAFFIC GETS **BACKED UP TO THAT POINT ALREADY**, SO IT WOULD BE NICE TO HAVE BOTH CARS AND PEDESTRIANS AWARE OF WHOSE TURN IT IS.

LIGHTS NEED TO HAVE THE **ABILITY TO CHANGE WHEN** A CYCLIST IS IN THE BIKE LANE AWAITING A GREEN LIGHT.

Evans Street is a high traffic area and primary route to the high school (with particularly young drivers) and I think this street should be avoided entirely.

Davis is fairly narrow along this strip with road parking and faster speeds, perhaps Ford Street can be a less trafficked option.

Traffic gets pretty backed up on the 99 during rush hours now. I think we need a stop light on 8th street. Additionally, either a bidirectional protected bike lane, or a greenway would be ideal.

Booth Bend would be great for a bike path (add wide safe shoulder).

THE LIGHTS ALONG 99W AND ON EVANS AND 5TH NEED TO BE BICYCLE-SENSITIVE! I HAVE WASTED SOME OF MY YOUNG YEARS AWAITING A LIGHT CHANGE IN MAC ON MY BIKE.

My concern is that most of the bike traffic will end up on the street sidewalks. I have biked on these streets and they are less stressful, but still not a street biking area for young children, youth or families.

I AM A PEDESTRIAN. I AVOID ADAMS/BAKER UNLESS MY DESTINATION IS ON THEM.

My basic route through McMinnville runs along Davis. Having an option parallel to Evans offers a less trafficked route with fewer stop signs, too. It makes traveling along on a bike much easier, which is my preferred and regular mode of transportation.

stop signs creates huge hazards!

Linfield trail improvement to keep folks off the narrow section of Baker?

5 / Proposed Solutions

Today, around 20,000 to 30,000 vehicles pass through McMinnville on Adams and Baker Streets every day. There are no dedicated bicycle lanes and no enhanced pedestrian crossings within the couplet segment of OR 99W. As a consequence, ODOT identified the couplet as high risk for pedestrians and bicyclists in its statewide systemic safety analysis.

The OR 99W corridor needs context-sensitive solutions to support a lower-stress, safer connection within McMinnville's multimodal transportation system.

Potential Design Options

The project team developed three concepts for the McMinnville OR 99W Active Transportation Concept Plan based on an analysis of existing conditions and input from the Project Management Team (PMT), Project Advisory Committee (PAC), and public.

These concepts included:

- Concept 1: Two-Way Separated Bike Lane on Adams
- Concept 2: Buffered Bike Lanes on Adams Street and
- Concept 3: Neighborhood Greenway on Davis Street or Evans Street

Concept layouts for these options are provided in the Appendix in TM #5: Alternatives Development and Preferred Alternative Concept.

BICYCLE DESIGN OPTIONS:

1 / Two-Way Separated Bike Lane

A two-way separated bike lane, also known as a twoway cycle track or protected bike lane, is located within the street right-of-way. It is separated from motor vehicle traffic by vertical features such as curbs, landscape planters, flexible post delineators (shown in the image on the right), or parked cars. Two-way separated bike lanes serve bicycle travel in two directions on one side of the street.

2 / Buffered Bike Lane

Buffered bicycle lanes are on-street lanes that include an additional striped buffer of typically 2-3 feet between the bicycle lane and the vehicle travel lane and/or between the bicycle lane and the vehicle parking lane.

3 / Neighborhood Greenway

Neighborhood greenways are low traffic volume, low-speed streets where people biking and people driving share road space, but where people biking are prioritized and people driving are not encouraged to use the road as a through street.







Concept 1: Two-Way Separated Bike Lane on Adams Street

Concept 1 proposes a two-way separated bike lane along the west side of Adams Street between 2nd and 15th Streets, transitioning to buffered bike lanes to the north and south and tying into existing bike lanes on OR 99W. The separated bike lanes are proposed to be at street level, separated from vehicular traffic with flexible post delineators. This concept requires removing the parking lane on the west side of Adams Street and narrowing vehicle lane widths. It creates the need to transition bicycles from one-way buffered lanes to the two-way portion. Physical buffers may make it difficult for street sweepers to maintain and could impact freight travel through the corridor. The order of magnitude, preliminary cost estimate for this concept is \$857,000.

Concept 2: Buffered Bike Lanes on Adams Street and Baker Street

Concept 2 proposes buffered bike lanes along Adams and Baker Street. The concept requires removing parking on the west side of Adams Street and narrowing vehicle lane widths on Baker Street. Parking will be maintained on Baker Street. This concept provides vertical separation from vehicular traffic along some segments and intersections, but not throughout the whole corridor, which makes it easier for street sweepers to maintain. It would also have less impact to freight movements than the two-way separated bike lane. The order of magnitude, preliminary cost estimate for this concept is \$418,000.

Concept 3: Neighborhood Greenway on Davis Street or Evans Street

Concept 3 proposes a neighborhood greenway parallel to OR 99W using signage and pavement markings to direct people through the neighborhood. These routes have lower traffic volumes and speeds compared to OR 99W, offering a more comfortable alternative to biking or walking along the highway. Additional infrastructure improvements can be used to reduce vehicle speeds and bring more attention to people walking and biking along the neighborhood greenway route, like the traffic diverters shown in the image at right. Traffic diverters prevent cut-through traffic for people driving, making the route more comfortable for people walking and biking. The neighborhood greenway concept considered two routes:

- Concept 3A: Davis Street Neighborhood Greenway
- Concept 3B: Evans Street Neighborhood Greenway.

The order of magnitude, preliminary cost estimate for these concepts is about \$141,000.

Concept 1



Concept 2



Concept 3



Evaluation Criteria

The evaluation criteria listed on page 10 were used to assess the trade-offs of each concept and determine which concept best aligns with the corridor context and community needs. These criteria were developed based on McMinnville's TSP's Guiding Goals and Policies.

The scoring scale for each criterion ranges from -1 to +2. An evaluation of the concept designs according to this scale is provided below. Using this method, the project team was able to create a data-driven approach to evaluating which concept(s) best align with McMinnville's goals for the transportation system.

Evaluation Criteria	Concept 1: Two-Way Separated Bike Lane	Concept 2: Buffered Bike Lanes	Concept 3A: Davis Street Greenway	Concept 3B: Evans Street Greenway
Complete Streets	+1.5	+1	+2	+2
Multimodal Transportation System	+1	+1	+1	+1
Connectivity	+2	+2	+1.7	+2
Safety	+1.8	+1.8	+2	+1.9
Equity	+1	+ 0.8	+1	+1
Livability	+1.5	+1.5	+1.5	+1.5
Design Feasibility	-1	0	+1	0
TOTAL SCORE	7.8	8.1	10.2	9.4



MCMINNVILLE ACTIVE TRANSPORTATION CONCEPT PLAN

Pros and Cons of Each Concept

CONCEPT 1: TWO-WAY SEPARATED BIKE LANE ON ADAMS STREET

The two-way separated bike lane would create a physically-separated facility for people biking by installing raised curbs and flex posts. The proposed two-way separated bike lane alignment also provides direct access to businesses along the couplet. A physically-separated facility, however, could impact freight maneuvers within the corridor and be challenging for maintenance crews to clean and maintain.

The facility would be bidirectional, requiring some bicycles to travel adjacent to and facing oncoming traffic. Transitioning people biking from the two-way separated bike lane to the proposed buffered bike lanes to the north and south is a significant challenge. Additional challenges include dealing with access management due to the many driveways along the corridor and designing for contra-flow bicycle traffic entering and exiting the separated bike lane safely and efficiently.

CONCEPT 2: BUFFERED BIKE LANES ON ADAMS STREET AND BAKER STREET

This relatively inexpensive option provides an intuitive, directional, and continuous route along OR 99W. Buffered bike lanes do not require vertical separation from traffic. Adding vertical separation, where feasible based on driveways, parking, and curb-to-curb widths, increases comfort and utility of the facility. This concept does not provide vertical separation throughout the couplet in the near term, which makes it easier to maintain but less comfortable for people biking.

The buffered bike lane concept does not require bicyclists to transition across the couplet at the northerly (15th Street) and southerly (2nd Street) terminus points compared to the two-way separated bike lane concept. This makes the option more attractive for people biking through the corridor and reduces challenges and costs associated with transitioning people biking across the couplet.

CONCEPT 3A: NEIGHBORHOOD GREENWAY ON DAVIS STREET

Another inexpensive option, this parallel route offers a low-stress experience for people walking and biking due to lower traffic volumes and speeds. It is comfortable for users of all ages and abilities, provides wayfinding signage and traffic calming features, and uses a signalized crossing of 3rd Street.

This option offers less-direct access to businesses along OR 99W and may not be as attractive for confident people biking who prioritize speed over comfort.

CONCEPT 3B: NEIGHBORHOOD GREENWAY ON EVANS STREET

Another inexpensive and comfortable option for users of all ages and abilities, this parallel route is similar to Concept 3A but presents some challenges based on the higher volumes and speeds along the northern segment of Evans Street and the lack of a signalized crossing at 3rd Street. Traffic calming efforts would need to be more substantial to create a lower-stress environment for people walking and biking.

Costs

Planning-level cost estimates for each concept are provided in Table 2. The estimates include costs for mobilization, signage, striping, and a 30% contingency to cover costs for administrative or engineering services related to the potential projects. The cost of the enhanced crossing concepts is provided separately. The concepts maintain existing curb-to-curb cross sections; therefore, no right-of-way costs are anticipated.

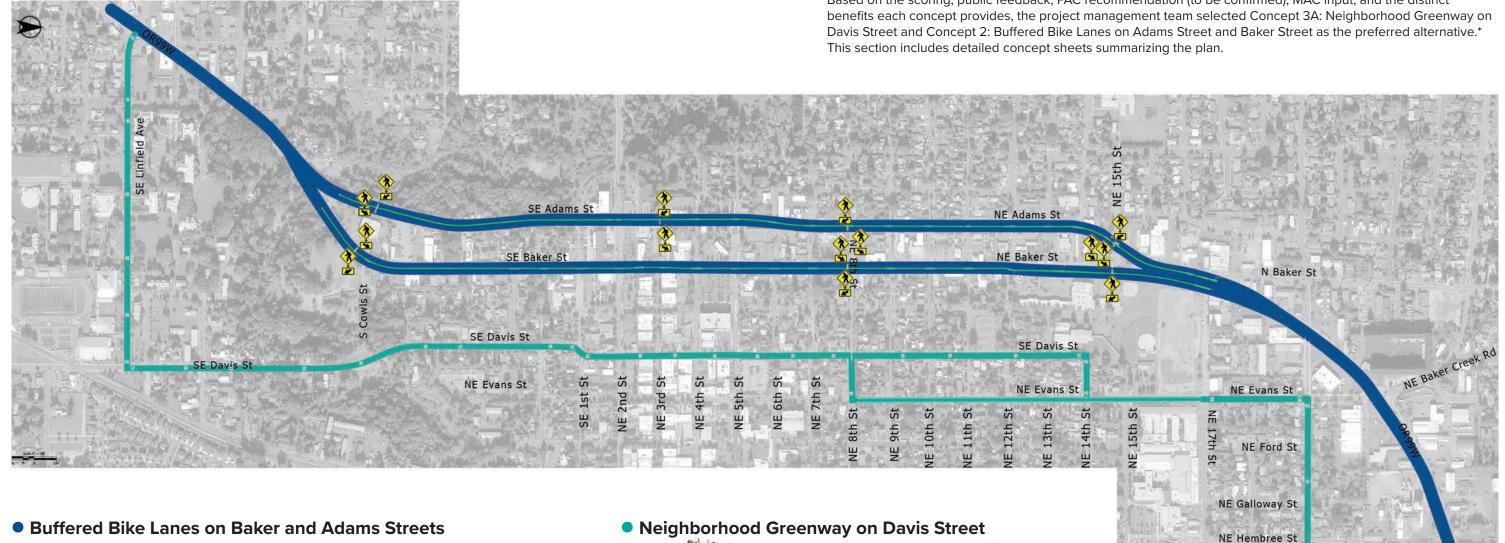
Planning-level Cost Estimates

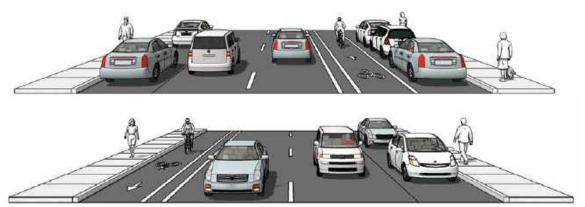
Concept	Planning-Level Cost Estimate	Notes
Concept 1: Two- Way Separated Bike Lane on Adams Street	\$857,000	 Assumes project is completed with a paving project and estimate excludes costs associated with said paving project. Includes potential signal modifications to transition from the buffered bike lanes to the two-way separated bike lane at 2nd Street.
Concept 2: Buffered Bike Lanes on Adams Street and Baker Street	\$418,000	 Assumes project is completed with a paving project; estimate excludes costs associated with said paving project. Includes flex post delineators along Adams Street between OR 99W and 1st Street and at intersections with high turning volumes.
Concept 3A: Neighborhood Greenway on Davis Street	\$141,000	 Includes the cost of the following traffic calming elements: traffic diverters at the intersection of Davis Street/8th Street, one speed hump, and two speed tables. Includes the cost of wayfinding signage.
Concept 3B: Neighborhood Greenway on Evans Street	\$141,000	 Includes the cost of the following traffic calming elements: traffic diverters at one intersection, one speed hump, and two speed tables. Includes the cost of wayfinding signage. Estimate based on those used for the neighborhood greenway on Davis Street. Due to the higher speeds and volumes present along Evans Street, it is likely that the cost of Concept 3B is underestimated.

As summarized in the table above, the two-way separated bike lane is the most expensive concept, followed by the buffered bike lanes and the neighborhood greenway concepts. Maintenance costs are anticipated to be substantially higher for Concept 1 than for the other concepts because of the flex-post delineators and special maintenance equipment needed to sweep the two-way separated bike lane.

6 / Preferred Solution **Concepts**

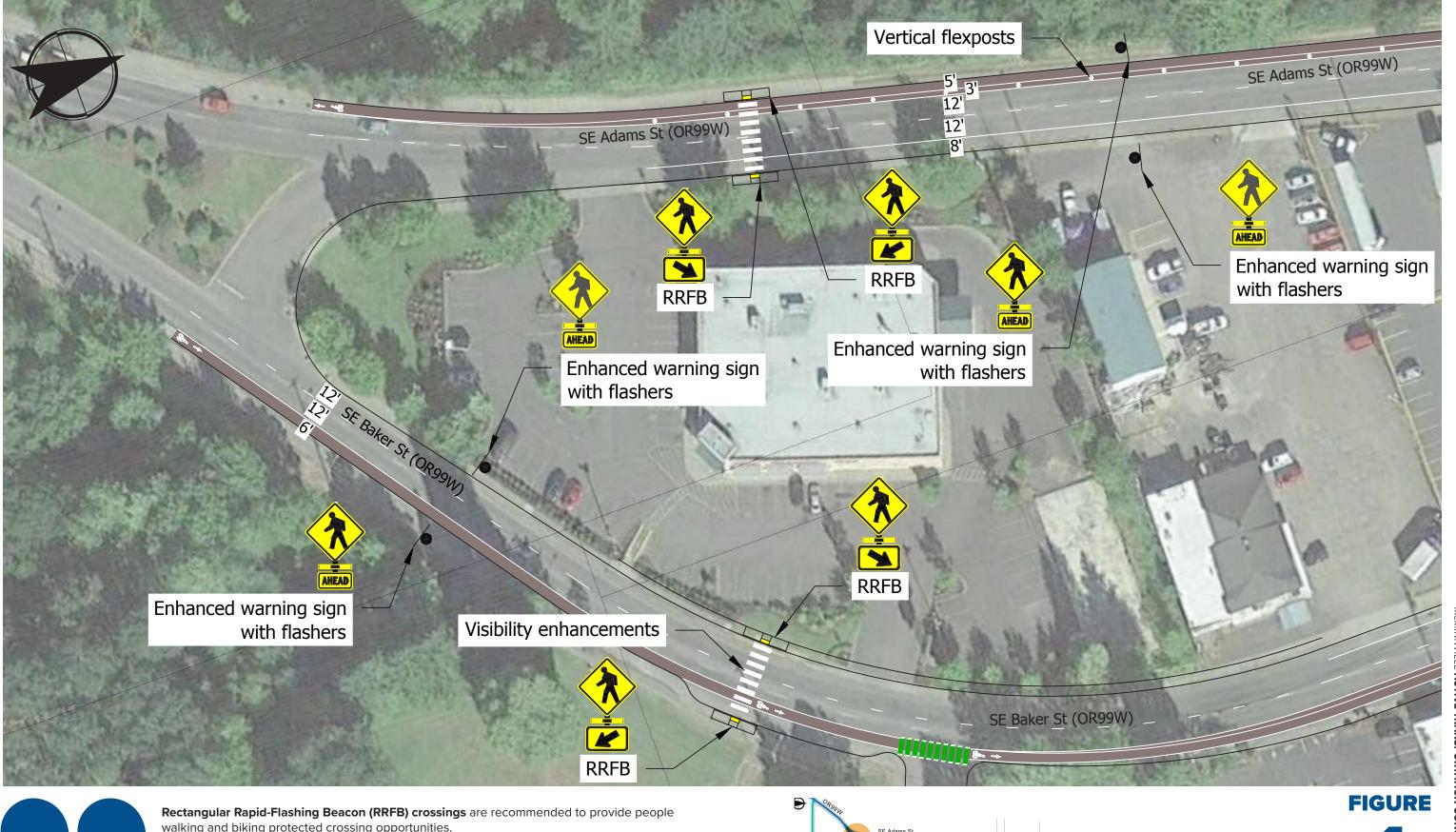
Based on the scoring, public feedback, PAC recommendation (to be confirmed), MAC input, and the distinct







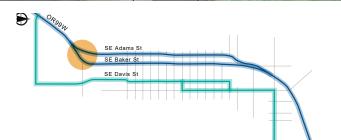
*Planning concept potentially reduces vehicle-carrying capacity of the highway; further evaluation of the project design will be required at the time of implementation to ensure compliance with ORS 366.215.

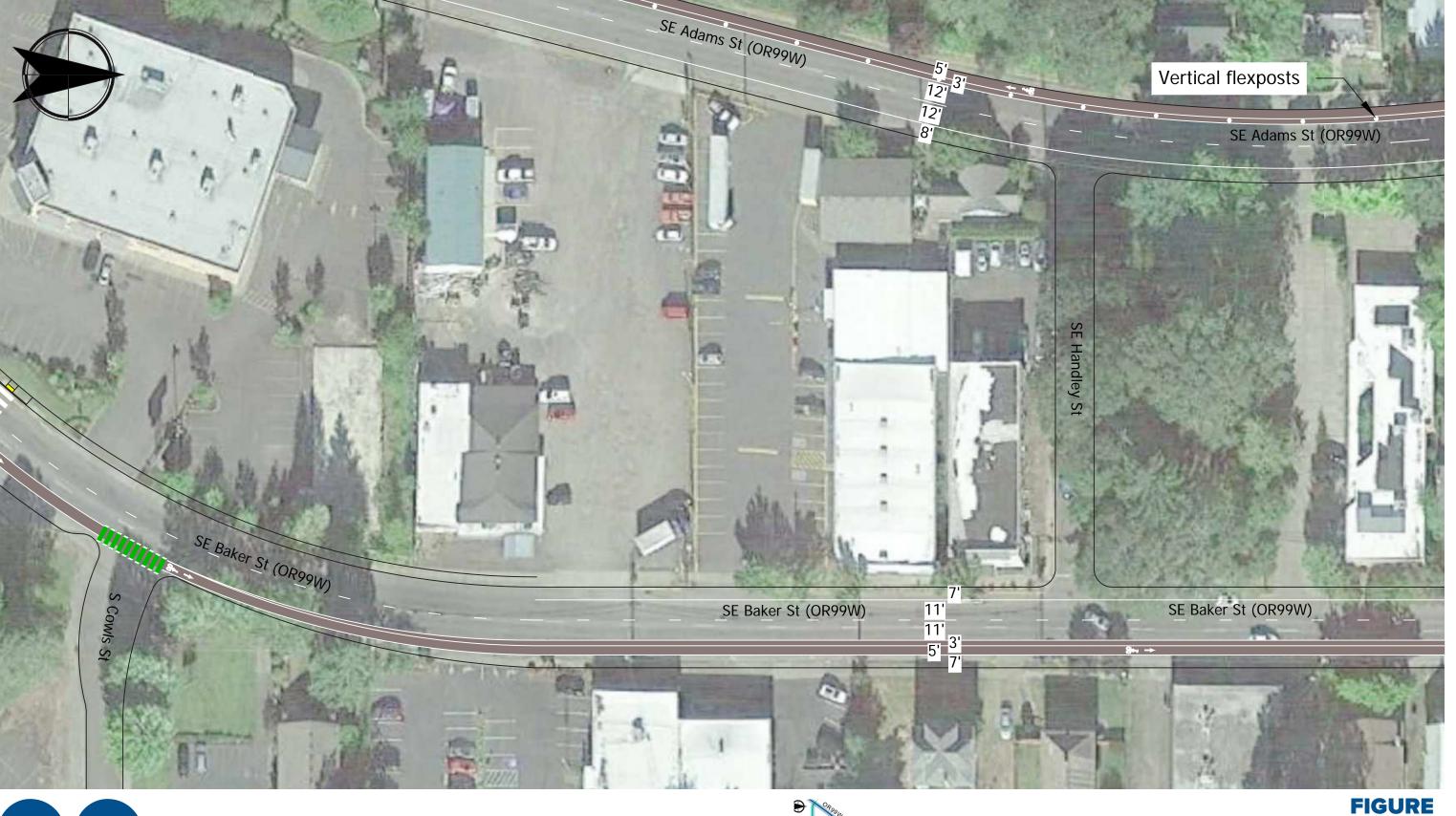




walking and biking protected crossing opportunities.

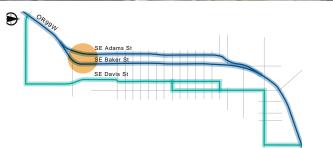
Vertical flexposts provide people biking with vertical separation from traffic. They are recommended in the near term along Adams Street between OR 99W and 1st Street because there are fewer driveway challenges along this segment. The type and extents of vertical separation may be updated in the future.





99

Parking will be removed along the west side of Adams Street and maintained along the east side. No parking changes are recommended along Baker Street.

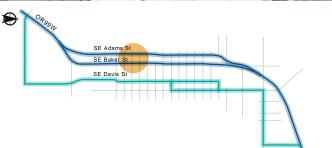


2



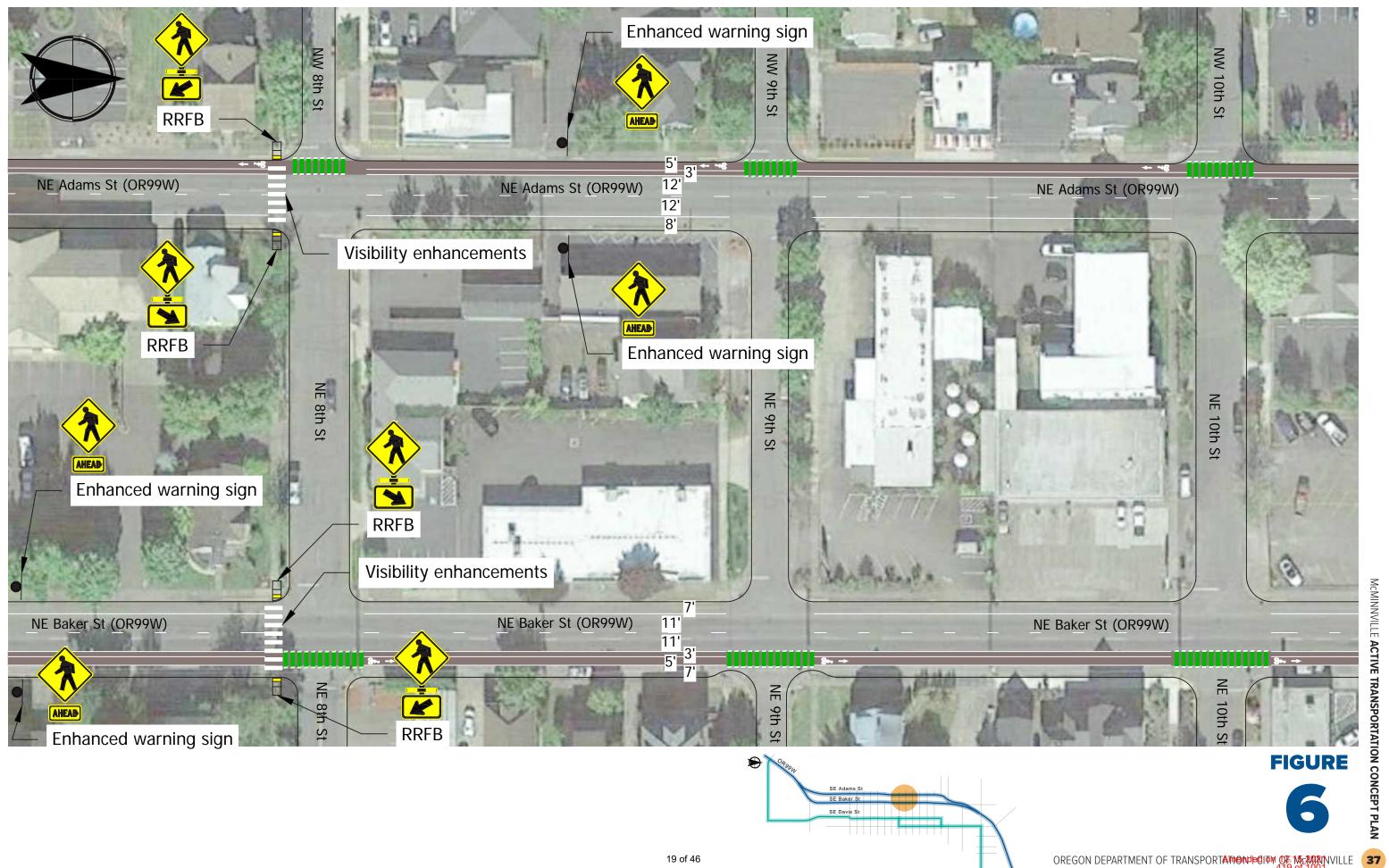


Vertical flexposts are recommended approaching signalized intersections to reduce the potential for right-turn "hooks" between people biking and driving.



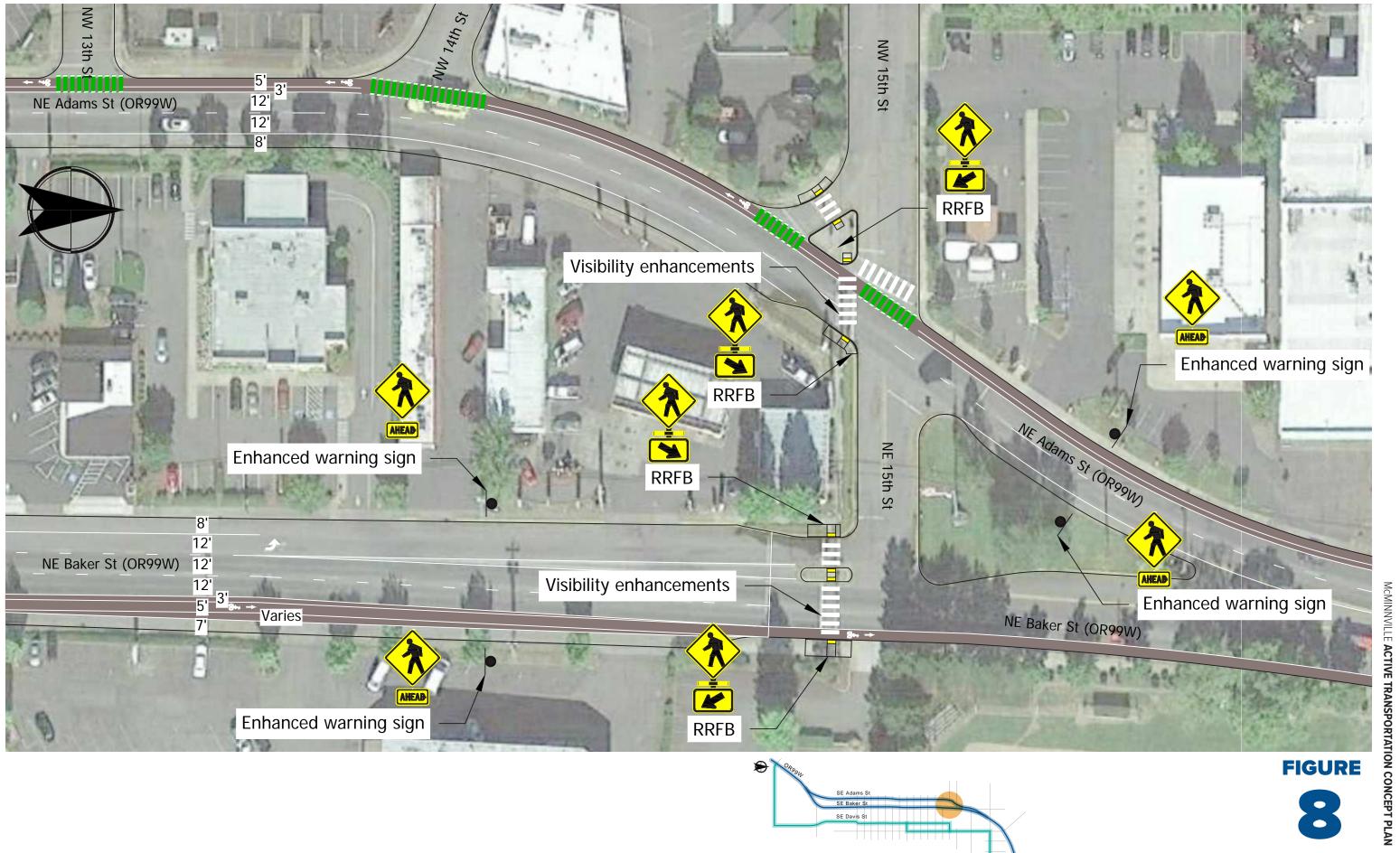


18 of 46







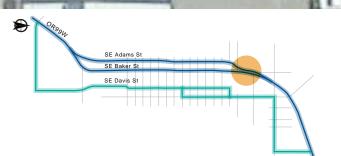


21 of 46





The N Baker Street/OR 99W intersection is recommended to be realigned to reduce exposure for people walking and biking through the intersection and add delineation to vehicle movements. This concept uses paint and vertical flexposts to realign the intersection approach as a near-term option with raised concrete recommended as a long-term option. The final design of this intersection will be determined in the design process.









Wayfinding "Neighborhood Greenway" signs, as pictured above, are added to the speed limit signs to increase driver awareness of people walking and biking and direct people walking and biking to the greenway route. The speed limit will be maintained through the corridor at 20 mph, consistent with residential streets in the area.

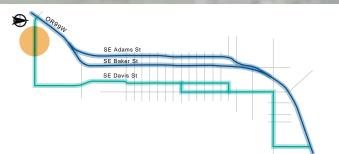
Speed humps are included to provide traffic calming, making the environment more comfortable to bike and share the roadway.



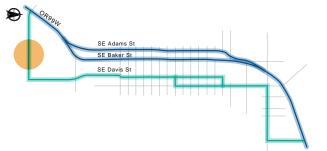




The speed table shown above will raise the entire crosswalk at a high-volume crossing location, slowing vehicles and allowing people walking to cross the street at a consistent elevation.



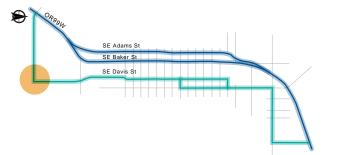




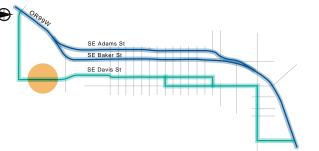




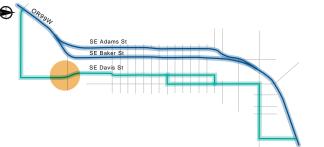
Shared lane markings or "sharrows," like the one pictured above, use arrows to direct people biking to stay on the neighborhood greenway route.

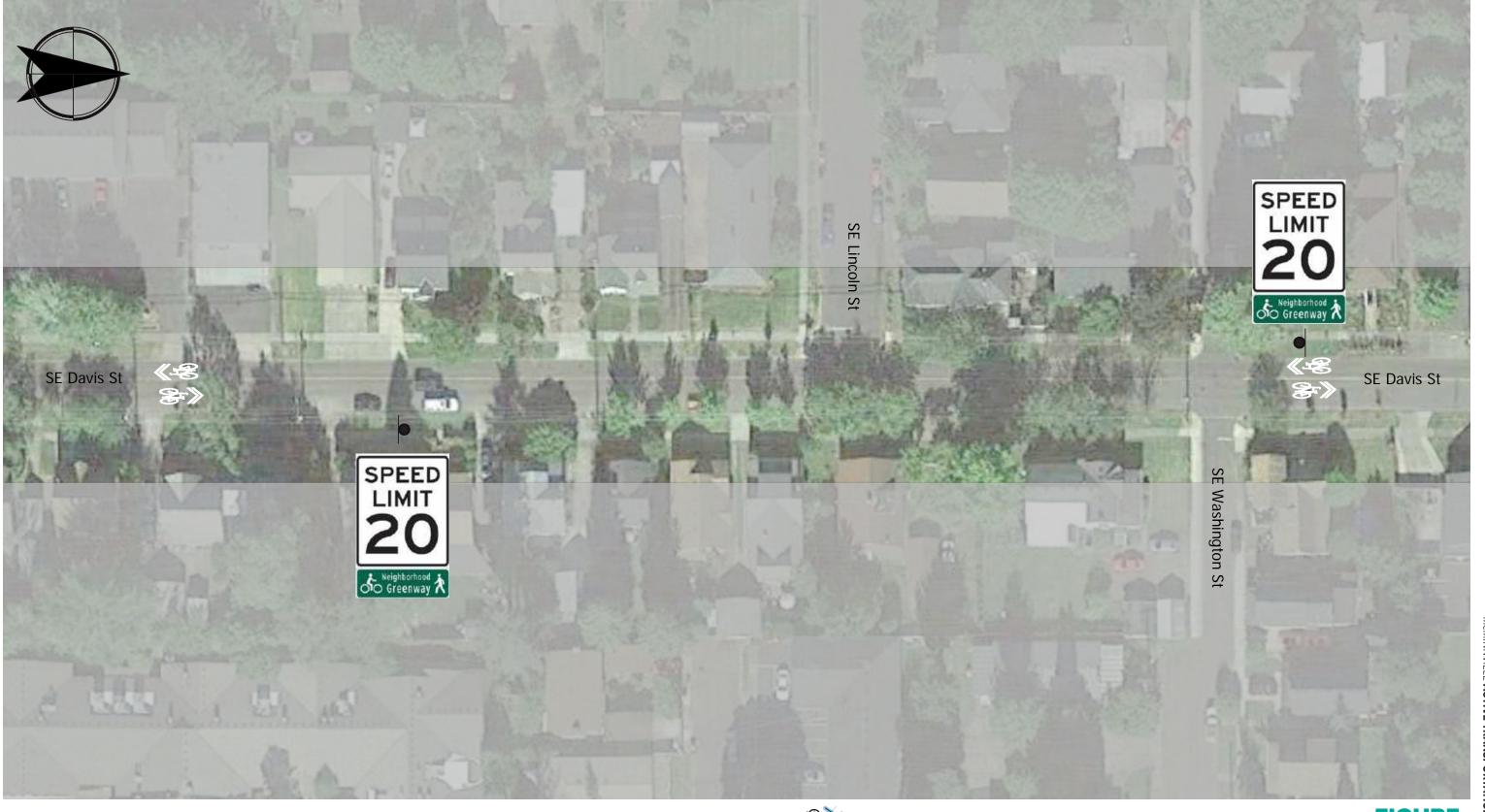












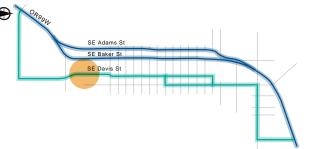
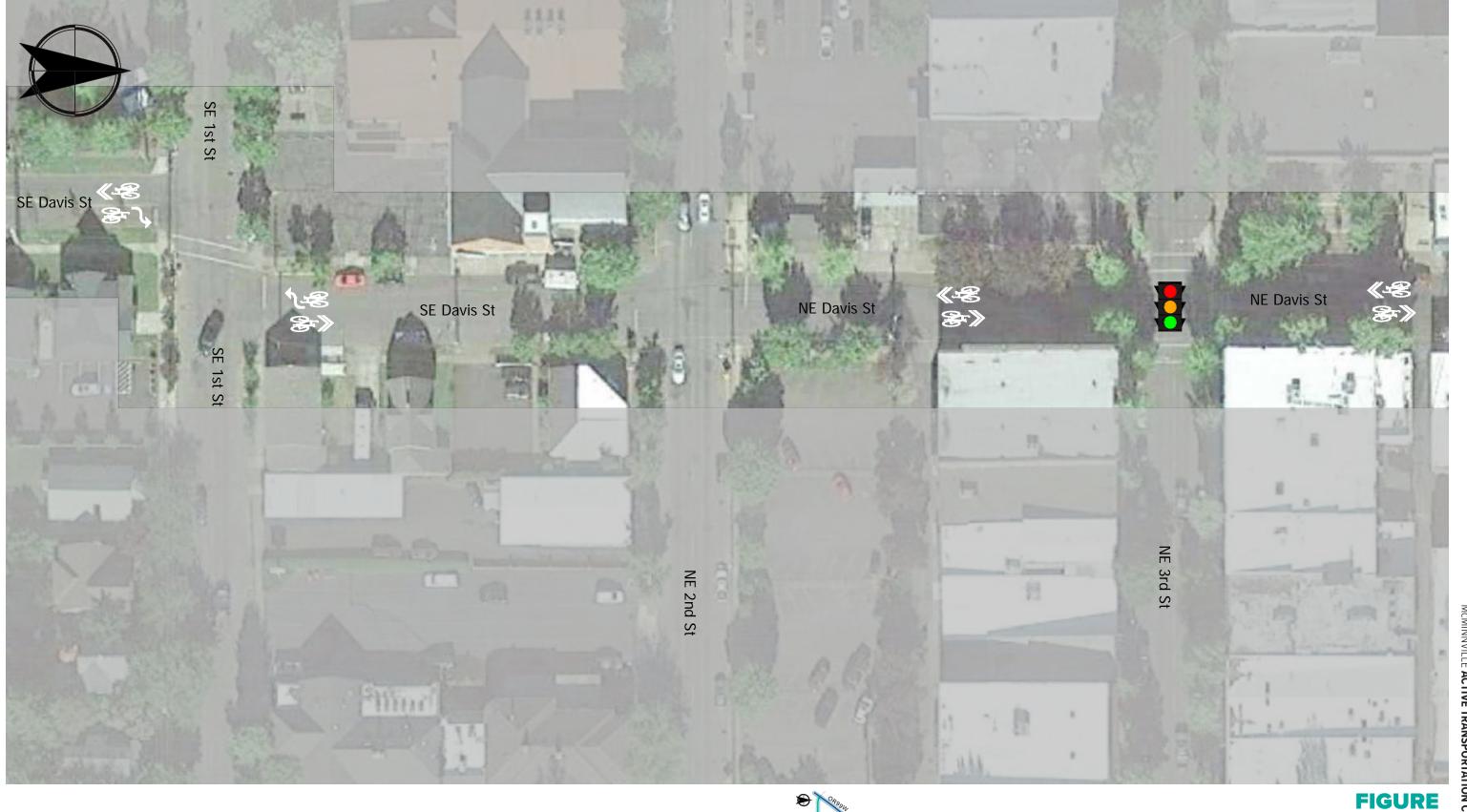
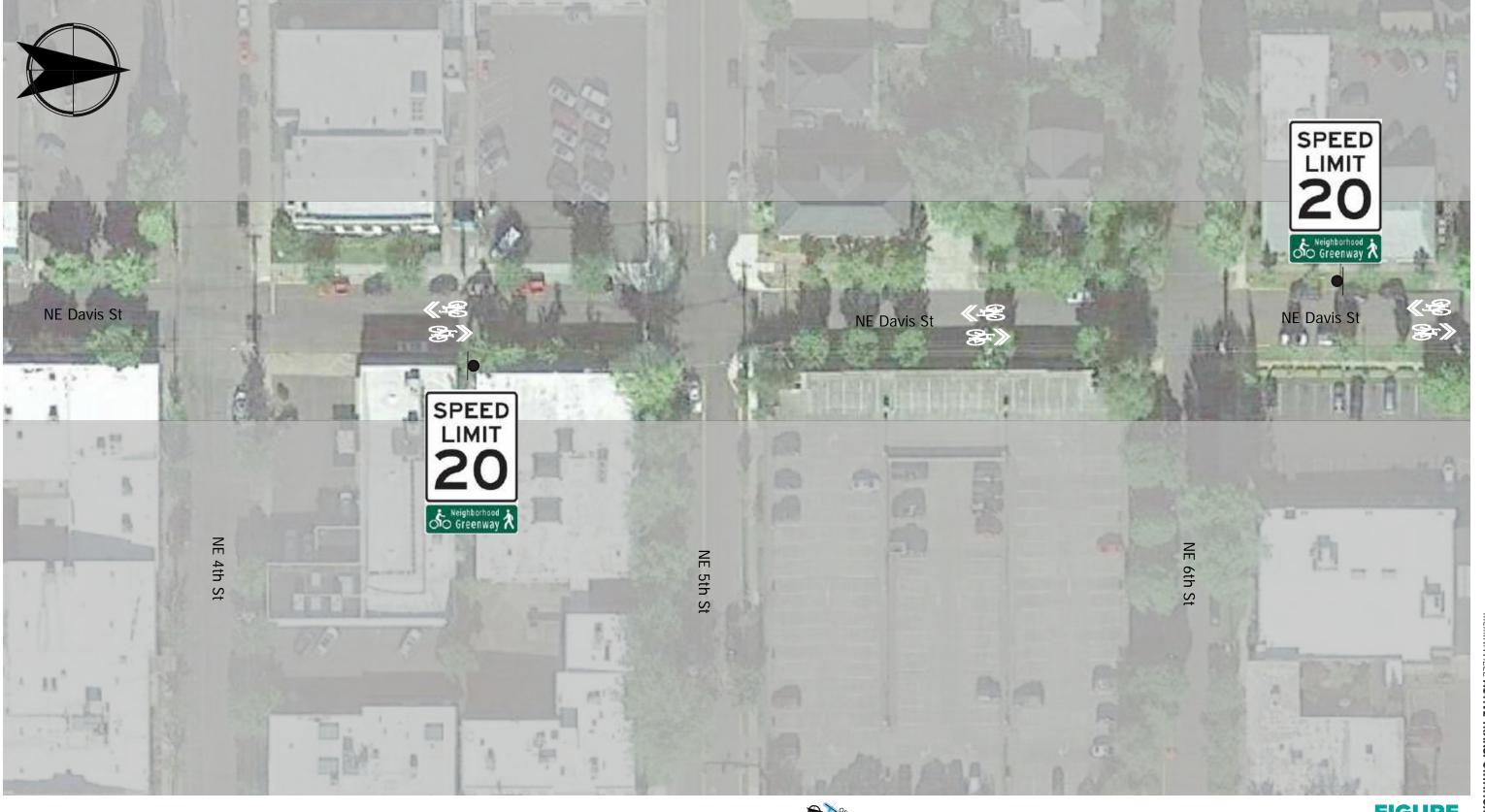


figure 16



OREGON DEPARTMENT OF TRANSPORTATION OF MERINAVILLE 59



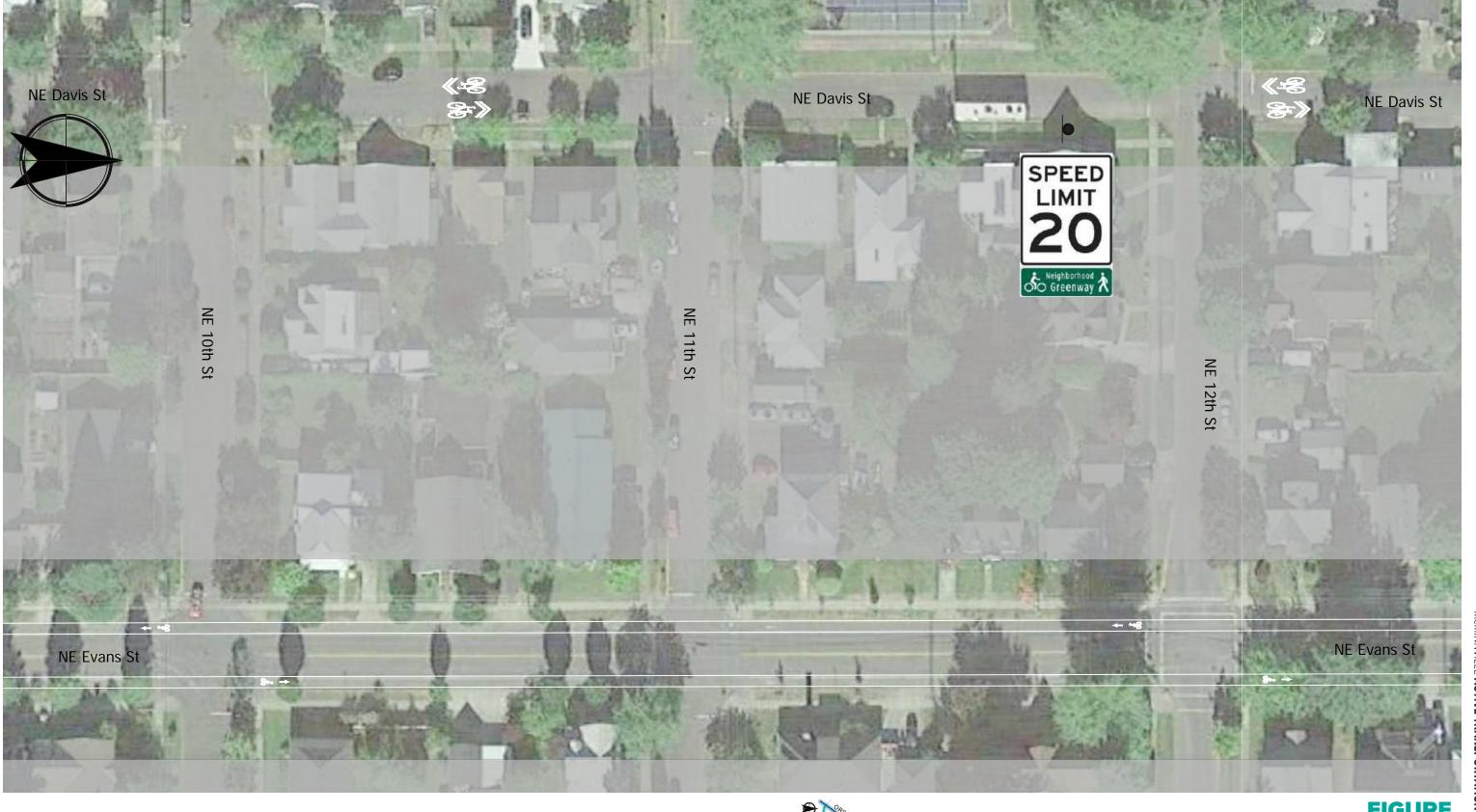


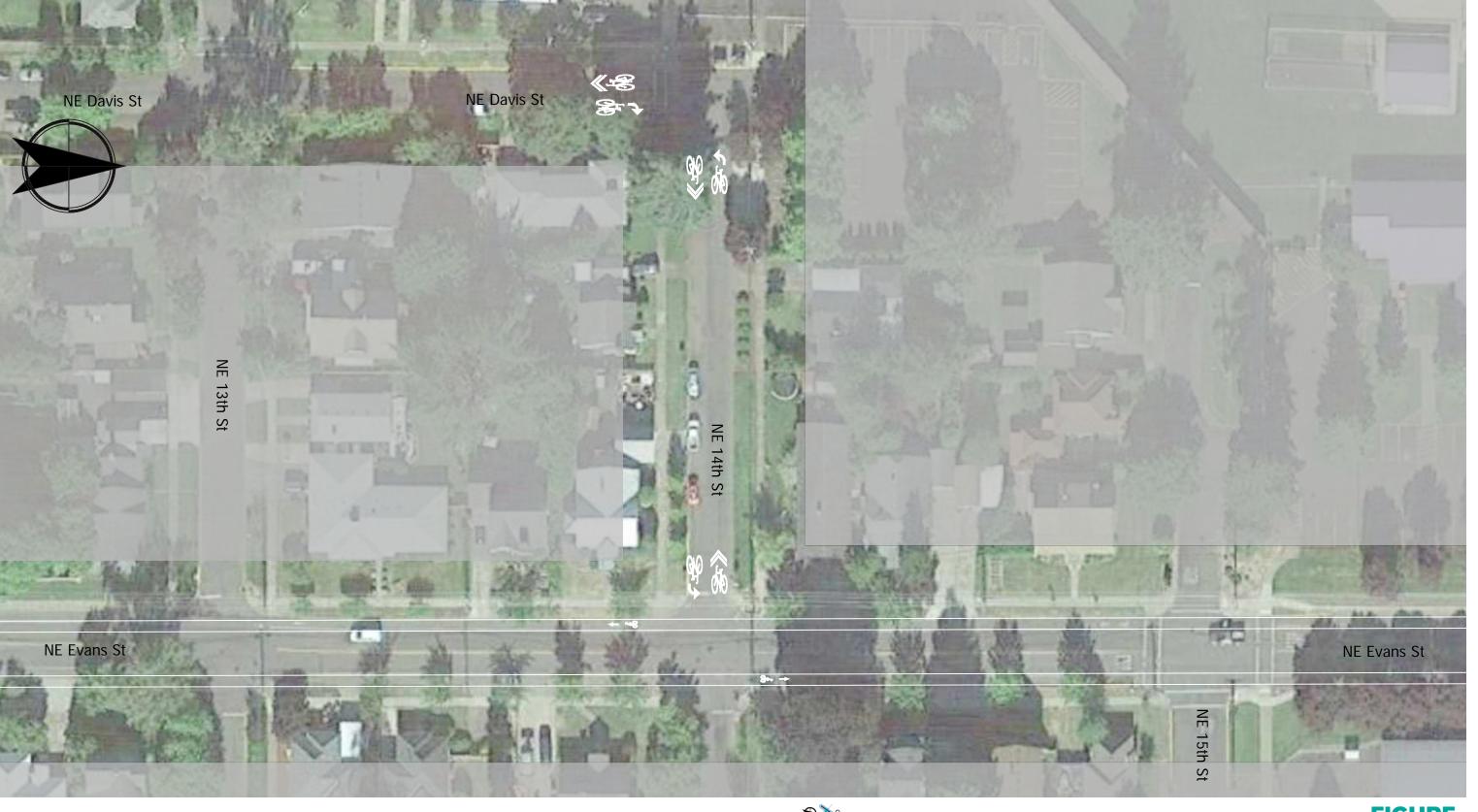


Traffic diverters prevent people driving from cutting through, making the route more comfortable for people walking and biking. A wayfinding sign is used to direct more confident cyclists to the existing bike lanes on Evans Street, which has higher speeds and traffic volumes than Davis Street.

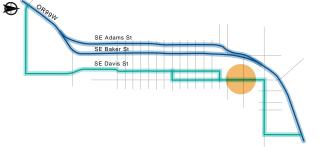


figure 19







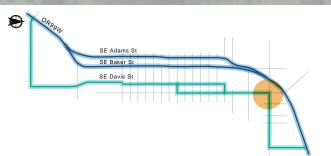








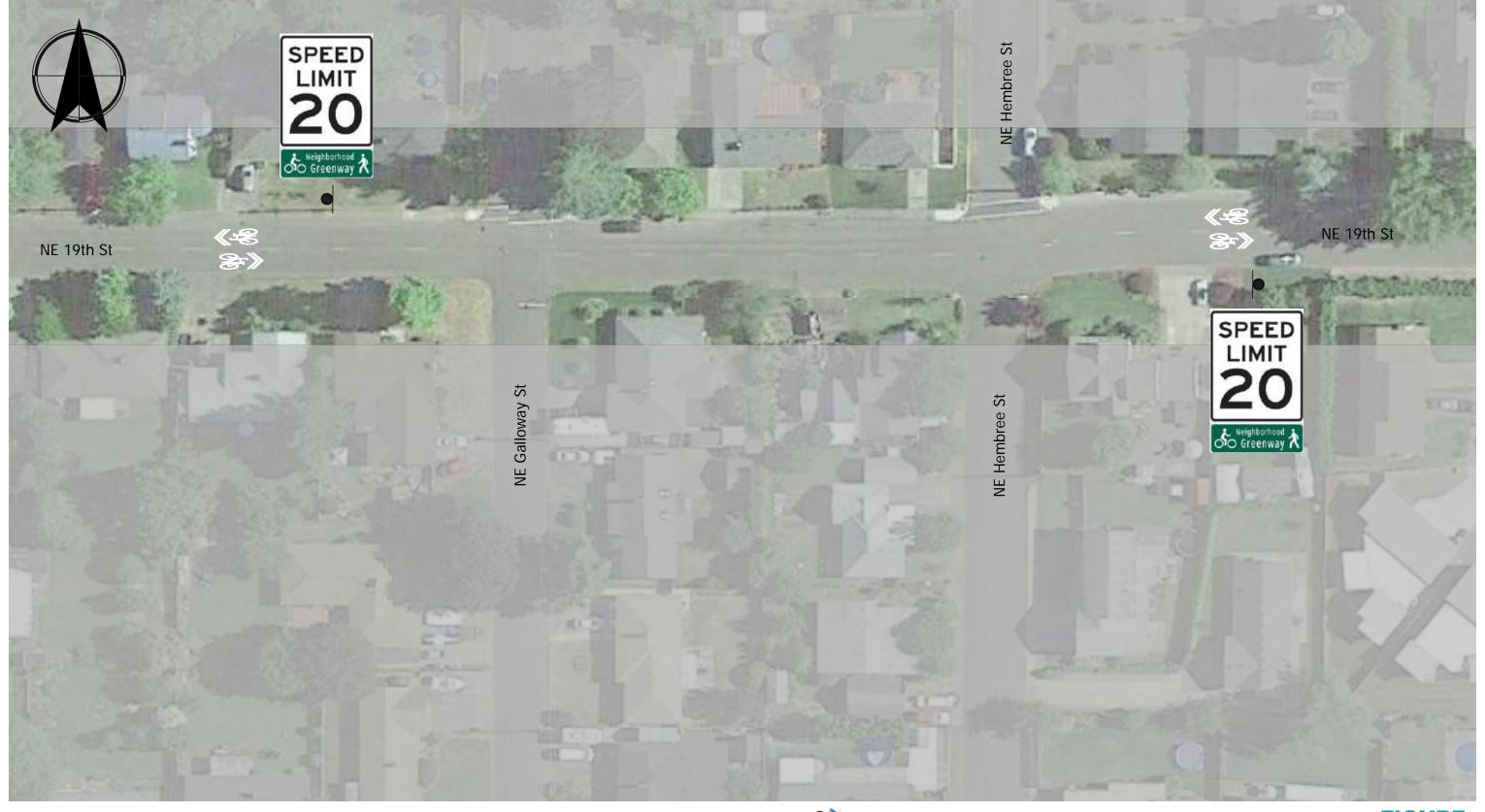
A **shared-use path** is recommended along the east side of NE Evans Street to connect people walking and biking to OR 99W. This concept will require further refinement as part of the formal design process.

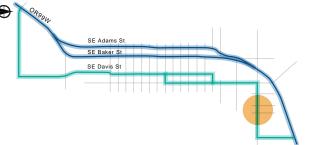


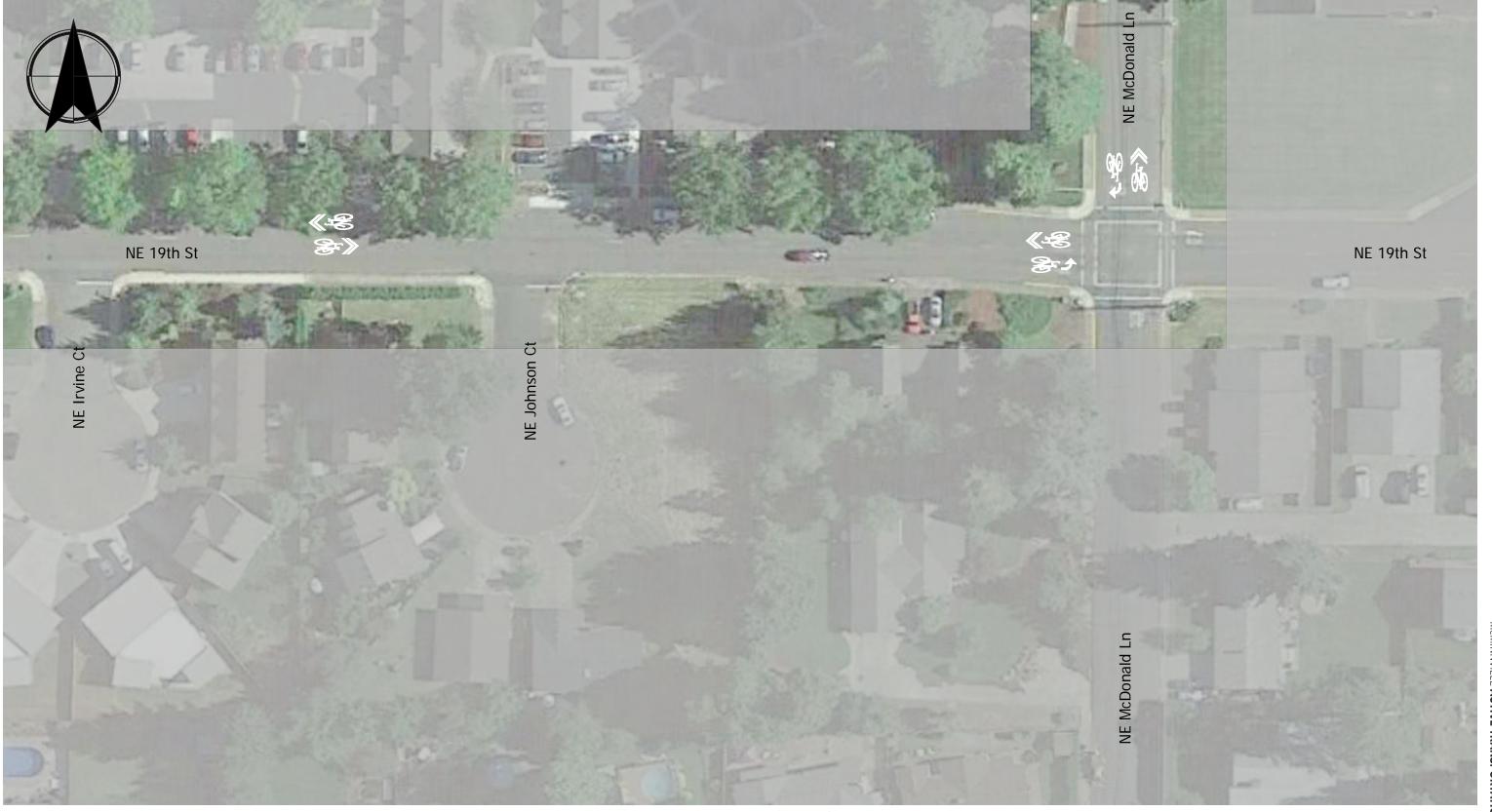


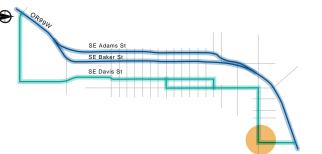
SE Adams St
SE Baker St
SE Davis St

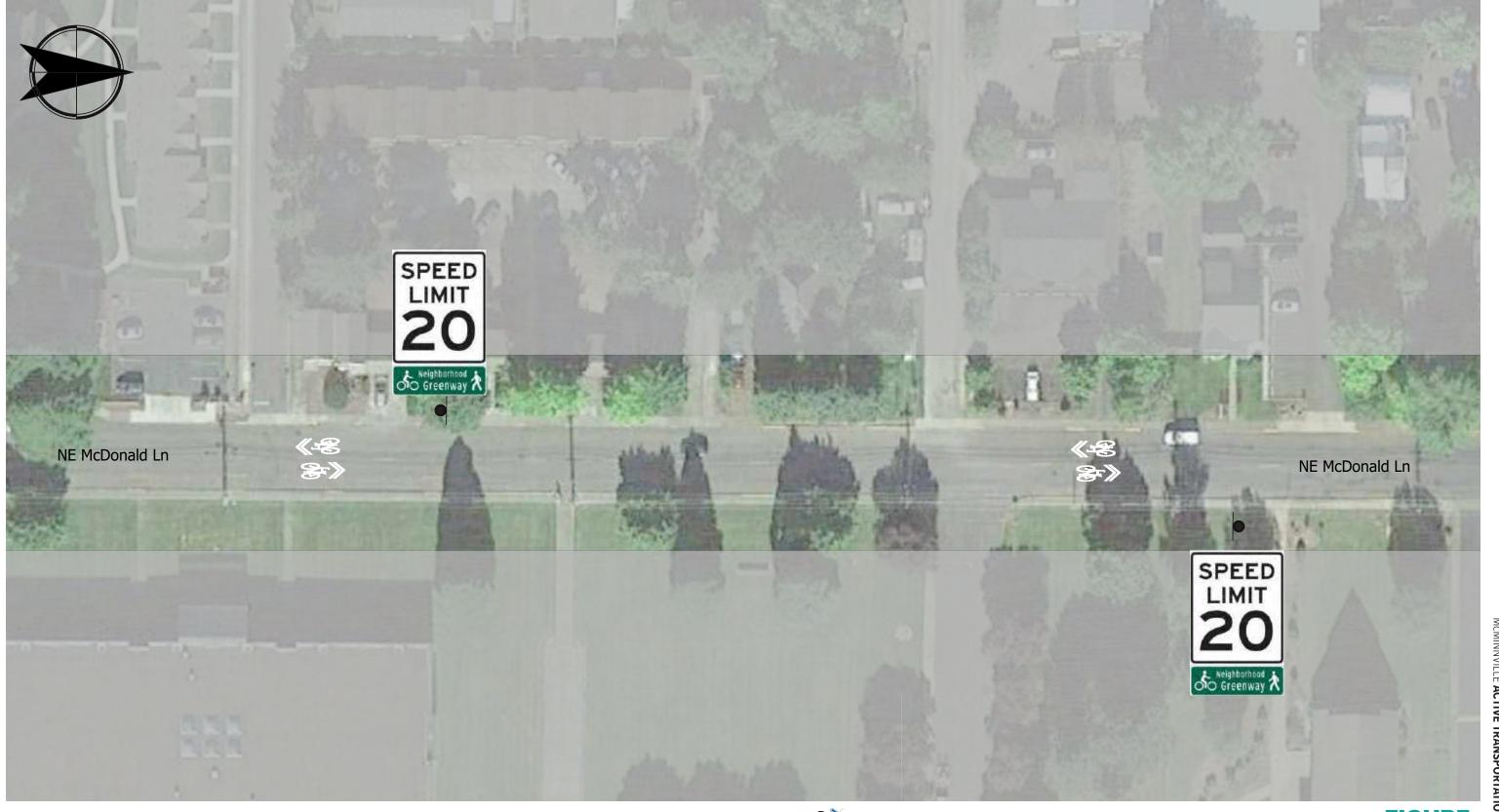




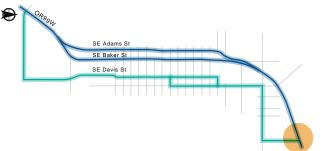












What Puts the Preferred Alternative in the Lead?

- The Davis Street Greenway provides low-stress facilities and a safe crossing at 3rd Street for users of all ages and abilities.
- The Davis Street Greenway is a low-cost option and potential diverters can be introduced as pilot projects.
- The existing character of Davis Street is more conducive to neighborhood greenway facilities; the northerly segment of Evans Street would likely require more substantial traffic calming efforts to serve as a low-stress facility due to speeds and volumes.
- The intersection of Davis Street/3rd Street is signalized, providing a more comfortable intersection crossing than the two-way, stop-controlled intersection of Evans Street/3rd Street.
- The OR 99W Buffered Bike Lanes provide direct access for people biking through the couplet and to destinations west of the couplet.
- · The OR 99W Buffered Bike Lanes are a moderatecost option that can be easily added to pavement projects along the couplet.
- Concept 2 and 3A were the public's top choices in the project survey.

PEOPLE WHO PREFER CONCEPT 2, BUFFERED BIKE LANES ON ADAMS STREET AND BAKER STREET, THINK THAT:

- It is the most intuitive and practical (due to directional
- It has low maintenance requirements
- It provides direct access to businesses on OR 99W
- People would continue biking on Baker Street even if there was a two-way facility on Adams Street

PEOPLE WHO PREFER CONCEPT 3A. **NEIGHBORHOOD GREENWAY ON DAVIS STREET, THINK THAT:**

- It is attractive and sensible (due to low traffic volumes and speeds)
- It supports children and beginner cyclists
- It is already used as a parallel route today
- There is no advantage to making OR 99W more bike friendly because there is no need to use it in town
- Other options on OR 99W would increase congestion

Near- and Long-Term Solutions

These concepts can be broken into near-and long-term • Expand the network of neighborhood greenway solutions to streamline construction while providing opportunities to continue making McMinnville a safer, more comfortable place to walk, bike, and roll.

The near-term solutions provide the opportunity to pilot and try out some of the design solutions, such as traffic diverters and flex-post delineators. A pilot approach can introduce McMinnville residents to lower-cost ways to calm traffic and support active modes in a temporary manner. If the "pilot" is well received, then the solutions can be left in place or installed more permanently.

NEIGHBORHOOD GREENWAY ON DAVIS STREET

Near-Term Solutions

- Sharrows
- Signage
- Traffic calming

Long-Term Solutions

• Evaluate success of traffic diverters and consider adding additional traffic calming features.

- routes in McMinnville.
- » Potential connections include a multiuse path on Evans Street between 17th Street and OR 99W and bike lanes or sharrows along Lafayette Avenue, 3rd Street, 4th Street, 5th Street, Birch Street, and Alder Street. Lafayette Avenue has existing bike lanes, and 5th Street has existing sharrows.

BUFFERED BIKE LANES ON ADAMS STREET AND BAKER STREET

Near-Term Solutions

- · Construct buffered bike lanes with repaving project
- Provide vertical separation at intersections with highturn volumes along Adams Street and consistently south of 2nd Street where there are no driveway conflict points.

Long-Term Solutions

• Explore additional opportunities for vertical separation with future access consolidations associated with capital and/or redevelopment projects.

7 / Enhanced Pedestrian Crossings

Not only did the project team look at ways for all modes to travel north and south through the study area, but they also evaluated the need for safely crossing the highway—connecting people to neighborhoods and other destinations. Based on analysis, public feedback, and PAC recommendations, the project team selected the following enhanced crossing treatments at the identified crossing locations:

- High-visibility crosswalk markings, parking restrictions on crosswalk approach, adequate nighttime lighting levels, and crossing warning signs
- Advance Stop Here For Pedestrians sign and stop line
- Rectangular rapid flashing beacon (RRFB)

Locations recommended for enhanced pedestrian crossings are shown in Figure 1 (pp 26-27), Figure 4 (pp 32-33), Figure 6 (pp 36-37), and Figure 8 (pp 40-41).

"This intersection is **not** pedestrian friendly! Cars are looking out for themselves only. I actively avoid crossing Evans or

OR 99W at this corner."

The planning-level cost associated with high visibility

This estimate includes construction and professional

does not include right-of-way, utility relocations, or

recommended to consider relocating existing transit

stops to enhanced crossing locations to facilitate transit

Coordination with Yamhill County Transit is

bicycle detection on approaches.

use in the area.

fees for ADA ramp reconstruction on both sides of the

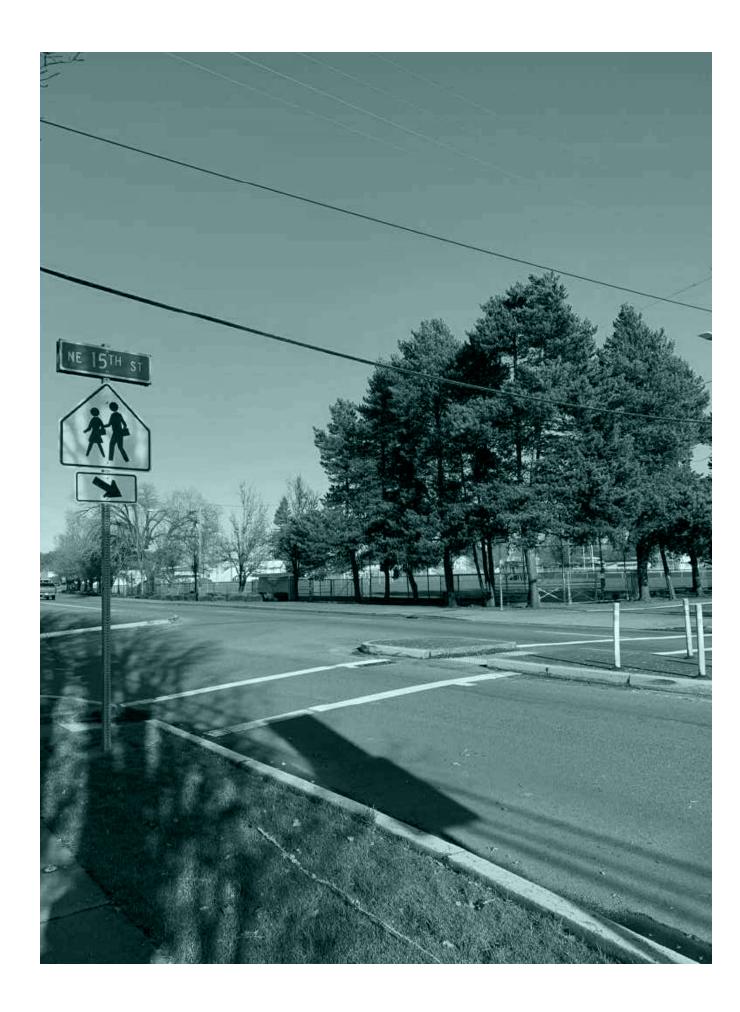
roadway, striping, signage, and the RRFB. The estimate

crosswalk markings with RRFB is \$125,000 per location.

-Public comment about the corner of OR 99W and Evans Street



Rectangular Rapid Flashing Beacon



8 / Making the Preferred Concept a Reality

Adoption Process

This plan represents the project management team's preferred concepts based on information provided by the project team, the PAC's guidance, and stakeholder feedback received throughout the planning process. This preferred concept plan will be presented at hearings with the following decision-making bodies for consideration in amending the City of McMinnville's Transportation System Plan:

- McMinnville Planning Commission
- McMinnville City Council

Concept Plan design elements must be vetted through ODOT Region 2's Technical Center and, where applicable, the Oregon Mobility Advisory Committee, to ensure they meet the documented project context and goals.

To ensure projects can be funded through ODOT preservation or enhancement programs, City capital project budgets, or private development fees, the project team has prepared an Urban Design Concurrence Document for review by the Mobility Advisory Committee and approval by the Region 2 Roadway Manager following adoption by the City of McMinnville. The subsequent steps are:

- Moving to final design and construction
- · Monitoring, operating, and maintaining*

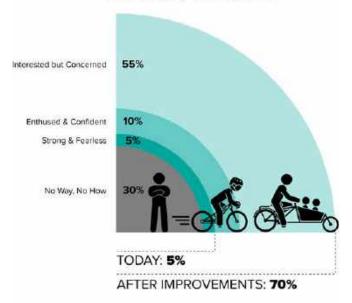
The Concept Plan and Urban Design Concurrence Document will form the basis of these subsequent steps.

If future phases differ from this Concept Plan, the project team should revisit the Corridor Vision Statement Memorandum and Urban Design Concurrence Document, and determine if the original intended outcomes for the project should change. If a change appears appropriate, then justification should be provided and documented.

Implementation and Funding

The McMinnville OR 99W (Linfield to McDonald) Active Transportation Concept Plan solutions can be separated into distinct projects to support incremental implementation as funding sources are identified. Securing funding for construction of the Davis Street Neighborhood Greenway should be prioritized. If funding sources are identified for any other project, however, that project may be implemented first. Timing and potential funding sources for each project are outlined on the following page.

Community Needs Met



Serving the Interested but Concerned

Facilities for people biking along the OR 99W corridor today are suitable only for 'strong and fearless' cyclists those comfortable cycling under any conditions. Making the preferred concepts presented in this plan a reality will provide protected facilities for bicyclists, increasing the likelihood the 'interested but concerned' majority will feel safe traveling through McMinnville by bike.

Potential Funding Sources

Project	Priority Order	Timing	Preliminary Budget for Near-Term Recommendations	Potential Funding Sources
Davis Street Neighborhood Greenway	1	As soon as funding can be made available	\$141,000	Safe Routes to Schools
OR 99W Buffered Bike Lanes	2	Improvements should occur as part of the next resurfacing preservation project	\$418,000	Safe Routes to Schools STIP Preservation funding
Adams Street/15th Street Enhanced Crossings	3	Construct these two crossings at the same time,* or with development	\$250,000	Private developmentTransportation Safety Division grantsSTIP Preservation funding
Baker Street/ Cowls Street Enhanced Crossing	4	Time with upcoming development	\$125,000	Upcoming private developmentTransportation Safety Division grantsSTIP Preservation funding
Adams Street/8th Street Enhanced Crossing Baker Street/8th Street Enhanced Crossing	5	Construct these two crossings at the same time,** or with development	\$250,000	 Private development Transportation Safety Division grants STIP Preservation funding
Adams Street/3rd Street Enhanced Crossing	6	Time with upcoming development	\$125,000	Private developmentTransportation Safety Division grantsSTIP Preservation funding
Adams Street/ Walgreens Crossing	7	Time with upcoming development	\$125,000	 Private development Transportation Safety Division grants STIP preservation funding

* The priority order of enhanced crossing projects was established based on PAC input:

SENATE BILL 408 REQUIREMENTS

Oregon Senate Bill (SB) 408 requires balancing competing interests on facility plans (e.g., Concept Plan) developed by ODOT. An example of competing interest is described in ODOT's Oregon Greenhouse Gas Reduction Toolkit: Strategy Report (Reference 2): "Preserving the economic interests of property owners (who place a high value on convenient access to their property) will require finding a balance between private property interests and the safety and operations of public roadways."

The concepts developed to address the multimodal needs along OR 99W are not anticipated to impact the access to or reduce capacity of the OR 99W corridor. The neighborhood greenway will not impact facilities along OR 99W; the buffered bike lanes maintain a minimum of 11-foot-wide travel lanes along the couplet and include flex posts along limited segments of the corridor where there are no access management or parking concerns.

9 / Supporting Documentation

- **Detailed Cost Estimates**
- **Blueprint for Urban Design Documentation**
- **Technical Memoranda**
- **Public Involvement & PAC Meeting Notes**

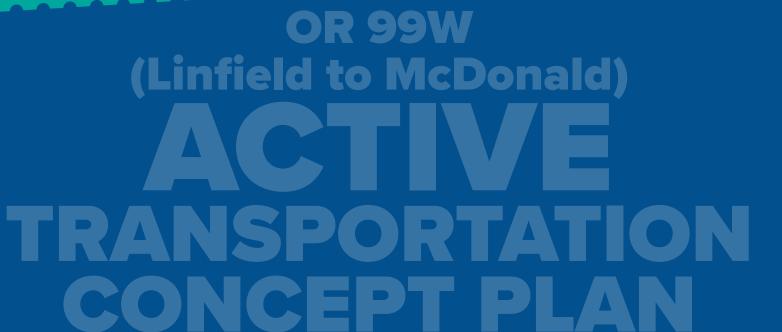
^{**} Constructing enhanced crossings in pairs may reduce costs and help make the full connection across the couplet, however enhanced crossings can be designed and constructed separately if there is only available funding for one crossing.

^{***} A midblock enhanced crossing at Adams Street across from the Baker Street/Cowls Street Enhanced Crossing was added based on input from the PAC, PMT, Planning Commission, and City Council. Formal analysis was not conducted at that location as part of this planning effort.





CITY OF MCMINNVILLE



Supporting Documentation



APRIL 2021





Amended on 12.15.2021

Detailed Cost Estimates

McMinnville OR 99W Active Transportation Concept Plan Concept 1: Two-Way Separated Bike Lane (Cycle Track) ODOT



<u> </u>				
Prepared By: Eric Germundson, PE	Date: April 16, 202	1		
Reviewed By: Nick Gross, Amy Griffiths, and Marc Butorac				
This Estimate has	3C (See rating scale guide below.)			
ITEM	UNIT	TOTAL QUANTITY	UNIT PRICE	TOTAL COST
MOBILIZATION	LS	ALL	\$37,000.00	\$37,000.00
TEMPORARY PROTECTION AND DIRECTION OF TRAFFIC	LS	ALL	\$8,000.00	\$8,000.00
TEMPORARY WORK ZONE TRAFFIC CONTROL, COMPLETE	LS	ALL	\$24,000.00	\$24,000.00
STRIPE REMOVAL	FOOT	500	\$0.50	\$250.00
LEGEND REMOVAL	SQFT	250	\$3.00	\$750.00
BAR REMOVAL	SQFT	500	\$3.00	\$1,500.00
PERMANENT SURFACE MOUNTED TUBULAR MARKERS	EACH	350	\$200.00	\$70,000.00
METHYL METHACRYLATE, EXTRUDED	FOOT	16,500	\$4.00	\$66,000.00
PAVEMENT LEGEND, TYPE B-HS: ARROWS	EACH	10	\$20.00	\$200.00
PAVEMENT BAR, TYPE B-HS	SQFT	2,000	\$10.00	\$20,000.00
PAVEMENT LEGEND, TYPE B-HS: ON-STREET PARKING	EACH	10	\$250.00	\$2,500.00
GREEN BICYCLE LANE, METHYL METHACRYLATE	SQFT	33,500	\$5.00	\$167,500.00
REMOVE EXISTING SIGNS	LS	ALL	\$5,000.00	\$5,000.00
REMOVE AND REINSTALL EXISTING SIGNS	LS	ALL	\$10,000.00	\$10,000.00
PERFORATED STEEL SQUARE TUBE ANCHOR SIGN SUPPORTS	LS	ALL	\$10,000.00	\$10,000.00
SIGNS, STANDARD SHEETING, EXTRUDED ALUMINUM	SQFT	500	\$25.00	\$12,500.00
SIGNAL MODIFICATIONS	LS	ALL	\$100,000.00	\$100,000.00
	\$ 535,200			
	\$ 535,200			
30	trative Services	\$ 160,560		
	\$ 160,560			
	\$ 857,000			

Assumptions:

- Cycle track assumed to be painted green
- -
- -
- -
- -
- _

Scope Accuracy:

Level 1: Project scope well understood and well defined.

Level 2: Project scope conceptual. Scope lacks detail due to potential permit requirements; Unknown project conditions; limited knowledge of external impacts.

Level 3: Project scope is a "vision" with limited detail.

Engineering Effort:

Level A: Preliminary engineering performed. Technical information is available, engineering calculations have been performed; clear understanding of the materials size and quantities needed to execute job. Schedule understood; staff and permitting is fairly clear, (however this element may still need refining). Project Development & Construction Contingencies ranges between 10%-20%.

Level B: Conceptual engineering performed. Technical information is available, rough engineering calculations may have been performed, or similar information from previous similar work is compared and used. Project Development Contingencies ranges between 15% to 25% and Construction Contingencies ranges between 20% to 30%.

McMinnville OR 99W Active Transportation Concept Plan Concept 2: OR99W Buffered Bike Lanes ODOT



Engineer's Conceptual Estimate

Prepared By: Eric Germundson, PE	Date: April 16, 202	?1		
Reviewed By: Nick Gross, Amy Griffiths, and Marc Butorac				
This Estimate ha	3C	(See rating scale gu	ide below.)	
ITEM	UNIT	TOTAL QUANTITY	UNIT PRICE	TOTAL COST
MOBILIZATION	LS	ALL	\$23,000.00	\$23,000.00
TEMPORARY PROTECTION AND DIRECTION OF TRAFFIC	LS	ALL	\$5,000.00	\$5,000.00
TEMPORARY WORK ZONE TRAFFIC CONTROL, COMPLETE	LS	ALL	\$12,000.00	\$12,000.00
STRIPE REMOVAL	FOOT	1,000	\$0.50	\$500.00
LEGEND REMOVAL	SQFT	500	\$3.00	\$1,500.00
BAR REMOVAL	SQFT	1,000	\$3.00	\$3,000.00
METHYL METHACRYLATE, EXTRUDED	FOOT	33,500	\$4.00	\$134,000.00
PAVEMENT LEGEND, TYPE B-HS: ARROWS	EACH	20	\$20.00	\$400.00
PAVEMENT BAR, TYPE B-HS	SQFT	4,000	\$10.00	\$40,000.00
PAVEMENT LEGEND, TYPE B-HS: ON-STREET PARKING	EACH	20	\$250.00	\$5,000.00
TUBULAR MARKERS	EACH	70	\$125.00	\$8,750.00
REMOVE EXISTING SIGNS	LS	ALL	\$5,000.00	\$5,000.00
REMOVE AND REINSTALL EXISTING SIGNS	LS	ALL	\$5,000.00	\$5,000.00
PERFORATED STEEL SQUARE TUBE ANCHOR SIGN SUPPORTS	LS	ALL	\$5,000.00	\$5,000.00
SIGNS, STANDARD SHEETING, EXTRUDED ALUMINUM	SQFT	500	\$25.00	\$12,500.00
	\$ 260,650			
	\$ 260,650			
:	\$ 78,195			
	\$ 78,200			
	TOTAL	ESTIMATED P	ROJECT COST	\$ 418,000

Assumptions:

- -
- -
- -
- -
- -

Scope Accuracy:

Level 1: Project scope well understood and well defined.

Level 2: Project scope conceptual. Scope lacks detail due to potential permit requirements; Unknown project conditions; limited knowledge of external impacts.

Level 3: Project scope is a "vision" with limited detail.

Engineering Effort:

Level A: Preliminary engineering performed. Technical information is available, engineering calculations have been performed; clear understanding of the materials size and quantities needed to execute job. Schedule understood; staff and permitting is fairly clear, (however this element may still need refining). Project Development & Construction Contingencies ranges between 10%-20%.

Level B: Conceptual engineering performed. Technical information is available, rough engineering calculations may have been performed, or similar information from previous similar work is compared and used. Project Development Contingencies ranges between 15% to 25% and Construction Contingencies ranges between 20% to 30%.

McMinnville OR 99W Active Transportation Concept Plan Concept 3: Neighborhood Greenway on Davis Street



Engineer's Conceptual Estimate

Prepared By: Eric Germundson, PE	Date: April 16, 202	?1		
Reviewed By: Nick Gross, Amy Griffiths, and Marc Butorac				
This Estimate h	3C	(See rating scale gu	ıide below.)	
ITEM	UNIT	TOTAL QUANTITY	UNIT PRICE	TOTAL COST
MOBILIZATION	LS	ALL	\$8,000.00	\$8,000.00
TEMPORARY PROTECTION AND DIRECTION OF TRAFFIC	LS	ALL	\$2,000.00	\$2,000.00
TEMPORARY WORK ZONE TRAFFIC CONTROL, COMPLETE	LS	ALL	\$4,000.00	\$4,000.00
PAVEMENT BAR, TYPE B-HS	SQFT	50	\$10.00	\$500.00
PAVEMENT LEGEND, TYPE B-HS	EA	94	\$300.00	\$28,200.00
PERFORATED STEEL SQUARE TUBE ANCHOR SIGN SUPPORTS	LS	ALL	\$5,000.00	\$5,000.00
TRAFFIC SEPARATOR	EA	1	\$5,000.00	\$5,000.00
SPEED HUMPS	EA	3	\$10,000.00	\$30,000.00
SIGNS, STANDARD SHEETING, EXTRUDED ALUMINUM	SQFT	200	\$25.00	\$5,000.00
	T/	OTAL CONSTR	RUCTION COST	\$ 87,700
	ECT SUBTOTAL	\$ 87,700		
	trative Services	\$ 26,310		
	0% Contingency	\$ 26,310		
	ROJECT COST	\$ 141,000		

Assumptions:

-

-

_

_

-

Scope Accuracy:

Level 1: Project scope well understood and well defined.

Level 2: Project scope conceptual. Scope lacks detail due to potential permit requirements; Unknown project conditions; limited knowledge of external impacts.

Level 3: Project scope is a "vision" with limited detail.

Engineering Effort:

Level A: Preliminary engineering performed. Technical information is available, engineering calculations have been performed; clear understanding of the materials size and quantities needed to execute job. Schedule understood; staff and permitting is fairly clear, (however this element may still need refining). Project Development & Construction Contingencies ranges between 10%-20%.

Level B: Conceptual engineering performed. Technical information is available, rough engineering calculations may have been performed, or similar information from previous similar work is compared and used. Project Development Contingencies ranges between 15% to 25% and Construction Contingencies ranges between 20% to 30%.

McMinnville OR 99W Active Transportation Concept Plan Concept 3: Neighborhood Greenway on Evans Street ODOT



Engineer's Conceptual Estimate

Prepared By: Eric Germundson, PE	Date: April 16, 202	1		
Reviewed By: Nick Gross, Amy Griffiths, and Marc Butorac				
This Estimate has	a Rating of:		(See rating scale gu	iide below.)
ITEM	UNIT	TOTAL QUANTITY	UNIT PRICE	TOTAL COST
MOBILIZATION	LS	ALL	\$8,000.00	\$8,000.00
TEMPORARY PROTECTION AND DIRECTION OF TRAFFIC	LS	ALL	\$2,000.00	\$2,000.00
TEMPORARY WORK ZONE TRAFFIC CONTROL, COMPLETE	LS	ALL	\$4,000.00	\$4,000.00
PAVEMENT BAR, TYPE B-HS	SQFT	50	\$10.00	\$500.00
PAVEMENT LEGEND, TYPE B-HS	EA	94	\$300.00	\$28,200.00
PERFORATED STEEL SQUARE TUBE ANCHOR SIGN SUPPORTS	LS	ALL	\$5,000.00	\$5,000.00
TRAFFIC SEPARATOR	EA	1	\$5,000.00	\$5,000.00
SPEED HUMPS	EA	3	\$10,000.00	\$30,000.00
SIGNS, STANDARD SHEETING, EXTRUDED ALUMINUM	SQFT	200	\$25.00	\$5,000.00
	T	OTAL CONSTR	UCTION COST	\$ 87,700
	ECT SUBTOTAL	\$ 87,700		
3	\$ 26,310			
	0% Contingency	\$ 26,310		
	TOTAL	ESTIMATED P	ROJECT COST	\$ 141,000

Assumptions:

-

-

-

-

Scope Accuracy:

Level 1: Project scope well understood and well defined.

Level 2: Project scope conceptual. Scope lacks detail due to potential permit requirements; Unknown project conditions; limited knowledge of external impacts.

Level 3: Project scope is a "vision" with limited detail.

Engineering Effort:

Level A: Preliminary engineering performed. Technical information is available, engineering calculations have been performed; clear understanding of the materials size and quantities needed to execute job. Schedule understood; staff and permitting is fairly clear, (however this element may still need refining). Project Development & Construction Contingencies ranges between 10%-20%.

Level B: Conceptual engineering performed. Technical information is available, rough engineering calculations may have been performed, or similar information from previous similar work is compared and used. Project Development Contingencies ranges between 15% to 25% and Construction Contingencies ranges between 20% to 30%.

Blueprint for Urban Design Documentation

Date: April 22, 2021

Project/Corridor Title: McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation

Concept Plan

Key Number: NA EA: 21PF220/721

Planning Document Summary

City of McMinnville Transportation System Plan (2010): The Goal and Policy Guidance established in the City of McMinnville Transportation System Plan (TSP) were used as the basis for developing the Corridor Vision Statement for the McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan (Concept Plan). The TSP identifies a list of prioritized projects including active transportation (AT) recommendations along OR 99W to improve safety for people walking and biking within the project study area.

City of McMinnville Comprehensive Plan (Volume II) (2004): The transportation system policies identified in Chapter VI of the Comprehensive Plan were reviewed when developing the Corridor Vision Statement to ensure consistency. Relevant policies identified in Chapter VI include, but are not limited to:

- Complete Streets
- Multi-Modal Transportation System
- Connectivity and Circulation
- Transportation Safety
- Transportation Sustainability
- Pedestrian Programs
- Bicycle System Plan

City of McMinnville Downtown Strategic Parking Management Plan (2018): The qualitative and quantitative data provided in the Downtown Strategic Parking Management Plan, most notably along OR 99W, was reviewed and analyzed as part of the existing conditions and future needs assessment. The analysis was incorporated as part of the alternative development considering the recommendations identified in the Downtown Strategic Parking Management Plan to inform decision making for alternative development located along OR 99W.

McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan Project Vision: Identify improvements in the OR 99W corridor that will result in a safer, more comfortable, and attractive place to walk, bike, roll and facilitate transit use. It is anticipated that the Concept Plan will be adopted into the City's TSP Update, scheduled to begin in Summer 2021.

General Project Information													
	Rt. No.	Hwy No.	NHS	Functional Classification	State Classifica		Reduction Review Rt	Truck %		Posted Speed	Current ADT		
Route Information	OR 99W	091	Yes ⊠ No □	Other Urban Principal Arterial	ncipal Regional				Yes ⊠ No □	16.37 Spee (Baker) (74 nort		30-35 e: School ed zone 20 A-5P) @ th end of ouplet	13,000 (Adams) 12,600 (Baker)
		ding gory		City and Co	unty		Begin MP	End MP		Speed	Future ADT (20 Years)		
Project Information	SPR/PI	anning	McMin	McMinnville, Yamhill County			36.36 (north)	38.46 (south)	Design: 30 Target: 25		13,500 – 14,100 (Adams) 14,600 – 16,300 (Baker)		
					_	1 _				·			
		lding back		Adjacent Land U	Jse ng Future		edestrian Crossings	On-Street Parking			Accesses Per Block		
	None Shallov Mediu Large		Comm Retail Reside Mixed			unma	: Marked & arked walks/signals	Yes ⊠	No 🗆	_	f 0-3 per block		
Defining Character			Park/f Other: Public depart Note: buildir busine charac area th	Rec 🗆 : 🗵 (library, fire stati	□ ⊠ sion, police dential ed to	None Share Std. L Widtl Othe No bi in cou Mark from 38.46 of cou	ed Lane Lane h: r: ke facilities	Typ Parallel Diagona Back-in	⊠ al □	Most ~350 "double" l	Block Size D' with a few blocks of ~750' on side of the		

Form Updated: 15Dec2019 9 of 227

Project Goals and Outcomes

A repaving "preservation" project along the Baker/Adams Couplet (OR 99W) from MP 37.04 to MP 38.13 was proposed for the 2021-2024 STIP cycle but was not selected for funding. This project is not currently slated for the 2024-2027 STIP cycle, but an ADA ramp project is scheduled for 2024 and could potentially be combined with a repaving preservation project. The goal of the Concept Plan is to advance the "readiness" of active transportation investments and elements to be incorporated into the future preservation project. The solutions identified in this Concept Plan can also comprise a standalone active transportation project or portions could be funded through the Safe Routes to School construction program.

Brief Project Description

The primary purpose of the McMinnville OR 99W Active Transportation Concept Plan is to identify improvements in the OR 99W corridor that will result in a safer, more comfortable, and attractive place to walk, bike, roll and facilitate transit use. This Concept Plan identified specific multimodal elements that could be added to future projects based on the context and guiding principles from the BUD. All concepts/alternatives were vetted extensively through public outreach and approved by the City of McMinnville as an amendment to their Transportation System Plan.

Through this planning process, the project team addressed the following needs.

- Preserved two northbound and two southbound lanes to accommodate traffic demand
- Addressed bicycle facility needs by providing on-street buffered bicycle lane facilities along OR 99W and a low-stress, neighborhood parallel
- Ensured connectivity and access for all users in McMinnville
- Addressed OR 99W safety issues for people walking and rolling (wheelchairs, hover boards, skateboards, etc.)

Community Engagement								
Describe	There was on-going coordination with the City throughout the project as they							
Community	were active participants on the Project Management Team (PMT). Specific							
Outreach	community outreach engagement and strategies are described below:							
Summarize								
Commitments,	1) The PMT formed a Project Advisory Committee (PAC), made up of citizens							
Expectations	representing diverse modal perspectives as well as representation from local business owners, emergency service providers, the school district, and a member from the City Planning Commission and Council. The PAC also included ODOT District/Maintenance representatives. The PAC met three times, at key project milestones, to provide input on the project material and the Concept Plan. 2) The PMT hosted a virtual public meeting to solicit broad input on analysis, alternatives/concepts, and preferred alternative concept development. The virtual meeting included a live presentation and several weeks for people to add comments through email, a survey, or an interactive map. 76 community comments were received. 3) An "information only" presentation was provided to ODOT's Mobility Advisory Committee (MAC) Stakeholder Forum. Alternatives/concepts were presented since they could potentially impact the OR 99W cross-section which is a Reduction Review Route. The MAC responded positively regarding the buffered bike lane concept as well as the neighborhood							
	greenway.							
	 City of McMinnville held a joint Planning Commission/City Council Work Session and conducted Planning Commission and City Council hearing resulting in the adoption on the Concept Plan into the city's TSP on XXXX XX, 2021. 							

	Modal Integration							
	Existing Modal Integration	Future Modal Integration						
Determine	Pedestrians ☐ High ☒ Medium ☐ Low	Pedestrians $oxtimes$ High $oxtimes$ Medium $oxtimes$ Low						
Modal	Bicycles ☐ High ☐ Medium ☒ Low	Bicycles ⊠ High □ Medium □ Low						
	Transit ☐ High ☒ Medium ☐ Low	Transit ⊠ High ☐ Medium ☐ Low						
Integration	Freight/Motor ⊠ High ☐ Medium ☐ Low	Freight/Motor ⊠ High ☐ Medium ☐ Low						
	Vehicles	Vehicles						
Context								
Tr	aditional Downtown/CBD 🗵 Urban Mix 🗵	Commercial Corridor \square						
	Residential Corridor Suburban Fringe	Rural Community □						

Context Discussion

STUDY AREA: The McMinnville Active Transportation Concept Plan study area is contained to the 2.1 mile segment of OR 99W between NE McDonald Road (MP 36.36) and SW Linfield Avenue (MP 38.46). Just north of NE 15th Street (MP 37.12), OR 99W splits into a couplet configuration with northbound travel along NE Baker Street and southbound travel along NW Adams Street. The couplet merges back at SW Edmunston Road (MP 38.22).

CONTEXT OVERVIEW: North of the couplet, the adjacent land uses of OR 99W primarily consist of commercial with shallow setbacks, off-street parking, and medium block sizes. Throughout the couplet, the adjacent land uses consist of a mix of residential and commercial with minimal setbacks, on-street parking, consistently spaced small blocks, and buildings orientated towards the roadway. At SE 1st Street (MP 37.81), the context of OR 99W changes as the couplet prepares to merge back. The adjacent land uses of OR 99W between SE 1st Street and SW Linfield Avenue are less defined, similar to the northern portion of the corridor, with shallow setbacks, off-street parking, and medium block sizes.

CONTEXT SELECTION: The project team selected two contexts for the project area – **Traditional** Downtown/CBD and Urban Mix. The urban context recommendations for OR 99W considered the existing and future desired contexts of the corridor and surrounding land uses.

NE McDonald Lane (MP 36.36) to NW 15th Street (MP 37.12):

Between NE McDonald Lane and NW 15th Street, adjacent zoning is primarily C-3 (General Commercial) with one M-1 (Light Industrial) parcel and one R-2 (Single-Family Residential) parcel. Building setbacks are primarily medium to large with off-street parking typically located between business frontages and the roadway. The majority of building orientation does not face the roadway, but rather the parking areas serving the respective businesses. Building coverage adjacent to the right-of-way is medium to low. Block sizes are not well defined and vary between large and medium.

Based on the existing and future desired context as well as the envisioned modal priorities, **Urban Mix** is recommended as the BUD context that is most appropriate and best aligns with the corridor vision within this segment.

NW 15th Street (MP 37.12) to SE 1st Street (MP 37.81):

Between NW 15th Street and SE 1st Street, adjacent zoning is entirely C-3 (General Commercial) with R-4 (Multi-Family Residential) located behind. Building setbacks are shallow and the majority of building facades are orientated toward the roadway. On-street parking exists throughout this segment with occasional off-street parking areas. Building coverage adjacent to the right-of-way is medium with a mix of parking and commercial frontages. Block sizes are well defined, consistent, and relatively small.

Based on the existing and future desired context as well as the envisioned modal priorities, Traditional Downtown/Central Business District is recommended as the BUD context that is most appropriate and best aligns with the corridor vision within this segment.

SE 1st Street (MP 37.81) to SW Linfield Avenue (MP 38.46):

Between SE 1st Street and SW Linfield Avenue, adjacent zoning is a primarily R-4 (Multi-Family Residential); however, a small mix of C-3 (General Commercial) and O-R (Office/Residential) is present. The Cozine Creek, zoned F-P (Flood Plain) runs along the west side of OR 99W within this segment resulting in little to no development north of SW Edmunston Street. Building setbacks are shallow to medium with

most buildings orientated towards the roadway. On-street parking is present between SE 1st Street and SE Handley Street, with private driveways providing residential off-street parking. Building coverage adjacent to the right-of-way is medium to low. Block sizes are not well defined and vary between large and medium.

Based on the existing and future desired context as well as the envisioned modal priorities, Urban Mix is recommended as the BUD context that is most appropriate and best aligns with the corridor vision within this segment.

Form Updated: 15Dec2019 Page 6 of 11 13 of 227

	McMinnvi	lle Couplet: OR	99W (NE				
Section Name:	Linfield Av	venue)			Route No.:	OR 99W	
Highway Name:	Pacific Hi	ghway West	Highway No.:	091			
County Name:	Yamhill	Region:	2	Key No.:	NA	EA No.:	NA
Begin MP:	36.36	RDWY ID:	1 2 Mileage T			Гуре:	0 ⊠ Z □
End MP:	38.46	Mileage Ove	erlap Cod	de:] 2 🗌		

PROJECT DATA

Functional Class	Functional Classification:			Urban Principal Arterial			State Classification: Regional				
Current ADT (Yea	ar):	13,000 (we (east side)	st sid	e),	12,600	Design ADT (Year):					
% Trucks:	16.37	Vertical Clearance / Reduction Review Route:			⊠Yes □N	⊠Yes □No					
Posted Speed:	30 MPH, 35 MPH on the west side, south of 2 nd St.	Design Speed:			30	Target Speed:					
	Funding:	NA									
Current Estimate:				Context		Urban Mix					
Federal Highway Approval (PODI) Required:	Yes 🗌 No 🔲	Design Category	3R [4R [1R □ SF □	NHS: Non NHS:		Top 10% SPIS Site	:	Yes	⊠No □

	Design Element Summary Table	Width (ft.) **
	Frontage Zone	1'
Pedestrian	Pedestrian Zone	5′
Realm	Buffer Zone	7'-8'
	Curb/Gutter	.5′
	Separated Bicycle Lane (Curb Constrained Facility)	NA
	On-Street Bicycle Lane (Not Including Buffer)	5′
Transition Realm	Bicycle/Street Buffer	3′
	Right Side Shoulder (If Travel Lane Directly Adjacent to Curb	NA
	On-street Parking	7-8'
Travelway	Travel Lane	11'-12' (Adams St. stays at 12' while Baker St. narrows slightly to 11')
Realm	Right Turn Lane (Including Shy)	NA
	Left Turn Lane	NA

Form Updated: 15Dec2019 14 of 227

Left Side/Right Side Shy Distance	NA
Two-Way Left Turn Lane	14
Raised Median – No Turn Lane (Including Shy Distances)	NA
Left-Turn Lane with Raised Curbed Median/Separator (Includes 16" Separator and Shy Distance	NA

^{**}For dimensions less than range defined in the Blueprint for Urban Design, a design exception is required

Modal Integration				
Appropriate Modal Integration	Pedestrians Bicycles Transit Freight/Motor Vehicles	☐ High ☐ High ☐ High ⊠ High	☑ Medium☑ Medium☑ Medium☐ Medium	□ Low □ Low □ Low □ Low
Briefly Discuss Final Modal Integration Decisions	Chapter 2, Section 2.1.4 provides guidance for designing for multimodal users. Section 2.2.2 highlights other roadway characteristics to consider. OR 99W is a Reduction Review Route, therefore freight mobility is important to maintain. At the same time, the primary goals of the McMinnville Active Transportation Concept Plan is to improve connectivity, safety, and transportation options for active modes. While freight access must be maintained, pedestrian and bicycle access and safety is a high priority. A future repaving and/or ADA project will provide the opportunity to update active transportation element while also addressing pavement conditions and maintaining freight movements.			

Pedestrian Realm			
Discuss final Dimensions of Pedestrian Realm Elements	Chapter 3, Table 3-4 provides general guidance for the Pedestrian Realm. Tables 3-11 and 3-12 provide specific guidance (based on the context) for the Pedestrian Realm design. This realm includes sidewalks as well as buffer zones. The McMinnville OR99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan does not include changes to the pedestrian/buffer zones since it was focused on curb-to-curb improvements. The Concept Plan therefore maintains the existing 6' sidewalk (5' sidewalk plus 1' frontage zone in CBD) with a 7'-8' buffer with on-street parking. The curb zone is 0.5.' The project team also evaluated the need for safely crossing the highway – connecting people to neighborhoods and other destinations. Based on the analysis, public feedback, and PAC recommendations, the project team selected the following enhanced crossing treatments at the identified crossing locations: • High visibility crosswalk markings • Parking restrictions on crosswalk approach • Adequate nighttime lighting levels		

- Crossing warning signs
- Advance Stop Here For Pedestrians sign and stop line
- Rectangular rapid flashing beacon (RRFB)

The identified locations include:

- 15th Street / NE Adams Street
- 15th Street / NE Baker Street
- 8th Street / NE Adams Street
- 8th Street / NE Baker Street
- 3rd Street / NE Adams Street
- SE Cowls Street / SE Baker Street

The Concept Plan proposes removing parking on the west side of Adams St. due to extremely low utilization rates (peak use of the 208 parking spaces was at 10%) combined with BUD guidance and strong City/community desire for bicycle facilities on OR 99W. This parking space will be replaced with a buffered bike lane which will continue to serve (like the parking did) as an 8' buffer for pedestrians.

Transition Realm

Chapter 3, Table 3-5 provides general guidance for the Transition Realm. Tables 3-11 and 3-12 provide specific guidance (based on the context) for the Transition Realm design. This realm includes the bicycle facility design, parking space, and maintenance.

The Concept Plan looked at several alternatives for this realm including a two-way separated bike lane, buffered bike lanes, and neighborhood greenways (on the local roadway system). The preferred plan includes **buffered bike lanes on OR 99W as well as a local, parallel neighborhood greenway route**.

Discuss final Dimensions of Transition Realm Elements

The buffered bike lane option for OR 99W was selected based on evaluation criteria as well as extensive outreach which included early input from the MAC. This option was selected in part because it is more cost effective, has lower maintenance costs/challenges, and has less impacts on freight movements than the two-way separated bike lane concept. The community also liked that people riding bikes are still going with the direction of traffic (more intuitive) that that it would connect people directly to businesses along both corridors. The MAC stakeholders verbally supported the buffered bike lanes combined with the neighborhood route, and made several positive comments about vertical flexposts which are proposed along select segments.

In order to get buffered bike lanes on Adams St. (southbound), parking will be removed on the west side of the highway. A parking utilization study was completed to assess this option and parking demand was found to be extremely low. When presented to the City, the PAC, the MAC, and the general public, adding buffered bike lanes where there is currently parking was strongly supported.

The buffered bike lane design concept includes a 5' lane with a 3' buffer space on both Adams St. and Baker St. The Concept Plan recommends vertical flexposts and green pavement markings at key locations.

Note: Region 2 Traffic Operations Engineer vetted the concept and preliminarily agreed to the 7' parking with 11' travel lanes since there is a buffered bike lane (5' and 3') immediately adjacent to the parking and travel lanes. Region Traffic and District 3 also reviewed and agreed to the proposed use of green pavement markings and vertical flexposts, however final design approval is still needed as well as an agreed upon maintenance plan.

Travelway Realm 3. Table 3-6 provides general guidance for th

Chapter 3, Table 3-6 provides general guidance for the Travelway Realm. Tables 3-11 and 3-12 provide specific guidance (based on the context) for the Travelway Realm design. This realm includes travel lane widths and turning lane widths.

Discuss final Dimensions of Travelway Realm Elements The Plan's preferred alternative includes maintaining two lanes of travel for both the northbound and southbound directions with the travel lanes ranging from 11'-12' due to the existing width variations and other design elements. Both directions (Adams St. and Baker St.) will have buffered bike lanes. On the north end of the couplet where the roadways are wider, the **travel lanes are at 12' with a 14'** middle turn lane. When you get into the couplet, **Adams St. maintains 12' travel lanes** throughout, but **Baker St. narrows down (south of NE 12th St.) to 11' travel lanes**, which allows the corridor to maintain both parking and provide for buffered bike lanes.

Design Element Less Than Approved Range			
Final Design Elements Less Than Approved Range Dimension	Are Any Final Design Elements Less Than the Approved Dimension Range? No ☑ Yes ☐ If yes, list the elements below and attach an approved design exception for each		

Signatures Branged			
Prepared By:		Date:	
_ ,.	Prepare By		
	Company Name: Kitte	Ison & Associates, Inc.	
Concurred			
Ву:		Date:	
	(ODOT Region Maintenance Manager or F	Region Maintenance	

Form Updated: 15Dec2019

	(Print Name)		
Approved By:		Date:	
	(Region Technical Center Manager)		
	(Print Name)		

Technical Memoranda



MEMORANDUM

Date: October 7, 2020 Project #: 23021.020

To: Project Management Team
Project Advisory Committee

From: Nick Gross, Amy Griffiths, Marc Butorac, PE, PTOE, PMP

Project: McMinnville Active Transportation Concept Plan

Subject: Final Corridor Vision Statement

PURPOSE

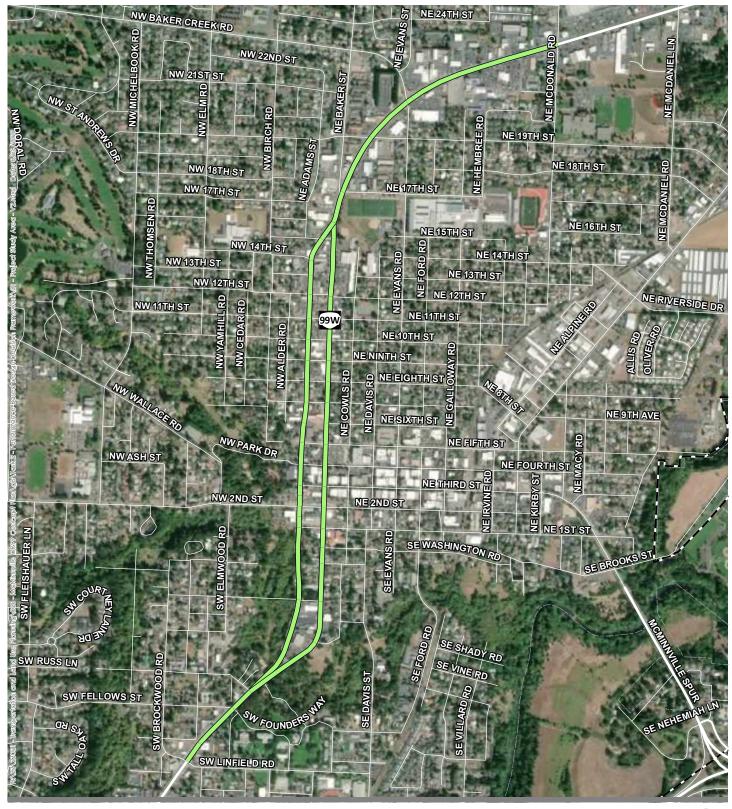
The purpose of this memorandum is to identify the corridor vision statement of the McMinnville Active Transportation Concept Plan by establishing the existing and future desired urban contexts of OR99W within the study area. Establishing the urban context(s) helps better understand the anticipated users of OR99W, identify appropriate modal prioritization, and provides general guidance on design direction for various elements of the roadway design including bicycle facility selection, pedestrian crossings, and target speeds.

PROJECT STUDY AREA

The McMinnville Active Transportation Concept Plan study area is contained to the 2.1 mile segment of OR99W between NE McDonald Road (mile point [MP] 36.36) and SW Linfield Avenue (MP 38.46). Just north of NE 15th Street (MP 37.12), OR99W splits into a couplet configuration with northbound travel along NE Baker Street and southbound travel along NW Adams Street. The couplet merges back at SW Edmunston Road (MP 38.22). Figure 1 illustrates the project study area.

North of the couplet, the adjacent land uses of OR99W primarily consist of commercial with shallow setbacks, off-street parking, and medium block sizes. Throughout the couplet, the adjacent land uses consist of a mix of residential and commercial with minimal setbacks, on-street parking, consistently spaced small blocks, and buildings orientated towards the roadway. At SE 1st Street (MP 37.81), the context of OR99W changes as the couplet prepares to merge back. The adjacent land uses of OR99W between SE 1st Street and SW Linfield Avenue are less defined, similar to the northern portion of the corridor, with shallow setbacks, off-street parking, and medium block sizes. Figure 2 illustrates the City of McMinnville Zoning and Figure 3 illustrates the City of McMinnville Comprehensive Plan.

466 of 1001



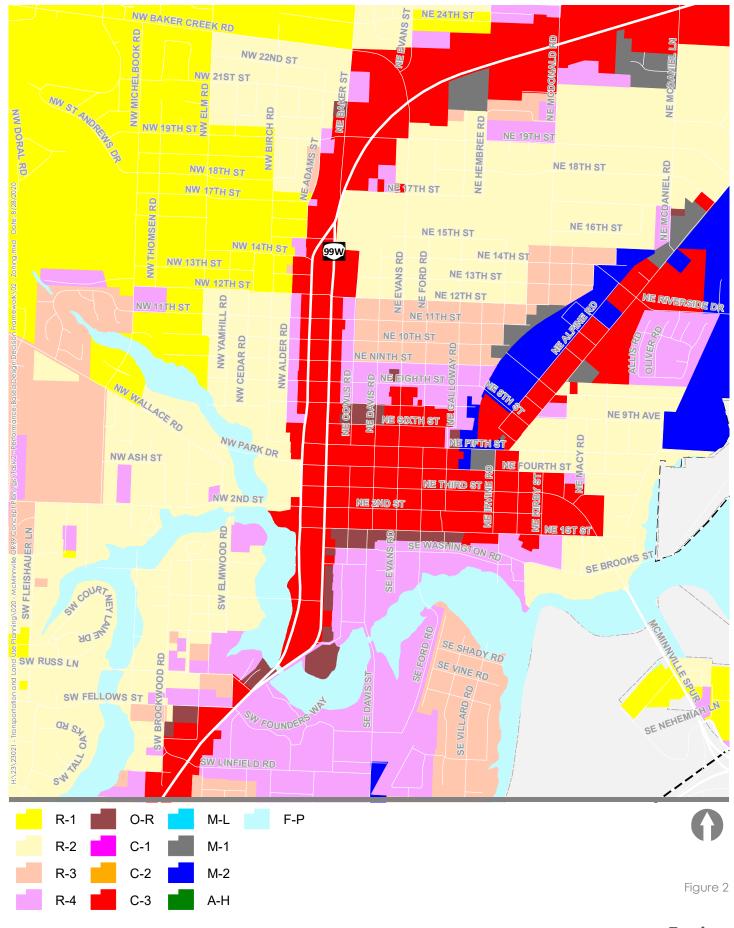
OR99W Project Extents





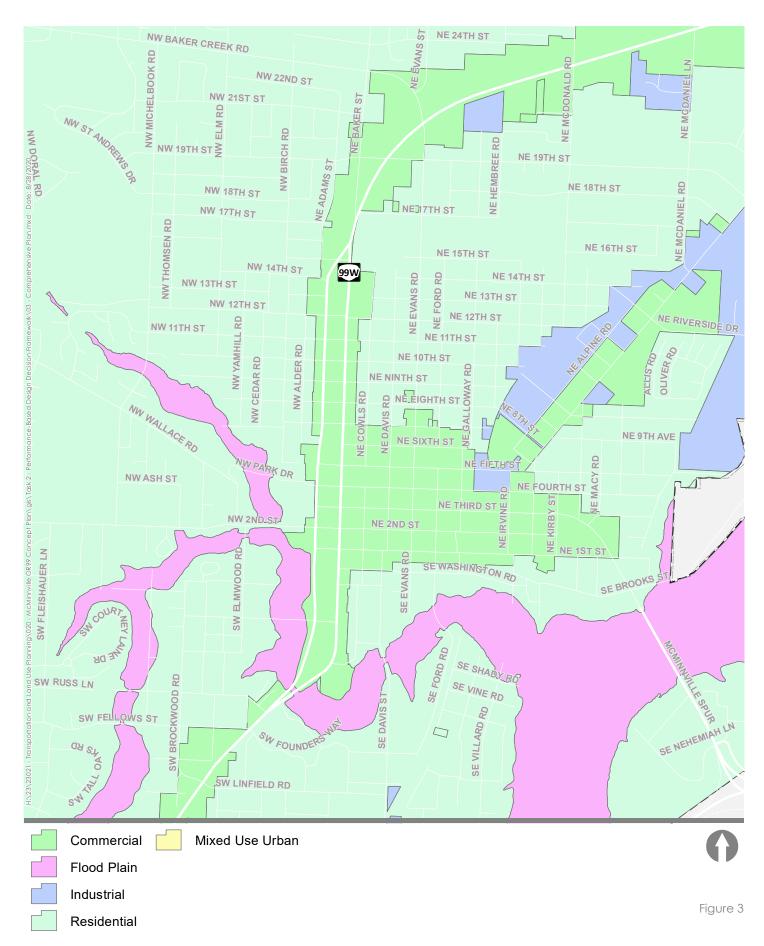
Figure 1







Zoning McMinnville, OR Amended on 12.15.2021 468 of 1001





Comprehensive Plan McMinnville, OR Amended on 12.15.2021 469 of 1001

ESTABLISHING THE URBAN CONTEXT

The Oregon Department of Transportation (ODOT) Blueprint for Urban Design (BUD) establishes a framework for determining the urban context along state roadways. Identifying the context helps understand the relative need of each type of users and the "intensity of use" that can be expected within each urban context. Table 1 summarizes the six types of land use contexts as described in the BUD.

Table 1: ODOT Urban Context Matrix

Land Use Context	Setbacks Distance from the building to the property line	Building Orientation Buildings with front doors that can be accessed from the sidewalks along a pedestrian path	Land Use Existing or future mix of land uses	Building Coverage Percent of area adjacent to right- of-way with buildings, as opposed to parking, landscape or other uses	Parking Location of parking in relation to the building along the right-of-way	Block Size Average size of blocks adjacent to the right-of-way
Traditional Downtown/CBD	Shallow/None	Yes	Mixed (residential Commercial, Park/Recreation)	(residential High		Small, consistent block structure
Urban Mix	Shallow	Some	Commercial fronting, residential behind or above	Medium	Mostly off- street/Single row in front/In back/ On side	Small to medium blocks
Commercial Corridor	Medium to Large	Sparse	Commercial, Institutional, Industrial	Low	Off-street/In front	Large blocks, not well defined
Residential Corridor	Shallow	Some	Residential	Medium	Varies	Small to medium blocks
Suburban Fringe	Varies	Varies	Varied, interspersed development	Low	Varies	Large blocks, not well defined
Rural Community	Shallow/None	Some	Mixed (Residential, Commercial, Institutional, Park/Recreation)	Medium	Single row in front/In back/ On side	Small to medium blocks

The following section provides urban context recommendations for OR99W based on a review of the existing OR99W corridor within the study area and local implementation-oriented plans including the City of McMinnville Transportation System Plan (TSP — Reference 1), the City of McMinnville Comprehensive Plan (Reference 2), and the City of McMinnville Downtown Strategic Parking Management Plan (Reference 3). The urban context recommendations for OR99W consider the existing and future desired contexts of the corridor and surrounding land uses. Identifying an urban context that is reflective of a desired outcome rather than an existing condition will help decision-makers and practitioners achieve the overall corridor vision.

NE McDonald Road (MP 36.35) to NW 15th Street (MP 37.12)

Between NE McDonald Road and NW 15th Street, adjacent zoning is primarily C-3 (General Commercial) with one M-1 (Light Industrial) parcel and one R-2 (Single-Family Residential) parcel. Building setbacks are primarily medium to large with off-street parking typically located between business frontages and the roadway. The majority of building orientation does not face the roadway, but rather the parking areas serving the respective businesses. Building coverage adjacent to the right-of-way is medium to low. Block sizes are not well defined and vary between large and medium.

Based on the existing and future desired context as well as the envisioned modal priorities,
 Urban Mix is recommended as the BUD context that is most appropriate and best aligns with the corridor vision within this segment.

NW 15th Street (MP 37.12) to SE 1st Street (MP 37.81)

Between NW 15th Street and SE 1st Street, adjacent zoning is entirely C-3 (General Commercial) with R-4 (Multi-Family Residential) located behind. Building setbacks are shallow and the majority of building facades are orientated toward the roadway. On-street parking exists throughout this segment with occasional off-street parking areas. Building coverage adjacent to the right-of-way is medium with a mix of parking and commercial frontages. Block sizes are well defined, consistent, and relatively small.

Based on the existing and future desired context as well as the envisioned modal priorities,
 Traditional Downtown/Central Business District is recommended as the BUD context that is most appropriate and best aligns with the corridor vision within this segment.

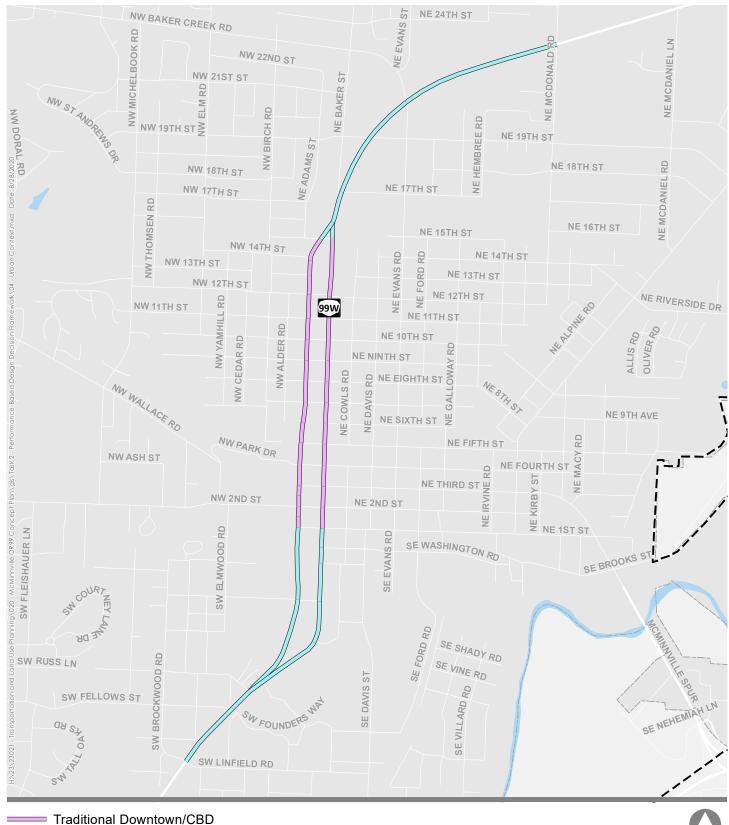
SE 1st Street (MP 37.81) to SW Linfield Avenue (MP 38.46)

Between SE 1st Street and SW Linfield Avenue, adjacent zoning is a primarily R-4 (Multi-Family Residential); however, a small mix of C-3 (General Commercial) and O-R (Office/Residential) is present. The Cozine Creek, zoned F-P (Flood Plain) runs along the west side of OR99W within this segment resulting in little to no development north of SW Edmunson Street. Building setbacks are shallow to medium with most buildings orientated towards the roadway. On-street parking is present between SE 1st Street and SE Handley Street, with private driveways providing residential off-street parking. Building coverage adjacent to the right-of-way is medium to low. Block sizes are not well defined and vary between large and medium.

Based on the existing and future desired context as well as the envisioned modal priorities,
 Urban Mix is recommended as the BUD context that is most appropriate and best aligns with the corridor vision within this segment.

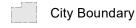
Recommended Urban Contexts

Figure 4 illustrates the recommended urban contexts for the study area based on the ODOT BUD contexts described in Table 1.



()

—— Urban Mix



UGB

Figure 4



Proposed Urban Contexts

McMinnville, OR

Amended on 12.15.2021
472 of 1001

CORRIDOR VISION STATEMENT

The primary purpose of the McMinnville Active Transportation Concept Plan is to identify improvements in the OR99W corridor that will result in a safer, more comfortable, and attractive place to walk, bike, roll and facilitate transit use. A supplemental memorandum establishing the draft goals, policies, and evaluation criteria is included in Attachment "A".

Table 2 summarizes the relative importance for considering the need of each user type to drive planning and design decisions. As summarized previously, the recommended land use contexts for the OR99W corridor within the project study area are **Traditional Downtown/CBD** and **Urban Mix**. Based on these contexts, the general modal considerations for transit, bicyclist, and pedestrians are "High", consistent with the project purpose and vision.

Table 2: General Modal Consideration in Different Urban Contexts

Land Use Context	Motorist	Freight	Transit	Bicyclist	Pedestrian
Traditional Downtown/CBD	Low	Low	High	High	High
Urban Mix	Medium	Low	High	High	High
Commercial Corridor	High	High	High	Medium	Medium
Residential Corridor	Medium	Medium	Low	Medium	Medium
Suburban Fringe	High	High	Varies	Low	Low
Rural Community	Medium	Medium	Varies	High	High

High: Highest level facility should be considered and prioritized over other modal treatments.

Medium: Design elements should be considered; trade-offs may exist based on desired outcomes and user needs.

Low: Incorporate design elements as space permits.

Designing Based on Context and Classification

The following section describes the guiding principles and design considerations based on the guidance provided in the ODOT BUD. These guiding principles and design considerations align with the project purpose, goals, and vision.

"Traditional Downtown/Central Business District: To best serve all users, vehicle speeds should be 25 mph or below, and higher levels of congestion are expected. Transit stops should be placed at frequent intervals, and transit priority treatments can help with transit mobility, even in congested conditions. Bicycle and pedestrian facilities should be relatively wide and comfortable to serve anticipated users. Curbside uses are important and may include loading/unloading, parking (vehicles, bicycles, etc.), and other uses. Landscaping and street trees, following ODOT placement and spacing guidelines, are appropriate in this context."

"Urban Mix: To best serve all users, vehicle speeds are typically 25 to 30 mph, and higher levels of congestion are acceptable. Transit stops should be placed in proximity to origins and destinations. Bicycle and pedestrian facilities should be relatively wide and comfortable to serve anticipated users. Where low speeds cannot be achieved, practitioners must consider a buffer between travel lanes and bicycle and pedestrian facilities. Curbside uses are important and may include loading/unloading, parking (vehicles, bicycles, etc.), and other uses. Landscaping and street trees, following ODOT placement and spacing quidelines, are appropriate in this context."

Table 3 summarizes the consistencies and inconsistencies between the guiding principles and modal considerations described above for *Traditional Downtown/Central Business District* and *Urban Mix* within the study area. Understanding the inconsistencies between the guiding principles and the existing characteristics of the OR99W segments helps to establish the gaps and deficiencies and eventual alternative development.

Table 3: Modal Consideration Comparison

OR99W Segment	Recommended Context	Vehicular Speeds Comparison	Bicyclist Facility Comparison	Pedestrian Facility Comparison
NE McDonald Road to NW 15th Street	Urban Mix	Existing: 30 - 35 MPH Recommended: 25 – 30 MPH	Existing: Standard on-street bike lanes/None Recommended: Wide, comfortable, buffered facilities	Existing: Standard sidewalks, no buffer Recommended: Wide, comfortable, buffered facilities
NW 15th Street to SE 1st Street	Traditional Downtown/CBD	Existing: 30 MPH Recommended: 25 MPH	Existing: None Recommended: Wide, comfortable facilities	Existing: Standard sidewalks, no buffer Recommended: Wide, comfortable, buffered facilities
SE 1st Street to SW Linfield Avenue	Urban Mix	Existing: 35 MPH Recommended: 25 – 30 MPH	Existing: Standard on-street bike lanes/None Recommended: Wide, comfortable, buffered facilities	Existing: Standard sidewalks, no buffer Recommended: Wide, comfortable, buffered facilities

NEXT STEPS

The Corridor Vision has been reviewed by the project management team (PMT) and updated to produce the Final Corridor Vision. The urban contexts established within this document will be used to inform the performance-based design decision making framework and ultimate conceptual design alternative development.

REFERENCES

- 1. City of McMinnville. *Transportation System Plan, 2010*.
- 2. City of McMinnville. Comprehensive Plan, 2018.
- 3. City of McMinnville. Downtown Strategic Parking Management Plan, 2018.



MEMORANDUM

Date: October 7, 2020 Project #: 23021.020

To: Project Management Team
Project Advisory Committee

From: Nicholas Gross, Nick Gross, Marc Butorac, PE, PTOE, PMP

Project: McMinnville Active Transportation Concept Plan
Subject: Final Evaluation Criteria and Performance Measures

INTRODUCTION

The purpose of this document is to articulate the goals and objectives, evaluation criteria, and performance measures to fulfill the Corridor Vision Statement for the McMinnville Active Transportation Concept Plan. Understanding and executing a performance-based approach with clear, actionable, and measurable evaluation criteria enables project teams to make informed decisions about the performance trade-offs of alternative solutions to best suit the project goals based on the corridor context and needs of the intended users. The corridor context and relative need of the intended users are set according to the Oregon Department of Transportation (ODOT) Blueprint for Urban Design (BUD – Reference 1) and the Draft Corridor Vision (Reference 2).

GUIDING GOALS AND POLICIES

The primary purpose of the McMinnville Active Transportation Concept Plan is to identify improvements along the OR99W corridor in the City of McMinnville that will result in a safer, more comfortable, and attractive place to walk, bike, roll and facilitate transit. The City of McMinnville Transportation System Plan (TSP – Reference 3) identifies guiding goals and policies for the transportation vision for the City. The goals and policies relevant to the McMinnville Active Transportation Concept Plan are included in Table 1 on the following page.

30 of 227

Table 1: TSP Goal and Policy Guidance

	TSP Goals and Supplemental Policies						
Complete Streets	"The safety and convenience of all users of the transportation system including pedestrians, bicyclists, transit users, freight, and motor vehicle drivers shall be accommodated and balanced in all types of transportation and development projects and through all phases of a project so that even the most vulnerable McMinnville residents – children, elderly, and persons with disabilities – can travel safely within the public right of way."						
Multi-Modal Transportation System	"The transportation system for the McMinnville planning area shall consist of an integrated network of facilities and services for a variety of motorized and non-motorized travel modes."						
Connectivity and Circulation	"The vehicle, pedestrian, transit, and bicycle circulation systems shall be designed to connect major activity centers in the McMinnville planning area, increase the overall accessibility of downtown and other centers, as well as provide access to neighborhood residential, shopping and industrial areas, and McMinnville's parks and schools."						
Transportation System and Energy Efficiency	"The implementation of transportation system and transportation demand management measures, provision of enhanced transit service, and provision of bicycle and pedestrian facilities in the McMinnville planning area shall be embraced by policy as the first choice for accommodating travel demand and relieving congestion in a travel corridor, before street widening projects for additional travel lanes are undertaken. The McMinnville Transportation System Plan shall promote alternative commute methods that decrease demand on the transportation system" including "walking and bicycling."						
Transportation Safety	"The City of McMinnville shall make the design, construction, and operation of a safe transportation system for all modes of travel a high priority."						
Accessibility for Persons with Disabilities	"The McMinnville transportation system shall be designed with consideration of the needs of persons with disabilities by meeting the requirements set forth in the Americans with Disabilities Act (ADA)."						
Livability	"Transportation facilities in the McMinnville planning area shall be, to the degree possible, designed and constructed to mitigate noise, energy consumption, and neighborhood disruption, and to encourage the use of public transit, bikeways, sidewalks, and walkways."						
Health and Welfare	"Through implementation of its Complete Streets policy and the TSP by enhancing its pedestrian and bicycle systems, the City of McMinnville will help encourage greater physical activity and improved health and welfare of its residents."						
Transportation Sustainability	"Through implementation of the TSP and the Comprehensive Plan, the City of McMinnville will, to the extent possible, seek measures that simultaneously help reduce traffic congestion, pollution, crashes and consumer costs, while increasing mobility options for non-drivers, and encouraging a more efficient land use pattern."						
Aesthetics and Streetscaping	"Aesthetics and streetscaping shall be a part of the design of McMinnville's transportation system. Streetscaping, where appropriate and financially feasible, including public art, shall be included in the design of transportation facilities. Various streetscaping designs and materials shall be utilized to enhance the livability in the area of a transportation project."						

EVALUATION CRITERIA AND PERFORMANCE MEASURES

The goals and policy guidance from the TSP have been converted into draft evaluation criteria for the Active Transportation Concept Plan. These criteria align with the Draft Corridor Vision for OR99W. The performance measures provide a performance-based decision framework for the selection of a preferred alternative. Aligning with guidance from the BUD, the performance measures are designed to be understandable, consistent, measurable, able to differentiate between alternatives, and specific to this project.

Table 2 provides the draft evaluation criteria and performance measures for the McMinnville Active Transportation Concept Plan.

- **Evaluation Criteria** are derived from the goal and supplemental policies from the McMinnville TSP and will be used to evaluate draft alternatives.
- Description includes the purpose and general explanation of the evaluation criteria, connecting the criteria to the specific community or agency values (based on the TSP) goals and desired outcomes for the project.
- Performance Measures are the measurements used to assess the evaluation criteria.
- Proposed Methodology describes how the criterion will be measured, whether it is qualitative or quantitative, and the data needed to evaluate the criteria.

Table 3 provides a scoring scale from -1 to +2, reflecting the extent to which a project achieves the prioritization measure and describes the data required to complete the scoring. Performance measure sub-categories within each evaluation criterion are scored individually, and then averaged to provide an overall score for the evaluation criterion. Each evaluation criteria score can result in a range between -7 (worst possible score) to +14 (best possible score) based on the seven evaluation criteria listed in Table 2.

Appendix A provides a sample evaluation of potential projects.

Table 2: Evaluation Criteria and Performance Measures

Evaluation Criterion	Description	Proposed Performance Measures
Complete Streets	The alternative provides comfortable facilities for people walking and biking, regardless of age and ability. The "complete streets" criterion addresses the "Complete Streets" goal and supplemental policy identified in the TSP.	 Bicycle Level of Traffic Stress (BLTS) Pedestrian Level of Traffic Stress (PLTS)
Multi-Modal Transportation System	The alternative provides integrated network of facilities and services for a variety of motorized and non-motorized travel modes based on the appropriate relative priority given the corridor context. The multi-modal transportation system criterion addresses the "Multi-Modal Transportation System" goal and supplemental policy identified in the TSP.	 Type and presence of pedestrian, bicycle, transit, motor vehicle, and freight facilities align with the recommendations from the Blueprint for Urban Design (provided in Appendix B)
Connectivity	The alternative provides comprehensive connectivity and circulation to existing active transportation facilities in the City of McMinnville. The alternative encourages walking and biking to essential destinations within the City of McMinnville. The "connectivity" criterion addresses the "Connectivity and Circulation", "Transportation System and Energy Efficiency", and "Transportation Sustainability" goals and supplemental policies identified in the TSP.	 Connection of alternative to the existing and planned bicycle and pedestrian network Barriers to walking and biking (including an unsafe crosswalk or facilities in poor condition) removed by the alternative Facility gap filled by alternative Proximity of alternative to essential destinations Proximity of alternative to activity generators
Safety	The alternative provides safety countermeasures that reduce the number of fatal and severe injury crashes. The "safety" criterion addresses the "Transportation Safety" and "Transportation Sustainability" goals and supplemental policies identified in the TSP.	 Percentage (%) of anticipated crash reduction based on crash reduction factor (CRF) scaled by planning-level cost of project Bicyclist and pedestrian crash history Pedestrian Risk Factor Bicyclist Risk Factor
Equity	The project meets the requirements set forth in the Americans with Disabilities Act (ADA) and provides transportation options to transportation disadvantaged populations. The "equity" criterion addresses the "Accessibility for Persons with Disabilities" and "Health and Welfare" goals and supplemental policies identified in the TSP.	 This will use the Transportation Disadvantaged Population (TDP) Index from the ODOT Active Transportation Needs Inventory (ATNI). The index considers the following characteristics of a census block: elderly populations (65 and older), youth populations (under 18), non-white and Hispanic populations, low-income populations (households earning less than 200% of the poverty level as determined by the census), limited English proficiency population (aggregate of census populations who speak English "not well" or "not at all"), households without access to a vehicle, and people with a disability (severe or non-severe disability) This criterion will also consider impacts to ADA compliance.
Livability	The alternative minimizes impacts to adjacent property owners and encourages the use of public transit, bikeways, sidewalks, and walkways. The project provides equity and receives public support. The "livability" criterion addresses the "Livability" and "Aesthetics and Streetscaping" goals and supplemental policies identified in the TSP.	 Right-of-way acquisition needs Neighborhood street modification, business access and parking Anticipated public support based on Open House and Public Advisory Committee Comments
Design Feasibility	The alternative has no major design feasibility concerns. The "design feasibility" criterion does not directly address any goals or supplemental policies identified in the TSP.	Constructability (including, but not limited to, right-of-way availability, existing terrain, utility location, visibility concerns, etc.)

Table 3: Evaluation Criteria Scoring

Evaluation	sluation Scoring Scale					
Criterion	Performance Measure	-1	0	+1	+2	Resources
Complete	Quantitative: BLTS	Project degrades existing BLTS	Project makes no change to existing BLTS	Project improves existing BLTS by 1 point	Project improves existing BLTS by 2 or 3 points	Posted speed, traffic volumes, number of lanes, and bicycle facility type
Streets	Quantitative: PLTS	Project degrades existing PLTS	Project makes no change to existing PLTS	Project improves existing PLTS by 1 point	Project improves existing PLTS by 2 or 3 points	Posted speed, traffic volumes, number of lanes, and pedestrian facility type
Multi-Modal Transportation System	Qualitative: Type and presence of pedestrian, bicycle, transit, motor vehicle, and freight facilities align with the recommendations from the Blueprint for Urban Design (provided in Appendix B)	Project degrades modal priorities based on urban context.	Project has no impact on modal priorities based on urban context.	Project improves modal priorities for urban context.	Project significantly improves modal priorities for urban context.	Posted speed, travel lane characteristics, shy distance, median, bicycle facility type and characteristics, pedestrian facility type and characteristics, parking type and characteristics. The urban context was determined to be Traditional Downtown/CBD and Urban Mix in the Corridor Vision (Reference 2). Based on recommendations from the Blueprint for Urban Design, Transit, Bicyclist, and Pedestrian are "High" priority modes (reference table provided in Appendix B)
	Qualitative: Project is identified by the City of McMinnville Transportation System Plan (TSP) or is located on the Safe Routes to School (SRTS) Network.	N/A	The project is not identified by the TSP or located on the SRTS Network	The project is identified by the TSP or is located on the STRS Network	The project is identified by the TSP and is located on the SRTS Network	City of McMinnville Transportation System Plan, Safe Routes to School Network
Connectivity	Qualitative: Project removes barrier to walking and biking or fills gap in the walking and biking transportation network	Project creates barriers or gaps in the walking and biking transportation network	Project has no impacts to barriers or gaps in the walking and biking transportation network	Project indirectly addresses barriers or gaps in the walking and biking transportation network	Project directly addresses barriers or gaps in the walking and biking transportation network	Existing conditions inventory
	Quantitative: Proximity to activity generators and essential destinations	N/A	Project would serve no active generators or essential destinations in 1/4 mile radius	Project would serve some active generators or essential destinations in 1/4 mile radius	Project would serve many active generators or essential destinations in 1/4 mile radius	Count of active generators and essential destinations within $\frac{1}{4}$ mile of the project location.
	Quantitative: Crash Reduction Factor C/Planning Level Project Cost	N/A	The project is not anticipated to reduce crashes at a location.	The project provides a moderate value crash reduction factor given the project cost.	The project provides a high value crash reduction factor given the project cost.	This is a quantitative measurement based on crash countermeasures and planning-level cost estimates.
Safety	Quantitative: Crash History	N/A	There were no bicyclist or pedestrian crashes reported in the 5-year crash history within 250 feet of the project.	There were 1 or 2 bicyclist or pedestrian crashes reported in the 5-year crash history within 250 feet of the project.	There were 3 or more bicyclist or pedestrian crashes reported in the 5-year crash history within 250 feet of the project.	5-Year Crash History
	Quantitative: Pedestrian Risk Factor Scoring	on, or perpendicular to a on, or perpendicular to a on, or perpendicular to a Medium or High risk a Medium or High risk		The project is located on, or perpendicular to a Medium risk factor location.	The project is located on, or perpendicular to a High risk factor location.	This is a quantitative measure based on the ODOT Statewide Pedestrian and Bicycle Safety Plan's
	Quantitative: Bicyclist Risk Factor Scoring	N/A	The project is not located on, or perpendicular to a Medium or High risk factor location.	The project is located on, or perpendicular to a Medium risk factor location.	The project is located on, or perpendicular to a High risk factor location.	established risk factor scoring for systemic safety.

Table 3: Evaluation Criteria Scoring

Evaluation	Performance Measure	Resources				
Criterion	renormance measure	-1	0	+1	+2	Resources
Equity	Quantitative: Project impact to transportation disadvantaged populations based on the ODOT Transportation Disadvantaged Population (TDP) Index	Project degrades transportation options and facilities for transportation disadvantaged populations	Project has no impact on transportation options and facilities for transportation disadvantaged populations	Project indirectly improves transportation options and facilities for transportation disadvantaged populations	Project directly improves transportation options and facilities for transportation disadvantaged populations	Census block data
	Qualitative: Project impact to ADA compliance	Project degrades ADA compliance	Project makes no improvements to ADA compliance	Project makes moderate improvements to ADA compliance	Project makes significant improvements to ADA compliance	ODOT ADA Inspection Summary, ADA Standards for Accessible Design
	Quantitative: Right-of-way acquisition needs	The project requires significant right-of-way acquisition	The project requires minor right-of-way-acquisition	The project requires no right-of-way acquisition	N/A	Right-of-way maps
Livability	Qualitative: Neighborhood street modification, business access and parking	The project degrades access and/or mobility to residential and commercial areas	The project has no impact to access and/or mobility to residential and commercial areas	The project indirectly improves access and/or mobility to residential and commercial areas	The project directly improves access and/or mobility to residential and commercial areas	Parking inventories, locations of residential and commercial properties in study area
	Qualitative: Public response based on Open House and Public Advisory Committee Comments	The project has (or is expected to have) significant negative public response	The project has (or is expected to have) a neutral public response	The project has (or is expected to have) a positive public response	The project has (or is expected to have) strong support from the public	Open House and Public Advisory Committee Comments
Design Feasibility ¹	Qualitative: High-level feasibility of constructing the intended project at the location.	The project poses significant design challenges	The project poses moderate design challenges	The project poses minor design challenges	The project poses no notable design challenges	Constructability (including, but not limited to, right-of-way availability, existing terrain, utility location, visibility concerns, etc.)

¹ ADA design requirements will be considered but not included as a precluding factor to design feasibility.

NEXT STEPS

The Evaluation Criteria and Performance Measures has been reviewed by the project management team (PMT) and updated to produce the Final Evaluation Criteria and Performance Measures. The Evaluation Criteria will be used to compare the alternatives developed as part of Task 5: Alternatives Development, Analysis, and Preferred Alternative Concept.

REFERENCES

- 1. Oregon Department of Transportation. Blueprint for Urban Design, 2020.
- 2. Kittelson & Associates, Inc. Corridor Vision, 2020.
- 3. City of McMinnville. Transportation System Plan, 2010.

Appendix A Sample Evaluation

Bulb	Bulb-Out Improvements at NE 8 th Street / NE Baker Street Intersection ¹						
Evaluation Criterion	Score	Methodology ¹					
Complete Streets	1	Posted speed: 30 mph Number of Lanes: 2 AADT: 14300 Change in LTS: 1 point					
Multi-Modal Transportation System	1	The project improves facilities for people walking and biking, improving modal priorities for the urban context.					
Connectivity	1.3	The TSP recommended that new curb extensions should be installed at the NE 8 th Street / NE Baker Street Intersection. The project is not on a SRTS network. There are some essential destinations and active transportation generators within ½ mile of the intersection. The project directly addresses a barrier in the walking transportation network.					
Safety	1.8	Two crashes involving pedalcyclists within a 5-Year Period: 1 serious injury crash and 1 minor injury crash. Install Curb Ramps and Extensions with a Marked Crosswalk and Pedestrian Warning Signs (BP12) has a Crash Reduction Factor of 37% for pedestrian crashes. This is a high value crash reduction factor given the project cost. Project is located on a high risk factor location for bicyclists and pedestrians.					
Equity	2	Project highly improves ADA compliance at a location. Project directly improves transportation options and facilities for transportation disadvantaged populations.					
Livability	0.3	The project requires no right-of-way acquisition. The project indirectly improves access to residential and commercial areas. The project is expected to have a negative public response.					
Feasibility	2	The project has no significant design challenges					
Total Score		9.4					

-

¹ The scoring provides an example of the evaluation criteria and performance metrics, however the methodology includes incomplete data and analysis. The scoring for this particular project would need to be refined in the project development process if it is considered in Task 5 of this project.

	RRFB at NE 8th Street / NE Baker Street Intersection ²						
Evaluation Criterion	Score	Methodology ¹					
Complete Streets	2	Posted speed: 30 mph Number of Lanes: 2 AADT: 14300 Change in Crossing LTS: 2 points					
Multi-Modal Transportation System	2	The project significantly improves modal priorities for urban context, as it provides an enhanced crossing for people walking and biking.					
Connectivity	1.3	The TSP recommended that new curb extensions should be installed at the NE 8th Street / NE Baker Street Intersection. The project is not on a SRTS network. There are some essential destinations and active transportation generators within ½ mile of the intersection. The project directly addresses a barrier in the walking transportation network.					
Safety	1.5	Two crash involving pedalcyclists in 5-year period: 1 minor injury crash and 1 fatal injury crash Install Rectangular Rapid Flashing Beacon (2-Lane Road) (BP8) has a Crash Reduction Factor of 10% for pedestrian crashes. This is a moderate value crash reduction factor given the project cost. Project is located on a high risk factor location for bicyclists and pedestrians.					
Equity	2	Project highly improves ADA compliance at a location. Project directly improves transportation options and facilities for transportation disadvantaged populations.					
Livability	0.7	The project requires no right-of-way acquisition. The project indirectly improves access to residential and commercial areas. The project is expected to have a neutral public response.					
Feasibility	2	The project has no significant design challenges.					
Total Score		11.5					

-

² The scoring provides an example of the evaluation criteria and performance metrics, however the methodology includes incomplete data and analysis. The scoring for this particular project would need to be refined in the project development process if it is considered in Task 5 of this project.

Bike Lane along Baker Street between NE 1st Street and 5 th Street ³						
Evaluation Criterion	Score	Methodology				
Complete Streets	1.5	Posted speed: 30 mph Number of Lanes: 2 AADT: 14300 Change in BLTS: improve by 2 points Change in PLTS: improve by 1 point				
Multi-Modal Transportation System	1	Based on the context the BUD recommends buffered facilities. Therefore, although this project improves modal priorities for urban context, it does not provide ideal facilities.				
Connectivity	1.3	The project is not identified by the TSP or located on the SRTS Network. The project directly addresses a gap in the biking transportation network. The project would serve many active generators and essential destinations in a ½ mile radius.				
Safety	1.8	There were 3 or more crashes involving pedalcyclist in a 5-year period. Install Bike Lanes (BP18) has a Crash Reduction Factor of 36% reduction for crashes involving bicyclist. This is a high value crash reduction based on project cost. Project is located on a medium pedestrian risk factor location and high bicyclist risk factor location.				
Equity	1	Does not impact ADA compliance. Project directly improves transportation options and facilities for transportation disadvantaged populations.				
Livability	1.3	The project requires no right-of-way acquisition. The project directly improves mobility to residential and commercial areas. The project is expected to have a positive public response.				
Feasibility	2	The project has no anticipated design challenges.				
Total Score		9.9				

-

³ The scoring provides an example of the evaluation criteria and performance metrics, however the methodology includes incomplete data and analysis. The scoring for this particular project would need to be refined in the project development process if it is considered in Task 5 of this project.

Appendix B Blueprint for Urban Design

Designing based on urban context, considering roadway designations and activity of different modes

Urban Context	Target Speed (MPH)*	Travel Lanes?	Turn Lanes ¹²	Shy Distance ^{1,3}	Median ¹²	Bicycle Facility ^{12 5}	Sidewalk	Target Pedestrian Crossing Spacing Range (feet)	On-street parking!
Traditional Downtown/ CBD	20-25	Start with minimum widths, wider by roadway characteristics	Minimize additional crossing width at intersections	Minimal	Optional, use as pedestrian crossing retuge	Start with separated bicycle facility	Ample space for sidewalk activity (e.g., sidewalk cafes, transit shelters)	250-550 (1-2 blocks)	Include on- street parking if possible
Urban Mix	25-30	Start with minimum widths, wider by roadway characteristics	Minimize additional crossing width at intersections	Minimal	Optional, use as pedestrian crossing refuge	Start with separated bicycle facility, consider roadway characteristics	Ample space for sidewalk activity (e.g., sidewalk cafes, transit shelters)	250-550 (1-2 blocks)	Consider on- street parking if space allows
Commercial Corridor	30-35	Start with minimum widths, wider by roadway characteristics	Balance crossing width and operations depending on desired use	Consider roadway characteristics, desired speeds	Typically used for safety/ operational management	Start with separated bicycle facility, consider roadway characteristics	Continuous and buffered sidewalks, with space for transit stations	500-1,000	Not Applicable
Residential Corridor	30-35	Start with minimum widths, wider by roadway characteristics	Balance crossing width and operations depending on desired use	Consider roadway characteristics, desired speeds	Optional, use as pedestrian crassing refuge	Start with separated bicycle facility, consider roadway characteristics	Continuous and buffered sidewalks	500-1,000	Generally Not Applicable, Consider roadway characteristics
Suburban Fringe	35-40	Start with minimum widths, wider by roadway characteristics	Balance crossing width and operations depending on desired use	Consider roadway characteristics, desired speeds	Optional, use as pedestrian crossing refuge	Start with separated bicycle facility, consider roadway characteristics	Continuous and buffered sidewalks	750-1,500	Not typical
Rural Community	25 - 35	Start with minimum widths, wider by roadway characteristics	Balance crossing width and operations depending on desired use	Consider roadway characteristics, desired speeds	Optional, use as pedestrian crossing refuge	Start with separated bicycle facility, consider roadway characteristics	Continuous and buffered sidewalks, sized for desired use	250-750	Consider on- street parking if space allows

Source: ODOT Blueprint for Urban Design, Volume 1
Orange box indicates Urban Contexts considered as part of this project.

General Modal Considerations in Different Urban Concepts

Land Use Context	Motorist	Freight	Transit	Bicyclist	Pedestrian
Traditional Downtown/CBD	Low	Low	High	High	High
Urban Mix	Medium	Low	High	High	High

Source: ODOT Blueprint for Urban Design, Volume 1



FINAL TECHNICAL MEMORANDUM #1

Date: October 30, 2020 Project #: 23021.020

To: Project Management Team

Project Advisory Committee

From: Amy Griffiths, Nick Gross, Marc Butorac, PE, PTOE, PMP

Project: McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation

Concept Plan

Subject: Final TM#1: Performance-Based Design Decision Framework

PURPOSE

The purpose of this memorandum is to document the performance-based design approach and guiding framework for the success of the McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan.

PERFORMANCE BASED APPROACH

As stated in the Oregon Department of Transportation's recently published Blueprint for Urban Design (BUD), identifying the desired project outcomes and understanding the urban context and primary roadway users can guide the Project Management Team (PMT) and Project Advisory Committee (PAC) in determining appropriate performance measures to evaluate the trade-offs of various design decisions.

Figure 4-5 in the BUD identifies the existing processes and project types based on ODOT's Design Decision Framework. The McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan most closely reflects the project type of Facility Planning and will therefore be taken through the Program Development phase of ODOT's Transportation System Lifecycle Process. Figure 1 illustrates the performance-based design decision framework for the McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan.

Kittelson & Associates, Inc.

Figure 1: McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan - Performance-Based Approach



Documentation is a key component throughout each step of the Performance-Based Design Decision Framework. After each step is completed, project outcomes and decision making must be vetted against the documented project goals and desired outcomes. The overview and order of deliverables is provided in the "Overview of Deliverables" section of this memorandum.

PERFORMANCE BASED PROJECT FLOW

The following section identifies the key steps in relation to project deliverables and schedule that will be incorporated into the project flow. Understanding how to integrate practical design strategies and a performance-based approach into the project flow can help guide the PMT in setting up a PAC, documenting decisions, and identifying solutions that serve the intent of the urban context and users within that context (BUD). All decision making throughout the project development process will be tied back to the established project goals, context, and desired outcomes identified in Step 1 below.

Step 1 – Establish Project Goals, Context & Desired Outcomes

Establishing project goals and desired outcomes is completed early in the project flow. The goals and vision should be linked to the existing and future desired land uses and developed to be easily understood by community members. Key components to documenting the project context and goals include identifying the Vision of Place, Desired Role of the Facility, and Major Users of the Facility.

The McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan will accomplish Step 1 through the Corridor Vision Statement Memorandum. The Corridor Vision identifies the urban contexts: Urban Mix and Traditional Downtown/Commercial Business District (CBD). These contexts serve as the basis for all decision making based on the project vision, envisioned modal priorities, and anticipated users of the OR 99W facility. This decision-making framework is rooted in the existing and future desired urban contexts and has been informed by the Evaluation Criteria and Performance Measures Memorandum and TM#2: Plan and Policy Review deliverables.

Step 2 – Evaluate Performance of Alternatives & Develop Concept Design and Estimate

The project needs identified in the TM#4: Existing and Future Needs, Planned Improvements, Alternatives, and Recommendations deliverable will inform the development of the TM#5: Alternatives Development and Preferred Alternative Concept deliverable.

The project-level performance measures established as part of the **Evaluation Criteria and Performance Measures Memorandum** will be used to evaluate the alternatives and will be tied back to the project goals and desired outcomes. If PMT and PAC discussions or alternative evaluations lead to changes in the performance measures or project goals, this information and subsequent decisions should be clearly documented. The range of alternatives should meet the original intended outcomes of the project documented as part of the **Corridor Vision Statement Memorandum.**

Step 3 – Select and Develop Preliminary Design

The selection and development of a preferred alternative will be identified in the **Draft Concept Plan** deliverable and further refined through feedback from the PAC to develop the **Final Concept Plan** deliverable.

Subsequent Steps

The design phases for implementing projects identified within the McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan must be vetted through the ODOT's Region 2's Technical Center and where applicable the Oregon Mobility Advisory Committee to ensure designs meet the documented project context and goals. To further ensure the ability to implement projects through either ODOT preservation or enhancement project, City of McMinnville capital projects, or private development projects, the PMT will prepare an **Urban Design Concurrence Document** for review by the Mobility Advisory Committee and approval by the Region 2 Roadway Manager. These subsequent steps are:

- Step 4 Moving to Final Design and Construction
- Step 5 Monitoring, Operating, and Maintaining

The **Final Concept Plan** and **Urban Design Concurrence Document** will form the basis during these subsequent steps. If future phases differ from the Final Concept Plan, then the PMT should revisit the **Corridor Vision Statement Memorandum** and **Urban Design Concurrence Document**, and determine if the original intended outcomes for the project should change. If a change appears appropriate, then justification should be provided and documented.

OVERVIEW OF DELIVERABLES

The McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan will be guided by a series of technical memorandums cited in the previous section, following the performance-base design decision framework outlined in the BUD. The initial technical memorandums provide the building blocks for the success of the project outcome and adoption by the City of McMinnville into its Transportation System Plan (TSP), and will be prepared in coordination with the PMT, PAC, and feedback received during the public virtual meeting. The general chronology of activities is summarized below.

Corridor Vision Statement Memorandum Evaluation Criteria and Performance Measures Memorandum TM#1: Performance-Based Design Decision Framework TM#2: Plans and Policy Review TM#3: Analysis Methodology and Assumptions PAC Meeting #1 TM#4: Existing and Future Needs, Planned Improvements, Alternatives, and Recommendations First Draft Urban Design Concurrence Document PAC Meeting #2 Public Virtual Meeting TM#5: Alternatives Development and Preferred Alternative Concept Second Draft Urban Design Concurrence Document Draft Concept Plan PAC Meeting #3 Final Draft Urban Design Concurrence Document Final Concept Plan • Joint Planning Commission/City Council Work Session City of McMinnville Planning Commission Hearing City of McMinnville City Council Hearing

Note: The final Urban Design Concurrence Document will be part of the Design Acceptable Package (DAP).

PROPOSED MEETING SCHEDULE

A proposed meeting schedule is summarized in Table 1. For each meeting, the date and time, and key deliverables to be discussed are listed. The schedule of meetings will be finalized based on input from the PMT. PAC members are asked to notify ODOT, the City, and the consultant team of potential conflicts based on the proposed schedule. The meeting locations and times are subject to change based on participant availability.

Table 1: McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan Meeting Schedule

Meeting	Date, Time, & Location	Deliverables
PAC #1	December 10, 2021 3:00-5:00 PM Virtual Meeting	Final Corridor Vision Statement Memorandum Final Evaluation Criteria and Performance Measures Memorandum Final TM #1: Performance-Based Design Decision Framework Final TM #2: Plans and Policy Review Final TM #3: Analysis Methodology and Assumptions Draft TM#4: Existing and Future Needs, Planned Improvements, Alternatives, and Recommendations
PAC #2	February 18, 2021 3:00-5:00 PM Virtual Meeting	Draft TM#5: Alternatives Development and Preferred Alternative Concept
Public Virtual Meeting	First week of March 2021 (Exact date to-be Determined)	Draft TM#5: Alternatives Development and Preferred Alternative Concept
PAC #3	April 15, 2021 3:00-5:00 PM Virtual Meeting	Draft Concept Plan
Planning Commission/ City Council Work Session	May 11, 2021 7:00 PM McMinnville Civic Hall 200 NE 2nd Street	Final Draft Concept Plan

NEXT STEPS

This document will serve as a public-facing document outlining the project development process, timeline, and deliverables.



FINAL TECHNICAL MEMORANDUM #2

Date: October 30, 2020 Project #: 23021.020

To: Project Management Team

Project Advisory Committee

From: Nick Gross, Amy Griffiths, Marc Butorac, PE, PTOE, PMP

Project: McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation

Concept Plan

Subject: Final TM#2: Plan and Policy Review

OVERVIEW

This memorandum summarizes the existing plans, regulations, and policies that are relevant to the McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan and broader planning-level efforts within the City of McMinnville. The summary explains the relationship between each document reviewed and its relevance to the McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan, identifying potential issues and considerations that will factor into the planning process.

This memorandum is also intended to guide development of preferred active transportation concept alternatives and identify potential amendments to pertinent documents and regulations needed to implement these alternatives. It is oriented as a literature review of state and local documents. A summary of the documents reviewed and their application to this effort is provided in Table 1.

Kittelson & Associates, Inc.

Table 1: Documents Reviewed

	Document	Key Applications for Active Transportation Concept Plan
State	Oregon Highway Plan (1999, last amended 2018)	Includes policies to guide proposed improvements, modifications, or policies that could affect OR 99W in the city.
	Oregon Administrative Rule for Access Management (2014)	Guidance on state requirements for OR 99W, including access management
	Oregon Freight Plan (2011, last revised 2017)	Guidance on maintaining and enhancing efficiency of the truck and rail freight system
	Oregon Transportation Safety Action Plan (2016)	Guidance on local goals, policies, and strategies to improve safety in Oregon
	Oregon Bicycle and Pedestrian Plan (2016)	Bicycle and pedestrian policies and design guidance that apply to state highway facilities in McMinnville
	Statewide Planning Goal #12 (1974)	Guides the goals of local comprehensive planning.
	Statewide Transportation Improvement Program (2018-2021 and 2021-2024)	The current 2018-2021 STIP does not include any projects within the City of McMinnville. The 2021-2024 STIP includes a project with signal improvements along OR 99W from MP 21.46 to MP 39.06. A repaving "preservation" project along the Baker/Adams Couplet from MP 37.04 to MP 38.13 is proposed for the 2021-2024 STIP cycle but has not yet been selected for funding. The recommendations of this plan will be used as a reference when selecting key locations to evaluate enhanced crossings.
	Oregon Intersection Safety Implementation Plan (2012)	Guidance on intersection-related safety measures, crash trends, cost effective countermeasures.
	Oregon Bicycle and Pedestrian Safety Implementation Plan (2016)	Guidance on countermeasures and risk factor implementation
	Oregon Resilience Plan (2013)	Guidance and priorities to maintain the seismic integrity of Oregon's multi-modal transportation system.
	Oregon Blueprint for Urban Design (2020)	Guidance and framework for determining the appropriate alternatives and facility selection based on the established urban context and corridor vision.
Local	Oregon Department of Transportation (ODOT) American's with Disability Act (ADA) Inspection Summary	Informs investment and prioritization along OR 99W within the project study area.
	City of McMinnville Transportation System Plan (2010)	Informs the Corridor Vision Statement and is a reference for identifying projects within the project study area.
	City of McMinnville Comprehensive Plan (2004)	Provides overarching transportation policies and guidance for the Corridor Vision Statement and alternatives development.
	City of McMinnville Downtown Strategic Parking Management Plan (2020)	Provides qualitative and quantitative parking data along OR 99W to inform decision making and alternatives evaluation.

State Plans

Oregon Highway Plan (1999, last amended 2018)

The Oregon Highway Plan (OHP) is a modal plan of the Oregon Transportation Plan (OTP) that guides planning, operations, and financing for ODOT's Highway Division. Policies in the OHP encourage the efficient management of the highway system to increase safety and to extend highway capacity, partnerships with other agencies and local governments, and the use of new techniques to improve road safety and capacity. These policies also link land use and transportation, set standards for highway

performance and access management, and emphasize the relationship between state highways and local road, bicycle, pedestrian, transit, rail, and air systems.

The following policies are relevant to the Active Transportation Concept Plan process.

Policy 1A: State Highway Classification System

The OHP classifies the state highway system into four levels of importance: Interstate, Statewide, Regional, and District. ODOT uses this classification system to guide management and investment decisions regarding state highway facilities. The classification system also guides facility plan development and ODOT's review of local plan and zoning amendments, highway project selection, design and development, and facility management decisions including road approach permits.

Pacific Highway West (OR 99W) is classified as a Regional Highway in the study area. The purpose and management objectives of these highways are provided in Policy 1A, as summarized below.

Regional Highways (OR 99W) typically provide connections and links to regional centers, Statewide or Interstate Highways, or economic or activity centers of regional significance. The management objective is to provide safe and efficient, high-speed, continuous-flow operation in rural areas and moderate- to high-speed operations in urban and urbanizing areas. A secondary function is to serve land uses in the vicinity of these highways.

Policy 1C: State Highway Freight System

The primary purpose of the State Highway Freight System is to facilitate efficient and reliable interstate, intrastate, and regional truck movement through a designated freight system. This freight system made up of the Interstate Highways and select Statewide, Regional, and District Highways, and includes routes that carry significant tonnage of freight by truck and serve as the primary interstate and intrastate highway freight connection to ports, intermodal terminals, and urban areas. Highways included in this designation have higher highway mobility standards than other statewide highways.

- Pacific Highway West (OR 99W) is <u>not</u> designated as a Freight Route within the study area according to the OHP.
- Pacific Highway West (OR 99W) is designated as a Reduction Review Route¹, subject to ORS 366.215.

Policy 1G: Major Improvements

This policy requires maintaining performance and improving safety on the highway system by improving efficiency and management on the existing roadway network before adding capacity. The state's highest

¹Per OAR Rule 731-012-0030 Reduction Review Routes "include all parts of the state highway(s) that must be travelled to complete the prescribed route and/or connect with other state highway."

Portland, Oregon Amended on 12.15.2021 priority is to preserve the functionality of the existing highway system. Tools that could be employed to improve the function of the existing interchanges include access management, transportation demand management, traffic operations modifications, and changes to local land use designations or development regulations.

After existing system preservation, the second priority is to make minor improvements to existing highway facilities, such as adding ramp signals, or making improvements to the local street network to minimize local trips on the state facility.

The third priority is to make major roadway improvements such as adding lanes to increase capacity on existing roadways.

As part of this Active Transportation Concept Plan development, ODOT will work with the City to determine appropriate bicycle and pedestrian strategies and improvements that can be implemented through ODOT preservation or enhancement projects, City capital projects, and/or development related project and consistent with this policy.

Policy 2B: Off-System Improvements

This policy recognizes that the state may provide financial assistance to local jurisdictions to make improvements to local transportation systems if the improvements would provide a cost-effective means of improving the operations of the state highway system.

As part of this Active Transportation Concept Plan development process, ODOT will work with the City to identify improvements to the local road system that support the planned land use designations in the study area and that will help enhance the safety, preserve capacity and ensure the long-term efficient and effective operation of OR 99W.

Policy 2F: Traffic Safety

This policy emphasizes the state's efforts to improve safety of all users of the highway system. Action 2F.4 addresses the development and implementation of the Safety Management System to target resources to sites with the most significant safety issues.

The Active Transportation Concept Plan development process will include a crash analysis along OR 99W to identify sites with a history of fatal and serious injury crashes and identify potential countermeasures to reduce existing and future crashes.

Policy 3A: Classification and Spacing Standards

State policy seeks to manage the location, spacing, and type of road intersections on state highways in a manner that ensures the safe and efficient operation of state highways consistent with their highway classification.

Action 3A.2 calls for spacing standards to be established for state highways based on highway classification, type of area, and posted speed. Tables in the OHP Appendix C present access spacing

Portland, Oregon
Amended on 12.15.2021
498 of 1001

standards which consider urban and rural highway classification, traffic volumes, speed, safety, and operational needs. The access management spacing standards established in the OHP are implemented by OAR 734, Division 51.

OR 99W within the study area is a regional highway with annual average daily traffic (AADT) over 5,000 vehicles in an urban area with a posted speed of 30 & 35 mph. Therefore, based on Table 15 of OHP Appendix C, the access management spacing standards for unsignalized approaches is along OR 99W within the study area is 350 feet.

Policy 4B: Alternative Passenger Modes

Policy 4B encourages the development of alternative passenger services and systems as part of broader corridor strategies. The policy promotes the development of alternative passenger transportation services located off the highway system to help preserve the performance and function of the state highway system. Yamhill County Transit provides public transportation service in McMinnville.

Improving safety, access, and mobility for pedestrians and bicyclists and enhanced connections to transit are objectives of the Active Transportation Concept Plan development process.

Project Relevance:

OHP policies provide guidance related to the accessibility, mobility, and function of state highways. The Active Transportation Concept Plan development process will consider policies in the OHP to guide proposed improvements, modifications, or policies that could affect any of the state facilities in the City. The Active Transportation Concept Plan is being developed in coordination with ODOT and the City of McMinnville so that projects, policies, and regulations proposed as part of the Concept Plan will be consistent with the standards and targets established in the OHP related to safety, access, and mobility.

Oregon Administrative Rule for Access Management (OAR 734-051) (2014)

Oregon Administrative Rule (OAR) 734-051 defines the State's role in managing access to highway facilities to maintain functional use and safety and to preserve public investment. OHP Policy 3A and OAR 734-051 set access spacing standards for driveways and approaches to the state highway system. The most recent amendments presume that existing driveways with access to state highways have written permission from ODOT as required by ORS 734. The standards are based on state highway classification and differ depending on posted speed and average daily traffic volume.

Project Relevance:

Analysis for the Active Transportation Concept Plan development and final project recommendations will need to reflect state requirements for state facilities; the Active Transportation Concept Plan will comply or move in the direction of meeting access management standards for state facilities. Implementation measures that will be developed for the Active Transportation Concept Plan may entail amendments to the development code to ensure its requirements are consistent with these access management

Kittelson & Associates, Inc. Portland, Oregon 53 of 227

requirements as well as the draft Active Transportation Concept Plan recommendations related to access management.

Oregon Freight Plan (2011, last revised 2017)

The Oregon Freight Plan (OFP) is a modal plan of the OTP that implements the state's goals and policies related to the movement of goods and commodities. Its purpose statement identifies the intent to "improve freight connections to local, Native America, state, regional, national and global markets in order to increase trade-related jobs and income for workers and businesses." The objectives of the plan include prioritizing and facilitating investments in freight facilities (including rail, marine, air, and pipeline infrastructure) and adopting strategies to maintain and improve the freight transportation system. The plan defines a statewide strategic freight network. OR 99W is not designated as a strategic corridor in the OFP.

The segment of OR 99W between MP 34.7 and MP 37.0 is identified in by the OHP under Freight Highway Delay as a Tier 3 need to address delay because it is on a Seismic Phase 1 & 2 Route.

Project Relevance:

Maintaining and enhancing the efficiency of truck and rail freight system along OR 99W between MP 36.4 and MP 37.0 will be an objective of the Active Transportation Concept Plan.

Oregon Bicycle and Pedestrian Plan (2016)

The intent of the Oregon Bicycle and Pedestrian Plan (OBPP) is to create a policy foundation that supports decision-making for walking and biking investments, strategies, and programs that help to develop an interconnected, robust, efficient, and safe transportation system. The OBPP establishes the role of walking and biking as essential modes of travel within the context of the entire transportation system and recognizes the benefit of these modes to the people and places in Oregon.

The OBPP provides direction for what needs to be achieved, including 20 policies and associated strategies designed to help develop, sustain, and improve walking and biking networks. It identifies nine goals based upon the broader goals of the Oregon Transportation Plan (OTP) that reflect statewide values and desired accomplishments relating to walking and biking:

- Goal 1: Safety
- Goal 2: Accessibility and Connectivity
- Goal 3: Mobility and Efficiency
- Goal 4: Community and Economic Vitality
- Goal 5: Equity
- Goal 6: Health
- Goal 7: Sustainability

Portland, Oregon
Amended on 12.15.2021
500 of 1001

- Goal 8: Strategic Investment
- Goal 9: Coordination, Cooperation, and Collaboration

The OBPP also provides background information related to state and federal law, funding opportunities, and implementation strategies proposed by ODOT to improve bicycle and pedestrian transportation. It outlines the role that local jurisdictions play in the implementation of the Plan, including the development of local pedestrian and bicycle plans as stand-along documents within Concept Plans and Transportation System Plans (TSPs).

The Oregon Bicycle and Pedestrian Design Guide is the technical element of the plan that guides the design and management of bicycle and pedestrian facilities on state-owned facilities. It is an appendix to the HDM and provides best practices and design guidelines for bicycle and pedestrian facilities.

Project Relevance:

The policies and design guidance in the OBPP apply to OR 99W in McMinnville. State policy and design guidance will be considered in evaluating and planning for the bicycle and pedestrian elements as part of the Concept Plan development. Through the development of the Concept Plan, the project team will identify gaps in the regional walking and biking network within the study area and prioritize projects accordingly.

Oregon Transportation Safety Action Plan (2016)

An element of the OTP, the Oregon Transportation Safety Action Plan (TSAP) provides long-term goals, policies and strategies and near-term actions to eliminate deaths and life-changing injuries. The TSAP addresses all modes on all public roads in Oregon. Over the long term, the goals of the TSAP are:

- Infrastructure Develop and improve infrastructure to eliminate fatalities and serious injuries for users of all modes.
- Healthy, Livable Communities Plan, design, and implement safe systems. Support enforcement and emergency medical services to improve the safety and livability of communities, including improved health outcomes.
- Technology Plan, prepare for, and implement technologies (existing and new) that can affect transportation safety for all users.

The plan identifies actions that jurisdictions can take to increase transportation safety. They include adopting a Safe Communities Program and Safe Routes to School, which is a collaborative partnership with the National Highway Traffic Safety Administration and ODOT to promote safety. The Safe Routes to School program is a local initiative supported by grant funding that targets safety improvements to encourage walking and biking to school. In addition, the TSAP also identifies activities and roles for local jurisdictions that can improve safety. They include:

 Evaluate local spot-specific systemic safety needs; develop plans and programs to address needs.

- Collaborate with the state and stakeholder partners to educate the public about transportation safety-related behavioral issues.
- Integrate safety programming, planning, and policy into local planning.

Project Relevance:

The TSAP will be used as a resource while developing the Active Transportation Concept Plan to develop local goals, policies, and strategies to improve safety in McMinnville.

Statewide Planning Goal #12 (Transportation) (1974)

This goal is to provide and encourage a safe, convenient, and economic transportation system. It requires that a transportation plan, amongst other things, consider all modes of transportation including mass transit, air, water, pipeline, rail, highway, bicycle, and pedestrian.

Project Relevance:

The Statewide Planning Goal #12 will be used as a resource while developing the Active Transportation Concept Plan to develop local goals, policies, and strategies to improve safety in McMinnville.

Statewide Transportation Improvement Program (2018-2021 and 2021-2024)

The Statewide Transportation Improvement Program (STIP) is the Oregon Department of Transportation's (ODOT's) capital improvement program for state and federally funded projects. The Oregon Transportation Commission (OTC) and ODOT developed the STIP in coordination with a wide range of stakeholders and general public. The STIP is divided into two broad categories: "Fix-It" and "Enhance." The "Enhance" category will fund activities that enhance, expand, or improve the transportation system. The "Fix-It" category will fund activities that fix or preserve the transportation system. The STIP identifies funding for, and scheduling of, transportation improvement projects and programs. Bicycle and pedestrian improvements receiving federal funds must be identified in the STIP.

- The Final 2018-2021 STIP was released in December 2017.
- The Final 2021-2024 STIP was adopted July 15, 2020.

Project Relevance:

The current 2018-2021 STIP does not include any projects within the study area.

The 2021-2024 STIP identifies a project to install reflectorized signal backplates, countdown pedestrian timers, and advanced dilemma zone protection at various signals along OR 99W between MP 21.46 to MP 39.06 in McMinnville, Newberg, and Dundee (Project number: 20130).

A repaving "preservation" project along the Baker/Adams Couplet from MP 37.04 to MP 38.13 is proposed for the 2021-2024 STIP cycle but has not yet been selected for funding. This pavement

Project #: 23021.020 Paae 9

resurfacing project will repair cracking, improve smoothness, and reduce long-term maintenance costs. The project recommends ADA ramp upgrades, which are assumed to require new curb construction for the entire length of the project. The project proposal evaluated the bicycle and pedestrian crash history and recommends bulb-outs at the intersections 1st Street, 3rd Street, 5th Street, 8th Street, and 12th Street within the couplet. Rectangular Rapid Flash Beacons (RRFBs) are recommended for consideration at the Baker Street and Adams Street intersections with 15th Street. The total funding cost is estimated to be \$16 million. The recommendations of this plan will be used as a reference when selecting key locations to evaluate enhanced crossings.

Oregon Intersection Safety Implementation Plan (2012)

The Oregon Intersection Safety Implementation Plan (ISIP) was also developed in conjunction with the TSAP and provides for intersection-related safety measures to reduce fatal crashes. The ISIP requires an analysis of crash trends, cost effective countermeasures, and for pairing low cost improvements with education and enforcement.

Project Relevance:

The intersection-related safety measures, crash trends, cost effective countermeasures will be reviewed and applied as part of the safety analysis in addition to the safety procedures and guidance outlined in ODOT's All Roads Transportation Safety (ARTS) program.

Oregon Bicycle and Pedestrian Safety Implementation Plan (2016)

The Oregon Bicycle and Pedestrian Safety Implementation Plan was developed in conjunction with the TSAP with the intent of reducing the frequency and severity of pedestrian and bicycle related crashes. Like the Intersection Safety Implementation Plan, the Bicycle and Pedestrian Safety Implementation Plan identifies priority locations and countermeasure options.

Project Relevance:

No priority locations in the City of McMinnville were identified in the Bicycle and Pedestrian Safety Implementation Plan.

Oregon Resilience Plan (2013)

The Oregon Resilience Plan provides policy guidance and recommendations to mitigate risks, accommodate emergency response and recovery, and support the resilience of government and business before, during, and after a Cascadia earthquake and tsunami. The plan includes an assessment of the seismic integrity of Oregon's multi-modal transportation system, including bridges and highways, rail, airports, water ports, and public transit systems.

Kittelson & Associates, Inc. Portland, Oregon 57 of 227

Project #: 23021.020 Page 10

The plan classifies highway lifeline routes as Tier 1, 2, and 3, where Tier 1 routes are those that make up the transportation backbone system, which is considered to provide the greatest benefits for short-term rescue and longer-term economic recovery. Targets for recovery in all mode categories fall into three levels: minimal, operational, and functional.

Project Relevance:

OR 99W identified as a Tier 1 Route. Resiliency targets for Tier 1 Routes are to have a minimum level of service restored within one to three days, a functional level of service within three to seven days, and to restore the facility to 90% capacity within one to four weeks.

The Oregon Resilience Plan provides guidance and priorities to maintain the seismic integrity of Oregon's multi-modal transportation system. Policies and standards adopted by the City of McMinnville should consider additional guidance, concepts, and strategies for design related to facility resiliency in the event of seismic activity.

Oregon Blueprint for Urban Design (2020)

The Blueprint for Urban Design (BUD) serves as a "bridging document" to the Highway Design Manual (HDM) and establishes an approach for designing state facilities in Oregon communities. The HDM is the design guidance required for all projects on state facilities. The BUD applies to urban land use contexts that broadly identify the various built environments along ODOT roadways.

The urban context is based on existing and future land use characteristics, development patterns, and roadway connectivity of an area. The BUD provides planning and design principles and guidance focused on all roadways within the urban content except for interstates and limited-access freeways (expressways) with interchanges.

Project Relevance:

The McMinnville Active Transportation Concept Plan will follow the guidance and framework outlined in the BUD for determining the appropriate alternative and facility selection based on the agreed upon urban context and corridor vision. The McMinnville Active Transportation Concept Plan will develop and seek approval of Urban Design Concurrence documentation based on a performance-based design decision framework used to ultimately select a preferred alternative.

Oregon Department of Transportation American's with Disabilities Act Inspection Summary

Oregon Department of Transportation (ODOT) American's with Disabilities Act (ADA) Inspection Summary provides an assessment of the ADA ramps, push buttons, and corners along the state highway system. The assessment provides a condition rating for each ADA element on a scale of Poor, Fair, and Good.

Portland, Oregon Amended on 12.15.2021 504 of 1001

Project Relevance:

The ODOT ADA Inspection Summary will help to inform investment and prioritization along OR 99W within the project study area. The ADA will be followed in recommending any and all improvements within the study area.

Local Plans

City of McMinnville Transportation System Plan (2010)

The TSP guides the development and management of transportation facilities in the city, reflecting the community goals and objectives and providing consistency with state, regional, and local plans. The current plan was adopted in 2010 and is approaching the mid-way point of its planning horizon.

The 2010 TSP includes goals and objectives, which are used in conjunction with transportation goals and policies in the Comprehensive Plan to evaluate land use and transportation actions. The TSP identifies a list of prioritized projects including recommendations along OR 99W within the project study area for the Active Transportation Concept Plan.

Project Relevance:

The Goal and Policy Guidance established in the City of McMinnville TSP were used as the basis for developing the Corridor Vision Statement (Reference 1). Projects identified within the TSP that are located within the project study area for the McMinnville Active Transportation Concept Plan will be referenced as the starting point for alternative development.

City of McMinnville Comprehensive Plan (Volume II) (2004)

The City of McMinnville Comprehensive Plan (Volume II) contains the goal, policy, and proposal statements which shall be applied to all land use decisions within the urban growth boundary (UGB). Its goals and policies work collaboratively with the goals and policies stated in the City's TSP to provide direction on transportation system and land use decision-making in the City.

Project Relevance:

The transportation system policies identified in Chapter VI of the Comprehensive Plan were reviewed when developing the Corridor Vision Statement (Reference 1) to ensure consistency. Relevant policies identified in Chapter VI include but are not limited to:

- Complete Streets
- Multi-Modal Transportation System
- Connectivity and Circulation
- Transportation Safety

Portland, Oregon
Amended on 12.15.2021
505 of 1001

- Transportation Sustainability
- Pedestrian Programs
- Bicycle System Plan

City of McMinnville Downtown Strategic Parking Management Plan (2018)

Rick Williams Consulting completed the Downtown Strategic Parking Management Plan in 2018 analyzing the existing downtown off-street parking supply and developing an objective data set for recommendations. The findings of the study create the foundation for a comprehensive strategic parking management plan that responds to the unique environment, goals, and objectives of downtown McMinnville.

Project Relevance:

The qualitative and quantitative data provided in the Downton Strategic Parking Management Plan, most notably along OR 99W, will be reviewed and analyzed as part of the alternative analysis development. Recommendations identified in the Downton Strategic Parking Management Plan will be considered and reviewed to inform decision making for alternatives located along OR 99W.

NEXT STEPS

The information provided in this memorandum will guide development of preferred active transportation concept alternatives and identify potential amendments to pertinent documents and regulations needed to implement these alternatives.

REFERENCES

1. Kittelson & Associates, Inc. Corridor Vision Statement, 2020.



TECHNICAL MEMORANDUM #3

Date: October 30, 2020 Project #: 23021.020

To: Project Management Team

Project Advisory Committee

From: Nick Gross, Amy Griffiths, Marc Butorac, PE, PTOE, PMP

Project: McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation

Concept Plan

Subject: Final TM #3: Analysis Methodologies and Assumptions

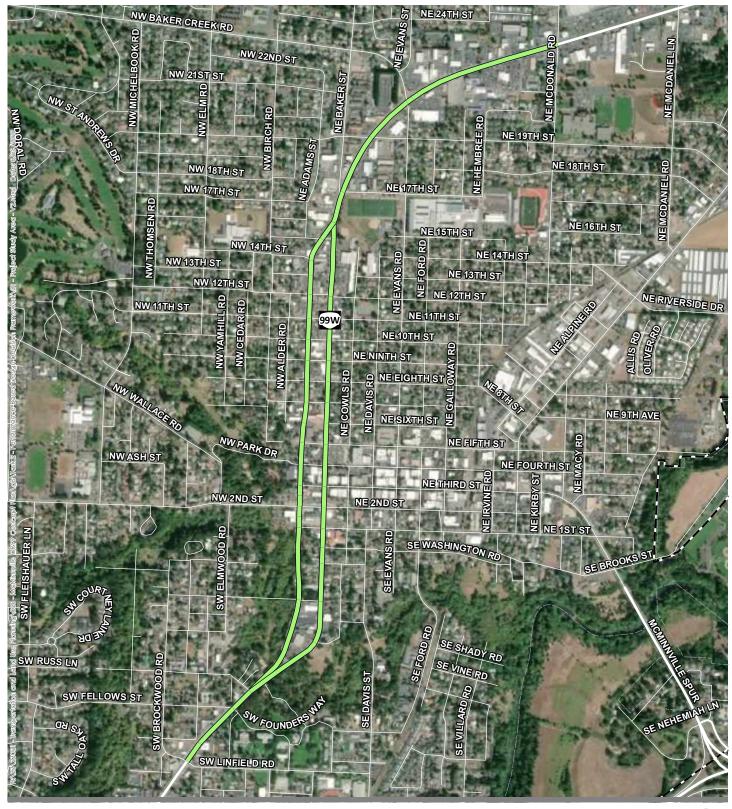
PURPOSE

This memorandum documents the safety and multimodal analysis methodologies and assumptions for the McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan (Plan). The methodologies and assumptions will rely primarily on the Oregon Department of Transportation (ODOT) Analysis Procedures Manual (APM – Reference 1) to evaluate the existing and future multimodal conditions within the project study area.

The methodologies and assumptions identified in this memorandum focus on pedestrian and bicycle multimodal analyses, consistent with the project vision of identifying improvements in the OR 99W corridor that will result in a safer, more comfortable, and attractive place to walk, bike, roll and facilitate transit use (Corridor Vision – Reference 2). The project Evaluation Criteria and Performance Measures (Reference 3) have been developed with the multimodal analyses and procedures identified in the ODOT APM in mind (e.g., pedestrian and bicycle level of traffic stress). Motor vehicle traffic volumes and crash data will be used to inform the multimodal analysis; however, a traditional motor vehicle operational and safety analysis will not be performed. When necessary, 2040 will be the assumed horizon year as part of the multimodal analysis.

PROJECT STUDY AREA

The McMinnville OR 99W Active Transportation Concept Plan project study area is contained to the 2.1-mile segment of OR 99W between NE McDonald Lane (mile point [MP] 36.36) and SW Linfield Avenue (MP 38.46).. Intersections along the OR 99W couplet will be evaluated to determine potential enhanced crossing locations and potential modifications to intersection geometry to increase safety for people walking and biking. The project study area and multimodal analysis will be generally contained to the area located between Adams Street and Evans Streets, with the parallel side streets considered for potential alternative bicycle routes. Figure 1 illustrates the project study area.



OR99W Project Extents





Figure 1



SAFETY ANALYSIS

Safety analyses will include reviewing historical crash data and examining roadway crossings for the active transportation modes including bicyclists and pedestrians, as described in the following sections.

Crash Analysis

The five most recent years of crash data will be obtained from ODOT's Crash Analysis and Reporting Unit and reviewed to gain an understanding of multimodal crash history within the project study area, consistent with the methodologies outlined in the ODOT APM.

According to the APM, "when analysis has few records of crashes involving pedestrians and bicyclists, reporting the details of those crashes with a narrative may be the only option available." Therefore, critical crash rate will not be calculated throughout the corridor, and the HSM Predictive method will not be used to calculate expected crash frequency. The crash analysis will consider the project study area holistically rather than evaluate each intersection in the study area individually. The crash data will be analyzed for a variety of factors including severity, crash type and characteristics, crash rates, and location to identify potential crash patterns or area-wide trends. Additional attention will be directed toward locations with multiple pedestrian and bicyclist crashes and locations along the corridor identified as top 5% or 10% locations from the most recent three (3) Safety Priority Index System (SPIS) site listings.

Potential countermeasures (and resulting crash percentage reduction) will be identified from the All Roads Transportation Safety (ARTS) Crash Reduction Factors (CRF) listing or the CRF Appendix when available (ARTS—Reference 4). The countermeasures will be ranked by benefit/cost.

Crossing Analysis

Key crossings will be evaluated to determine whether the type of crossing currently presented may meet minimum criteria for an enhancement. This review will include assessing the crossing using *NCHRP Report 562: Improving Pedestrian Safety at Unsignalized Crossings* (NCHRP—Reference 5) procedures. These crossings will be identified based on the crash analysis and the Statewide Transportation Improvement Program (STIP). In addition, the ODOT American's with Disabilities Act (ADA) ramp inventory will be reviewed to understand which ramps within the OR 99W corridor are not ADA compliant.

Per the scope, ODOT and the City will provide crosswalk locations, treatments, dimensions, and conditions. Where needed, the Consultant will supplement this data using satellite imagery to identify existing marked and unmarked crossings as well as existing bulb-out locations. The pedestrian and bicycle crossing analysis will use available data provided by ODOT TransGIS including average annual daily traffic (AADT) and posted speed to determine appropriate levels of crosswalk protection at uncontrolled crossing locations.

Kittelson & Associates, Inc.

Portland, Oregon Amended on 12.15.2021 509 of 1001

PEDESTRIAN AND BICYCLE NETWORK ANALYSIS

The existing pedestrian and bicycle network will be reviewed to identify gaps and deficiencies in the project study area. A gap is defined as a missing link in the network, such as an identified key walking or biking route that is missing sidewalk or bicycle facility. A deficiency is defined as a pedestrian or bicycle facility that does not meet the standard or is insufficient to meet the users' needs. Examples of deficiencies include, but are not limited to:

- On-street connection that has a Bicycle Level of Traffic Stress rating greater than 2.
- On-street connection that has a Pedestrian Level of Traffic Stress rating greater than 2.
- Roadway crossings where minimum criteria may be met for an enhanced crossing facility according to the Crossing Analysis described previously.
- A sidewalk which has inefficient width for a wheelchair to pass due to a utility pole placed in the sidewalk.

The review will include an inventory and general condition of sidewalks and bike lanes, a feasibility assessment of potential roadway reorganizations along the OR 99W couplet (identified in the McMinnville TSP – Reference 6) in order to provide bicycle facilities in the project study area, and a level of traffic stress analysis for pedestrians and bicyclists. Focus will be placed on potential crossing improvements and on-street facility connections along identified Safe Routes to School (SRTS) walking routes.

Level of Traffic Stress

Pedestrian Level of Traffic Stress (PLTS) and Bicycle Level of Traffic Stress (BLTS) intersection and segment analyses will be performed on key roadway crossings and any necessary on-road routes required within the project study area as they relate to the active transportation system. The analyses will be conducted in accordance with the procedures outlined in the ODOT APM. The target level of traffic stress for the bicycle system is an LTS 2 as this target most closely appeals to most of the potential bicycle riding population and maximizes the available bicycle mode share. The target level of traffic stress for the pedestrian system is also LTS 2 as this target will generally be acceptable to the majority of users. Within ¼-mile of schools, the desirable level of level of traffic stress is LTS 1, since it is targeted at 10-year-old children (5th grade) or parents of younger children.

Bicycle and Pedestrian Network Connectivity

Per the scope, ODOT and the City will provide the consultant with the location and trip characteristics of major bicycle and pedestrian generators. Multimodal activity generators will be assessed and utilized in the development of the concept alternatives and facility selection. Connectivity improvements to the existing and planned bicycle and pedestrian networks, SRTS routes, and transit stops will be assessed from a gaps and deficiencies perspective.

MOTOR VEHICLE VOLUMES AND ANALYSIS

An assessment of potential roadway reorganizations along OR 99W, as identified in the City's TSP, will be conducted to determine the feasibility of installing bicycle facilities. Geometric (lane numbers and arrangements, cross-section elements, etc.) and operational (posted speeds, intersection control, parking, etc.) data will be collected through a combination of Google Earth satellite imagery and field data observation. Guidance on cross section elements including dimensions will rely on the Blueprint for Urban Design (BUD) recommendations based on the identified urban context. This roadway reorganization may include adjusting roadway widths or removing a parking lane; no vehicle travel lanes will be removed as part of a project recommendation. Therefore, the feasibility of the roadway reorganization will be conducted with respect to parking, not motor vehicle volumes.

Motor vehicle traffic volumes and crash data will be used to inform the multimodal analysis; however, a traditional motor vehicle operational and safety analysis will not be performed.

Parking

An assessment of potential consolidation of on-street parking to improve sight distance and accommodate enhanced crossing facilities will be performed along the OR 99W corridor within the project study area. *The City of McMinnville Downtown Strategic Parking Management Plan* (Reference 7) and the Parking Demand Data Collection conducted and provided by ODOT as part of this plan effort will be reviewed to determine the feasibility of potential on-street parking removal or relocation along the OR 99W corridor within the project study area. Removal of on-street parking will be assumed feasible if existing on-street parking demand can be accommodated within a two-block radius either through off-street public parking or alternative on-street parking locations while remaining below 85% peak occupancy.

Freight

Major freight routes within the project study area will be identified and evaluated to determine the potential impacts including accessibility mobility, safety, and freight passage through, into, and from the project study area. Pacific Highway West (OR 99W) is designated as a Reduction Review Route¹, subject to ORS 366.215. A qualitative assessment of potential impacts to freight will be performed and concept alternatives will be developed to not preclude freight mobility standards according the *Oregon Freight Plan*.

Portland, Oregon
Amended on 12.15.2021
511 of 1001

¹ Per OAR Rule 731-012-0030 Reduction Review Routes "include all parts of the state highway(s) that must be travelled to complete the prescribed route and/or connect with other state highway."

EVALUATION CRITERIA, DATA NEEDS, AND METHODOLOGIES

Table 1 summarizes the evaluation criteria, performance measures from the Evaluation Criteria and Performance Measures Memorandum. It also provides the methodologies proposed to assess these criteria and the data needs required for the methodologies.

Table 1: Evaluation Criteria, Performance Measures, Methodology, and Data Needs

Evaluation Criterion	Performance Measures	Methodology	Data Needs
Complete Streets	 Bicycle Level of Traffic Stress (BLTS) Pedestrian Level of Traffic Stress (PLTS) 	ODOT APM Chapter 14 LTS criteria	 BLTS provided by ODOT for OR 99W Sidewalk condition and width, buffer type and width, bike lane width, parking width, number of lanes and posted speed, land use, presence of lighting, sidewalk ramps, median refuge, functional class, ADT, lane configuration
Multi-Modal Transportation System	 Type and presence of pedestrian, bicycle, transit, motor vehicle, and freight facilities align with the recommendations from the BUD 	 Recommendations from the Blueprint for Urban Design 	Speed limit, travel lane characteristics, shy distance, median, bicycle facility type and characteristics, pedestrian facility type and characteristics, parking type and characteristics
Connectivity	 Connection of alternative to the existing and planned bicycle and pedestrian network Barriers to walking and biking (including an unsafe crosswalk or facilities in poor condition) removed by the alternative Facility gap filled by alternative Proximity of alternative to essential destinations Proximity of alternative to activity generators 	 Map review of existing plans, existing conditions, and proximity to generators 	 City of McMinnville TSP maps SRTS network map PLTS and BLTS maps Existing conditions inventory Location of active generators and essential destinations
Safety	 Percentage (%) of anticipated crash reduction based on crash reduction factor (CRF) scaled by planning-level cost of project Bicyclist and pedestrian crash history Pedestrian Risk Factor Bicyclist Risk Factor 	 ODOT APM Chapter 4 ARTS Countermeasures 	 5-year crash history ARTS countermeasures Planning-level project cost Pedestrian Risk Factor Bicyclist Risk Factor
Equity	 Transportation Disadvantaged Population (TDP) Index Impacts to American's with Disabilities Act (ADA) compliance 	 ODOT Active Transportation Needs Inventory TDP Index ADA Standards for Accessible Design 	 TDP Index includes the following characteristics of a census block: elderly populations (65 and older), youth populations (under 18), non-white and Hispanic populations, low-income populations (households earning less than 200% of the poverty level as determined by the census), limited English proficiency population (aggregate of census populations who speak English "not well" or "not at all"), households without access to a vehicle, crowded households, and people with a disability (severe or non-severe disability) ODOT ADA Inspection Summary
Livability	 Right-of-way acquisition needs Neighborhood street modification, business access and parking Anticipated public support 	 Qualitative review of livability and anticipated public support 	Right-of-way maps, parking inventories, locations of residential and commercial properties in the project study area, open house, and public advisory committee comments
Design Feasibility	Constructability	 Qualitative review of constructability 	Right-of-way availability, existing terrain, utility location, visibility concerns, roadway reorganization feasibility

NEXT STEPS

The analysis methodologies and assumptions presented in this memorandum will be used to conduct the existing conditions and future needs analysis and the alternatives development and analysis for the McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan.

REFERENCES

- 1. Oregon Department of Transportation. Analysis Procedures Manual, 2020.
- 2. Kittelson & Associates, Inc. Corridor Vision, 2020.
- 3. Kittelson & Associates, Inc. Evaluation Criteria and Performance Measures, 2020.
- 4. Oregon Department of Transportation. All Roads Transportation Safety Crash Reduction Factors.
- 5. National Cooperative Highway Research Program. *NCHRP Report 562: Improving Pedestrian Safety at Unsignalized Crossings*, 2006.
- 6. City of McMinnville. McMinnville Transportation System Plan, 2018.
- 7. City of McMinnville. The City of McMinnville Downtown Strategic Parking Management Plan, 2018.



TECHNICAL MEMORANDUM #4

December 18, 2020 Project #: 23021.020 Date:

Project Management Team To: **Project Advisory Committee**

Nick Gross, Amy Griffiths, Marc Butorac, PE, PTOE, PMP From:

Project: McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation

Concept Plan

TM #4: Existing Conditions and Future Needs Subject:

PURPOSE

This memorandum summarizes the bicycle and pedestrian network, including existing facilities, network connectivity, and gaps and deficiencies along OR 99W between McDonald Lane and Linfield Avenue in McMinnville, Oregon. This memorandum also summarizes the findings of current safety and active transportation conditions and identifies safety and active transportation needs and deficiencies, based on TM #1: Final Performance-Based Design Decision Framework.

PROJECT STUDY AREA

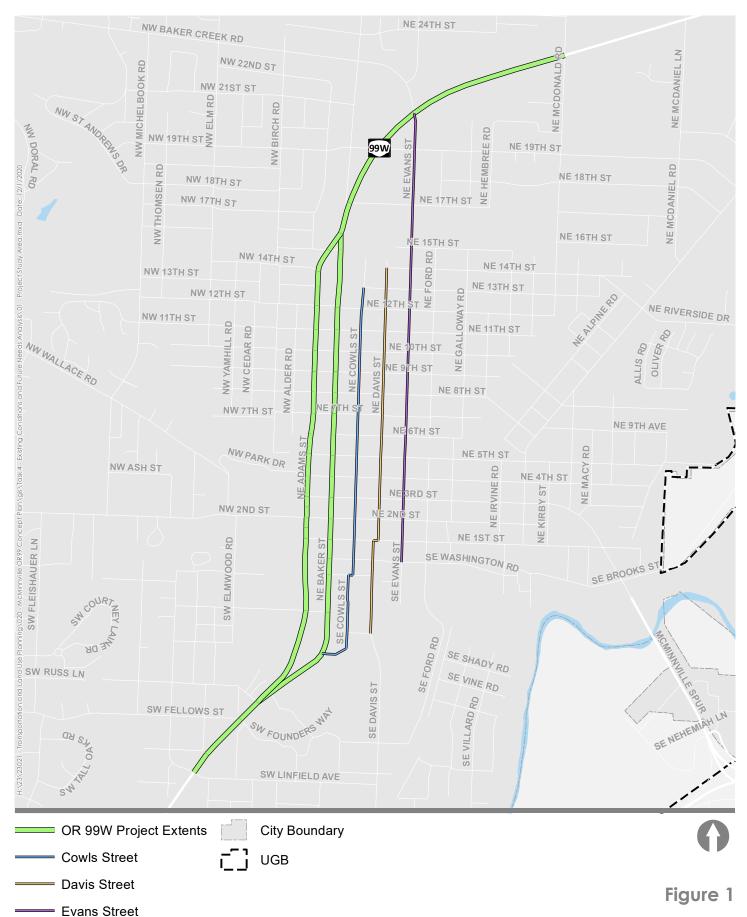
The McMinnville OR 99W Active Transportation Concept Plan ("Concept Plan") project study area is contained to the 2.1-mile segment of OR 99W between McDonald Lane (mile point [MP] 36.36) and Linfield Avenue (MP 38.46). Just north of 15th Street (MP 37.12), OR 99W splits into a couplet configuration with southbound travel along Adams Street and northbound travel along Baker Street. The couplet merges back at Edmunston Road (MP 38.22).

While the project study area focuses on the OR 99W corridor, parallel route opportunities were explored as potential low-stress alternatives to traveling along the highway. No continuous north-south connections are located on the west side of OR99W due to the natural features and topography associated with Cozine Creek. For that reason, parallel routes were explored east of OR 99W with a focus on Cowls Street, Davis Street, and Evans Street.

The following sections summarize the existing conditions of OR 99W within the project study area and explore the characteristics along the potential parallel routes. Figure 1 illustrates the project study area.

Amended on 12.15.2021

514 of 1001





. . .

Active Transportation Generators

Certain land uses are associated with generating walking and biking trips. Mapping these active transportation generators helps inform the location and priority of investment in walking and biking facilities. Generators of walking and biking activity in the area include transit stops, schools, libraries, gyms, grocery stores, health clinics, municipal buildings, community centers, places of worship, bike shops, and parks. The map of active transportation generators is provided in Figure 2.

As shown in Figure 2, there is a cluster of active transportation generators, including transit stops, places of worship, health clinics, the community center, the court house, and a library, along Evans Street. Baker Street and Adams Street both have a greater number of generators south of Park Drive, including parks, libraries, health clinics, a bike shop, and a grocery store. Throughout the couplet there are also restaurants and coffee shops, which are not included as active transportation generators but could be expected to generate pedestrian and bicyclist activity.

Demographics

The Transportation Disadvantaged Population (TDP) Index is based on census data characteristics, designed to help prioritize improvements that serve areas with high numbers of transportation disadvantaged residents and environmental justice communities that have been traditionally underserved. This index was calculated according to the Oregon Department of Transportation (ODOT) Active Transportation Needs Inventory Assessment. The index converts household statistics from the American Community Survey to a per capita index. It is calculated at the census block group level as the sum of people 65 and older, 17 and younger, non-white or Hispanic, speak English "not well" or "not at all", low-income, with a disability, living in crowded households, or living in households without vehicle access. That sum is divided by total block population. People fitting into multiple vulnerability categories are counted multiple times. The higher the index number the more disadvantaged the population is with respect to transportation.

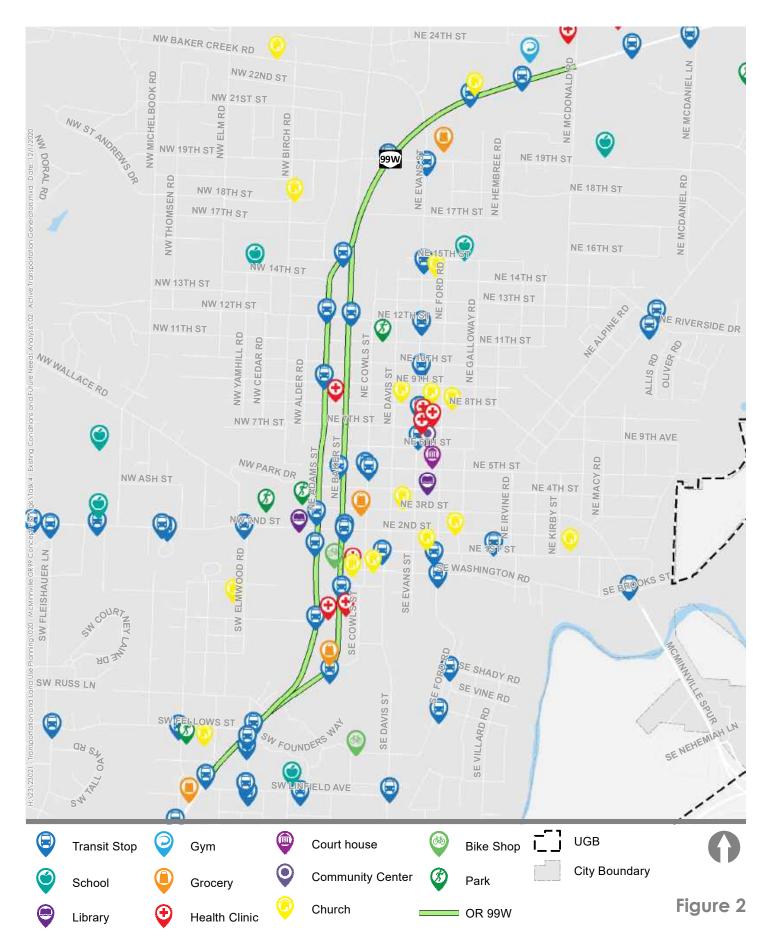
The TDP Index is also useful because the characteristics measured by the index correspond to characteristics of transportation system users with a greater propensity to walk or bike (e.g. individuals under 18, over 65, and without access to a vehicle). A map of the Transportation Disadvantaged Population (TDP) index is shown in Figure 3.

Most of the study area has a TDP Index between 1.25 to 1.5. This means that on average individuals are in one to two of the disadvantaged groups. The TDP Index is similar across the study area, however the average number of transportation disadvantaged characteristics (e.g. low-income, elderly) a person has is slightly lower near Linfield University and slightly higher surrounding OR 99W at the northern portion of the corridor.

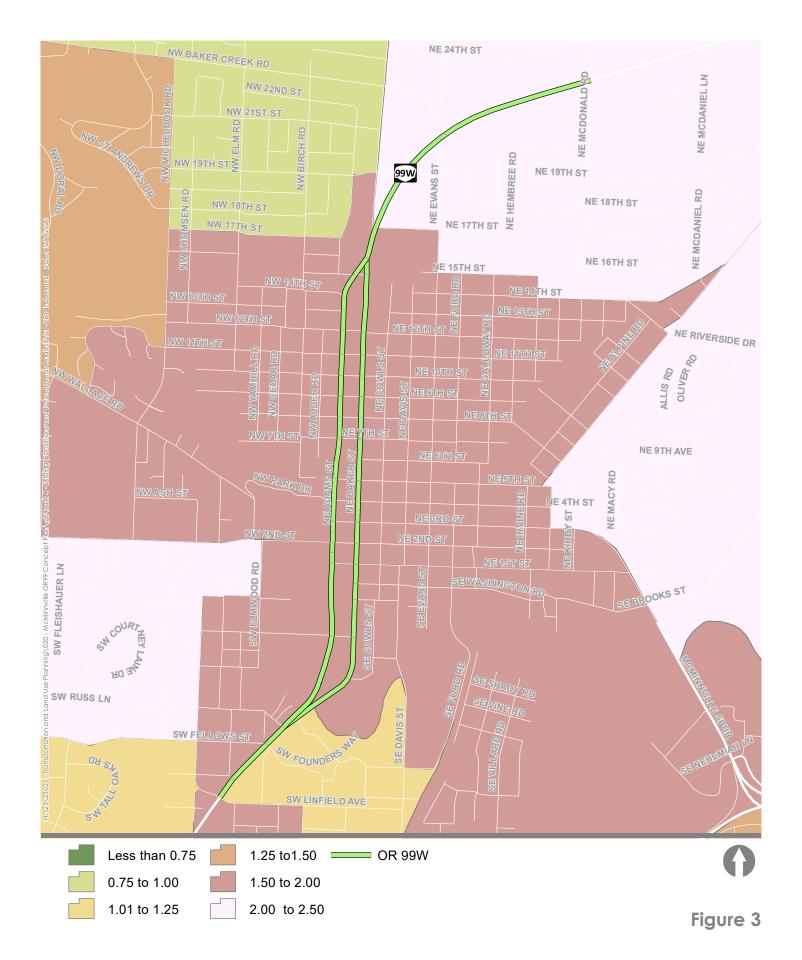
The full methodology behind the calculation is included in Appendix A.

Kittelson & Associates. Inc.

Portland, Oregon
Amended on 12.15.2021
516 of 1001









EXISTING PEDESTRIAN AND BICYCLE NETWORK

The following section provides an inventory and assessment of the active transportation facilities along OR 99W and potential parallel facility routes. This section includes a review of existing walking and biking activity within the project study area, as well as existing facility types, locations, geometries, and conditions, as they relate to state and local standards.

Pedestrian Facilities

The following section describes the existing walking system. Information on the type and location of sidewalks was obtained from ODOT GIS data. The GIS data was updated to include information based on Google Earth Aerial views. Figure 4 illustrates the existing pedestrian facilities along OR 99W and potential parallel routes in the study area.

Sidewalks

Sidewalks are the most fundamental element of the pedestrian system. Sidewalks are typically constructed of concrete and separated from the roadway by a curb and gutter, landscaping strip, and/or on-street parking. The unobstructed travel way for people walking on a sidewalk should be clear of utilities, signposts, fire hydrants, vegetation, and street furnishings. Typically, a buffering of the pedestrian space and vehicular travel lane increases the comfort of the pedestrian experience.

Sidewalks are provided along both sides of OR 99W within the project study area except for the segment of Adams Street between 1st Street and Edmunston Street. This segment has intermittent sidewalks creating a non-continuous facility for people walking on the east or west side of Adams Street.

Facility Guidance

Based on the guidance identified in the Blueprint for Urban Design (BUD) for Urban Mix and Traditional Downtown/Central Business District (CBD) contexts, sidewalks should provide ample space for sidewalk activity (e.g. sidewalk cafes, transit, shelters). According to the ODOT Highway Design Manual (HDM), the standard width for sidewalks is six feet, and the minimum clear width of a pedestrian access route within a sidewalk is four feet. In constrained areas around obstacles that cannot be moved, a minimum passage of four feet must be maintained for a maximum length of 200 feet.



Sidewalks on Adams Street (facing north)



Sidewalks on Evans Street (facing north)

Crosswalks

Marked crosswalks serve as a designated space for people to cross the roadway. There are two main forms of marked crosswalks: "transverse" crosswalks and "continental" or "zebra" crosswalks. In Oregon, every intersection is a legal crossing, whether it is marked or unmarked.

There are currently marked "transverse" crossings at all signalized intersections along OR 99W within the project study area as well as the Adams Street/3rd Street and Adams Street – Baker Street/15th Street intersections. There are no marked crosswalks along OR 99W between 5th Street and 12th Street, which is a distance of approximately 1,850 feet (0.35 miles). There are also no marked crosswalks along OR 99W between 2nd Street and Fellows Street, which is a distance of approximately 2,640 feet (0.5 miles).

Enhanced Crossings

Enhanced crossings provide additional safety for people walking at mid-block or unsignalized crossings by alerting motorists that a person is crossing the roadway. Common enhanced crossing treatment types include "ACTIVE OR ENHANCED", "RED" facilities treatments, and bulb-outs. "ACTIVE OR ENHANCED" facilities provide a flashing yellow indication and may include rectangular rapid flashing beacons (RRFBs) or pedestrian hybrid beacons (PHBs). "RED" facilities provide a red indication and are more commonly located on facilities with high speeds and traffic volumes. "RED" facility treatments may include pedestrian half signals or a traditional full signal. Bulb-outs, which are described in the following section extend the sidewalk to narrow the crossing distance for people walking across a roadway.

There are currently no enhanced crossing facilities located within the project study area other than the signalized intersections.

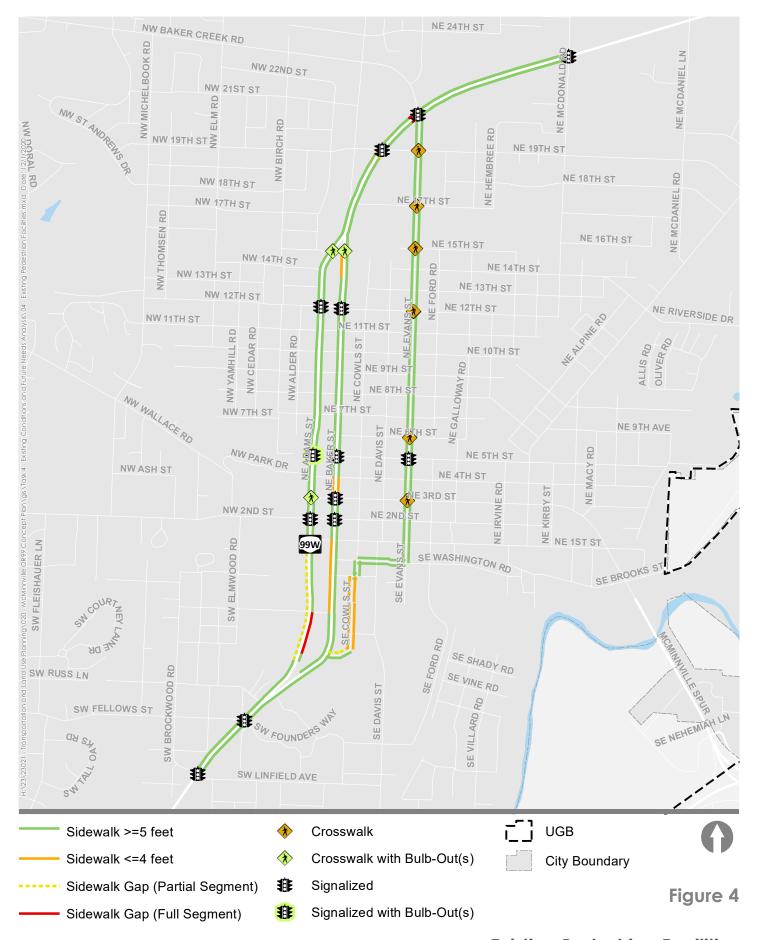
Facility Guidance

Based on the guidance identified in the BUD for Urban Mix and Traditional Downtown/CBD contexts, the target pedestrian crossing spacing range is 250 to 550 feet (one-two blocks). According to the HDM, developed, urban state highways should provide a safe and convenient pedestrian crossing no less frequent than every quarter mile. Crossing improvements should also be no closer than 300 feet from the nearest signalized crosswalk. Determining the facility treatment type of potential enhanced crossing facilities will rely on the methodologies outlined in the NCHRP Report 562 and will be performed as part of TM #5: Alternatives Development, Analysis, and Preferred Alternative Concept.



Crosswalk at Adams Street/5th Street (facing north) Crosswalk at Baker Street/15th Street (facing south)







Existing Pedestrian Facilities

McMinnville, OR

Amended on 12.15.2021
521 of 1001

Bulb-Outs

Bulb-outs or "curb extensions" extend the sidewalk into the parking or landscape strip to narrow the crossing distance for people walking across a roadway. Bulb-outs are most commonly located at corners; however, they can be installed at mid-block crossing locations. Bulb-outs enhance pedestrian safety by increasing pedestrian visibility, creating shorter crossing distances, and slow turning vehicles.

Bulb-outs are currently located at the Adams Street/3rd Street, Adams Street/5th Street, Adams Street/15th Street, Adams Street/11th Street, Baker Street/9th Street, Baker Street/11th Street, and Baker Street/15th Street intersections. Bulb-outs are planned for the northwest and southwest corners of the Baker Street/3rd Street intersection.

Facility Guidance

The BUD recommends the use of bulb-outs or "curb extensions" as a design element consideration within the transition realm (the space between the back of sidewalk and edge of parking). Curb extensions are also recommended treatments for target speed areas up to 30 mph within urban areas.

Within the project study area, the posted speed of OR 99W is 30 mph along most of the OR 99W couplet. Along Cowls Street, Davis Street, and Evans Street the posted speed is 25 mph. The posted speed is 35 mph along OR 99W north and south of the couplet and along Adams Street south of 2nd Street.

According to the HDM, bulb-outs, or curb extensions, are used in conjunction with on-street parking and reduce the pedestrian crossing distance by extending the sidewalk to the edge of the parking lane, thereby improving the visibility of pedestrians for motorists. The HDM states that crossing islands and curb extensions should be used to decrease crossing distances at signalized intersections. On streets with parking, near-side bus stops benefit from curb extensions so passengers can board or dismount the bus directly without stepping on to the street. The HDM notes that curb extensions can trigger freight mobility concerns. OR 99W is a Reduction Review Route subject to ORS 366.215; therefore, a review of potential reductions of vehicle-carrying capacity will be required at the time of project implementation.



Bulb-Outs at 3rd Street/Baker Street (facing east)



Bulb-Outs at 5th Street/Adams Street (facing west)

Pedestrian Ramps

Pedestrian curb ramps and tactile warning pads are necessary for pedestrian crossings to be compliant with American with Disabilities Act (ADA) standards. Pedestrian ramps provide access on and off streets for people walking and rolling.

Facility Guidance

ODOT has created state standards and specifications for the design and construction of ADA Curb ramps that comply with the 2011 Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way, a nationally recognized ADA compliance document. These standards and specifications set by ODOT ensure that the pedestrian curb ramps comply with ADA accessibility requirements. The ramp design must meet specific criteria related to width, length, cross-slope, running slope, warning features, and transitions.



Pedestrian Ramp at Adams Street/11th Street (Good Condition)



Pedestrian Ramp at Baker Street/1st Street (Poor Condition)

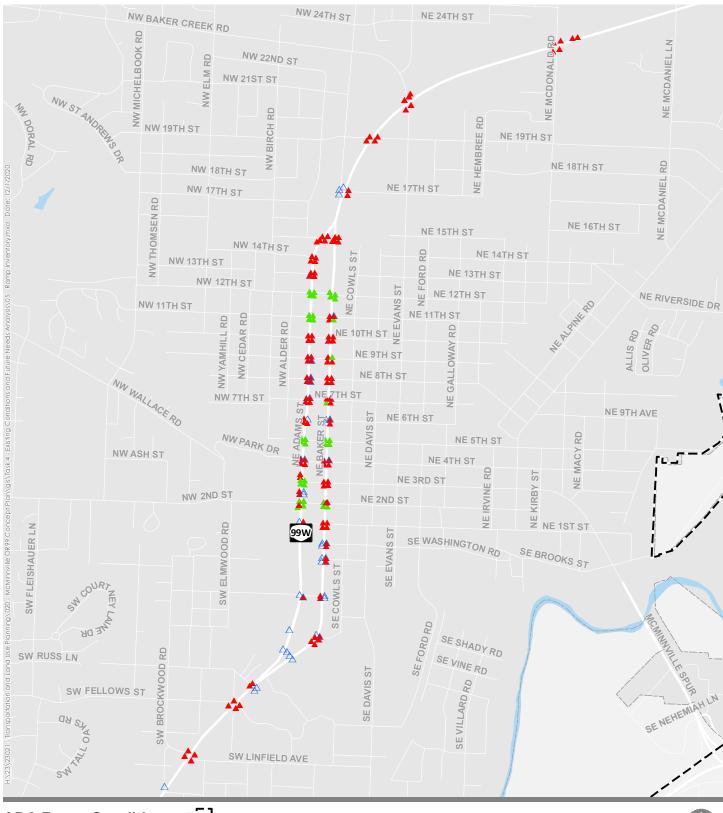
Pedestrian Ramp Inventory

The ODOT ADA ramp inventory and information the City provided about recent ramp upgrades was reviewed to understand which ramps within the project study area are not compliant with ODOT ADA standards. According to the Ramp Inventory in ODOT TransGIS and the information provided by the City, most pedestrian ramps along OR 99W between McDonald Lane and Linfield Avenue are either in 'Poor' condition or are missing. The pedestrian ramps are reported in 'Good' condition according to ODOT ADA standards at the following intersections (at all four corners unless otherwise noted):

- Adams Street/12th Street,
- Adams Street/11th Street,
- Adams Street/5th Street,
- Adams Street/3rd Street,
- Adams Street/2nd Street (except Northwest corner);

- Baker Street/12th Street
- Southeast corner of Baker Street/11th Street,
- Northwest corner of Baker Street/9th Street,
- Southwest corner of Baker Street/7th Street
- Baker Street/5th Street, and
- Baker Street/2nd Street (except Northwest corner).

Figure 5 illustrates the ODOT pedestrian ramp inventory.



ADA Ramp Condition

____ UGB



Poor

Missing

Good



Figure 5



Existing Pedestrian Activity

To understand relative pedestrian activity in the corridor, a Strava Heatmap was developed to show the level ('heat') made by aggregated, public activities over the last two years. The data is an aggregate of people tracking their runs and walks with Strava and can be used to understand patterns of routes people are taking today. Strava data only records activity for people using the app and may be biased towards recreational activities. Exhibit 1 shows the Strava Heatmap for pedestrian activity in McMinnville. There is a relatively high amount of pedestrian activity along Birch Street, Evans Street, Davis Street, 2nd Street, and 3rd Street.

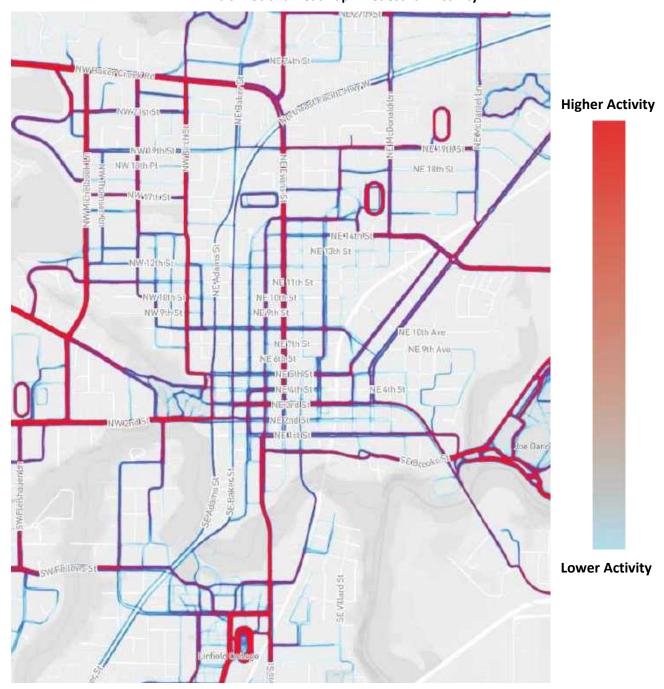


Exhibit 1: Strava Heatmap - Pedestrian Activity

Bicycle Facilities

The following section describes the existing biking system. Information on the type and location of bicycle facilities was obtained from ODOT GIS data. The GIS data was updated to include information based on Google Earth Aerial views. Figure 6 illustrates the existing bicycle facilities along OR 99W and potential parallel routes in the study area.

Bike Lanes

Bike lanes designate an exclusive space for bicyclists through the use of pavement markings and signage. They are appropriate on a wide range of roadway types. Typical bike lane design can range in width and whether or not there is an additional buffer space or vertical separation between the bike lane and motor vehicle lane. Bike lanes on local streets are appropriate where bicycle volumes are high, vehicle speeds are higher than 25 miles per hour, and/or poor sight distance exists. Bike lanes must always be well-marked to call attention to their preferential use by bicyclists.

There are no bikes lanes along the Adams Street or Baker Street within the couplet of OR 99W; however, bike lanes are provided north and south of the couplet along OR 99W. Bike lanes are located along Evans Street between 8th Street and 17th Street; however, no bike lanes are provided south of 8th Street or north between 17th Street and OR 99W.

Facility Guidance

Based on the guidance identified in the BUD for Urban Mix and Traditional Downtown/CBD contexts, when planning for new bicycle facilities, it is recommended to start with wide, separated bicycle facilities and consider roadway characteristics to justify the width of the facilities.

The Oregon Bicycle and Pedestrian Design Guide sets the standard for bike lane widths at six feet, with a minimum width of four feet on open shoulders or five feet from the face of curb, guardrail, or parked cars.



Bike Lanes on 2nd Street (facing west)



Bike Lanes on Evans Street (facing north)

Shared Lane Markings ("Sharrows")

Typically located on neighborhood streets with low vehicular volumes and speeds, "sharrows" are pavement markings that alert motorists to expect people biking in the travel lane. Sharrows provide wayfinding for people biking on neighborhood bicycle routes and typically feature a stenciled bicyclist with two chevron symbols, denoting where people biking should share the road with motor vehicles.

Sharrows are provided along 2nd Street and 5th Street within the project study area.

Facility Guidance

Shared lane markings or "sharrows" should only be installed along roadways with traffic volumes less than 3,000 ADT and roadways with posted speeds less than 30 mph. Shared lane markings may be appropriate on roadways with a posted speed greater than 30 mph if the ADT is less than 750. Existing sharrows in the study area are provided on streets with posted speeds less than 30 mph. The ADT along these street segments is not available on ODOT TransGIS.



Sharrows on 2nd Street (facing east)



Sharrows on 5th Street (facing east)





Existing Bicycle Facilities

McMinnville, OR

Amended on 12.15.2021
528 of 1001

Existing Bicycle Activity

To better under relative bicycle activity within the study area, a Strava Heatmap was developed to show the level ('heat') made by aggregated, public activities over the last two years. The data is an aggregate of people tracking their cycling activity with Strava and can be used to understand patterns of routes people are taking today. Strava data only records activity for people using the app and may be biased towards more recreational activities. Exhibit 2 shows the Strava Heatmap for people biking in McMinnville. There is a relatively high amount of bicyclist activity along Evans Street, Davis Street, 3rd Street, 2nd Street, and Linfield Avenue.

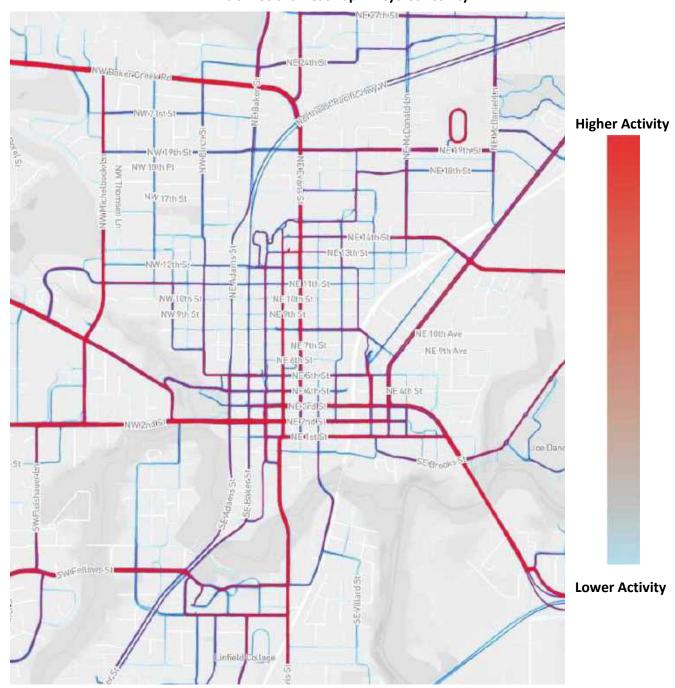


Exhibit 2: Strava Heatmap—Bicyclist Activity

Safe Routes to School

Safe Routes to School aims to create safe, convenient, and fun opportunities for children to walk, bike, and roll to and from school. Oregon's Safe Routes to School program is an effort to improve, educate, or encourage children to safely walk (by foot or mobility device) or bike to school. Routes for walking and biking to school are a key component in developing a Safe Routes to School plan. By establishing designated routes for walking and biking, investment can be prioritized to increase safety along the routes or within proximity to the school(s).

McMinnville Walk-to-School Routes Map

The McMinnville Transportation System Plan (TSP – Reference 1) Appendix J establishes Walk-To-School Route Plans for eight existing schools.

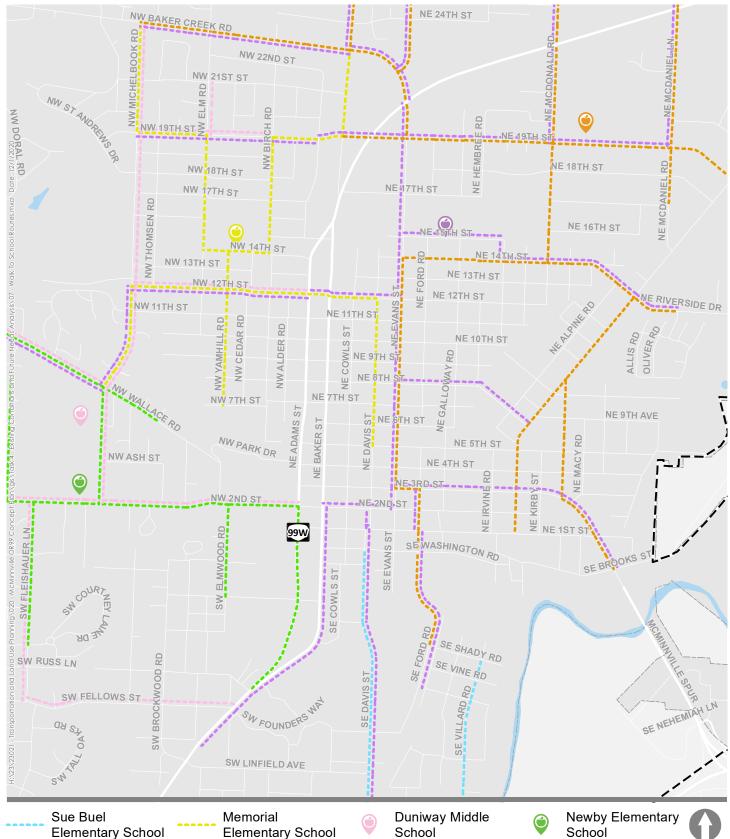
- Sue Buel Elementary
- Grandhaven Elementary
- Memorial Elementary
- Newby Elementary

- Columbus Elementary
- Patton Middle School
- Duniway Middle School
- McMinnville High School

Routes to schools listed above were developed based on recommended practices and procedures outlined in the *School Administrator's Guide to School Walk Routes and Student Pedestrian Safety*. Based on the McMinnville School District policy on walking distance for elementary (one mile) and middle schools (1.5 miles), walk routes were identified while considering the following:

- Routes that provide the greatest physical separation between walking children and traffic
- Exposure of children to the lowest vehicular speeds and volume
- Minimization of street and rail crossings, targeting designated crosswalks and traffic signals where possible
- Walk route plans do not necessarily need to cover all neighborhood streets

The schools located within proximity of the Concept Plan project study area include Sue Buel Elementary School, Duniway Middle School, Newby Elementary, Patton Middle School, and McMinnville High School. Figure 7 illustrates the location of these schools as well as the designated "Walk-To-School" routes.



Elementary School

Duniway Middle

School

Newby Elementary School

McMinnville High Patton Middle School School

McMinnville High School

Memorial **Elementary School** School Patton Middle

> School Figure 7



Walk-To-School Routes McMinnville, OR

SAFETY ANALYSIS

The safety analysis included a review of historical crash data and of existing roadway crossings, as described in the following sections.

Crash Analysis

The five most recent years of pedestrian and bicyclist crash data (January 1, 2014 to December 31, 2018) were obtained from ODOT's Crash Analysis and Reporting Unit and reviewed for the study intersections and segments in the project study area, consistent with the methodologies outlined in the Analysis Procedures Manual (ODOT APM – Reference 2). The data was analyzed for a variety of factors including severity, crash type and characteristics, crash rates, and location to identify potential crash patterns or area-wide trends. Additional attention was directed toward locations with multiple pedestrian and bicyclist crashes and locations along the corridor identified as top 5% or 10% locations from the most recent three (3) Safety Priority Index System (SPIS) site listings. The results are described below.

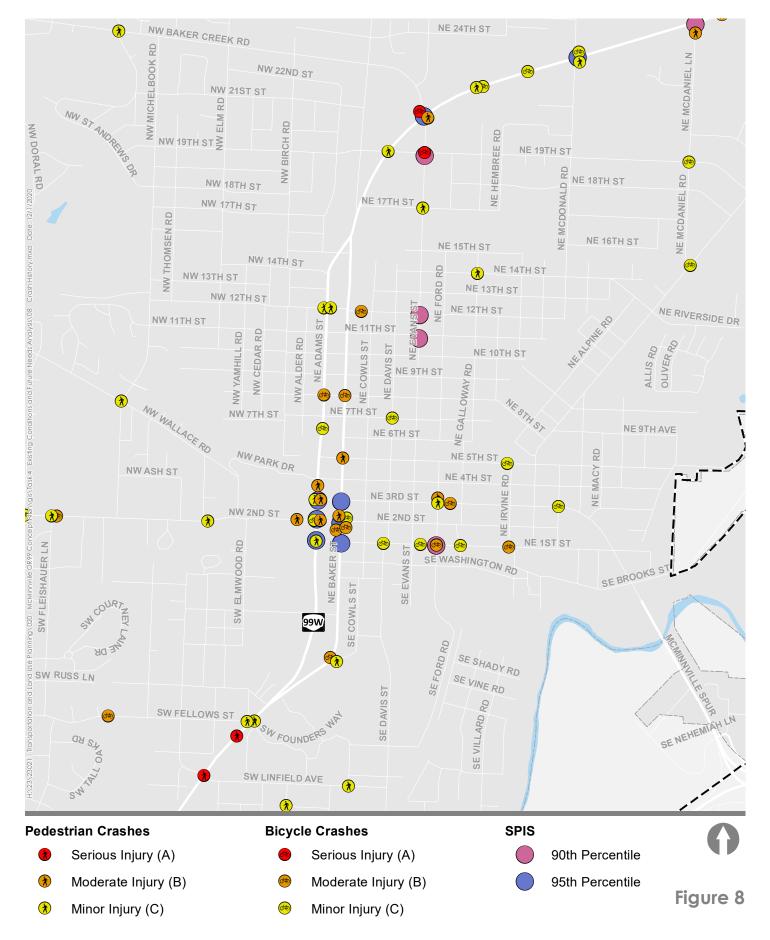
Figure 8 shows the locations of crashes involving a pedestrian or bicyclist between January 1, 2014 to December 31, 2018 within the project study area. No fatal pedestrian or bicycle crashes were reported within the project study area over the course of the five-year period. Table 1 summarizes the reported pedestrian and bicyclist crash history for this period along OR 99W in the project study area.

Table 1: Reported Pedestrian and Bicyclist Crash History (January 1, 2014 to December 31, 2018)

	Segment Length (Miles)	Crash Type	Crash Severity			Total	Crash Rate ²
Study Segment			Serious Injury (A)	Moderate Injury (B)	Minor Injury (C)	Number of Crashes	(Crashes/ Mile)
OR 99W	0.70	Pedestrian	0	1	3	4	5.71
(North of Couplet to McDonald Lane)		Bicyclist	1	0	3	4	5.71
OR 99W	1.16	Pedestrian	0	3	4	7	6.03
(Adams Street)	1.16	Bicyclist	0	2	1	3	2.59
OR 99W	1.16	Pedestrian	0	2	1	3	2.59
(Baker Street)		Bicyclist	0	4	1	5	4.31
OR 99W	0.24	Pedestrian	2	0	2	4	16.67
(South of Couplet to Linfield Avenue)		Bicyclist	0	0	0	0	0

¹Project study area include crashes located along OR 99W and the potential parallel routes east of the highway.

²Crash Rate includes segment and intersection crashes.





Bicvcle Crashes

A total of 12 crashes involving people biking along OR 99W occurred over the five-year period between January 1, 2014 to December 31, 2018. Of these crashes, one was 'serious injury', six were 'moderate injury', and the remaining five were 'minor injury'.

- Four of these crashes occurred along the 0.4-mile segment of OR 99W between McDonald Lane and Evans Street.
- Three crashes occurred along Adams Street.
- Five crashes occurred along Baker Street.
- No crashes occurred along OR 99W between Fellows Street and Linfield Avenue.
- All 12 crashes involved angle or turning movements where the motorist did not yield right-of-way. Two crashes involved the motorist going straight, six involved the motorist turning right, and four involved the motorist turning left.
- Eleven crashes occurred during daylight; only one crash occurred in darkness with streetlights.
- Five crashes occurred during snow or wet conditions; the remaining seven crashes occurred in dry conditions.
- Eight crashes occurred on a Friday; the remaining four crashes occurred on other weekdays.

Additionally, there were two crashes involving people biking along Evans Street; both crashes were coded as 'serious injury'. There were two crashes along Davis Street; both crashes were coded as 'minor injury'. Additionally, there were six crashes involving people biking along 1st Street between Cowls Street and Irvine Street. These crashes were turning movement crashes, with three involving the vehicle making right turns, two involving the vehicle making left turns, and one involving the vehicle traveling straight.

Pedestrian Crashes

A total of 18 crashes involving people walking along OR 99W occurred over the five-year period between January 1, 2014 to December 31, 2018. Of these crashes, two were 'serious injury', six were 'moderate injury', and the remaining ten were 'minor injury'.

- Four crashes occurred along OR 99W between McDonald Lane and 19th Street.
- Seven crashes occurred along Adams Street.
- Three crashes occurred along Baker Street.
- Four crashes occurred along OR 99W between Fellows Street and Linfield Avenue.
- Eleven crashes involved the motorist turning left, four involved the motorist traveling straight, and the remaining three involved right turns.
- Four crashes involved the person walking illegally in roadway, twelve involved the motorist not yielding the right of way, and two crashes involved a disregard of the traffic signal.
- All crashes occurred under lit conditions: 12 crashes occurred during daylight; six crashes occurred during darkness with streetlights.

- Eight crashes occurred during wet conditions; 10 crashes occurred in dry conditions.
- Four crashes occurred on a Friday, thirteen crashes occurred on other weekdays, and one crash occurred on Saturday.

Additionally, there were two crashes involving people walking along Evans Street: one at the intersection with OR 99W, and the other at the intersection with 17th Street. In both cases the person driving failed to yield right-of-way to the person walking. There were no crashes recorded involving people walking along Cowls Street or Davis Street in the study area.

Safety Priority Index System

The ODOT Statewide Priority Index System (SPIS) identifies sites along state highways where safety issues warrant further investigation. The SPIS is a method developed by ODOT for identifying hazardous locations on state highways through consideration of crash frequency, crash rate, and crash severity. Sites identified within the top 5% are investigated by ODOT staff and reported to the Federal Highway Administration (FHWA).

The three most recent SPIS lists (SPIS 2018, SPIS 2017, and SPIS 2016) contain crash data from January 1, 2013 through December 31, 2017¹. Per SPIS 2018, SPIS 2017, and SPIS 2016 the following eight intersections were identified by ODOT as within the top 5% of statewide SPIS sites:

- McDonald Lane/OR 99W
- Evans Street/OR 99W
- 1st Street/Adams Street
- 1st Street/Baker Street

- 2nd Street/Adams Street
- 2nd Street/Baker Street
- 3rd Street/Adams Street
- 3rd Street/Baker Street

In addition, the following four intersections were identified by ODOT as within the top 10% of statewide SPIS sites:

- Evans Street/11th Street
- Evans Street/12th Street
- Evans Street/19th Street
- Ford Street/2nd Street

These locations are mapped in Figure 8 above.

¹ These dates align best with the study period. SPIS locations related to crash data collected in 2018 has not yet been released.

Pedestrian and Bicycle Systemic Safety Risk Analysis

ODOT is in the process of completing the *Oregon DOT Statewide Pedestrian and Bicycle Plan*, a systemic safety analysis aimed at identifying high risk locations for pedestrian and bicycle crashes along the state highway system.

The objective of the *Oregon DOT Statewide Pedestrian and Bicycle Plan* is to update the *ODOT Pedestrian and Bicycle Safety Implementation Plan* (ODOT, 2014) and inform future iterations of ODOT's All Roads Transportation Safety (ARTS) program. Systemic safety, opposed to the traditional crash history, allows practitioners to proactively identify high risk sites for potential safety improvements based on specific risk factors. Locations identified as top 20% based on the risk factor screening correspond to the highest risk locations throughout the state whereas locations in the lowest 20% correspond to the lowest risk locations throughout the state. A summary of the risk factors used as part of the *Oregon DOT Statewide Pedestrian and Bicycle Plan* is described below.

Pedestrian Risk Analysis

Figure 9 illustrates the results of the pedestrian risk analysis conducted as part of ODOT's statewide systemic safety analysis along the project extents for the Concept Plan. The segments of OR 99W outside of the couplet are in the top 20% for pedestrian risk factors. Evans Street and a majority of the OR 99W couplet are in the bottom 40% for pedestrian risk factors. The pedestrian risk factors used as part of the analysis include:

- Principal Arterial
- Number of Lanes (>=Four Lanes)
- High-Access Density
- No Sidewalks (or Only One Side)
- Posted Speed (>=35mph)

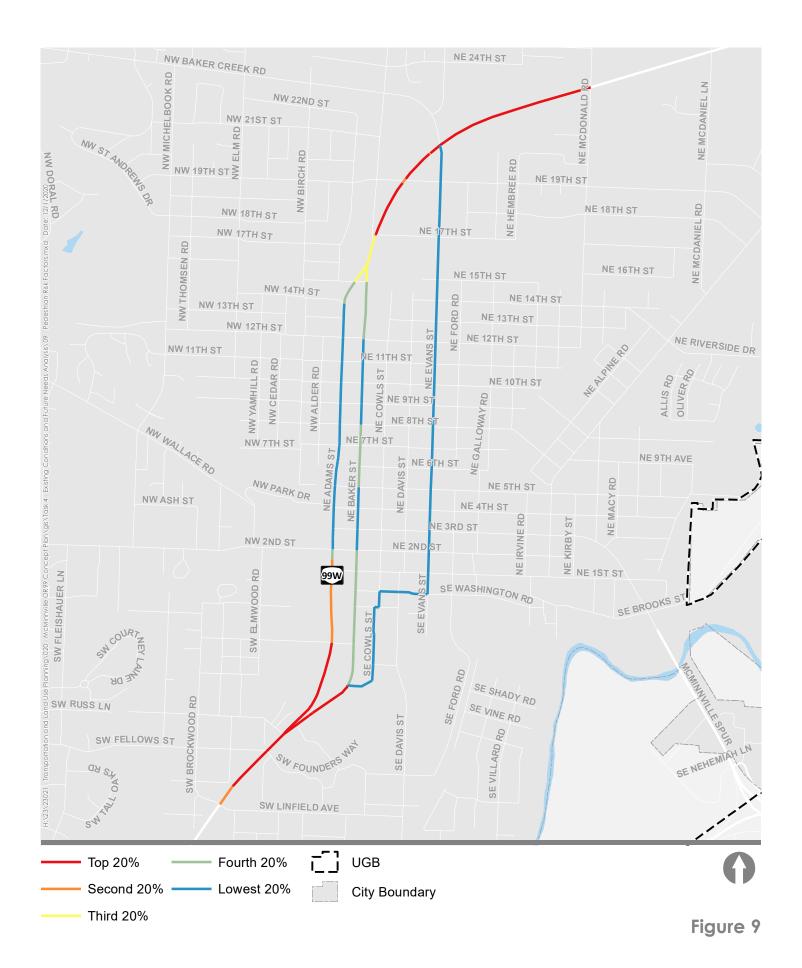
- Mixed Use Zoning
- Proximity to Schools (one mile)
- Proximity to Transit Stops (1/4 mile)
- High Population over the Age of 64

Bicycle Risk Analysis

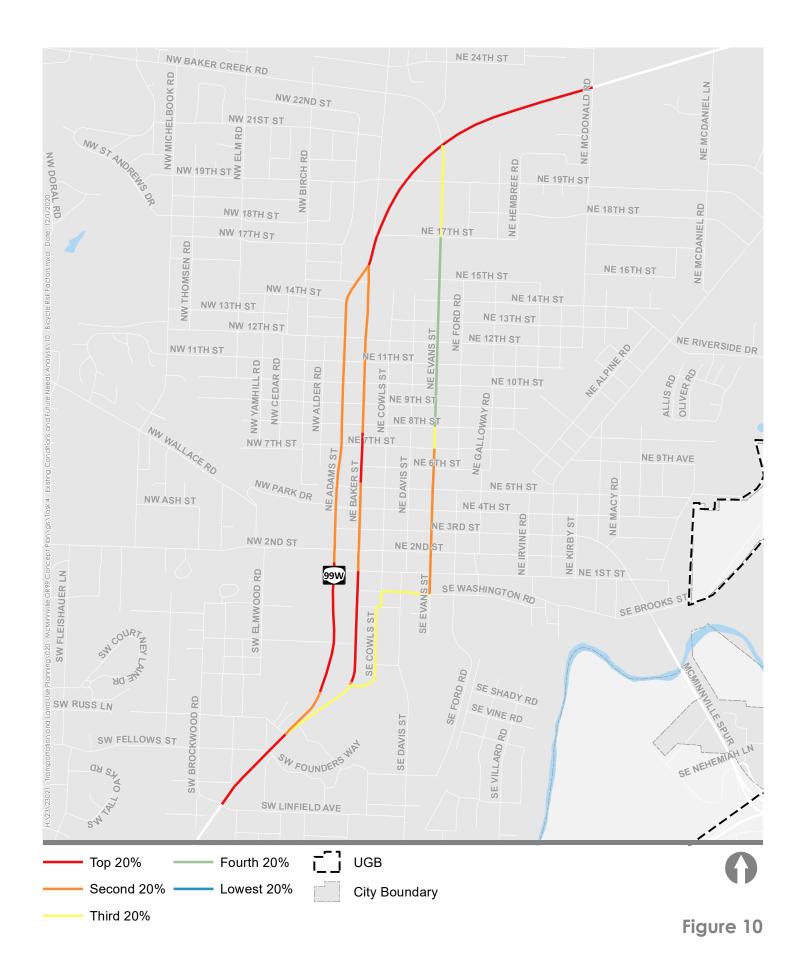
Figure 10 illustrates the results of the bicycle risk analysis conducted as part of ODOT's statewide systemic safety analysis along the project extents for the Concept Plan. A majority of OR 99W, including the couplet, is identified in the top 40% for bicycle risk factors. The bicycle risk factors used as part of the analysis include:

- Principal Arterial
- Minor Arterials
- Number of Lanes (>=Four Lanes)
- High-access Density
- No Bike Lane

- Posted Speed (>=35mph)
- Mixed Use Zoning
- Proximity to Schools (one mile)
- Proximity to Transit Stops (1/4 mile)
- High Population over the Age of 64









ACTIVE TRANSPORTATION ANALYSIS

The ODOT APM provides a methodology for evaluating bicycle and pedestrian facilities within urban and rural environments called Level of Traffic Stress (LTS). As applied by ODOT, this methodology classifies four levels of traffic stress that a person walking or biking can experience on the roadway, ranging from LTS 1 (little traffic stress) to LTS 4 (high traffic stress).

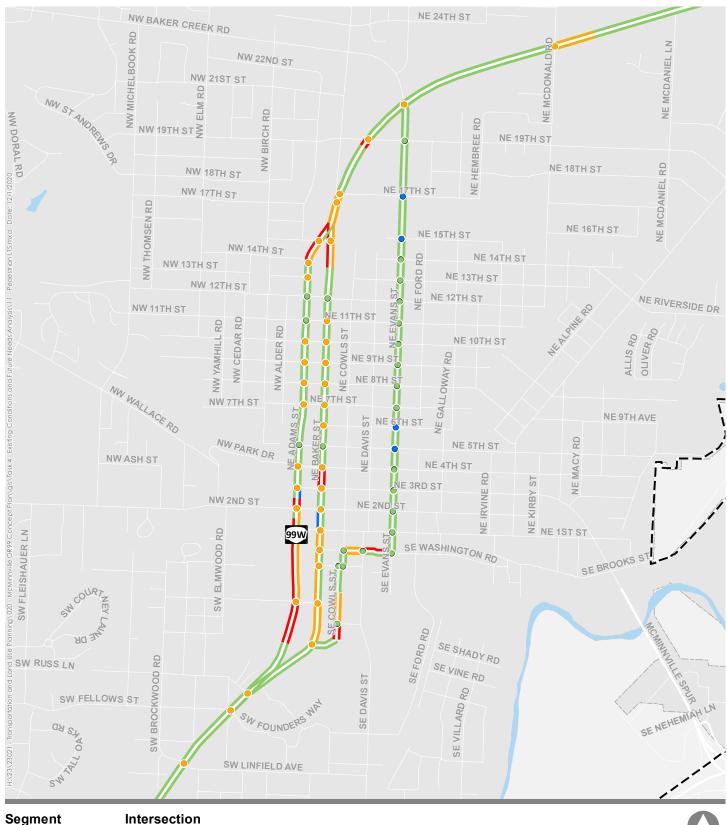
A road segment that is rated LTS 1 generally has low traffic volumes and travel speeds and is suitable for all users, including children. A road segment that is rated LTS 4 generally has high traffic volumes and travel speeds and is perceived as unsafe by most adults. Per the ODOT APM, LTS 2 is considered a reasonable target for pedestrian and bicycle facilities due to its acceptability for most adults; however, within a ¼ mile of schools, a target of LTS 1 is recommended.

Pedestrian Level of Traffic Stress Analysis

A pedestrian level of traffic stress (PLTS) analysis was performed along the segments and intersections of OR 99W and the parallel route opportunity along Evans Street within the project study area. The PLTS segment score is determined based on the speed of the roadway, number of travel lanes per direction, the presence, condition, and width of sidewalks, presence and type of buffer space, and several other factors such as lighting. The PLTS intersection score is determined based on functional class of the roadway, speed of the roadway, and number of vehicle travel lanes per direction, roadway average daily traffic, and the presence of pedestrian infrastructure such as sidewalk ramps, median refuge and illumination, and signalized intersection features. Figure 11 illustrates the results of the PLTS analysis.

Bicycle Level of Traffic Stress Analysis

ODOT provided the results of a BLTS analysis conducted along the segments and intersections of OR 99W and the parallel route opportunity along Evans Street within the project study area. The BLTS segment score is determined based on the speed of the roadway, the number of travel lanes per direction, the presence and width of an on-street bike lane and/or adjacent parking lane, and several other factors such as the presence of a centerline. The BLTS intersection criteria for unsignalized intersection crossings include consideration of the presence of a median of sufficient width to provide for a two-stage crossing, the prevailing speed or posted speed, the functional classification, and the number of through and turn lanes crossed per direction. Signalized intersections are assumed to be BLTS 1 unless people biking may have difficulty triggering the signal detection or are forced to use the crosswalk. Figure 12 illustrates the results of the BLTS analysis.





PLTS 1

PLTS 1 PLTS 2 PLTS 2

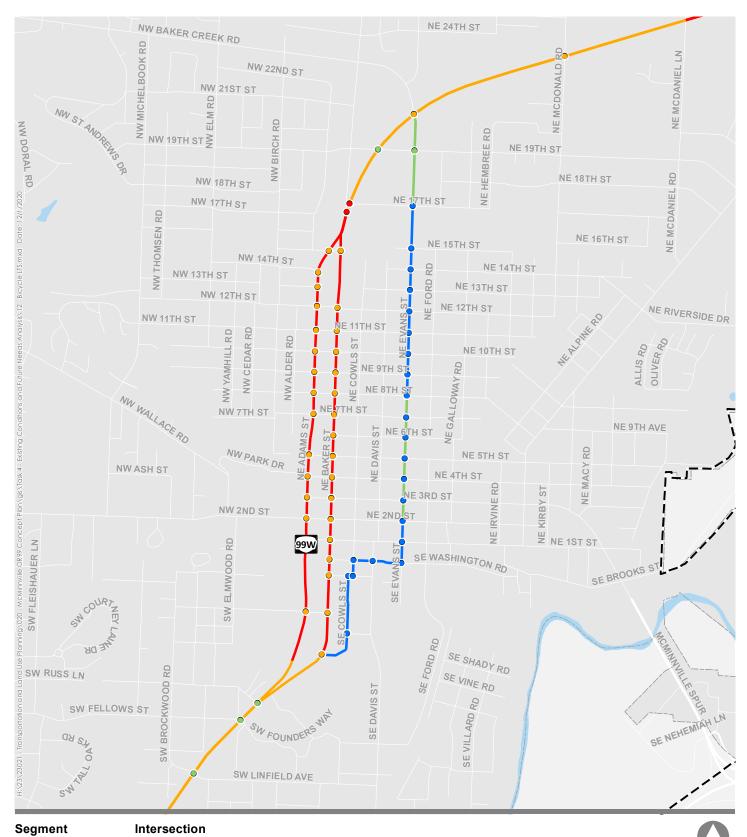
PLTS 3 PLTS 3

PLTS 4 PLTS 4



Figure 11







BLTS 4

Figure 12

Bicycle Level of Traffic Stress McMinnville, OR



BLTS 4

MOTOR VEHICLE CONSIDERATIONS

The Oregon Department of Transportation (ODOT) Blueprint for Urban Design (BUD) establishes a framework for determining the urban context along state roadways. The Urban Context for the corridor was established in the *Corridor Vision* as Traditional Downtown/CBD or Urban Mix (Reference 3). According to this designation, the general modal considerations for people walking and biking are "High" and the modal considerations for motorists and freight is "Low" to "Medium". Motor vehicle traffic volumes and crash data were used to inform the multimodal analysis. A summary of existing motor vehicle conditions—including appropriate freight considerations and parking occupancy along Adams Street—is provided in the following sections.

Motor Vehicle Facilities

Functional Classification

OR 99W is a state facility classified as *Urban Other Principle Arterial*. OR 99W is also classified as a regional highway. Cowls Street, Davis Street, and Evans Street are local facilities.

Freight Classification

OR 99W is not designated as a freight route within the project study area according to the Oregon Highway Plan (OHP). OR 99W is designated as a Reduction Review Route (RRR), subject to ORS 366.215.

Therefore, a review of potential Reduction of Vehicle-carrying Capacity (RVC) is required for all proposed actions on OR 99W. According to ODOT's ORS 366.215 Implementation Guidance, "it is best to wait until project implementation to follow the [Stakeholder Forum] review process. For these situations, the Concept Plan must identify the RRR in the plan area and provide the following statement or equivalent: Planning concept potentially reduces vehicle-carrying capacity of the highway; further evaluation of the project design will be required at the time of implementation to ensure compliance with ORS 366.215."

Existing Cross Section

The existing cross section of OR 99W outside of the couplet includes five travel lanes, two in each direction with a two-way turn lane (TWTL). Within the couplet, Adams Street has two southbound travel lanes and Baker Street has two northbound travel lanes. Adams Street and Baker Street have parallel parking located on both sides of the roadway.

Adams Street and Baker Street have a curb-to-curb width of approximately 40-42 feet for most of the corridor. North of the couplet, OR 99W has a curb-to-curb width of approximately 66 feet and south of the couplet, OR 99W has a curb-to-curb width of approximately 70 feet.

The existing cross section of Evans Street includes two travel lanes (one in each direction). On-street parking is located along Evans Street on both sides of the roadway between Washington Street and 8th

Portland, Oregon Amended on 12.15.2021 Street and between 17^{th} Street and 19^{th} Street. Bike lanes are located along Evans Street between 8^{th} Street and 17^{th} Street.

The existing cross section of Cowls Street and Davis Street each includes two travel lanes (one in each direction) and street parking on both sides of the roadway. No centerline is provided along Cowls Street or Davis Street.

Posted Speed

Posted speed for Baker, Adams, and OR 99W along the corridor ranges from 30 to 35 mph. The posted speed along the surrounding roadways ranges from 20 to 25 mph.

Average Annual Daily Traffic

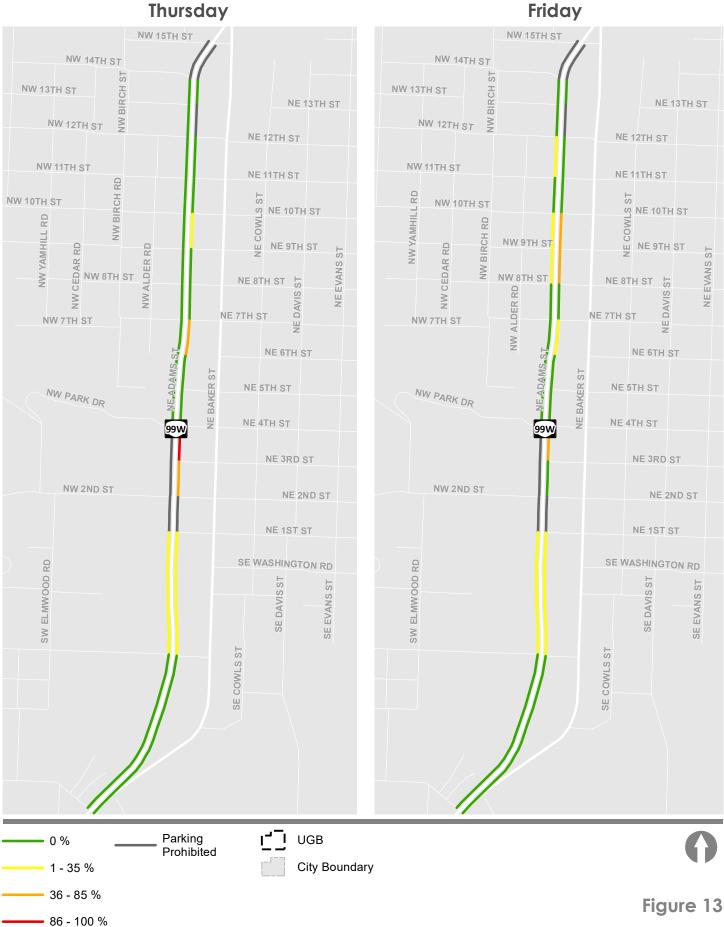
According to ODOT TransGIS, the Average Annual Daily Traffic (AADT) ranges from 11,700 to 13,000 along Adams Street and Baker Street. Along OR 99W north of the couplet, the AADT was 25,100. South of the couplet the AADT was 22,100. Along Evans Street, the AADT was significantly lower, ranging between 1,300 to 5,700. No AADT data was available for Cowls Street or Davis Street.

Parking

An assessment of on-street parking to improve sight distance and accommodate enhanced crossing facilities was performed along the OR 99W couplet. *The City of McMinnville Downtown Strategic Parking Management Plan* ("Downtown Strategic Parking Plan", Reference 4) and the Parking Demand Data Collection conducted and provided by ODOT were reviewed to determine the feasibility of potential onstreet parking removal or relocation along OR 99W within the couplet. The findings are presented below. *Parking data collection sheets prepared by ODOT are provided in Appendix B.*

Parking data was collected by ODOT staff along both sides of Adams Street on Thursday, October 1, Friday, October 2, and Saturday, October 3, 2020 from 10 AM to 8 PM. The data was collected when school was in session and after the smoke cleared from the major fire events, but during the COVID-19 pandemic. Parking data was compared to historical data collected by Rick Williams Consulting in June 2017 for the Downtown Strategic Parking Plan, and conditions recorded in Google Street View.

Based on this comparison, it is expected that the data collected in October 2020 is reflective of typical parking conditions along the corridor. Parking data was not collected along Baker Street. The Downtown Strategic Parking study and local knowledge of the corridor have shown that there is greater demand for parking along Baker Street compared to Adams Street. *The comparison is summarized in Appendix C.* Initial analysis shows that street parking along Adams Street is underutilized: peak parking utilization for the total 208 spaces along Adams Street was 10%. The highest parking demand was observed along Adams Street south of 2nd Avenue and is likely generated by residences. Parking along the corridor could be accommodated at or below 85% occupancy during peak hours along one side of the roadway. Figure 13 illustrates the peak parking occupancy observed along Adams Street.





On-Street Parking Occupancy (Peak-Hour) McMinnville, OR

SUMMARY OF GAPS AND DEFICIENCIES AND OPPORTUNITIES

The project study area characteristics, safety conditions, and existing pedestrian and bicycle facilities, were reviewed to identify gaps and deficiencies. A gap is defined as a missing link in the network, such as a key walking or biking route that is missing sidewalk, crosswalk, pedestrian ramp or bicycle facility.

A deficiency is defined as a pedestrian or bicycle facility that does not meet the standard or is insufficient to meet the users' needs. Examples of deficiencies include:

- On-street connection that has a BLTS rating greater than 2, or on-street connections that has a BLTS rating equal to 2 where the connection is within ¼ mile of a school.
- On-street connection that has a PLTS rating greater than 2, or on-street connections that has a PLTS rating equal to 2 where the connection is within ¼ mile of a school.
- Locations identified in the top 40% of the statewide pedestrian or bicycle systemic safety risk analysis.

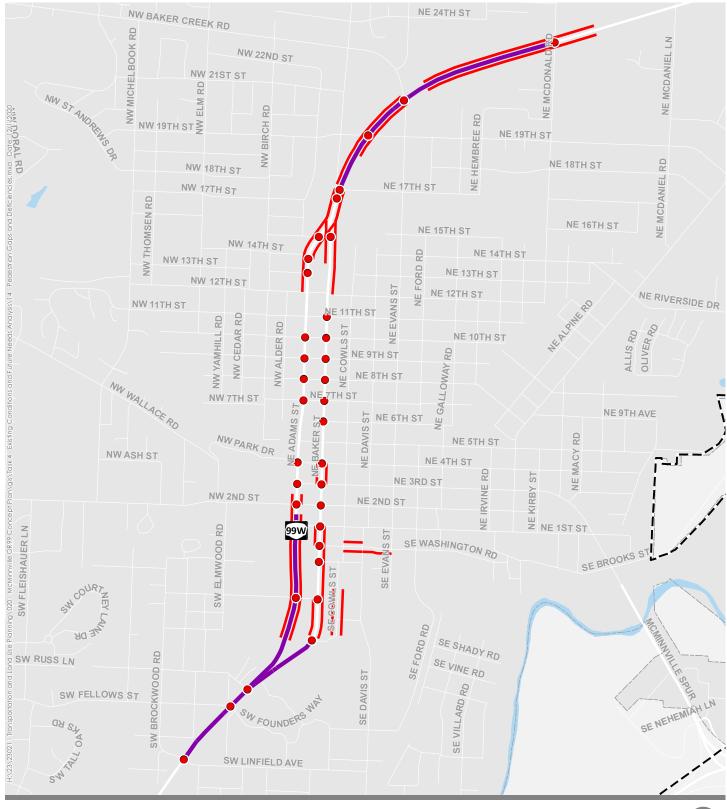
The pedestrian and bicycle gaps and deficiencies located along OR 99W and the parallel route opportunity along Evans Street are illustrated in Figure 14 and Figure 15 respectively.

Pedestrian Facility Needs

As illustrated in Figure 14, most of the OR 99W exceeds the recommended LTS targets for segments and intersections. Segment LTS deficiencies result from absent or partial sidewalks, poor condition of sidewalks, and lack of buffer space between the sidewalk and travel lane. Intersection LTS deficiencies primarily result from absent or poor pedestrian ramp conditions.

The segment of OR 99W north of 17th Street, south of 2nd Street along Adams Street and south of Cowls Street along Baker are identified as top 40% pedestrian risk locations according to the statewide pedestrian risk analysis performed on the state highway system. Safety countermeasures should be prioritized within these segments to minimize risk and increase separation for people walking.

Evans Street meets LTS targets for all segments and intersections in the study area, however potential connections between Evans Street and OR 99W at the southern end of the corridor exceed recommended LTS. No segments of Evans Street were identified as top 40% pedestrian risk locations.



Segment

Pedestrian Risk Analysis

Exceeds Recommended LTS

Top 40% Pedestrian Risk



Exceeds Recommended LTS

Figure 14

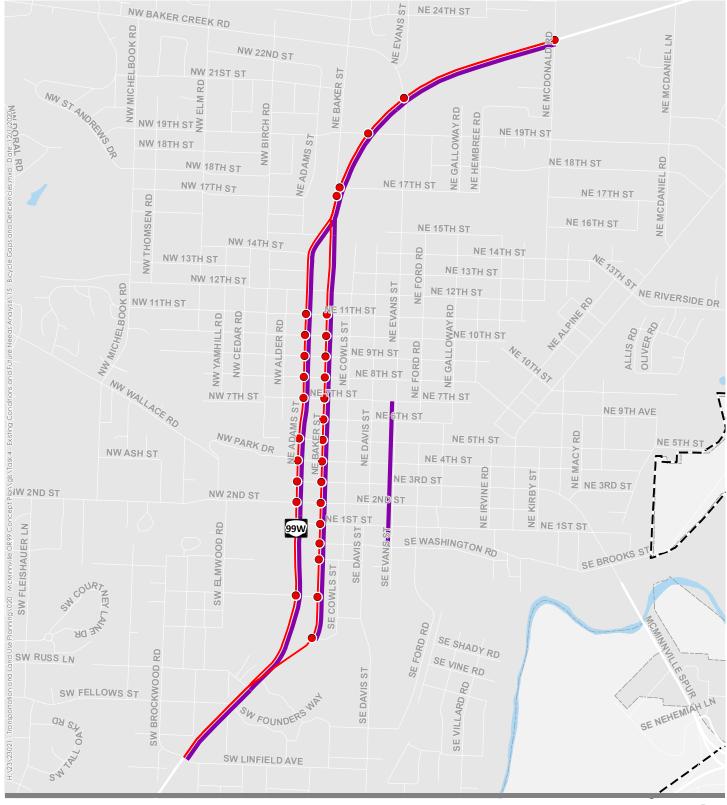


Bicycle Facility Needs

As illustrated in Figure 15, the entire project study area along OR 99W exceeds the recommended LTS targets for segments. Segment LTS deficiencies primarily result from an absence of bicycle facilities throughout the OR 99W couplet. At locations where bicycle facilities are provided north and south of the couplet, the facilities lack separation, resulting in high stress experiences for most users.

Intersections exceeding LTS targets result from geometric configurations (OR 99W/17th Street), traffic volume of roadway being crossed, and lack of facilities approaching and traveling through the intersection. Nearly all of OR 99W is identified as top 40% statewide risk locations for bicycles. Safety countermeasures should be prioritized within these segments to minimize risk and increase separation.

Evans Street meets BLTS targets for all segments and intersections in the project study area except at the intersection with OR 99W. The section of Evans Street between 1st Street and 7th Street is identified as top 40% statewide risk locations for bicycles.



Segment

Bicycle Risk Analysis

Top 40% Bicycle Risk Exceeds Recommended LTS

Intersection

Exceeds Recommended LTS

Figure 15



NEXT STEPS

The findings from TM #4: Existing Conditions and Future Needs will be reviewed by the PAC and used to develop alternatives and select a preferred alternative concept in TM #5: Alternatives Development, Analysis, and Preferred Alternative Concept.

REFERENCES

- 1. The City of McMinnville. *Transportation System Plan*, 2010.
- 2. Oregon Department of Transportation. Analysis Procedures Manual, 2020.
- 3. Kittelson & Associates, Inc. Corridor Vision, 2020.
- 4. Rick Williams Consulting. *The City of McMinnville Downtown Strategic Parking Management Plan.* 2018.
- 5. Google Earth. Street View. Various Dates.

Appendix A Transportation Disadvantaged Population Index

TRANSPORTATION DISADVANTAGED POPULATION (TDP) INDEX

The Transportation Disadvantaged Population Index is an index of census data characteristics, designed to help prioritize improvements that serve areas with high numbers of transportation disadvantaged residents and environmental justice communities that have been traditionally underserved. Most recent available American Community Survey data at the block group level for the following attributes includes:

- Elderly populations (65 and older)
- Youth populations (under 18)
- Non-white and Hispanic populations
- Limited English proficiency population (aggregate of census populations who speak English "not well" or "not at all")
- Low-income populations
- Households without access to a vehicle
- People with a disability (severe or non-severe disability)
- Crowded households

This index was calculated according to the ODOT Active Transportation Needs Inventory Assessment. The index converts household statistics from the American Community Survey to a per capita index. It is calculated at the census block group level as the sum of people 65 and older, 17 and younger, non-white or Hispanic, speak English "not well" or "not at all", low-income, with a disability, living in crowded households, or living in households without vehicle access. That sum is divided by total block population. People fitting into multiple vulnerability categories are counted multiple times. The higher the index number the more disadvantaged the population is with respect to transportation. The equation used to develop the segment transportation disadvantaged score is shown below:

$$TDP\ Index = \frac{(Eld + Yth + [NH*1.5] + LEP + Pov + Veh + Dis + Crwd)}{Pop}$$

NH = # of residents who identify as non-white or Crwd = # of households with 1.0 or more

where:

Eld = # *of residents over 65* $Veh^1 = \# of residents with 0 vehicles$

Yth = # *of residents under 18 Dis* = # of residents with a disability

Hispanic occupants per room

LEP¹ = # of residents that speak English "not well" Pop = Total block group population

or "not at all"

Pov = # *of residents with income under 200% of*

poverty level

¹Number of residents that speak English "not well" or "not at all" and number of residents with zero vehicles is provided in the census at a household level and estimated by multiplying the data at the household level by the average Oregon household size (2.51).

Appendix B Parking Data (2020)

<u>Key</u>
Left = East Side of SE Adams St (a on route map)
Right = West Side of SE Adams St (b on route map)

THURSDAY, OCTOBER 1st, 2020

Time Slot

				Time Slot				•															
	# of Stalls Avail	lable (Both sides)	Block	10am	- 11am	11am	- 12pm	12pm	- 1pm	1pm	- 2pm	2pm -	3pm	3pm -	4pm	4pm -	5pm	5pm	- 6pm	6pm-	7pm	7pm -	-8pm
	Left (EE)	Right (W)		Left	Right	Left	Right	Left	Right	Left	Right	Left	Right	Left	Right	Left	Right	Left	Right	Left	Right	Left	Right
14th is a "T" intersection,	Parking prohibited	Parking prohibited	15th - 14th	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	5 SPOTS (@ 20')	4 SPOTS (2 @ 20', 2 @ 22')	14th - 13th	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
parking appears to be allowed for one spot directly across from 13th	Parking prohibited	6 SPOTS (2 @ 20', 4 @ 24')	13th - 12th	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
	4 SPOTS 2 spots (@ 20') then two Driveways 2 spots (1 @ 20', 1 @ 24') 7 SPOTS	5 SPOTS 2 spots (@ 20') then Driveway 3 spots (1 @ 20', 2 @ 22')	12th - 11th	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0
	2 spots (@ 20') then two Driveways 5 spots (@ 23')	8 SPOTS (2 @ 20', 6 @ 21')	11th - 10th	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0
	3 SPOTS 2 spots (@ 20') then two Driveways 1 spot (@ 22')	6 SPOTS 2 spot (@20') then Driveway 4 spots (@ 20')	10th - 9th	1	0	1	0	1	0	1	1	0	0	1	0	1	0	1	1	0	2	0	0
	5 SPOTS 2 spots (@ 27') then Driveway 3 spot (1 @ 20', 2 @ 28') 2 SPOTS	4 SPOTS 3 spots (1 @ 20', 2 @ 21') then two Driveways 1 spot (@ 26') 7 SPOTS	9th - 8th	0	0	0	0	0	0	0	0	0	1	1	0	1	0	1	0	1	0	0	0
	Parking prohibited before the first Driveway 2 spots (@ 20') 4 SPOTS	4 spots (2 @ 20', 2 @ 22') then Driveway 3 spots (1 @ 20', 2 @ 24') 3 SPOTS	8th - 7th	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0
	3 spots (1 @ 20', 2 @ 25') then Driveway 1 spot (@ 20') then Driveway	Driveway 1 spot (@ 20') then Driveway 2 spots (1 @ 20', 1 @ 24')	7th - 6th	2	0	2	0	2	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0
6th is a "T" intersection, parking appears to be allowed for one spot directly across from 6th	8 SPOTS Driveway 8 spots (@ 22')	6 SPOTS 1 spot (@ 37') then driveway 5 spots (@ 21')	6th - 5th	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	5 SPOTS (1 @ 20', 4 @ 26') then Driveway 2 SPOTS(@ 27')	7 SPOTS 2 spots (@ 27') then Driveway 5 spots (@ 20')	5th - 4th	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	then Parking prohibited	Parking prohibited	4th - 3rd	2	0	2	0	2	0	1	0	2	0	2	0	2	0	0	0	0	0	0	0
3rd is a "T" intersection, parking prohibited directly across from 3rd	4 SPOTS (@ 20')	Parking prohibited	3rd - 2nd	3	0	1	0	3	0	3	0	2	0	2	0	2	0	1	0	0	0	0	0
	Parking prohibited 34 SPOTS	Parking prohibited	2nd - 1st	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1st is a "T" intersection with a driveway directly across so parallel parking is not feasible through the intersection	15 spots (@20') then Driveway	37 SPOTS 31 spots (1 @ 20', 30 @ 21') <i>then Driveway</i> 6 spots (@ 24')	1st - SE Handley St	7	7	5	4	5	3	7	3	5	5	5	5	5	8	6	5	6	7	9	8
SE Handley is a "T" intersection and parking appears to be allowed through the intersection	4 snots (1 @ 21' 3 @ 25')	26 SPOTS (1 @ 20', 25 @ 21') then Bike Lane begins	SE Handley St - Access Leg	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
			Sub-Totals Totals	15 2	7 22	12 1	4 16	13	3 16	12	5	10 1	8 8	14 1	5 9	11 1	8 9	9	6 15	7	9	9 1	.7

 Parking Lots
 10am-11am
 11am-12pm
 12pm-1pm
 1pm-2pm
 2pm-3pm
 3pm-4pm
 4pm-5pm
 5pm-6pm

 4th Street
 10
 10
 11
 7
 3

 2nd Street
 9
 8
 11
 8
 2
 16 spaces total 20 spaces total

Baker Street Block - between 4th and 3rd (northbound, left side is eastwide, right s 3-4 2-4 2-2

Note: Farmers Market on Oct. 1

Amended on 12.15.2021 553 of 1001 107 of 227

Key
Left = East Side of SE Adams St (a on route map)
Right = West Side of SE Adams St (b on route map)

FRIDAY, OCTOBER 2nd, 2020

Time Slot

				Time Slot		1						1				T							
	# of Stalls Avail	able (Both sides)	Block	10am	- 11am	11am	- 12pm	12pm	- 1pm	1pm	- 2pm	2pm	- 3pm	3pm	- 4pm	4pm	- 5pm	5pm	- 6pm	6pm	- 7pm	7pm -	8pm
	Left (EE)	Right (W)		Left	Right	Left	Right	Left	Right	Left	Right	Left	Right	Left	Right	Left	Right	Left	Right	Left	Right	Left	Right
	Parking prohibited	Parking prohibited	15th - 14th	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14th is a "T" intersection, parking prohibited directly across from 14th 13th is a "T" intersection,	5 SPOTS (@ 20')	4 SPOTS (2 @ 20', 2 @ 22')	14th - 13th	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
parking appears to be allowed for one spot directly across from 13th	Parking prohibited	6 SPOTS (2 @ 20', 4 @ 24')	13th - 12th	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	4 SPOTS 2 spots (@ 20') then two Driveways 2 spots (1 @ 20', 1 @ 24')	5 SPOTS 2 spots (@ 20') then Driveway 3 spots (1 @ 20', 2 @ 22')	12th - 11th	0	0	0	0	0	0	1	0	0	0	0	0	0	1	0	2	0	1	0	1
	7 SPOTS 2 spots (@ 20') then two Driveways 5 spots (@ 23')	8 SPOTS (2 @ 20', 6 @ 21')	11th - 10th	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0
	3 SPOTS 2 spots (@ 20') then two Driveways 1 spot (@ 22')	6 SPOTS 2 spot (@20') then Driveway 4 spots (@ 20')	10th - 9th	1	1	1	1	1	0	0	3	2	1	2	0	2	2	1	1	0	2	0	0
	5 SPOTS 2 spots (@ 27') then Driveway 3 spot (1 @ 20', 2 @ 28') 2 SPOTS	4 SPOTS 3 spots (1 @ 20', 2 @ 21') then two Driveways 1 spot (@ 26') 7 SPOTS	9th - 8th	0	0	0	1	0	0	0	0	0	1	1	1	2	1	1	0	1	0	1	0
	Parking prohibited before the first Driveway 2 spots (@ 20') 4 SPOTS	4 spots (2 @ 20', 2 @ 22') then Driveway 3 spots (1 @ 20', 2 @ 24') 3 SPOTS	8th - 7th	0	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0
	3 spots (1 @ 20', 2 @ 25') then Driveway 1 spot (@ 20') then Driveway	Driveway 1 spot (@ 20') then Driveway 2 spots (1 @ 20', 1 @ 24')	7th - 6th	1	0	1	0	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
6th is a "T" intersection, parking appears to be allowed for one spot directly across from 6th	8 SPOTS Driveway 8 spots (@ 22')	6 SPOTS 1 spot (@ 37') then driveway 5 spots (@ 21') 7 SPOTS	6th - 5th	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	5 SPOTS (1 @ 20', 4 @ 26') then Driveway 2 SPOTS(@ 27')	2 spots (@ 27') then Driveway 5 spots (@ 20')	5th - 4th	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2rd is a "T" intersection	then Driveway then Parking prohibited	Parking prohibited	4th - 3rd	2	0	2	0	2	0	2	0	1	0	2	0	1	0	0	0	0	0	0	0
3rd is a "T" intersection, parking prohibited directly across from 3rd	4 SPOTS (@ 20')	Parking prohibited	3rd - 2nd	1	0	1	0	2	0	2	0	1	0	1	0	0	0	0	0	0	0	0	0
	Parking prohibited 34 SPOTS	Parking prohibited	2nd - 1st	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1st is a "T" intersection with a driveway directly across so parallel parking is not feasible through the intersection	then Driveway	37 SPOTS 31 spots (1 @ 20', 30 @ 21') <i>then Driveway</i> 6 spots (@ 24')	1st - SE Handley St	5	3	5	3	5	3	5	3	5	5	6	4	7	3	6	3	7	6	6	7
SE Handley is a "T" intersectior and parking appears to be allowed through the intersection	16 SPOTS	26 SPOTS (1 @ 20', 25 @ 21') then Bike Lane begins	SE Handley St - Access Leg	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0
			Sub-Totals Totals	10	5 15	10	5 15	11	3	10	6 16	9	8 17	12	6	13	7 20	8	7 15	8	9	7	8 .5

 Parking Lots
 10am-11am
 11am-12pm
 12pm-1pm
 1pm-2pm
 2pm-3pm
 3pm-4pm
 4pm-5pm
 5pm-6pm
 6pm-7pm

 4th Street
 11
 9
 10
 13
 11
 8
 3
 1

 2nd Street
 11
 5
 10
 10
 8
 9
 8
 1

Amended on 12.15.2021 554 of 1001 108 of 227

Appendix C Historical Parking Data Comparison

HISTORICAL PARKING DATA COMPARISON

Although the study extents varied between this study and the Downtown Strategic Parking Plan, both studies collected data along the east side of Adams Street between 1st Street and 5th Street. Table 2 shows a visual comparison of peak parking volumes collected during these time periods. The parking occupancy is observed to be similar between the two periods, and to be consistent with conditions recorded in Google Street View, therefore it is expected that the data is reflective of typical parking conditions along the corridor.

Table 2: Parking Data Comparison





TECHNICAL MEMORANDUM (TM) #5

March 12, 2021 Project #: 23021.020 Date:

Project Management Team To: **Project Advisory Committee**

Nick Gross, Amy Griffiths, Marc Butorac, PE, PTOE, PMP From:

Project: McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation

Concept Plan

TM #5: Alternatives Development and Preferred Alternative Concept Subject:

PURPOSE

Today, the couplet section of OR 99W (Adams and Baker Street) has traffic volumes ranging between 11,700 and 13,000 vehicles average annual daily traffic (AADT), no dedicated bicycle lanes, no enhanced pedestrian crossings, and is identified in ODOT's statewide systemic safety analysis as high pedestrian and bicycle risk factor locations. As a result, the OR 99W corridor needs context sensitive solution(s) to support a lower-stress, safer connection within the city's multi-modal transportation system.

This memorandum describes, evaluates, and recommends a preferred alternative design concept for the OR 99W corridor in the City of McMinnville to create a safer, more comfortable, and more attractive place to walk, bike, roll, and take transit. The project team developed three corridor and six enhanced crossing design concepts to address the OR 99W multi-modal needs identified in the Existing Conditions and Future Needs Analysis Memorandum (Reference 1) and based on input from the Project Management Team (PMT) and Project Advisory Committee (PAC).

Additional public input will be solicited as part of the virtual public meeting with the preferred concept refinement to occur as part of the final version of TM #5.

OR 99W CONCEPT DEVELOPMENT

The follow section describes and illustrates the existing condition and proposed concept designs to address the needs and deficiencies along OR 99W. Typical sections along with concept design roll plots were produced to convey the proposed concepts. Upon selection of a preferred alternative, further design detail will identify potential constraints, challenges, and considerations.

The concept designs were developed based on field observations and initial assessments by the consultant team, national and state guidance for bicycle facility selection, and input from the PMT and PAC. Appendix "A" includes a summary of the project team field visit and observations. Appendix "B" includes a summary of PAC input.

Kittelson & Associates, Inc. 111 of 227 Amended on 12.15.2021

Concept 1: Two-Way Separated Bike Lane on Adams Street

Existing Condition

The existing curb-to-curb section for the majority of Adams Street consists of two 12-foot southbound travel lanes, and two 8-foot parking lanes. Figure 1 illustrates the typical existing curb-to-curb cross-section for Adams Street. Curb extensions constrain the existing curb-to-curb cross-section at some intersections along the corridor, as described in Table 1.

Proposed Concept

Concept 1 proposes a two-way separated bike lane or "cycle track" along the west side of Adams Street between 15th Street and 2nd Street. The two-way separated bike lane connects to OR 99W with buffered bike lanes at 15th Street and 2nd Street, as illustrated in Figure 3. Parking along the west side of Adams Street would be removed to accommodate the two-way bicycle facility due to the constrained curb-to-curb width. The two-way separated bike lane requires travel lane width reduction from 12 to 11 feet. Parking along the east side of Adams Street will be maintained. Figure 2 illustrates the proposed concept cross-section and Figure 3 illustrates the proposed conceptual layout.

The two-way separated bike lane facility is difficult to implement within the existing 40-foot curb-to-curb cross section. The recommended minimum width for parking and vehicle travel lanes is 7 feet and 11 feet, respectively. The remaining cross section width to accommodate the two-way separated bike lane is 11 feet¹. Based on national and state guidance for bicycle facility design 13 feet is the preferred minimum width for a two-way separated bike lane:

- The preferred minimum width for a two-way bicycle facility is 10 feet so that people biking in opposite directions can pass each other comfortably.
- A minimum of 3 feet is recommended to provide vertical separation from people driving by installing flex-post delineators.

As illustrated in Figure 2, the two-way separated bike lane is constrained due to the need to accommodate a parking lane and two travel lanes within the existing curb-to-curb cross section.

Appendix "C" includes additional information about design treatments.

_

¹ Less space is available at pinch points along the corridor.

Figure 1: Adams Street - Existing

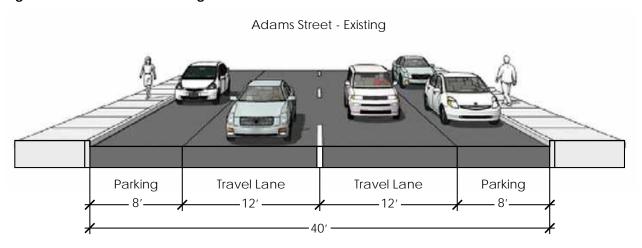
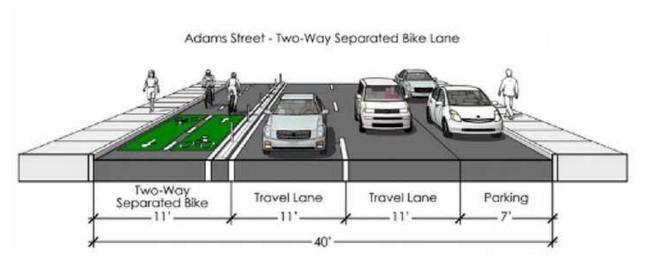


Figure 2: Adams Street – Two-Way Separated Bike Lane



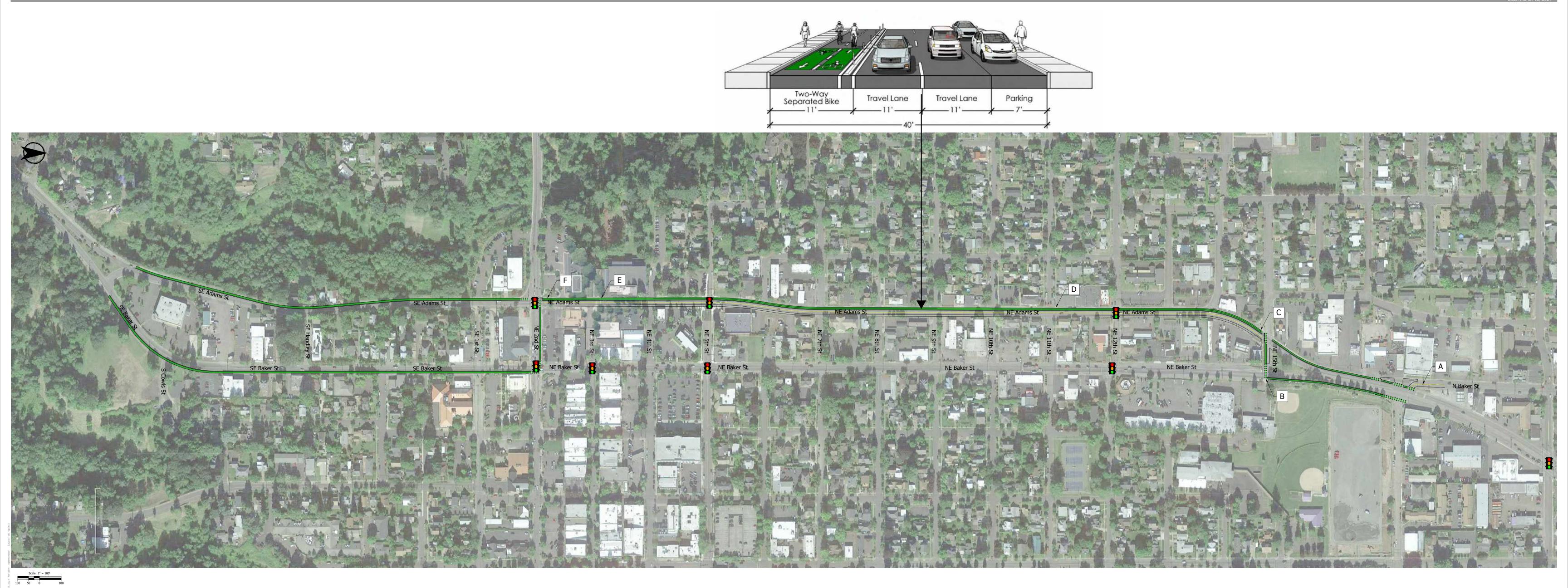




Table 1 summarizes key considerations in implementing the concept as identified in Figure 3.

Table 1: Concept 1 Considerations

Label	Notes	Significance
А	 The existing intersection of OR 99W/N Baker Street is highly skewed and wide. 	 Realigning the intersection could help reduce exposure to people biking and improve safety conditions at the intersection for all users.
В	 No sight distance concerns were observed at the intersection of Baker Street/ 15th Street. There is a pole at the southwest corner of the intersection that blocks ADA clearance. 	 No modification to improve sight distance are anticipated at this location, which is supportive of using this street as a crossing opportunity between the two-way separated bike lane and the buffered bike lanes proposed in this concept. If modifications are made to the existing curbs at this intersection, the concept would need to
		relocate this utility pole to ensure ADA compliance at the intersection.
С	 Drivers turning right from 15th Street onto Adams Street may not expect to look right for people biking contraflow. 	 Signage and driver education would be necessary to improve driver awareness of people biking contraflow.
D	 Curb extensions at the Adams Street/ 11th Street intersection constrain existing curb-to- curb width of the roadway to 34'-8". 	• It may be necessary to remove the curb extension or reduce the width of the two-way separated bike lane and buffer at this location.
E	 Curb extensions at the northeast corner of the Adams Street/ 3rd Street intersection constrain existing curb-to-curb width of the roadway. 	 This pinch point is not expected to impact the proposed width of the two-way separated bike lane or travel lanes: parking is not accommodated at this location and the curb extension is located along the opposite side of the street of the two-way separated bike lane
F	 Adams Street/NE 2nd Street is a signalized intersection. There is a yield controlled eastbound slip lane from 2nd Street onto Adams Street. 	 The signalized intersection provides a protected opportunity for crossing between the two-way separated bike lane and buffered bike lanes proposed in this concept. Specific attention should be paid to the bicycle and vehicle interaction at the eastbound slip lane.
		 A bike box, bike signal, and other enhancements may be needed at this location.

Based on project team field visit and observations, 15th Street and 2nd Street were identified as the most feasible locations to transition people biking to and from the two-way separated bike lane facility along Adams Street. Signal modifications would likely be needed at the intersections of 2nd Street/Adams Street and 2nd Street/Baker Street. Further evaluation and analysis will be conducted to determine appropriate signage, striping, and connectivity to the two-way separated bike lane facility if it is selected as the preferred alternative to be advanced into concept design.

Concept 2: Buffered Bike Lanes on Adams Street and Baker Street

Existing Conditions

The existing curb-to-curb section for the majority of Adams Street consists of two 12-foot southbound travel lanes, and two 8-foot parking lanes. Curb extensions constrain the existing curb-to-curb crosssection at some intersections along the corridor, as described in Table 2.

Baker Street is wider than Adams Street: the existing curb-to-curb cross-section for the majority of Baker Street consists of two 14-foot northbound travel lanes, and two 8-foot parking lanes. The typical existing curb-to-curb cross-section of Adams Street is described previously.

Figure 4 illustrates the existing curb-to-curb cross-sections of Adams Street and Baker Street.

Proposed Concept

Concept 2 proposes buffered bike lanes along both Adams Street and Baker Street through the full extents of the OR 99W couplet. Parking along the west side of Adams Street will be removed to accommodate the buffered bike lane; parking along the east side of Adams will be maintained. Adams Street travel lane widths will be maintained. Travel lanes along Baker Street will be reduced to from 12 to 11 feet. Parking along both sides of Baker Street will be maintained.

Figure 5 illustrates the proposed concept cross-sections for Adams Street and Baker Street. Figure 6 illustrates the proposed conceptual layout.

Kittelson & Associates, Inc.

Portland, Oregon Amended on 12.15.2021 562 of 1001

Figure 4: Adams and Baker Street – Existing Cross-Sections

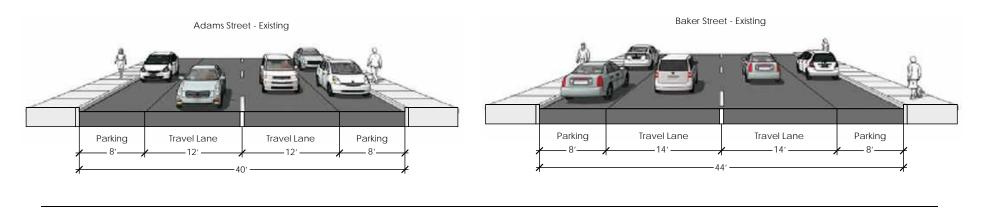
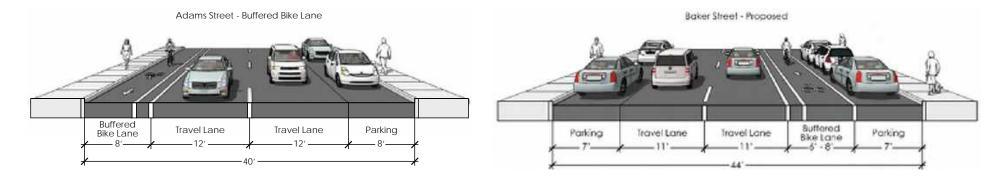


Figure 5: Adams Street and Baker Street – Buffered Bike Lanes



KITTELSON & ASSOCIATES PHONE: (503) 228-5230 CONTACT: Marc Butorac

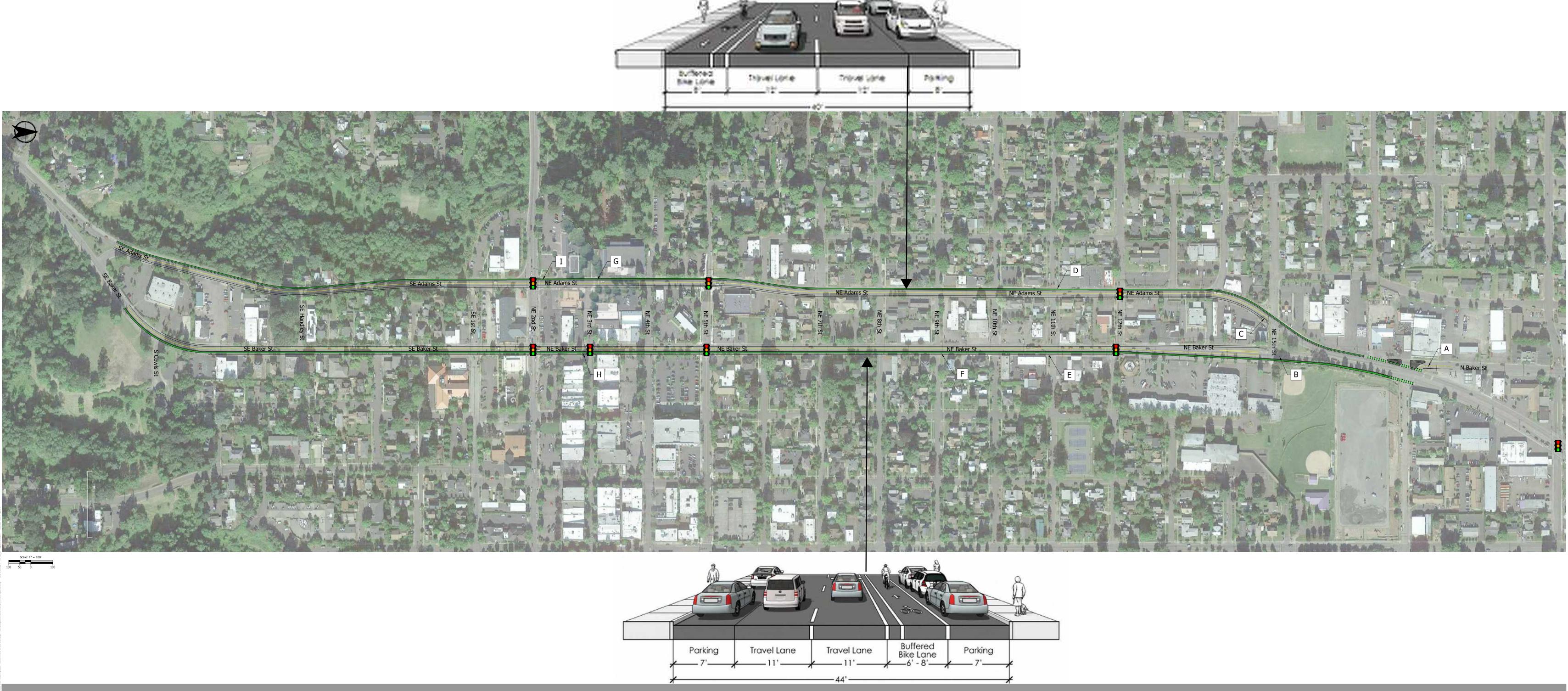


Table 2 summarizes key considerations in implementing the concept as identified in Figure 6.

Table 2: Concept 2 Considerations

Figure Label	Notes	Significance
А	 The existing intersection of OR 99W/N Baker Street is highly skewed and wide. 	 Realigning the intersection could help reduce exposure to people biking and improve safety conditions at the intersection for all users.
В	 No sight distance concerns were observed at the intersection of Baker Street/ 15th Street. There is a pole at the southwest corner of the intersection that blocks ADA clearance. 	 No modification to improve sight distance are anticipated at this location, which is supportive of using this street as a crossing opportunity between the two-way separated bike lane and the buffered bike lanes proposed in this concept. If modifications are made to the existing curbs at this intersection, the concept would likely need to relocate this utility pole to ensure ADA compliance at the intersection.
С	 The center median and curb extension constrains existing curb-to-curb width of the roadway to 37'-8'. 	 Parking is not accommodated at this location and the curb extension is on the opposite side of the roadway as the proposed bike lane. Therefore, this pinch point is not expected to impact the proposed width of the buffered bike lane or travel lanes.
D	 Curb extensions at the Adams Street/ 11th Street intersection constrain existing curb-to-curb width of the roadway to 34'-8". 	 The constrained width by curb extensions on both sides of the street may require a reduction in the width of the proposed buffered bike lane and/or vehicle travel lanes at this location.
E	 Curb extension at the southwest corner of the Baker Street/ 11th Street intersection constrain existing curb-to- curb width of the roadway to 39'-6". 	 Since parking is not accommodated at this curb extension, this pinch point is not expected to impact the proposed width of the buffered bike lane or travel lanes.
F	 Curb extension at the northeast corner of the Baker Street/9th Street intersection constrain existing curb-to- curb width to 40'-5". 	 Since parking is not accommodated at this curb extension, this pinch point is not expected to impact the proposed width of the buffered bike lane or travel lanes.
G	 Curb extension at the northeast corner of the Adams Street/ 3rd Street intersection constrain existing curb-to- curb width of the roadway. 	 Since parking is not accommodated at this location, and the curb extension is located along the opposite side of the street as the buffered bike lane, this pinch point is not expected to impact the proposed width of the buffered bike lane or travel lanes.
н	 Baker Street/3rd Street is a signalized intersection. 	 A dedicated northbound right turn lane on Baker at 3rd will require that parking be removed on both sides of Baker leading up to the intersection. Parking may also need to be removed north of the intersection for a short distance.
I	 Adams Street/NE 2nd Street is a signalized intersection. There is a yield controlled eastbound slip lane from 2nd Street onto Adams Street. 	 Specific attention should be paid to the bicycle and vehicle interaction at this location.

Based on project team field visit and observations, existing curb extensions constrain the available crosssection at "pinch points" along the couplet. Existing curb restrictions prohibit parking at the curb extensions or immediately adjacent to them; therefore, parking is not included in the roadway crosssection at these points. However, shifting the bike lane and vehicle lanes at the intersection may pose a

Kittelson & Associates, Inc. Portland, Oregon 119 of 227

Project #: 23021.020 Page 10

potential safety concern. As such, the bike facilities are not shifted in this concept. Along Baker Street, there is no parking at the curb extension, and the existing curb-to-curb width can accommodate the travel lanes and buffered bike lane without shifting the buffered bike lane. Along Adams Street, the bike lane may have a reduced width or no buffer at these pinch points.

Concept 3: Neighborhood Greenway on Davis Street or Evans Street

Existing Condition

Two potential parallel neighborhood greenway routes have been identified as low-stress alternatives, or supplemental routes to walking and biking along OR 99W: Davis Street and Evans Street. The existing curb-to-curb cross-section and street configuration elements (e.g., presence of parking) vary along the potential neighborhood greenway routes. Figure 7 illustrates the typical curb-to-curb cross-sections of the neighborhood street alignments.

Proposed

Concept 3 proposes a neighborhood greenway concept between the intersection of Linfield Avenue/OR 99W and the intersection of McDonald Lane/OR 99W. Based on feedback received from the PAC meeting as well as field visit observations, two primary neighborhood routes were identified as potential neighborhood greenway alignments: Evans Street and Davis Street. Both neighborhood greenways utilize Linfield Avenue from OR 99W to connect to 2nd Avenue via Davis Street. To the north, both neighborhood greenways utilize 17th Street to connect to OR 99W via 18th Street and McDonald Lane. Figure 8 illustrates the proposed concept cross-section and Figure 9 illustrates the proposed conceptual layout. This concept maintains the existing parking and travel lane widths of the greenway route.

If Concept 3 is selected as a preferred concept, either the Davis Street or Evans Street alignment would be constructed.

Appendix "C" includes additional information about design treatments for neighborhood greenways.

Portland, Oregon
Amended on 12.15.2021
566 of 1001

Figure 7: Neighborhood Street – Existing

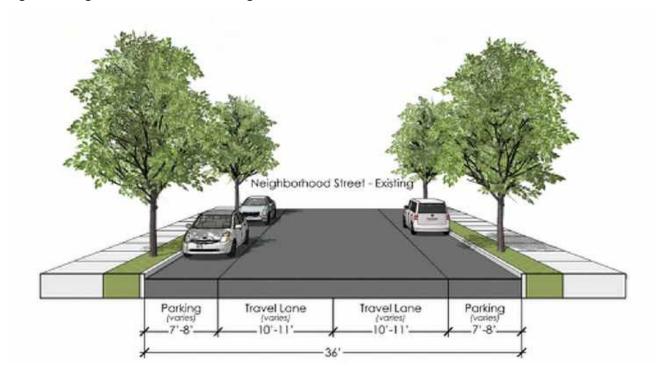
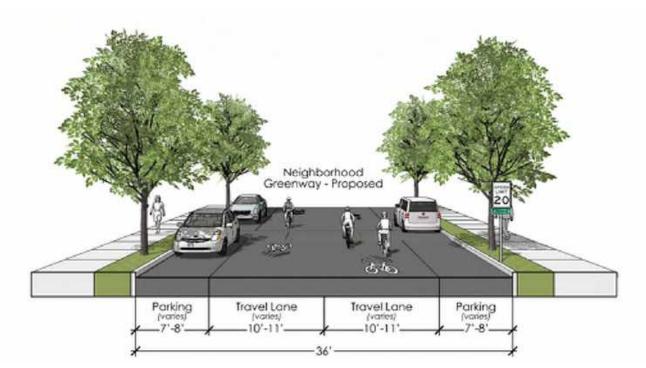


Figure 8: Neighborhood Street – Neighborhood Greenway





122 of 227

Table 3 and Table 4 summarize key considerations identified in Figure 9 for the Davis Street and Evans Street Neighborhood Greenway concepts, respectively.

Table 3: Concept 3A Considerations (Davis Street)

Figure Label	Notes	Significance
А	 At the intersection of 17th Street/Evans Street people biking will transition from existing bike lanes on Evans Street to sharrows on 17th Street. 	 Wayfinding signage will be used to support this transition.
В	 Today there is a stop control at these 	 To facilitate through-movements for people walking and biking, it is recommended that these stop-controls be shifted to the cross-streets. Traffic-calming measures
С	intersections on Davis Street with cross traffic moving freely.	(e.g., speed bumps, chicanes, etc.) should be implemented to maintain lower traffic volumes along Davis Street.
D	 Today there is a stop control on Davis Street at this intersection with cross traffic moving freely along 8th Street. Parallel to this point on Davis Street, bike lanes begin along Evans Street and run between 17th Street and 8th Street. 	 To facilitate through-movements for people walking and biking, it is recommended that the stop signs be shifted from Davis Street to 8th Street. Traffic-calming measures (e.g., speed bumps, chicanes, etc.) should be implemented to maintain lower traffic volumes along Davis Street. Maintaining the bike lanes along Evans Street would require signage distinguishing the low-stress neighborhood greenway facility from the bike lanes along a busier street. Based on PMT, PAC, and public comment, it will be determined whether the bike lanes along Evans Street should be maintained or removed.
E	 Today there is a stop control at 5th Street/Davis Street with cross traffic along 5th Street moving freely. 	 To facilitate through-movements for people walking and biking, it is recommended that the stop control be shifted to 5th Street. Traffic-calming measures should be implemented to maintain lower traffic volumes along Davis Street. 5th Street/Evans Street is signalized at this location.
F	 Today there is a stop control at 4th Street/Davis Street with cross traffic moving freely along 4th Street. 	 To facilitate through-movements for people walking and biking, it is recommended that the stop control be shifted to 4th Street. Traffic-calming measures should be implemented to maintain lower traffic volumes along Davis Street.
G	• The intersection of 3 rd Street/Davis Street is signalized.	 This intersection provides a lower-stress crossing than the intersection of 3rd Street/Evans Street, which is two- way stop-controlled.
Н	There is a hill for riders on Davis (uphill for northbound riders)	 This hill is located along both neighborhood greenway alignments. It is not anticipated to serve as a deterrent to usage.

Table 4: Concept 3B Considerations (Evans Street)

Figure Label	Notes	Significance
А	 At the intersection of 17th Street/Evans Street bikes will need to be transitioned from existing bike lanes on Evans Street to sharrows on 17th Street. 	 Wayfinding signage will be used to support this transition.
E	• The intersection of 5 th Street/Evans Street is signalized.	 This intersection may provide a lower-stress crossing than the intersection of 5th Street/Davis Street, which is two-way stop controlled.
G	• The intersection of 3 rd Street/Evans Street is not signalized, but rather two-way stop-controlled.	 This intersection provides a higher-stress crossing than the intersection of 3rd Street/Davis Street, which is signalized.
Н	There is a hill for riders on Davis (uphill for northbound riders).	 This hill is located along both neighborhood greenway alignments. It is not anticipated to be a deterrent to usage.

Based on project team field visit and observations, Davis Street resembles more of a neighborhood route with calmer traffic conditions, lower traffic volumes, a narrower cross section, and no center line striping. Furthermore, Davis Street crosses 3rd Street at a signalized intersection whereas Evans Street crosses 3rd Street at a two-way stop-controlled intersection. Both neighborhood greenway alignments have stop controls at many intersections, which may need to be adjusted to prioritize through movement for people walking and biking.

Concept Cost Estimates

Planning-level cost estimates for each concept are provided in Table 5. The estimates include costs for mobilization, signage, striping, and a 30% contingency to cover costs for administrative or engineering services related to the potential projects. The concepts maintain existing curb-to-curb cross-sections; therefore, no right-of-way costs are anticipated.

Table 5: Planning-level Cost Estimates

Concept	Planning-Level Cost Estimate	Notes
Concept 1: Two-Way Separated Bike Lane on Adams Street	\$857,000	 Assumes project is completed with a paving project and estimate excludes costs associated with said paving project. Includes potential signal modifications to transition from the buffered bike lanes to the two-way separated bike lane at 2nd
		 Excludes specific intersection treatments. These will be added once a preferred alternative is selected.
Concept 2: OR 99W Buffered Bike Lanes	\$400,000	 Assumes project is completed with a paving project and estimate excludes costs associated with said paving project. Excludes specific intersection treatments.
		These will be added once a preferred alternative is selected.
Concept 3A: Neighborhood Greenway on Davis Street	\$140,000	 Includes the cost of switching the stop sign to the other street.
		Excludes traffic calming structures. Evaluates traffic calming structures.
Concept 3B: Neighborhood Greenway on Evans Street	\$89,000	 Excludes traffic calming structures. Costs associated with traffic calming are anticipated to be higher for the Evans Street Greenway than the Davis Street Greenway.

As summarized in Table 5, the two-way separated bike lane is the most expensive concept, followed by the buffered bike lanes, and the neighborhood greenway concepts. Additionally, maintenance costs are anticipated to be substantially higher for Concept 1 than for the other concepts because of the flex-post delineators and special maintenance equipment needed to sweep the two-way separated bike lane.

The cost estimate for the preferred concept will be refined in the draft Concept Plan.

Appendix "D" contains the full planning level cost-estimates for each concept.

OR 99W CONCEPT EVALUATION

Evaluation criteria and performance measures identified in the Evaluation Criteria and Performance Measures Memorandum were used to assess the trade-offs of each concept and determine which concept most closely aligns with the project goals based on the corridor context and needs of intended users. The evaluation criteria below support the Corridor Vision Statement and the City of McMinnville Transportation System Plan (TSP) policies:

- 1. *Complete Streets*: The alternative provides comfortable facilities for people walking and biking, regardless of age and ability.
- 2. *Multi-Modal Transportation System*: The alternative provides integrated network of facilities and services for a variety of motorized and non-motorized travel modes based on the appropriate relative priority given the corridor context.
- 3. *Connectivity*: The alternative provides comprehensive connectivity and circulation to existing active transportation facilities in the City of McMinnville. The alternative encourages walking and biking to essential destinations within the City of McMinnville.
- 4. *Safety*: The alternative provides safety countermeasures that reduce the number of fatal and severe injury crashes.
- 5. Equity: The project meets the requirements set forth in the Americans with Disabilities Act (ADA) and provides transportation options to transportation disadvantaged populations.
- 6. *Livability*: The alternative minimizes impacts to adjacent property owners and encourages the use of public transit, bikeways, sidewalks, and walkways. The project provides equity and receives public support.
- 7. Design Feasibility: The alternative has no major design feasibility concerns.

The scoring scale for each criterion ranges from -1 to +2, reflecting the extent to which a project achieves the evaluation criteria per the associated performance measures. An evaluation of the concept designs according to this scale is provided below. *Appendix "F" contains the Evaluation Criteria and Performance Measures Memorandum.*

Complete Streets

The *Complete Streets* criterion considers the level of comfort each concept provides for people walking and biking, regardless of age and ability. This is measured with respect to bicycle and pedestrian level of traffic stress (LTS)².

Today, the BLTS scores ranges between BLTS 3 and BLTS 4 within the project study area. Each concept is expected to improve the experience for people biking according to LTS analysis. Table 6 summarizes the complete streets score based on implementation of the various concepts.

Table 6: Complete Streets Evaluation

Concept	Complete Streets Score	Existing LTS	Concept LTS
Concept 1: Two-Way Separated Bike Lane on Adams Street	+1.5	BLTS 3 (north and south of couplet)BLTS 4 (within couplet)	BLTS 1 with segments of BLTS 2
Concept 2: Buffered Bike Lanes on Adams Street and Baker Street	+1	BLTS 3 (north and south of couplet)BLTS 4 (within couplet)	BLTS 2
Concept 3A: Davis Street Greenway	+2	BLTS 1 with segments of BLTS 2	• BLTS 1 with segments of BLTS 2
Concept 3B: Neighborhood Greenway on Evans Street	+2	BLTS 1 with segments of BLTS 2	BLTS 1 with segments of BLTS 2

Concept 1: Two-Way Separated Bike Lane on Adams Street

Concept 1 achieves a score of BLTS 1 along segments of Adams Street where the separated bike lane is proposed and a score of BLTS 2 where buffered bike lanes are proposed (north and south of the proposed separated bike lane). Compared to existing conditions, this improves the LTS score between 1 and 3 points.

Concept 2: Buffered Bike Lanes on Adams Street and Baker Street

Concept 2 achieves a score of BLTS 2 throughout the project extents. Compared to existing conditions, this improves the LTS score between 1 and 2 points.

Concept 3: Neighborhood Greenway on Davis Street or Evans Street

Concept 3A and 3B achieves a score of BLTS 1 with some short segments of BLTS 2 along the parallel route. Compared to existing conditions, there is little-to-no change in LTS score; however, Concept 3A or

²The concepts developed for OR 99W are confined to the curb-to-curb width of the roadway. As a result, the pedestrian level of traffic stress (PLTS) was minimally impacted.

3B direct people walking and biking to the lowest stress, most comfortable experience for people biking compared to the concepts developed.

Multi-Modal Transportation System

The *Multi-Modal Transportation System* criterion evaluates if the concept alternative meets the needs of the modal priority set by the identified urban context in the ODOT Blueprint for Urban Design (BUD)³. According to the BUD, walking, biking, transit are the high priority modes for the study area, but these modes must still be balanced with the needs of vehicle and freight traffic. Table 7 summarizes the recommended design guidance for priority modes based on the BUD context.

Table 7: Recommended Modal Facility Selection for ODOT Highways in Urban Areas Based on Urban Contexts

OR 99W Segment	Recommended Context	Bicyclist Facility Recommendation	Pedestrian Facility Recommendation
NE McDonald Road to NW 15th Street	Urban Mix	Wide, comfortable, buffered facilities	Wide, comfortable, buffered facilities
NW 15th Street to SE 1st Street	Traditional Downtown/CBD	Wide, comfortable facilities	Wide, comfortable, buffered facilities
SE 1st Street to SW Linfield Avenue	Urban Mix	Wide, comfortable, buffered facilities	Wide, comfortable, buffered facilities

Concept 1: Two-Way Separated Bike Lane on Adams Street

Concept 1 provides wide, comfortable, and buffered facilities along segments of Adams Street where the separated bike lane is proposed. The separated bike lane increases the buffer distance between people walking and the travel lane. Concept 1 also provides buffered facilities along the buffered bike lanes segments (north and south of the proposed separated bike lane); however, the width and level of comfort of these facilities is less than the separated bike lane.

Concept 1 may impact freight mobility in the corridor. Although the BUD does not designate freight as a priority mode, OR 99W is a designated Reduction Review Route for freight; this Concept Plan should not limit the ability of freight to travel along OR 99W. The physical separation and lane reductions may not fully support the multi-modal transportation needs of OR 99W.

-

³ The ODOT BUD provides enhanced design guidance; for more information visit: https://www.oregon.gov/odot/Engineering/Pages/Manuals.aspx

Concept 2: Buffered Bike Lanes on Adams Street and Baker Street

Concept 2 provides buffered facilities throughout the project extents; however, the width and level of comfort of these facilities is less than the separated bike lane.

Concept 3: Neighborhood Greenway on Davis Street or Evans Street

The modal considerations identified as part of the ODOT BUD are specific to the OR 99W corridor. Providing wide, comfortable, and buffered facilities on the parallel neighborhood greenway are not necessary to achieve a comfortable user experience due to the lower volume, lower vehicle speeds, and residential context of the roadway. Neighborhood greenway facilities prioritize the needs of people walking and biking, which are the priority users based on urban context.

Table 8 summarizes the results of the multi-modal transportation system evaluation scores.

Table 8: Multi-Modal Transportation System Evaluation

Concept	Multi-Modal Transportation System Score
Concept 1: Two-Way Separated Bike Lane on Adams Street	+1
Concept 2: Buffered Bike Lanes on Adams Street and Baker Street	+1
Concept 3A: Neighborhood Greenway on Davis Street	+1
Concept 3B: Neighborhood Greenway on Evans Street	+1

Connectivity

The *Connectivity* criterion evaluates how well the concept supports the development of the McMinnville active transportation network by assessing whether the concept is identified in existing planning documents, removes gaps or barriers in the existing walking and biking network, and is located near active transportation generators and essential destinations. Transit stops are included in this list of destinations, with Yamhill County Transit operating four routes with weekday hourly service in McMinnville⁴:

- Route 1: McMinnville South Loop;
- Route 2: McMinnville East Loop;
- Route 3: McMinnville North Loop; and,
- Route 4: McMinnville West Loop.

⁴For additional information about transit routes in McMinnville, see https://ycbus.org/.

Table 9: Connectivity Evaluation

Concept	Number of Essential Destinations	Portion of Walk-to- School Routes Overlap	Connectivity Score
Concept 1: Two-Way Separated Bike Lane on Adams Street	Many (19)	Minor	+2
Concept 2: OR 99W Buffered Bike Lanes	Many (24)	Minor	+2
Concept 3A: Neighborhood Greenway on Davis Street	Some (11)	Moderate	+1.7
Concept 3B: Neighborhood Greenway on Evans Street	Many (20)	Substantial	+2

Concept 1: Two-Way Separated Bike Lane on Adams Street

Concept 1 minimizes barriers and fills gaps within the existing active transportation network by providing a two-way separated bike lane and buffered bike lanes along OR 99W. The need for improved multimodal accommodations within the OR 99W couplet was identified in the City's TSP. Most of the OR 99W corridor is not identified as a walk-to-school route; however, Adams Street and Baker Street south of 2nd Street are both identified as walk-to-school routes for Newby Elementary School and McMinnville High School, respectively. Nineteen (19) essential destinations were identified immediately adjacent to the alignment of Concept 1; the majority of which are transit stops and health related clinics.

Concept 2: Buffered Bike Lanes on Adams Street and Baker Street

Concept 2 minimizes barriers and fills gaps within the existing active transportation network by providing buffered bike lanes along OR 99W. The need for improved multi-modal accommodations within the OR 99W couplet was identified in the City's TSP. Most of the OR 99W corridor is not identified as a walk-toschool route; however, Adams Street and Baker Street south of 2nd Street are both identified as walk-toschool routes for Newby Elementary School and McMinnville High School, respectively. Twenty-four (24) essential destinations were identified immediate adjacent to the alignment of Concept 2; the majority of which are transit stops and health related clinics.

Concept 3: Neighborhood Greenway on Davis Street or Evans Street

While the neighborhood greenway concepts are not identified in the City's TSP, the need for improving the multi-modal accommodations along OR 99W is addressed by providing a parallel route. Walk-toschool routes for Sue Buel Elementary School, McMinnville High School, and Patton Middle School, and Memorial Elementary school are located along the neighborhood greenway route(s). Eleven essential destinations were identified immediate adjacent to the alignment of Concept 3A; the majority of which are transit stops and churches. Twenty essential destinations were identified immediate adjacent to the alignment of Concept 3B; the majority of which are transit stops and churches. Concepts 3A and 3B pass three school frontages.

Safety

The *Safety* criterion considers the concept impact to safety along the corridor through crash reduction factors, crash history, bicycle risk factor scoring, and pedestrian risk factor scoring. The proposed concepts include crash reduction factors (CRFs) for roadway segments. CRFs are used to estimate the potential reduction in crashes that could occur with the implementation of the proposed concepts. Table 10 summarizes the CRFs identified for each concept and respective crash reduction percentages with respect to cost.

Table 10: Crash Reduction Factors

Concept	Concept CRFs	Crash Reduction Factor (CRF)	Crash Reduction Value with Respect to Cost ²	
Concept 1: Two-Way	BP23: Install Cycle Tracks	59% Reduction in Bicycle Crashes at All Injury Severities		
Separated Bike Lane on Adams Street	BP24: Install Buffered Bike Lanes	47% Reduction in Bicycle Crashes at All Injury Severities	Moderate Value	
Concept 2: Buffered Bike Lanes on Adams Street and Baker Street	BP24: Install Buffered Bike Lanes	47% Reduction in Bicycle Crashes at All Injury Severities	Moderate Value	
Concept 3A: Neighborhood Greenway on Davis Street	BP27: Install Bicycle	63% Reduction in Pedestrian	Highest Value ³	
Concept 3B: Neighborhood Greenway on Evans Street	Boulevard	and Bicycle Crashes at All Severities	High Value	

¹CRF Source: ODOT ARTS Program Crash Reduction Factor Appendix

Table 11 summarizes the safety evaluation with respect to crash reduction factor, crash history, pedestrian risk factor scoring, and bicycle risk factor scoring.

Table 11: Safety Evaluation

Concept	Safety Score
Concept 1: Two-Way Separated Bike Lane on Adams Street	+1.9
Concept 2: Buffered Bike Lanes on Adams Street and Baker Street	+1.8
Concept 3A: Neighborhood Greenway on Davis Street	+2.0
Concept 3B: Neighborhood Greenway on Evans Street	+1.9

¹Crash reduction value with respect to cost is based on the estimated planning-level costs provided above; this considers the order-of-magnitude cost with respect to safety benefits.

²Although planning-level cost estimates shown are higher for Davis Street Greenway, traffic calming efforts are anticipated to make the Evans Street Greenway option more expensive.

Concept 1: Two-Way Separated Bike Lane on Adams Street

Concept 1 provides the second highest CRF for people biking at 59%. There were 22 reported crashes of people walking or biking along the alignment between January 1, 2014 and December 31, 2018⁵. Segments of the concept alignment score in the top 20% of risk factor locations for people walking and for people biking.

Concept 2: Buffered Bike Lanes on Adams Street and Baker Street

Concept 2 provides the lowest CRF for people biking at 47%. There were 30 reported crashes of people walking or biking along the alignment between January 1, 2014 and December 31, 2018. Segments of the concept alignment score in the top 20% of risk factor locations for people walking and for people biking.

Concept 3: Neighborhood Greenway on Davis Street or Evans Street

The neighborhood greenway concepts provide the highest CRF for people walking and biking at 63%. There were eight reported crashes of people walking or biking along the Davis Street Greenway alignment and seven reported crashes of people walking or biking along the Evans Street Greenway alignment between January 1, 2014 and December 31, 2018. Additionally, these concepts provide parallel facilities that reduce expected crashes involving people walking and biking along the couplet. Segments of the concept alignment score in the top 40% of risk factor locations for people biking. The route also provides an alternative to locations in the top 20% risk factor locations for people walking and for people biking.

The existing signal at 3rd Street/Davis Street and anticipated costs associated with traffic calming needs along Evans Street makes the Davis Street Greenway score slightly higher with respect to safety than the Evans Street Greenway option.

Appendix "C" includes additional information about ARTS countermeasures.

Equity

The *Equity* criterion considers how the concept supports access for transportation disadvantaged populations (TDP). A TDP index was calculated according to the Oregon Department of Transportation (ODOT) Active Transportation Needs Inventory Assessment⁶. The higher the index number the more

⁵ The five most recent years of pedestrian and bicyclist crash data (January 1, 2014 to December 31, 2018) were obtained from ODOT's Crash Analysis and Reporting Unit. This alignment extends from Linfield Avenue to McDonald Lane.

⁶The index converts household statistics from the American Community Survey to a per capita index. It is calculated at the census block group level as the sum of people 65 and older, 17 and younger, non-white or Hispanic, speak English "not well" or "not at all", low-income, with a disability, living in crowded households, or living in households without vehicle access. That sum is divided by total block population. People fitting into multiple vulnerability categories are counted multiple times.

historically disadvantaged the population is with respect to transportation. Each of the three concepts are along the same block groups, which have a TDP Index ranging from 1.6 to 1.9. None of the concepts are anticipated to directly impact ADA compliance.

As a result, historically disadvantaged populations with respect to transportation would be served equally when compared to the TDP index. However, the different concepts provide distinct advantages with respect to supporting access for transportation disadvantaged groups. Concept 1 and Concept 2 may provide more direct access for economically disadvantaged populations; Concept 2 and Concept 3 may provide more comfortable facilities for people using a mobility device, as described below.

Table 12 summarizes the results of the equity evaluation scores.

Table 12: Equity Evaluation

Concept	Equity Score
Concept 1: Two-Way Separated Bike Lane on Adams Street	+1
Concept 2: OR 99W Buffered Bike Lanes	+0.8
Concept 3A: Neighborhood Greenway on Davis Street	+1
Concept 3B: Neighborhood Greenway on Evans Street	+1

Concept 1: Two-Way Separated Bike Lane on Adams Street

Concept 1 directly improves transportation options and facilities for transportation disadvantaged populations of all ages and abilities. The concept provides physical separation from vehicle traffic, providing low-stress facilities for elderly, youth, and people using mobility devices along the corridor. This concept also provides direct access to facilities along the couplet, supporting access to jobs for individuals without access to motor vehicles.

Concept 2: Buffered Bike Lanes on Adams Street and Baker Street

Concept 2 also directly improves transportation options and facilities for some transportation disadvantaged populations by providing direct access to facilities along the couplet. This concept, however, does not provide the same level of comfort as the other concepts because there is no physical separation from the high traffic volumes along the couplet.

Concept 3: Neighborhood Greenway on Davis Street or Evans Street

The lower traffic volumes along the neighborhood greenway routes support elderly, youth, and people who use mobility devices. The concept directly improves transportation options and facilities for transportation disadvantaged populations of all ages and abilities, supporting comfortable access to destinations in the project area.

Livability

The *Livability* criterion considers impacts the concept has to residential and commercial access along the corridor and the public response. The public response is pending, as it will be determined in a virtual open house.

Table 13 provides the *Livability* score for each concept. All concepts considered are expected to directly improve access to residential and commercial areas and are not expected to require right-of-way acquisition. Information collected in the virtual open house will be used to distinguish between each concept's impact to livability in the study area.

Table 13: Livability Evaluation

Concept	Livability Score
Concept 1: Two-Way Separated Bike Lane on Adams Street	+1.5
Concept 2: OR 99W Buffered Bike Lanes	+1.5
Concept 3A: Neighborhood Greenway on Davis Street	+1.5
Concept 3B: Neighborhood Greenway on Evans Street	+1.5

Concept 1: Two-Way Separated Bike Lane on Adams Street

Parking removal along one side of Adams Street is not anticipated to impact commercial access. Concept 1 directly improves access for people walking and biking to residential and commercial areas surrounding the couplet.

Concept 2: Buffered Bike Lanes on Adams Street and Baker Street

Parking removal along one side of Adams Street is not anticipated to impact commercial access. Concept 2 directly improves access for people walking and biking to residential and commercial areas surrounding the couplet.

Concept 3: Neighborhood Greenway on Davis Street or Evans Street

Concepts 3A and 3B directly improve access for people walking and biking to residential and commercial areas, particularly those east of the couplet.

Design Feasibility

The *Design Feasibility* criterion assesses potential design feasibility considerations for each concept to determine whether there are any potential "fatal flaws" that would preclude implementation.

As described in Table 14, Concept 1 is expected to have the most substantial design challenges of the concepts considered based on potential to impede heavy vehicle movements and special considerations for designing contraflow facilities and transitioning users from buffered bike lanes to the two-way

separated bike lane within the OR 99W couplet. Additional information about design challenges associated with each concept is provided below.

Table 14: Design Feasibility Evaluation

Concept	Design Feasibility Score
Concept 1: Two-Way Separated Bike Lane on Adams Street	-1
Concept 2: Buffered Bike Lanes on Adams Street and Baker Street	0
Concept 3A: Neighborhood Greenway on Davis Street	+1
Concept 3B: Neighborhood Greenway on Evans Street	0

Concept 1: Two-Way Separated Bike Lane on Adams Street

Concept 1 poses the most substantial design challenges due to the removal of parking along the west side of Adams Street, the reduction in travel lane widths to accommodate the two-way separated bike lane, and transition zones to bring people biking to and from the two-way separated bike lane facility. The physical buffers also have potential to impede heavy vehicle movements and may also provide maintenance challenges.

Concept 2: Buffered Bike Lanes on Adams Street and Baker Street

Concept 2 poses design challenges due to parking removal along the west side of Adams Street, reduction in travel lane widths along Adams Street and Baker Street, and ability to fit buffered bike lanes along Baker Street at the constrained pinch points created by existing curb extensions.

Concept 3: Neighborhood Greenway on Davis Street or Evans Street

Concepts 3A and 3B pose minor design challenges due to the nature and lack of infrastructure required with the neighborhood greenway concept. Traffic calming in the form of signage, traffic diverters, and speed humps will be explored to reduce the potential of cut-through traffic, vehicle volumes, and vehicle speeds on the neighborhood routes.

Traffic calming measures along Concept 3B: Neighborhood Greenway on Evans Street Greenway are anticipated to have more design challenges and implications than Concept 3A: Neighborhood Greenway on Davis Street due to differences in the roadway classifications of Davis Street and Evans Street. According to the McMinnville TSP, Davis Street is classified as a minor collector from Booth Bend Road to 3rd Street and as a local street from 3rd Street to 14th Street. Evans Street is classified as a minor collector from 3rd Street north to OR 99W.

Evaluation Criteria Scoring

Table 15: Evaluation Criteria Scoring

Evaluation Criteria	Performance Measure	Concept 1: Two-Way Separated Bike Lane on Adams Street		Concept 2: Buffered Bike Lanes on Adams Street and Baker Street		Concept 3A: Neighborhood Greenway on Davis Street		Concept 3B: Neighborhood Greenway on Evans Street		
Citteria		Criteria Score	Performance Measure Score	Criteria Score	Performance Measure Score	Criteria Score	Performance Measure Score	Criteria Score	Performance Measure Score	
	Bicycle Level of Traffic Stress (BLTS)		+2		+2		+2		+2	
Complete Streets	Pedestrian Level of Traffic Stress (PLTS)	+1.5	+1	+1	0	+2	+2	+2	+2	
Multi-Modal Transportation System	Type and presence of pedestrian, bicycle, transit, motor vehicle, and freight facilities align with the recommendations from the Blueprint for Urban Design	+1	+1	+1	+1	+1	+1	+1	+1	
	Project is identified by the City of McMinnville TSP or is located on the Safe Routes to School (SRTS) Network.		+2		+2		+2	+2	+2	
Connectivity	Project removes barrier to walking and biking or fills gap in the walking and biking transportation network	+2	+2	+2	+2	+1.7	+2		+2	
	Proximity to activity generators and essential destinations		+2		+2		+1		+2	
	Crash Reduction Factor/Planning Level Project Cost	+1.9	+1.5	+1.8	+1	+2	+2	+1.9	+1.5	
	Crash History		+2		+2		+2		+2	
Safety	Pedestrian Risk Factor Scoring		+2		+2		+2		+2	
	Bicyclist Risk Factor Scoring		+2		+2		+2		+2	
Equity	Project impact to transportation disadvantaged populations based on the ODOT Transportation Disadvantaged Population (TDP) Index	+1	+2	+0.8	+1.5	+1	+2	+1	+2	
	Project impact to ADA compliance		0		0		0		0	
	Right-of-way acquisition needs		+1		+1		+1	+1.5	+1	
Livability	Neighborhood street modification, business access and parking	+1.5	+2	+1.5	+2	+1.5	+2		+2	
	Public response based on Open House and Public Advisory Committee Comments		pending		pending		pending		pending	
Design Feasibility	High-level feasibility of constructing the intended project at the location.	-1	-1	0	0	+1	+1	0	0	
Total Score	Total Score		7.9	8.1		10.2			9.4	

Amended on 12.15.2021 582 of 1001

OR 99W CONCEPT CONSULTANT TEAM PRELIMINARY RECOMMENDATIONS

As shown in Table 15, Concept 3A: Neighborhood Greenway on Davis Street scores highest, followed by Concept 3B: Neighborhood Greenway on Evans Street. Concept 2: Buffered Bike Lanes on Adams Street and Baker Street scores higher than Concept 1: Two-Way Separated Bike Lane on Adams Street. Based on the scoring, and the distinct benefits each concept provides, the consultant team's preliminary recommendation is to construct Concept 3A: Neighborhood Greenway on Davis Street ("Davis Street Greenway") and Concept 2: Buffered Bike Lanes on Adams Street and Baker Street ("OR 99W Buffered Bike Lanes"). A list of primary benefits of these concepts is as follows:

- The Davis Street Greenway provides low-stress facilities for users of all ages and abilities.
- The Davis Street Greenway is a low-cost option.
- The existing character of Davis Street is more conducive to neighborhood greenway facilities;
 Evans Street would likely require more substantial traffic calming efforts to serve as a low-stress facility.
- The intersection of Davis Street/3rd Street is signalized, providing a more comfortable intersection crossing than the two-way stop controlled intersection of Evans Street/3rd Street.
- The OR 99W Buffered Bike Lanes provide direct access for people biking through the couplet and to destinations west of the couplet.
- The OR 99W Buffered Bike Lanes are a moderate-cost option that can be easily added to pavement projects along the couplet.

Public input will be key to confirming or modifying the alignment recommendation for the neighborhood greenway.

Access to the preferred concept design will be supported with enhanced crossings along OR 99W. Development of enhanced crossing recommendations is described in the following sections.

ENHANCED CROSSING DEVELOPMENT

Potential locations for enhanced crossing treatments were identified based on field observations and initial assessments by the consultant team, input from the PMT and PAC, and a review of the City's TSP and walk-to-school routes. This section analyzes and recommends enhanced crossing treatments for the following six intersections:

- Adams Street/15th Street;
- Baker Street/15th Street;
- Adams Street/8th Street;

- Baker Street/8th Street;
- Adams Street/3rd Street; and,
- Baker Street/Cowls Street

The intent of the enhanced crossing development is to identify and recommend crossing treatments that will provide safe, comfortable crossing opportunities for people walking and biking in the study area. Once the preferred alternative is established, the enhanced crossings recommendations will be updated to tie into the preferred crossing facilities and support access to essential destinations and activity generators around McMinnville.

ENHANCED CROSSING EVALUATION

The six enhanced crossing study locations listed above were evaluated using the FHWA *Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations* (Reference 3) and NCHRP *Report 562 Improving Pedestrian Safety at Unsignalized Crossings* (Reference 4). This evaluation was conducted to identify appropriate crossing treatments based on existing roadway and traffic conditions.

Federal Highway Administration (FHWA) Guide for Improving Pedestrian Safety at Uncontrolled Locations

The FHWA Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations (Reference 3) was produced as part of the Safe Transportation for Every Pedestrian (STEP) program and provides guidance on selecting appropriate countermeasures to help improve pedestrian safety at uncontrolled crossing locations. Table 1 of the Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations provides a matrix of countermeasure options for evaluating appropriate levels of crossing protection based on roadway configurations, posted speed limit, and average annual daily traffic (AADT). Figure 10 illustrates the countermeasure matrix and highlights the applicable matrix cell based on the roadway configuration, posted speed limit, and AADT within the study area.

Figure 10: Application of Pedestrian Crash Countermeasures by Roadway Feature

			Po	osted Sp	eed Limit and AA	ADT	
	Vehic	le AADT <	000,9	Vehicle A	AADT 9,000-15,000	Vehicle AADT >	15,000
Roadway Configuration	≤30 mph	35 mph :	≥40 mph	≤30 mph	35 mph ≥40 mph	≤30 mph 35 mph	≥40 mph
4+ lanes with raised median (2 or more lanes in each direction)	0 0 5 7 8 9	9 9 (0 8 8	① • 5 7 8 9	5 5	① 0 0 0 0 5 5 6 8 9 8 9 8 9 8 9 8 9 8 9 8 9 8 9 8 9 8	① ① 5 8 ②
4+ lanes w/o raised median (2 or more lanes in each direction)		① ⑤ 5 ⑥ 7 8 9		7 4 7	① 9 ① 9 5 0	0 9 0 9	① ① 5 ②

Traffic data available in ODOT's TransGIS shows that the average annual daily traffic (AADT) through the OR 99W couplet ranges between 11,700 and 13,000 vehicles. Adams Street and Baker Street have one-

_

⁷ Enhanced crossing treatments require approval from ODOT Region 2 Traffic.

way, two-lane cross-sections with a posted speed of 30 mph (except for the segment of Adams Street south of 2^{nd} Street which has a posted speed limit is 35 mph).

Based on the guidance provided in the countermeasure matrix, the following countermeasures should be considered at the identified crossing locations based on roadway context⁸:

Table 16: Appropriate FHWA Countermeasures Given Roadway Context

Countermeasure	FHWA Level of Recommendation
Countermeasure 1: High visibility crosswalk markings, parking restrictions on crosswalk approach, adequate nighttime lighting levels, and crossing warning signs	Crosswalk visibility enhancements should always occur in conjunction with other identified countermeasure.
Countermeasure 2: Raised Crosswalk	Countermeasure is generally not an appropriate treatment, but exceptions may be considered following engineering judgement
Countermeasure 3: Advance Stop Here For Pedestrians sign and stop line	Countermeasure should always be considered, but not mandated or required, based upon engineering judgement.
Countermeasure 4: In-Street Pedestrian Crossing sign	Countermeasure is generally not an appropriate treatment, but exceptions may be considered following engineering judgement
Countermeasure 5: Curb extensions	Countermeasure is a candidate treatment
Countermeasure 6: Pedestrian refuge island	Countermeasure should always be considered, but not mandated or required, based upon engineering judgement.
Countermeasure 7: Rectangular Rapid Flashing Beacon (RRFB)	Countermeasure is a candidate treatment
Countermeasure 8: Road diet	Countermeasure is a candidate treatment
Countermeasure 9: Pedestrian Hybrid Beacon (PHB)	Countermeasure is a candidate treatment

Source: FHWA Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations

The complete matrix of countermeasure options can be found in Reference 3.

NCHRP Report 562 Improving Pedestrian Safety at Unsignalized Crossings

The NCHRP Report 562 *Improving Pedestrian Safety at Unsignalized Crossings* (Reference 4) provides a methodology for evaluating appropriate levels of crosswalk protection that considers traffic, travel

Portland, Oregon Amended on 12.15.2021 585 of 1001

⁸ Note: Roadway Configuration "(2 or more lanes in each direction)" was selected due to the roadway context and configuration of the OR 99W couplet.

speed, pedestrian crossing volumes as well as a number of other factors. NCHRP Report 562 methodology was applied to the potential enhanced crossing locations.

Pedestrian Volumes

Pedestrian crossing volumes at the potential enhanced crossing locations were unavailable. To conduct the NCHRP Report 562 analysis, the minimum pedestrian volume for a peak-hour evaluation recommended by NCHRP 562 was used (20 pedestrians per hour for both direction where the major road speed does not exceed 35 mph). Table 17 summarizes the results of the NCHRP Report 562 application.

Note: The FHWA Countermeasure Selection Matrix does not rely on existing or forecasted pedestrian crossing volumes to determine the appropriate level of enhanced crossing facility type.

Table 17: NCHRP Report 562 Analysis Study Intersections

ID	Major Street	Minor Street	PM Peak Hour Traffic Volume ¹	Posted Speed	Crossing Distance ²	NCHRP 562 Recommended Treatment ³
1	Adams Street	15 th Street	1300	30	44	Active or Enhanced
2	Baker Street	15 th Street	1280	30	34	Active or Enhanced
3	Adams Street	8 th Street	1300	30	42	Active or Enhanced
4	Baker Street	8 th Street	1260	30	46	Active or Enhanced
5	Adams Street	3 rd Street	1300	30	34	Active or Enhanced
6	Baker Street	Cowls Street	1170	30	46	Active or Enhanced

¹Peak hour volume estimate was taken as 10% of the AADT provided in TransGIS. This estimate was consistent with tube counts collected along a segment of Adams Street in 2017.

Under the scenario where a minimum of 20 pedestrians would need to cross the major street in the peak hour, the NCHRP Report 562 analysis results in a "ACTIVE OR ENHANCED" indication for the six crossing locations. This category includes devices that enhance the visibility of the crossing location and devices designed to display a warning only when pedestrians are present or crossing the street.

Based on the existing walking and biking activity along the couplet, it is anticipated that the minimum pedestrian activity thresholds are currently met with increasing activity anticipated based on upcoming development and the other improvements included in the McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan. Appendix "E" includes the NCHRP 562 worksheets used in this analysis.

Portland, Oregon
Amended on 12.15.2021

²Crossing distances were measured during the project team field visit.

³The "Active or Enhanced" treatment recommendation assumes a peak pedestrian volume of 20 pedestrians/hour.

ENHANCED CROSSING RECOMMENDATIONS

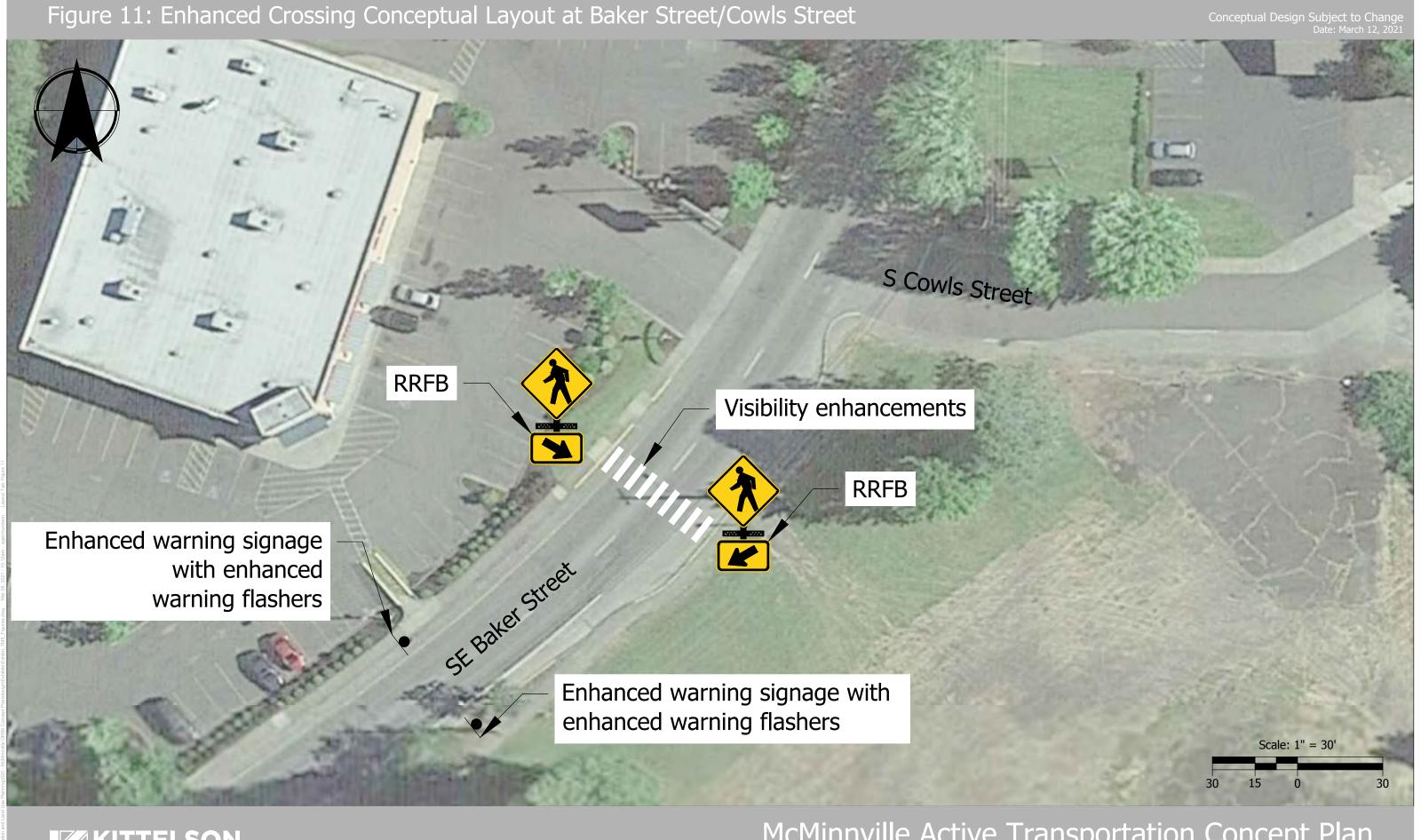
Based on the recommend guidance in the FHWA Guide for Improving Pedestrian Safety at Uncontrolled Locations and the results of the NCHRP Report 562 analysis the following enhanced crossing treatments are recommended at the identified crossing locations:

- High visibility crosswalk markings, parking restrictions on crosswalk approach, adequate nighttime lighting levels, and crossing warning signs
- Advance Stop Here For Pedestrians sign and stop line
- Rectangular Rapid Flashing Beacon (RRFB)

Figure 11 through Figure 14 illustrate conceptual layouts for the recommended enhance crossing treatments. The planning-level cost associated with high visibility crosswalk markings with RRFB is \$125,000 per location. This estimate includes construction and professional fees for ADA ramp reconstruction on both sides of the roadway, striping, signage, and the RRFB. The estimate does not include right-of-way, utility relocations, or bicycle detection on approaches. The planning-level cost estimate for each intersection will be refined in the draft Concept Plan once the preferred OR 99W facility concept the enhancements would tie into is established.

Additionally, coordination with Yamhill County Transit is recommended to consider relocating existing transit stops to enhanced crossing locations to facilitate transit use in the area.

Appendix "C" provides additional information about design treatments for improving safety at intersections.









McMinnville Active Transportation Concept Plan McMinnville, OR





McMinnville Active Transportation Concept Plan McMinnville, OR



Phasing and Implementation

The McMinnville OR 99W Active Transportation Concept Plan concept recommendations can be separated into distinct projects to support incremental implementation as funding sources are identified. Securing funding for construction of the Davis Street Neighborhood Greenway should be prioritized, however, if funding sources are identified for any other project that project may be implemented first. Timing and potential funding sources for each project is outlined in Table 18.

Table 18: Phasing and Funding Recommendations

Project	Priority Order ¹	Timing	Potential Funding Sources
Davis Street Neighborhood Greenway	1	As soon as funding can be made available	Safe Routes to School
OR 99W Buffered Bike Lanes	2	Improvements should occur as part of the next resurfacing preservation project	Safe Routes to SchoolSTIP Preservation funding
Adams Street/15th Street Enhanced Crossing	3	Construct these crossings at	Private developmentTransportation Safety Division GrantsSTIP Preservation funding
Adams Street/15th Street Enhanced Crossing	3	the same time ² , or with development	Private developmentTransportation Safety Division GrantsSTIP Preservation funding
Baker Street/Cowls Street Enhanced Crossing	4	Time with upcoming development	 Upcoming private development Transportation Safety Division Grants STIP Preservation funding
Adams Street/8th Street Enhanced Crossing	5	Construct these crossings at	Private developmentTransportation Safety Division GrantsSTIP Preservation funding
Baker Street/8th Street Enhanced Crossing	5	the same time ² , or with development	Private developmentTransportation Safety Division GrantsSTIP Preservation funding
Adams Street/3 rd Street Enhanced Crossing	6	Time with upcoming development	Private developmentTransportation Safety Division GrantsSTIP Preservation funding

 $^{^{\}mathrm{1}}$ The priority order of enhanced crossing projects was established based on PAC input.

Senate Bill 408 Requirements

Oregon Senate Bill (SB) 408 requires balancing competing interests on facility plans developed by ODOT. An example of competing interest is described in ODOT's Oregon Greenhouse Gas Reduction Toolkit: Strategy Report (Reference 2): "Preserving the economic interests of property owners (who place a high value on convenient access to their property) will require finding a balance between private property interests and the safety and operations of public roadways."

² Constructing enhanced crossings in pairs may reduce costs and help make the full connection across the couplet, however enhanced crossings can be designed and constructed separately if there is only available funding for one crossing.

The concepts developed to address the multi-modal needs along OR 99W are not anticipated to impact the access or reduce capacity of the OR 99W corridor. Concepts developed are limited to signing and striping with the exception of the potential two-way separated bike lane which proposes vertical flexpost separation.

NEXT STEPS

The preferred alternative concept outlined in this memo will be incorporated into a draft Concept Plan.

OR 99W is a designated Reduction Review Route for freight, the Oregon Mobility Advisory Committee will have the opportunity to provide input on these concepts before finalizing the draft Concept Plan.

REFERENCES

- 1. TM #4: Existing Conditions and Future Needs. Kittelson & Associates, Inc. 2020.
- ODOT Greenhouse Reduction Toolkit.
 https://www.oregon.gov/odot/Planning/Pages/GHG-Toolkit.aspx
- 3. *Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations.* Federal Highway Administration. 2017.
- 4. NCHRP Report 562 *Improving Pedestrian Safety at Unsignalized Crossings.* National Cooperative Highway Research Program. 2006.

Portland, Oregon Amended on 12.15.2021 593 of 1001

Appendix A Field Visit Notes

Field Visit Summary

This appendix summarizes the field observations and key findings based on the McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan project development field visit. The project team, including Amy Griffiths, Nick Gross, and Eric Germundson, conducted the site visit on Wednesday January 13, 2020 from approximately 1:00 to 4:00 PM. The weather was sunny and in the mid-40s.

The purpose of the field visit was to document existing physical and operational conditions of the alternative concept alignments to develop a further understanding of cross-sectional elements, pinch points, and traffic flows. Field measurements were recorded by the project team at pinch points and at the enhanced crossing study locations. The field notes are documented in this appendix.

Field Observations

Field observations were documented along the different alternative concept alignments to better understand the varying character of the different alignments, right-of-way constraints, and potential challenges for construction. Figure 15 provides detailed notes from the field visit.

OR 99W (Outside the Couplet)

The following bullets summarize the key observations along OR 99W outside the couplet:

- High traffic volumes were observed, including heavy vehicles.
- The center median south of the couplet creates pinch points that may make constructing a twoway separated bike lane challenging.
- The skewed intersection of N Baker Street / OR 99W north of the couplet is complex. People biking in the southbound direction through the intersection are exposed to traffic for approximately 265 feet, and the skew associated with the intersection creates visibility challenges.

Adams Street-Baker Street Couplet

The following bullets summarize the key observations along Adams and Baker Street:

- Low parking utilization was observed.
- Adams Street is approximately 40'-5" to 40'-11" wide, except at pinch points created by curb extensions.
- Baker Street is approximately 44'-6" to 44'-9" wide, except at pinch points created by curb extensions.
- Traffic volumes are substantially higher than they are along parallel routes. Signals help create traffic gaps for crossing the street.

Kittelson & Associates, Inc.
Portland, Oregon
149 of 227
Amended on 12.15.2021

Neighborhood Greenway Alignments

The following bullets summarize the key observations along Evans Street in the study area:

- Evans Street had lower traffic volumes than OR 99W but was busier than Davis Street. Evans
 Street would likely require greater traffic calming efforts to provide comfortable facilities as a
 neighborhood greenway.
- Constructing bike lanes along the remainder of Evans Street would require removal of a parking lane.
- Parking was highly utilized.

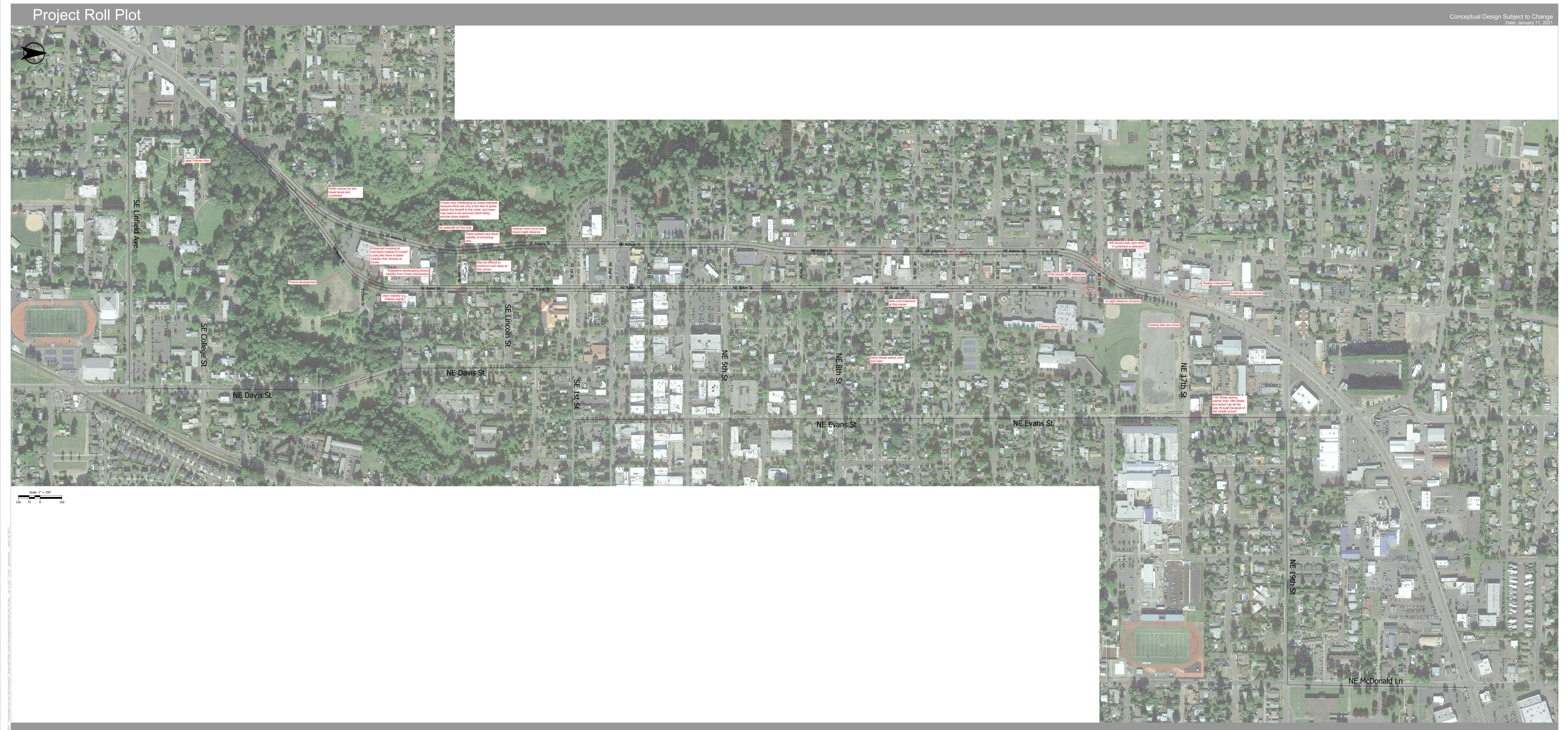
The following bullets summarize the key observations along Davis Street in the study area:

- Davis Street was less busy than Evans Street or the couplet.
- There is a moderate hill along Davis Street at the southern end of the corridor.

Kittelson & Associates, Inc.

Polymer 150 of 227

Amended on



Appendix B PAC Input

PAC Meeting #1 Homework Summary

A homework assignment was developed and distributed to the Project Advisory Committee (PAC)⁹ in advance of the first PAC Meeting, which was held on Thursday, December 10th from 3:00 PM to 5:00 PM. The homework assignment was developed to solicit input on preferred route alignments and facility types to be evaluated in TM #5: Alternatives Development and Preferred Alternative Concept. This appendix summarizes the PAC homework responses. Twelve homework responses were received.

Preferred Facility Type

Respondents were provided a toolbox of bicycle facility types. The three main options described were a two-way separated bike lane, buffered bike lanes, and a neighborhood greenway along a parallel route.

- Six respondents prefer the neighborhood greenway option to the options along OR 99W; some respondents mention that even facilities with vertical separation along OR 99W may not feel comfortable.
- Four respondents prefer the two-way separated bike lane option, several respondents cite a need for physical separation for any facilities along OR 99W.
- One respondent prefers the buffered bike lane because he is concerned about maintenance difficulties for physically separated bike facilities.
- One respondent suggested a one-way separated bike lane because he is concerned about people biking in opposite directions in a limited space.

Preferred Neighborhood Greenway Alignment

Respondents also provided a recommendation for their preferred alignment, particularly with respect to the neighborhood greenway.

- Six respondents recommend that the neighborhood greenway travel primarily along Evans Street.
- Five respondents recommend that the neighborhood greenway travel along Davis Street and connect back to Evans Street at some point north of 11th Street.
- One respondent mentioned Davis Street or Evans Street, with no preference towards either.
- Respondents primarily recommended connecting to OR 99W to the parallel route via Linfield Avenue from the south and via Evans or McDonald on the north.

-

⁹ Information about the PAC is available on the project website: https://www.walkbike99wmcminnville.com/websites/69/pages/398

Appendix C Design Toolbox

NEIGHBORHOOD GREENWAY AND ENHANCED CROSSING TREATMENTS

Neighborhood Greenways are low-volume, low-speed streets where people biking and driving share road space. Motorized vehicle restrictions created by traffic calming elements and intersection crossing treatments are used to prioritize access for people biking. The treatments would include shared lane markings and wayfinding signage for people biking. Additional treatments to consider include speed humps, chicanes, and traffic diverters. Examples of chicanes, traffic diverters, and intersection crossing treatments are shown below.

Chicanes



Traffic Diverters/Medians with Bicycle Access



Bulb-out/Curb Extension



Crossing Island (Pedestrian Refuge)



Rectangular Rapid Flash Beacon



Pedestrian Hybrid Beacon



Source: NACTO

SAFETY COUNTERMEASURES

Table 19: ODOT All Roads Transportation Safety Program (ARTS) Countermeasures

Countermeasures	Crash Reduction Factor (CRF)
BP1: Install Pedestrian Countdown Timer(s)	70% Reduction in Pedestrian Crashes at All Severities
BP2: Provide Intersection Illumination (Bike & Ped)	42% Reduction in Nighttime Pedestrian and Bicycle Crashes at All Injury Severities
BP3: Install Urban Leading Pedestrian or Bicycle Interval at Signalized Intersections	37% Reduction in Pedestrian and Bicycle Crashes at All Severities
BP4: Install No Pedestrian Phase Feature with Flashing Yellow Arrow	43% Reduction in Pedestrian Crashes at All Severities
BP5: Reduce Right Turn Permissive Conflicts (Right Turn Arrow)	20% Reduction in Pedestrian and Bicycle Crashes at All Severities
BP6: Install Urban Green Bike Lanes at Conflict Points	39% Reduction in Bicycle Crashes at All Severities
BP7: Install Bike Box at Conflict Points	35% Reduction in Bicycle Crashes at All Severities
BP8: Install Pedestrian Refuge Island	31% Reduction in Pedestrian Crashes at All Severities
BP9: Install Rectangular Rapid Flashing Beacon (2-Lane Road)	10% Reduction in Pedestrian Crashes at All Severities
BP10: Install Rectangular Rapid Flashing Beacon without Median (3-Lane or More Roadway)	10% Reduction in Pedestrian and Bicycle Crashes at All Severities
BP11: Install Rectangular Rapid Flashing Beacon with Median (3-Lane or More Roadway)	56% Reduction in Pedestrian Crashes at All Severities
BP12: Install Pedestrian Activated Beacon at Intersection	10% Reduction in Pedestrian Crashes at All Severities
BP13: Install Pedestrian Activated Beacon Midblock	10% Reduction in Pedestrian and Bicycle Crashes at All Severities
BP14: Install Pedestrian Activated Beacon (Flashing Beacon in Conjunction with Median and Stop Bar)	56% Reduction in Pedestrian and Bicycle Crashes at All Severities
BP15: Install continental Crosswalk Markings and Advanced Pedestrian Warning Signs at Uncontrolled Locations	15% Reduction in Pedestrian Crashes at All Severities
BP16: Install Curb Ramps and Extensions with a Marked Crosswalk and Pedestrian Warning Signs	37% Reduction in Pedestrian Crashes at All Severities
BP17: Install Advance Pedestrian or Bicycle Warning Signs	5% Reduction in Pedestrian and Bicycle Crashes at All Severities
BP18: Install Pedestrian Signal	55% Reduction in Pedestrian and Bicycle Crashes at All Severities
BP19: Pedestrian Hybrid Beacon	55% Reduction in Pedestrian and Bicycle Crashes at All Severities
BP20: Convert 4-Lane Roadway to 3-Lane Roadway with Center Turn Lane (Road Diet)	29% Reduction in All Crashes at All Severities
BP21: Install Bike Signal	45% Reduction in Bicycle Crashes at All Severities

Portland, Oregon Amended on 12.15.2021 602 of 1001 Kittelson & Associates, Inc. 156 of 227

Countermeasures	Crash Reduction Factor (CRF)
BP23: Install Cycle Tracks	59% Reduction in Bicycle Crashes at All Injury Severities
BP24: Install Buffered Bike Lanes	47% Reduction in Bicycle Crashes at All Injury Severities
BP25: Prohibit Right-Turn-On-Red	41% Reduction in Pedestrian and Bicycle Crashes at All Severities
BP26: Advanced Yield and Stop Markings & Signs	25% Reduction in Pedestrian and Bicycle Crashes at All Severities
BP27: Install Bicycle Boulevard	63% Reduction in Pedestrian and Bicycle Crashes at All Severities
BP28: Install Raised Crosswalk	30% Reduction in Pedestrian and Bicycle Crashes at All Severities
BP29: Add Sidewalk	20% Reduction in Pedestrian – walking along Crashes at All Severities
BP30: Install Speed Humps/Table (Not on State Highways)	15% Reduction in Pedestrian and Bicycle Crashes at All Severities
BP31: Add Street Tree's (supports blueprint for Urban Design)	10% Reduction in All Crashes at All Severities

Source: ODOT ARTS Program Crash Reduction Factor Appendix

Appendix D Cost Estimates

McMinnville OR 99W Active Transportation Concept Plan

Concept 1: Two-Way Separated Bike Lane (Cycle Track) орот



Engineer's Conceptual Estimate

Prepared By: Eric Germundson, PE		Date: March 12, 20	021	
Reviewed By: Nick Gross, Amy Griffiths, and Marc Butorac				
This Estimate has	s a Rating of:	3C	(See rating scale gu	ıide below.)
ITEM	UNIT	TOTAL QUANTITY	UNIT PRICE	TOTAL COST
MOBILIZATION	LS	ALL	\$37,000.00	\$37,000.00
TEMPORARY PROTECTION AND DIRECTION OF TRAFFIC	LS	ALL	\$8,000.00	\$8,000.00
TEMPORARY WORK ZONE TRAFFIC CONTROL, COMPLETE	LS	ALL	\$24,000.00	\$24,000.00
STRIPE REMOVAL	FOOT	500	\$0.50	\$250.00
LEGEND REMOVAL	SQFT	250	\$3.00	\$750.00
BAR REMOVAL	SQFT	500	\$3.00	\$1,500.00
PERMANENT SURFACE MOUNTED TUBULAR MARKERS	EACH	350	\$200.00	\$70,000.00
METHYL METHACRYLATE, EXTRUDED	FOOT	16,500	\$4.00	\$66,000.00
PAVEMENT LEGEND, TYPE B-HS: ARROWS	EACH	10	\$20.00	\$200.00
PAVEMENT BAR, TYPE B-HS	SQFT	2,000	\$10.00	\$20,000.00
PAVEMENT LEGEND, TYPE B-HS: ON-STREET PARKING	EACH	10	\$250.00	\$2,500.00
GREEN BICYCLE LANE, METHYL METHACRYLATE	SQFT	33,500	\$5.00	\$167,500.00
REMOVE EXISTING SIGNS	LS	ALL	\$5,000.00	\$5,000.00
REMOVE AND REINSTALL EXISTING SIGNS	LS	ALL	\$10,000.00	\$10,000.00
PERFORATED STEEL SQUARE TUBE ANCHOR SIGN SUPPORTS	LS	ALL	\$10,000.00	\$10,000.00
SIGNS, STANDARD SHEETING, EXTRUDED ALUMINUM	SQFT	500	\$25.00	\$12,500.00
SIGNAL MODIFICATIONS	LS	ALL	\$100,000.00	\$100,000.00
	Т	OTAL CONSTR	RUCTION COST	\$ 535,200
	IECT SUBTOTAL	\$ 535,200		
30% Engineering & Administrative Services				\$ 160,560
30% Contingency				\$ 160,560
TOTAL ESTIMATED PROJECT COST				\$ 857,000

Assumptions:

- Cycle track assumed to be painted green
- _
- -
- .

Scope Accuracy:

Level 1: Project scope well understood and well defined.

Level 2: Project scope conceptual. Scope lacks detail due to potential permit requirements; Unknown project conditions; limited knowledge of external impacts.

Level 3: Project scope is a "vision" with limited detail.

Engineering Effort:

Level A: Preliminary engineering performed. Technical information is available, engineering calculations have been performed; clear understanding of the materials size and quantities needed to execute job. Schedule understood; staff and permitting is fairly clear, (however this element may still need refining). Project Development & Construction Contingencies ranges between 10%-20%.

Level B: Conceptual engineering performed. Technical information is available, rough engineering calculations may have been performed, or similar information from previous similar work is compared and used. Project Development Contingencies ranges between 15% to 25% and Construction Contingencies ranges between 20% to 30%.

McMinnville OR 99W Active Transportation Concept Plan Concept 2: OR99W Buffered Bike Lanes οροτ



Engineer's Conceptual Estimate

Prepared By: Eric Germundson, PE		Date: March 12, 2021			
Reviewed By: Nick Gross, Amy Griffiths, and Marc Butorac					
This Estimate has a Rating of:		3C	3C (See rating scale guide below.)		
ITEM	UNIT	TOTAL QUANTITY	UNIT PRICE	TOTAL COST	
MOBILIZATION	LS	ALL	\$22,000.00	\$22,000.00	
TEMPORARY PROTECTION AND DIRECTION OF TRAFFIC	LS	ALL	\$5,000.00	\$5,000.00	
TEMPORARY WORK ZONE TRAFFIC CONTROL, COMPLETE	LS	ALL	\$11,000.00	\$11,000.00	
STRIPE REMOVAL	FOOT	1,000	\$0.50	\$500.00	
LEGEND REMOVAL	SQFT	500	\$3.00	\$1,500.00	
BAR REMOVAL	SQFT	1,000	\$3.00	\$3,000.00	
METHYL METHACRYLATE, EXTRUDED	FOOT	33,500	\$4.00	\$134,000.00	
PAVEMENT LEGEND, TYPE B-HS: ARROWS	EACH	20	\$20.00	\$400.00	
PAVEMENT BAR, TYPE B-HS	SQFT	4,000	\$10.00	\$40,000.00	
PAVEMENT LEGEND, TYPE B-HS: ON-STREET PARKING	EACH	20	\$250.00	\$5,000.00	
REMOVE EXISTING SIGNS	LS	ALL	\$5,000.00	\$5,000.00	
REMOVE AND REINSTALL EXISTING SIGNS	LS	ALL	\$5,000.00	\$5,000.00	
PERFORATED STEEL SQUARE TUBE ANCHOR SIGN SUPPORTS	LS	ALL	\$5,000.00	\$5,000.00	
SIGNS, STANDARD SHEETING, EXTRUDED ALUMINUM	SQFT	500	\$25.00	\$12,500.00	
	Т	OTAL CONSTR	RUCTION COST	\$ 249,900	
TOTAL PROJECT SUBTOTAL				\$ 249,900	
	30% Engine	ering & Adminis	trative Services	\$ 74,970	
30% Contingency				\$ 74,970	
TOTAL ESTIMATED PROJECT COST				\$ 400,000	

Assumptions:

-

-

.

-

Scope Accuracy:

Level 1: Project scope well understood and well defined.

Level 2: Project scope conceptual. Scope lacks detail due to potential permit requirements; Unknown project conditions; limited knowledge of external impacts.

Level 3: Project scope is a "vision" with limited detail.

Engineering Effort:

Level A: Preliminary engineering performed. Technical information is available, engineering calculations have been performed; clear understanding of the materials size and quantities needed to execute job. Schedule understood; staff and permitting is fairly clear, (however this element may still need refining). Project Development & Construction Contingencies ranges between 10%-20%.

Level B: Conceptual engineering performed. Technical information is available, rough engineering calculations may have been performed, or similar information from previous similar work is compared and used. Project Development Contingencies ranges between 15% to 25% and Construction Contingencies ranges between 20% to 30%.

McMinnville OR 99W Active Transportation Concept Plan Concept 3: Neighborhood Greenway on Davis Street οροτ



Engineer's Conceptual Estimate

Prepared By: Eric Germundson, PE		Date: March 12, 20	021	
Reviewed By: Nick Gross, Amy Griffiths, and Marc Butorac				
This Estimate ha	This Estimate has a Rating of:		(See rating scale gu	uide below.)
ITEM	UNIT	TOTAL QUANTITY	UNIT PRICE	TOTAL COST
MOBILIZATION	LS	ALL	\$8,000.00	\$8,000
TEMPORARY PROTECTION AND DIRECTION OF TRAFFIC	LS	ALL	\$2,000.00	\$2,000
TEMPORARY WORK ZONE TRAFFIC CONTROL, COMPLETE	LS	ALL	\$4,000.00	\$4,000
LEGEND REMOVAL	SQFT	500	\$3.00	\$1,500
BAR REMOVAL	SQFT	500	\$3.00	\$1,500
PAVEMENT BAR, TYPE B-HS	SQFT	1,800	\$10.00	\$18,000
REMOVE EXISTING SIGNS	LS	ALL	\$5,000.00	\$5,000
REMOVE AND REINSTALL EXISTING SIGNS	LS	ALL	\$25,000.00	\$25,000
PERFORATED STEEL SQUARE TUBE ANCHOR SIGN SUPPORTS	LS	ALL	\$10,000.00	\$10,000
SIGNS, STANDARD SHEETING, EXTRUDED ALUMINUM	SQFT	500	\$25.00	\$12,500
	\$ 87,5			
	\$ 87,5			
	\$ 26,2			
30% Contingency				\$ 26,2
TOTAL ESTIMATED PROJECT COST				\$ 140,0

Assumptions:

-

-

-

-

Scope Accuracy:

Level 1: Project scope well understood and well defined.

Level 2: Project scope conceptual. Scope lacks detail due to potential permit requirements; Unknown project conditions; limited knowledge of external impacts.

Level 3: Project scope is a "vision" with limited detail.

Engineering Effort:

Level A: Preliminary engineering performed. Technical information is available, engineering calculations have been performed; clear understanding of the materials size and quantities needed to execute job. Schedule understood; staff and permitting is fairly clear, (however this element may still need refining). Project Development & Construction Contingencies ranges between 10%-20%.

Level B: Conceptual engineering performed. Technical information is available, rough engineering calculations may have been performed, or similar information from previous similar work is compared and used. Project Development Contingencies ranges between 15% to 25% and Construction Contingencies ranges between 20% to 30%.

McMinnville OR 99W Active Transportation Concept Plan Concept 3: Neighborhood Greenway on Evans Street οροτ



Engineer's Conceptual Estimate

Prepared By: Eric Germundson, PE		Date: March 12, 2021			
Reviewed By: Nick Gross, Amy Griffiths, and Marc Butorac					
This Estimate has a Rating of:		3C	(See rating scale guide below.)		
ITEM	UNIT	TOTAL QUANTITY	UNIT PRICE	TOTAL COST	
MOBILIZATION	LS	ALL	\$5,000.00	\$5,000.00	
TEMPORARY PROTECTION AND DIRECTION OF TRAFFIC	LS	ALL	\$1,000.00	\$1,000.00	
TEMPORARY WORK ZONE TRAFFIC CONTROL, COMPLETE	LS	ALL	\$3,000.00	\$3,000.00	
PAVEMENT BAR, TYPE B-HS	SQFT	1,900	\$10.00	\$19,000.00	
REMOVE EXISTING SIGNS	LS	ALL	\$5,000.00	\$5,000.00	
REMOVE AND REINSTALL EXISTING SIGNS	LS	ALL	\$5,000.00	\$5,000.00	
PERFORATED STEEL SQUARE TUBE ANCHOR SIGN SUPPORTS	LS	ALL	\$5,000.00	\$5,000.00	
SIGNS, STANDARD SHEETING, EXTRUDED ALUMINUM	SQFT	500	\$25.00	\$12,500.00	
	UCTION COST	\$ 55,500			
	\$ 55,500				
3	trative Services	\$ 16,650			
	0% Contingency	\$ 16,650			
	\$ 89,000				

Assumptions:

-

-

_

-

-

Scope Accuracy:

Level 1: Project scope well understood and well defined.

Level 2: Project scope conceptual. Scope lacks detail due to potential permit requirements; Unknown project conditions; limited knowledge of external impacts.

Level 3: Project scope is a "vision" with limited detail.

Engineering Effort:

Level A: Preliminary engineering performed. Technical information is available, engineering calculations have been performed; clear understanding of the materials size and quantities needed to execute job. Schedule understood; staff and permitting is fairly clear, (however this element may still need refining). Project Development & Construction Contingencies ranges between 10%-20%.

Level B: Conceptual engineering performed. Technical information is available, rough engineering calculations may have been performed, or similar information from previous similar work is compared and used. Project Development Contingencies ranges between 15% to 25% and Construction Contingencies ranges between 20% to 30%.

Appendix E Enhanced Crossing Analysis

Enhanced Crossing Key Findings

This memorandum summarizes the results of an enhanced crossing facility assessment for people walking and biking along the OR 99W couplet. The crossing assessment was performed at six intersections, as illustrated in Figure 16.

The purpose of this assessment is to identify and recommend crossing treatments that will provide safe, comfortable crossing opportunities for people walking and biking in the study area based on the existing traffic volumes, posted speeds, and proposed crossing location characteristics. ¹⁰ The analysis relies on the guidance provided by National Cooperative of Highway Research Program (NCHRP) *Report 562: Improving Pedestrian Safety at Unsignalized Crossings* and Federal Highway Administration (FHWA) *Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations*.

Enhanced Crossing Worksheets based on NCHRP and FHWA quidance are attached in this appendix.

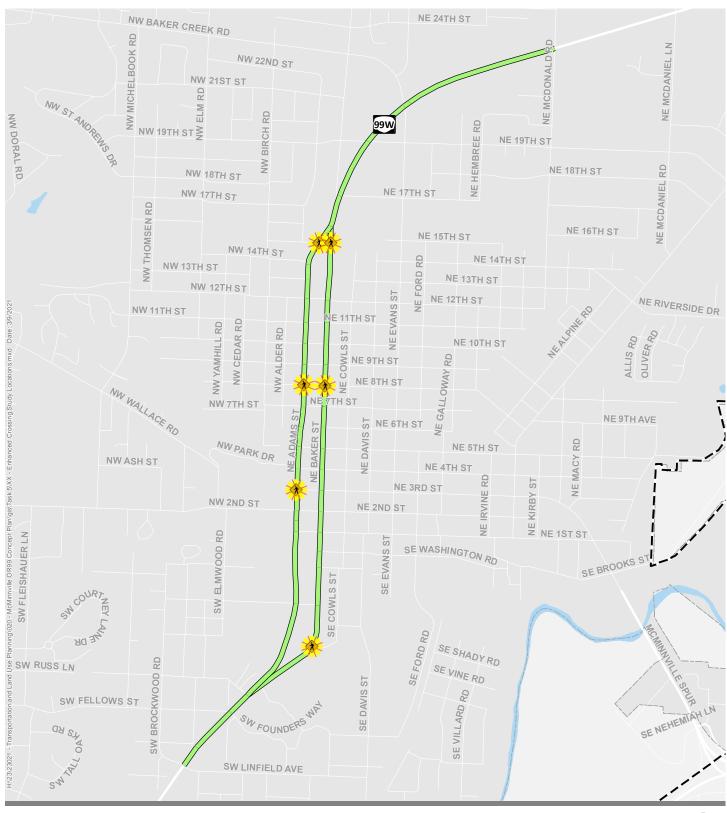
Enhanced Crossing Recommendations

Based on the traffic volume data, roadway context, anticipated levels of walking and biking activity upon completion of the McMinnville OR 99W Active Transportation Concept Plan, and crossing analysis, the following enhanced crossing facility and treatments are recommended at the proposed crossing location along the Adams Street-Baker Street Couplet:

- Evaluate lighting conditions at the proposed crossing location to ensure proposed lighting conditions.
- Install high-visibility pavement markings and signs per the Manual on Uniform Traffic Control Devices (MUTCD).
- Install a rectangular rapid flashing beacon (RRFB) at the six enhanced crossing study locations.
- Explore opportunities to integrate bicycle detection at proposed crossing approaches to reduce or eliminate dismounting for people biking to activate beacon push buttons.

_

¹⁰ Enhanced crossing treatments require approval from ODOT Region 2 Traffic.





Enhanced Crossing Study Locations

⋬i Signalized



Crosswalk

Signalized with Bulb-Out(s)

Crosswalk with Bulb-Out(s)

OR99W Project Extents

Figure 16



GUIDELINES FOR PEDESTRIAN CROSSING TREATMENTS

This spreadsheet combines Worksheet 1 and Worksheet 2 (Appendix A, pages 69-70) of TCRP Report 112/NCHRP Report 562 (Improving Pedestrian Safety at Unsignalized Intersections) into an electronic format. This spreadsheet should be used in

Conjunction with, and not independent of, Appendix A documentation.

This spreadsheet is still under development, please inform TTI if errors are identified.

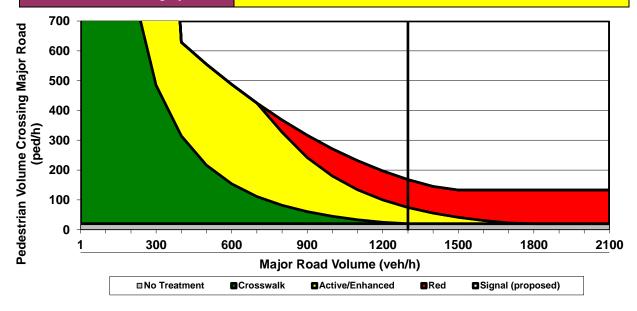
Blue fields contain descriptive information.

Green fields are required and must be completed.

Tan fields are adjustments that are filled out only under certain conditions (follow instructions to the left of the cell).

Gray fields are automatically calculated and should not be edited.

Treatment	Category:		ACT:	IVE OR ENHANCED		
Compliance	nce at pedestrian crossings in regi	ion: enter <i>High for H</i>	ngn Comp	DIIANCE OF LOW FOR LOW	5a	LOW
	ent based up on total pe				nce.	
	ne site, that value can be entered			•		
major roadway without a crossing treatment (assumes 0% compliance). If the actual total pedestrian delay			4i	2.1		
Total pedestrian delay (h), D _p The value in 4h is the calculated estimated delay for all pedestrians crossing the			4h	1.4		
Average pedestrian delay (s/person), d _n				4g	255	
Major road flow rate (veh/s), v				4f	0.36	
Major road volume, total both approaches OR approach being crossed if raised median island is present, during peak hour (veh/h), V _{maid}				4e	1300	
[Calculated automatically] Critical gap required for crossing pedestrian (s), t _c				4d	13	
Pedestrian start-up time and end clearance time (s), t _s (suggested start-up time = 3 sec)					4c	3
Pedestrian walking speed (ft/s), S _p (suggested speed = 3.5 ft/s)				4b	3.5	
Pedestrian crossing distance, curb to curb (ft), L				4a	34	
tep 4: Estimate ped	estrian delay.					
Result: The signal v	varrant is not met. Go to step		ou a c c a r a r a r	30 01 30		
(1.1 m/s), then reduce $3c$		Reduced value or 3c			3f	168
If 15th percentile crossing speed of pedestrians is less than 3.5 ft/s We rate of reduction for 3c (up to 50%)			3e	0%		
Is 15th percentile crossing speed of pedestrians less than 3.5 ft/s (1.1 m/s)? (enter YES or NO)				3d	NO	
[Calculated automatically] Minimum required peak hour pedestrian volume to meet traffic signal warrant				3c	168	
[Calculated automatically] Preliminary (before min. threshold) peak hour pedestrian volume to meet warrant				3b	168	
	f both approaches during peak ho		<u> </u>		3a	1300
	sing meet the pedestrian	warrant for a tr	raffic sig	ınal?		
Result: Go to step 3	(1 / // p				Zu	20
Peak-hour pedestrian volui		CSCHAII VOIGINGS	to be co	instacted for a craffic	2a	20
	ssing meet minimum ped		to he co	nsidered for a traffic		
Posted or statutory speed limit (or 85th percentile speed) on the major street (mph) Is the population of the surrounding area <10,000? (enter YES or NO)			1h	NO NO		
		the major street (made			1a	30
tep 1: Select works	FransGIS ADT, PH Tube Counts June 8, 20)1/ F	eak Hour	5:00-6:00 PM		
· · · · · · · · · · · · · · · · · · ·	January 20, 2021			3rd Street (Northern Leg)		
, the state of the	Kittelson & Associates, Inc.		•	Adams Street		
Applyet	Vittolcon 9. Accociatos Inc	Ma	ior Ctroot	Adams Ctroot		



This worksheet provides general recommendations on pedestrian crossing treatments to consider at unsignalized intersections; in all cases, engineering judgment should be used in selecting a specific treatment for installation. This worksheet does not apply to school crossings. In addition to the results provided by this worksheet, users should consider whether a pedestrian treatment could present an increased safety risk to pedestrians, such as where there is poor sight distance, complex geometrics, or nearby traffic signals.

This spreadsheet combines Worksheet 1 and Worksheet 2 (Appendix A, pages 69-70) of TCRP Report 112/NCHRP Report 562 (*Improving Pedestrian Safety at Unsignalized Intersections*) into an electronic format. This spreadsheet should be used in

Key

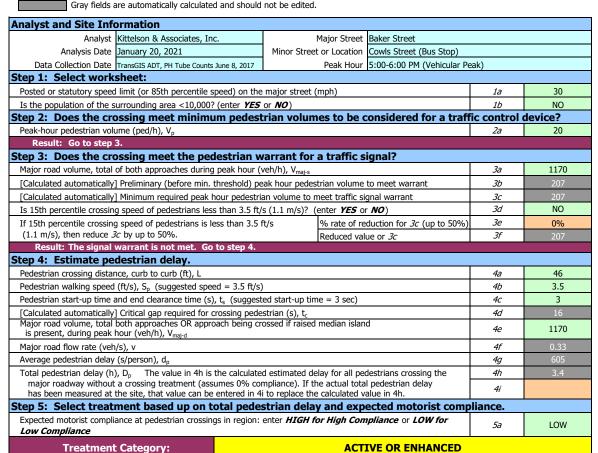
Conjunction with, and not independent of, Appendix A documentation.

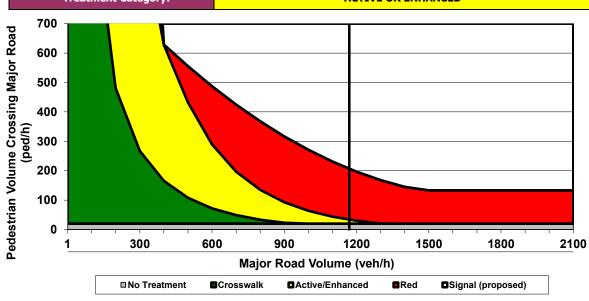
This spreadsheet is still under development, please inform TTI if errors are identified.

Blue fields contain descriptive information.

Green fields are required and must be completed.

Tan fields are adjustments that are filled out only under certain conditions (follow instructions to the left of the cell).





This spreadsheet combines Worksheet 1 and Worksheet 2 (Appendix A, pages 69-70) of TCRP Report 112/NCHRP Report 562 (*Improving Pedestrian Safety at Unsignalized Intersections*) into an electronic format. This spreadsheet should be used in

Key

Conjunction with, and not independent of, Appendix A documentation.

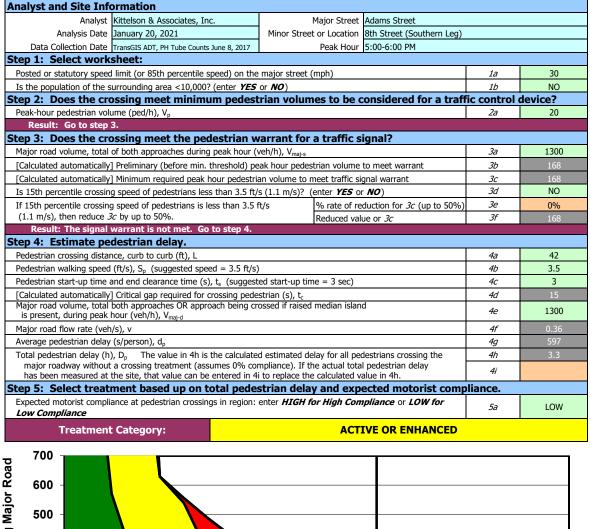
This spreadsheet is still under development, please inform TTI if errors are identified.

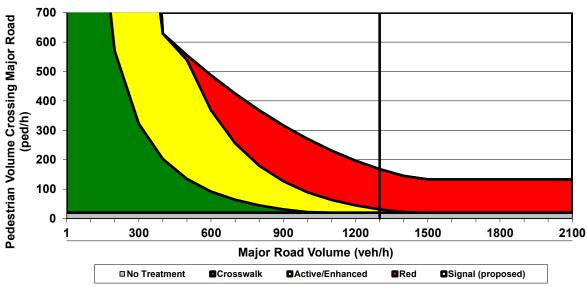
Blue fields contain descriptive information.

Green fields are required and must be completed.

Tan fields are adjustments that are filled out only under certain conditions (follow instructions to the left of the cell).

Grav fields are automatically calculated and should not be edited.





This spreadsheet combines Worksheet 1 and Worksheet 2 (Appendix A, pages 69-70) of TCRP Report 112/NCHRP Report 562 (*Improving Pedestrian Safety at Unsignalized Intersections*) into an electronic format. This spreadsheet should be used in

Conjunction with, and not independent of, Appendix A documentation.

This spreadsheet is still under development, please inform TTI if errors are identified.

Blue fields contain descriptive information.

Green fields are required and must be completed.

Tan fields are adjustments that are filled out only under certain conditions (follow instructions to the left of the cell).

Gray fields are automatically calculated and should not be edited.

	Information						
Ana	lyst Kittelson & Associates, Inc.	Major Street Baker Street					
Analysis D	Date January 20, 2021	Minor Street or Location 8th Street (Southern Leg)					
Data Collection D	Date TransGIS ADT, PH Tube Counts June 8, 2017	Peak Hour 5:00-6:00 PM					
tep 1: Select w	orksheet:						
Posted or statutory s	peed limit (or 85th percentile speed) on the	e major street (mph)	1a	30			
Is the population of t	the surrounding area <10,000? (enter YES	or NO)	1b	NO			
tep 2: Does the	crossing meet minimum pedes	trian volumes to be considered for a traff	ic control d	evice?			
Peak-hour pedestrian	n volume (ped/h), V _p		2a	20			
Result: Go to s	tep 3.						
	crossing meet the pedestrian v						
Major road volume, t	otal of both approaches during peak hour ((veh/h), V _{maj-s}	3a	1260			
[Calculated automation	cally] Preliminary (before min. threshold) pe	eak hour pedestrian volume to meet warrant	<i>3b</i>	179			
[Calculated automation	cally] Minimum required peak hour pedestri	ian volume to meet traffic signal warrant	3с	179			
Is 15th percentile cro	ossing speed of pedestrians less than 3.5 ft,	/s (1.1 m/s)? (enter YES or NO)	3d	NO			
	ssing speed of pedestrians is less than 3.5	ft/s % rate of reduction for 3c (up to 50%)	<i>3e</i>	0%			
	uce <i>3c</i> by up to 50%.	Reduced value or 3c	3f	179			
	nal warrant is not met. Go to step 4.						
	pedestrian delay.						
	distance, curb to curb (ft), L		4a	46			
	peed (ft/s), S_p (suggested speed = 3.5 ft/s	,	4b	3.5			
	ime and end clearance time (s), t_s (suggestime)	,	4c	3			
	cally] Critical gap required for crossing pede		4d	16			
	total both approaches OR approach being cr leak hour (veh/h), V _{mai-d}	rossed if raised median island	4e	1260			
Maior road flow rate			4f	0.35			
Average pedestrian d	verage pedestrian delay (s/person), d _n						
Total pedestrian dela	y (h), D _n The value in 4h is the calculate	ed estimated delay for all pedestrians crossing the	4h	4.4			
		impliance). If the actual total pedestrian delay	4 <i>i</i>				
has been measured	d at the site, that value can be entered in 4		"				
^							
		strian delay and expected motorist comp	liance.				
Expected motorist co		estrian delay and expected motorist comp enter HIGH for High Compliance or LOW for	liance. 5a	LOW			
Expected motorist co Low Compliance				LOW			
Expected motorist co Low Compliance Treatm	mpliance at pedestrian crossings in region:	enter HIGH for High Compliance or LOW for		LOW			
Expected motorist co Low Compliance	mpliance at pedestrian crossings in region:	enter HIGH for High Compliance or LOW for		LOW			
Expected motorist co Low Compliance Treatm 700	mpliance at pedestrian crossings in region:	enter HIGH for High Compliance or LOW for		LOW			
Expected motorist co Low Compliance Treatm	mpliance at pedestrian crossings in region:	enter HIGH for High Compliance or LOW for		LOW			
Expected motorist co Low Compliance Treatm 700 600	mpliance at pedestrian crossings in region:	enter HIGH for High Compliance or LOW for		LOW			
Expected motorist co Low Compliance Treatm 700	mpliance at pedestrian crossings in region:	enter HIGH for High Compliance or LOW for		LOW			
Expected motorist co Low Compliance Treatm 700 600	mpliance at pedestrian crossings in region:	enter HIGH for High Compliance or LOW for		LOW			
Expected motorist co Low Compliance Treatm 700 600	mpliance at pedestrian crossings in region:	enter HIGH for High Compliance or LOW for		LOW			
Expected motorist co Low Compliance Treatm 700 - 600 - 500 - 400 -	mpliance at pedestrian crossings in region:	enter HIGH for High Compliance or LOW for		LOW			
Expected motorist co Low Compliance Treatm 700 - 600 - 500 - 400 -	mpliance at pedestrian crossings in region:	enter HIGH for High Compliance or LOW for		LOW			
Expected motorist co Low Compliance Treatm 700 - 600 - 500 - 400 -	mpliance at pedestrian crossings in region:	enter HIGH for High Compliance or LOW for		LOW			
700 - 600 - 400 - (4/pəd) 300 -	mpliance at pedestrian crossings in region:	enter HIGH for High Compliance or LOW for		LOW			
Expected motorist co Low Compliance Treatm 700 - 600 - 500 - 400 -	mpliance at pedestrian crossings in region:	enter HIGH for High Compliance or LOW for		LOW			
700 - 600 - 500 - 400 - (4/p) 300 - 200 - 200	mpliance at pedestrian crossings in region:	enter HIGH for High Compliance or LOW for		LOW			
700 - 600 - 400 - (4/pəd) 300 -	mpliance at pedestrian crossings in region:	enter HIGH for High Compliance or LOW for		LOW			
700 - 600 - 500 - 400 - (4/p) 300 - 200 - 200	mpliance at pedestrian crossings in region:	enter HIGH for High Compliance or LOW for		LOW			
700 - 600 - 500 - 400 - 200 - 100 -	mpliance at pedestrian crossings in region:	enter HIGH for High Compliance or LOW for		LOW			
700 - 600 - 500 - 400 - (4/p) 300 - 200 - 200	empliance at pedestrian crossings in region: Tent Category:	ACTIVE OR ENHANCED	5a				
700 - 600 - 500 - 400 - 200 - 100 -	ampliance at pedestrian crossings in region: Tent Category: 300 600	ACTIVE OR ENHANCED 900 1200 1500		LOW			
700 - 600 - 500 - 400 - 200 - 100 -	ampliance at pedestrian crossings in region: Tent Category: 300 600	ACTIVE OR ENHANCED	5a				

This spreadsheet combines Worksheet 1 and Worksheet 2 (Appendix A, pages 69-70) of TCRP Report 112/NCHRP Report 562 (*Improving Pedestrian Safety at Unsignalized Intersections*) into an electronic format. This spreadsheet should be used in

Key

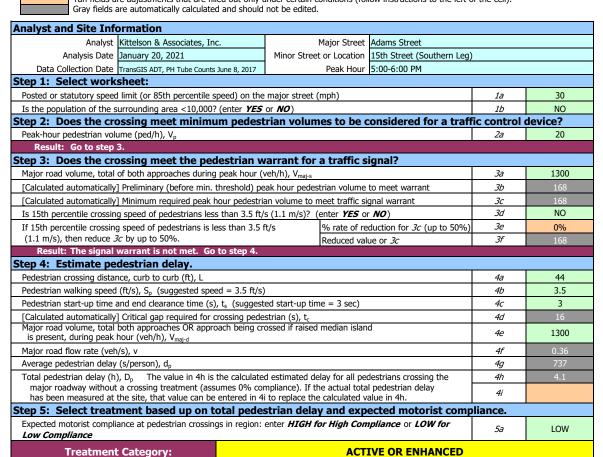
Conjunction with, and not independent of, Appendix A documentation.

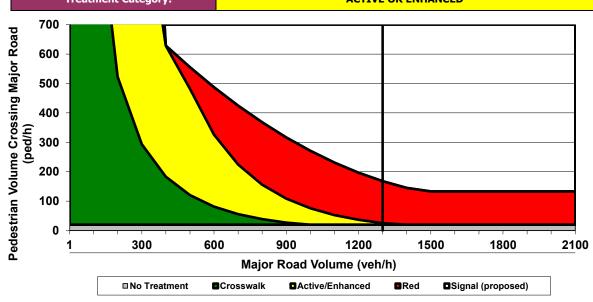
This spreadsheet is still under development, please inform TTI if errors are identified.

Blue fields contain descriptive information.

Green fields are required and must be completed.

Tan fields are adjustments that are filled out only under certain conditions (follow instructions to the left of the cell).





This spreadsheet combines Worksheet 1 and Worksheet 2 (Appendix A, pages 69-70) of TCRP Report 112/NCHRP Report 562 (*Improving Pedestrian Safety at Unsignalized Intersections*) into an electronic format. This spreadsheet should be used in

Key

This spreadsheet is still under development, please inform TTI if errors are identified.

Blue fields contain descriptive information.

Green fields are required and must be completed.

Tan fields are adjustments that are filled out only under certain conditions (follow instructions to the left of the cell).

Gray fields are automatically calculated and should not be edited.

	Information							
•	lyst Kittelson & Associates	s. Inc.	Ma	ior Street	Baker Street			
	ate January 20, 2021	,, 1110.		-	15th Street (sou	thern Lea)		
,	ate TransGIS ADT, PH Tube Co	ounte June 8, 2017			5:00-6:00 PM	triciri Leg)		
tep 1: Select wo		ourits Julie 0, 2017		Cuk Hour	3.00 0.00 114			
	peed limit (or 85th percent	ile speed) on th	ne maior street (m	nh)			1a	30
	the surrounding area <10,	· ·		P11)			1b	NO NO
	crossing meet min			s to be o	onsidered fo	r a traffi		
Peak-hour pedestrian		mam peace	Jerian Volume	o to be t	onoraci ca ic		2a	20
Result: Go to st	,, ,, _F							
	crossing meet the	pedestrian v	warrant for a	traffic s	ignal?			
	otal of both approaches du						<i>3a</i>	1280
[Calculated automation		<i>3b</i>	173					
-	cally] Minimum required pe		•				3c	173
	ssing speed of pedestrians						3d	NO
	ssing speed of pedestrians				duction for 3c (u	n to 50%)	3e	0%
	ice <i>3c</i> by up to 50%.		· —	educed val	•	p 10 00 11)	3f	173
Result: The sig	nal warrant is not met.	Go to step 4.						
ep 4: Estimate	pedestrian delay.							
Pedestrian crossing d	listance, curb to curb (ft),	L					<i>4a</i>	34
Pedestrian walking sp	peed (ft/s), S _p (suggested	speed = 3.5 ft/s	s)				4b	3.5
Pedestrian start-up ti	me and end clearance time	e (s), t _s (sugge	sted start-up time	= 3 sec)			4c	3
	cally] Critical gap required						4d	13
	otal both approaches OR a eak hour (veh/h), V _{mai-d}	pproach being o	crossed if raised m	edian islan	d		<i>4e</i>	1280
Major road flow rate (veh/s), v								0.36
Average pedestrian delay (s/person), d ₀							4g	255
Total pedestrian delay (h), D_0 The value in 4h is the calculated estimated delay for all pedestrians crossing the								
Total pedestrian dela	y (h), D _n The value in 4	h is the calculat	ed estimated dela	for all ped	destrians crossino	the	4h	1.4
major roadway with	hout a crossing treatment	(assumes 0% co	ompliance). If the	actual tota	I pedestrian dela		4h	1.4
major roadway with has been measured	hout a crossing treatment d at the site, that value ca	(assumes 0% on the contract of	ompliance). If the 4i to replace the c	actual tota alculated v	l pedestrian dela alue in 4h.	ý	4h 4i	1.4
major roadway with has been measured tep 5: Select tre	hout a crossing treatment d at the site, that value ca eatment based up o	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp	l pedestrian dela alue in 4h. ected motor	st compl	4h 4i	1.4
major roadway with has been measured tep 5: Select tre	hout a crossing treatment d at the site, that value ca	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp	l pedestrian dela alue in 4h. ected motor	st compl	4h 4i	1.4
major roadway with has been measured tep 5: Select tree Expected motorist con Low Compliance	hout a crossing treatment d at the site, that value ca eatment based up o	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp High Com	l pedestrian dela alue in 4h. ected motor	st compl	4h 4i iance.	
major roadway with has been measured tep 5: Select tree Expected motorist con Low Compliance Treatm	hout a crossing treatment d at the site, that value ca eatment based up o mpliance at pedestrian cro	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp High Com	I pedestrian dela alue in 4h. ected motor apliance or LOV	st compl	4h 4i iance.	
major roadway with has been measured tep 5: Select tre Expected motorist con Low Compliance	hout a crossing treatment d at the site, that value ca eatment based up o mpliance at pedestrian cro	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp High Com	I pedestrian dela alue in 4h. ected motor apliance or LOV	st compl	4h 4i iance.	
major roadway with has been measured tep 5: Select tree Expected motorist collow Compliance Treatm	hout a crossing treatment d at the site, that value ca eatment based up o mpliance at pedestrian cro	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp High Com	I pedestrian dela alue in 4h. ected motor apliance or LOV	st compl	4h 4i iance.	
major roadway with has been measured tep 5: Select tree Expected motorist col Low Compliance Treatm	hout a crossing treatment d at the site, that value ca eatment based up o mpliance at pedestrian cro	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp High Com	I pedestrian dela alue in 4h. ected motor apliance or LOV	st compl	4h 4i iance.	
major roadway with has been measured tep 5: Select tree Expected motorist collow Compliance Treatm 700 600	hout a crossing treatment d at the site, that value ca eatment based up o mpliance at pedestrian cro	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp High Com	I pedestrian dela alue in 4h. ected motor apliance or LOV	st compl	4h 4i iance.	
major roadway with has been measured the seen measured the seen th	hout a crossing treatment d at the site, that value ca eatment based up o mpliance at pedestrian cro	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp High Com	I pedestrian dela alue in 4h. ected motor apliance or LOV	st compl	4h 4i iance.	
major roadway with has been measured rep 5: Select treexpected motorist collow Compliance Treatm 700 600	hout a crossing treatment d at the site, that value ca eatment based up o mpliance at pedestrian cro	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp High Com	I pedestrian dela alue in 4h. ected motor apliance or LOV	st compl	4h 4i iance.	
major roadway with has been measured rep 5: Select treexpected motorist collow Compliance Treatm 700 600	hout a crossing treatment d at the site, that value ca eatment based up o mpliance at pedestrian cro	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp High Com	I pedestrian dela alue in 4h. ected motor apliance or LOV	st compl	4h 4i iance.	
major roadway with has been measured rep 5: Select treexpected motorist con Low Compliance Treatm 700 600 500 400	hout a crossing treatment d at the site, that value ca eatment based up o mpliance at pedestrian cro	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp High Com	I pedestrian dela alue in 4h. ected motor apliance or LOV	st compl	4h 4i iance.	
major roadway with has been measured rep 5: Select treexpected motorist con Low Compliance Treatm 700 600 500 400	hout a crossing treatment d at the site, that value ca eatment based up o mpliance at pedestrian cro	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp High Com	I pedestrian dela alue in 4h. ected motor apliance or LOV	st compl	4h 4i iance.	
major roadway with has been measured rep 5: Select treexpected motorist con Low Compliance Treatm 700 600 500 400	hout a crossing treatment d at the site, that value ca eatment based up o mpliance at pedestrian cro	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp High Com	I pedestrian dela alue in 4h. ected motor apliance or LOV	st compl	4h 4i iance.	
major roadway with has been measured rep 5: Select treexpected motorist con Low Compliance Treatm 700 600 500 400 400 400 600 600 6	hout a crossing treatment d at the site, that value ca eatment based up o mpliance at pedestrian cro	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp High Com	I pedestrian dela alue in 4h. ected motor apliance or LOV	st compl	4h 4i iance.	
major roadway with has been measured rep 5: Select treexpected motorist con Low Compliance Treatm 700 600 500 400	hout a crossing treatment d at the site, that value ca eatment based up o mpliance at pedestrian cro	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp High Com	I pedestrian dela alue in 4h. ected motor apliance or LOV	st compl	4h 4i iance.	
major roadway with has been measured the seen measured to the seen measu	hout a crossing treatment d at the site, that value ca eatment based up o mpliance at pedestrian cro	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp High Com	I pedestrian dela alue in 4h. ected motor apliance or LOV	st compl	4h 4i iance.	
major roadway with has been measured rep 5: Select treexpected motorist con Low Compliance Treatm 700 600 500 400 400 400 300	hout a crossing treatment d at the site, that value ca eatment based up o mpliance at pedestrian cro	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp High Com	I pedestrian dela alue in 4h. ected motor apliance or LOV	st compl	4h 4i iance.	
major roadway with has been measured tep 5: Select tree Expected motorist con Low Compliance Treatm 700 600 500 400 200 100	hout a crossing treatment d at the site, that value ca eatment based up o mpliance at pedestrian cro	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp High Com	I pedestrian dela alue in 4h. ected motor apliance or LOV	st compl	4h 4i iance.	
major roadway with has been measured tep 5: Select tree Expected motorist collow Compliance Treatm 700 - 600 - 500 - 400 - (1/p) 300 - 2	hout a crossing treatment d at the site, that value caleatment based up of mpliance at pedestrian crossent Category:	(assumes 0% con be entered in in total pediessings in region	ompliance). If the 4i to replace the c estrian delay : enter HIGH for	actual tota alculated v. and exp High Com	I pedestrian dela alue in 4h. ected motor inpliance or LOV IVE OR ENHA	ist compl V for	4h 4i iance. 5a	LOW
major roadway with has been measured tep 5: Select tree Expected motorist con Low Compliance Treatm 700 600 500 400 200 100	hout a crossing treatment d at the site, that value ca eatment based up o mpliance at pedestrian cro	(assumes 0% con be entered in total pede	ompliance). If the 4i to replace the c estrian delay	actual tota alculated vi and exp High Com	I pedestrian dela alue in 4h. ected motor inpliance or LOV IVE OR ENHA	ist compl V for	4h 4i iance.	LOW
major roadway with has been measured tep 5: Select tree Expected motorist con Low Compliance Treatm 700 600 500 400 200 100	hout a crossing treatment d at the site, that value caleatment based up of mpliance at pedestrian crossent Category:	(assumes 0% con be entered in in total pediessings in region	ompliance). If the 4i to replace the cestrian delay : enter HIGH for	actual tota alculated v. and exp High Com. ACT	I pedestrian dela alue in 4h. ected motori apliance or LOV IVE OR ENHA	ist compl V for	4h 4i iance. 5a	
major roadway with has been measured tep 5: Select tree Expected motorist con Low Compliance Treatm 700 600 500 400 200 100	hout a crossing treatment d at the site, that value caleatment based up of mpliance at pedestrian crossent Category:	(assumes 0% con be entered in in total pediessings in region	ompliance). If the 4i to replace the c estrian delay : enter HIGH for	actual tota alculated v. and exp High Com. ACT	I pedestrian dela alue in 4h. ected motori apliance or LOV IVE OR ENHA	ist compl V for	4h 4i iance. 5a	LOW

Locations:

Adams Street/15th Street, Baker Street/15th Street, Adams Street/8th Street, Baker Street/8th Street, Adams Street/3rd Street, and, Baker Street/Cowls Street

Table 1. Application of pedestrian crash countermeasures by roadway feature.

		Posted Speed Limit and AADT																								
		٧	Vehicle AADT <9,000				Ve	ehic	le A	ADT	٦ 9,0	000	-15	5,00	00		Ve	hicl	e AA	λDΤ	>1	5,00	0			
Roadway Configuration	≤3	0 m	nph	35	5 m	ph	≥4	0 m	nph	≤3	0 m	ph	35	5 mp	oh	≥4	0 m	ıph	≤3	0 m	ıph	35	m	ph	≥40	mph
2 lanes (1 lane in each direction)	4	2 5	6	7	5	6	①	5	6 ②	0 4	5	6	0 7	5	6	1	5	6 ②	1 4 7	5	6	① 7	5	6	1	5 6 ©
3 lanes with raised median (1 lane in each direction)	4	2 5	3	7	5	3	1	5	3	① 4 7	5	3 9	1	5	3		5	3	① 4 7	5	9	①	5	3	1	3 5
3 lanes w/o raised median (1 lane in each direction with a two-way left-turn lane)	0 4 7	2 5	3 6 9	7	5	3 6 9	①	5	6 9	① 4 7	5	6	1	5	3 6 9	1	5	3 6 9	① 4 7	5	3 6 9	①	5	3 6 9	① 5	6 6
4+ lanes with raised median (2 or more lanes in each direction)	7	5 8	9	7	5 8	9	①	5 8	3	① 7	5 8	3	1	5	3	①	5 8	3	1	5 8	③	①	5 8	3		5 8 Q
4+ lanes w/o raised median (2 or more lanes in each direction)	7	5 8	③ 6 9	① 7	5 8	3 6 9	1	5 8	3 3 9	① 7	5 8	3 3 9	1	5	3 6 9	1	5 8	3 6 9	①	5 8	3 3 9	①	5 8	3 6 9		5 6 8 9

Given the set of conditions in a cell,

- Signifies that the countermeasure is a candidate treatment at a marked uncontrolled crossing location.
- Signifies that the countermeasure should always be considered, but not mandated or required, based upon engineering judgment at a marked uncontrolled crossing location.
- O Signifies that crosswalk visibility enhancements should always occur in conjunction with other identified countermeasures.*

The absence of a number signifies that the countermeasure is generally not an appropriate treatment, but exceptions may be considered following engineering judgment.

- High-visibility crosswalk markings, parking restrictions on crosswalk approach, adequate nighttime lighting levels. and crossing warning signs
- 2 Raised crosswalk
- 3 Advance Yield Here To (Stop Here For) Pedestrians sign and yield (stop) line
- 4 In-Street Pedestrian Crossing sign
- 5 Curb extension
- 6 Pedestrian refuge island
- 7 Rectangular Rapid-Flashing Beacon (RRFB)**
- Road Diet
- 9 Pedestrian Hybrid Beacon (PHB)**

^{*}Refer to Chapter 4, 'Using Table 1 and Table 2 to Select Countermeasures,' for more information about using multiple countermeasures

^{**}It should be noted that the PHB and RRFB are not both installed at the same crossing location.

This table was developed using information from: Zegeer, C.V., J.R. Stewart, H.H. Huang, P.A. Lagerwey, J. Feaganes, and B.J. Campbell. (2005). Safety effects of marked versus unmarked crosswalks at uncontrolled locations: Final report and recommended guidelines. FHWA, No. FHWA-HRT-04-100, Washington, D.C.; FHWA. Manual on Uniform Traffic Control Devices, 2009 Edition. (revised 2012). Chapter 4F, Pedestrian Hybrid Beacons. FHWA, Washington, D.C.; FHWA. Crash Modification Factors (CMF) Clearinghouse. http://www.cmfclearinghouse.org/; FHWA. Pedestrian Safety Guide and Countermeasure Selection System (PEDSAFE). http://www.pedbikesafe.org/PEDSAFE/; Zegeer, C., R. Srinivasan, B. Lan, D. Carter, S. Smith, C. Sundstrom, N.J. Thirsk, J. Zegeer, C. Lyon, E. Ferguson, and R. Van Houten. (2017). NCHRP Report 841: Development of Crash Modification Factors for Uncontrolled Pedestrian Crossing Treatments. Transportation Research Board, Washington, D.C.; Thomas, Thirsk, and Zegeer. (2016). NCHRP Synthesis 498: Application of Pedestrian Crossing Treatments for Streets and Highways. Transportation Research Board, Washington, D.C.; and personal interviews with selected pedestrian safety practitioners.

Appendix F Evaluation Criteria and Performance Measures Memorandum



MEMORANDUM

Date: October 7, 2020 Project #: 23021.020

To: Project Management Team
Project Advisory Committee

From: Nicholas Gross, Nick Gross, Marc Butorac, PE, PTOE, PMP

Project: McMinnville Active Transportation Concept Plan
Subject: Final Evaluation Criteria and Performance Measures

INTRODUCTION

The purpose of this document is to articulate the goals and objectives, evaluation criteria, and performance measures to fulfill the Corridor Vision Statement for the McMinnville Active Transportation Concept Plan. Understanding and executing a performance-based approach with clear, actionable, and measurable evaluation criteria enables project teams to make informed decisions about the performance trade-offs of alternative solutions to best suit the project goals based on the corridor context and needs of the intended users. The corridor context and relative need of the intended users are set according to the Oregon Department of Transportation (ODOT) Blueprint for Urban Design (BUD – Reference 1) and the Draft Corridor Vision (Reference 2).

GUIDING GOALS AND POLICIES

The primary purpose of the McMinnville Active Transportation Concept Plan is to identify improvements along the OR99W corridor in the City of McMinnville that will result in a safer, more comfortable, and attractive place to walk, bike, roll and facilitate transit. The City of McMinnville Transportation System Plan (TSP – Reference 3) identifies guiding goals and policies for the transportation vision for the City. The goals and policies relevant to the McMinnville Active Transportation Concept Plan are included in Table 1 on the following page.

174 of 227

Table 1: TSP Goal and Policy Guidance

	TSP Goals and Supplemental Policies
Complete Streets	"The safety and convenience of all users of the transportation system including pedestrians, bicyclists, transit users, freight, and motor vehicle drivers shall be accommodated and balanced in all types of transportation and development projects and through all phases of a project so that even the most vulnerable McMinnville residents – children, elderly, and persons with disabilities – can travel safely within the public right of way."
Multi-Modal Transportation System	"The transportation system for the McMinnville planning area shall consist of an integrated network of facilities and services for a variety of motorized and non-motorized travel modes."
Connectivity and Circulation	"The vehicle, pedestrian, transit, and bicycle circulation systems shall be designed to connect major activity centers in the McMinnville planning area, increase the overall accessibility of downtown and other centers, as well as provide access to neighborhood residential, shopping and industrial areas, and McMinnville's parks and schools."
Transportation System and Energy Efficiency	"The implementation of transportation system and transportation demand management measures, provision of enhanced transit service, and provision of bicycle and pedestrian facilities in the McMinnville planning area shall be embraced by policy as the first choice for accommodating travel demand and relieving congestion in a travel corridor, before street widening projects for additional travel lanes are undertaken. The McMinnville Transportation System Plan shall promote alternative commute methods that decrease demand on the transportation system" including "walking and bicycling."
Transportation Safety	"The City of McMinnville shall make the design, construction, and operation of a safe transportation system for all modes of travel a high priority."
Accessibility for Persons with Disabilities	"The McMinnville transportation system shall be designed with consideration of the needs of persons with disabilities by meeting the requirements set forth in the Americans with Disabilities Act (ADA)."
Livability	"Transportation facilities in the McMinnville planning area shall be, to the degree possible, designed and constructed to mitigate noise, energy consumption, and neighborhood disruption, and to encourage the use of public transit, bikeways, sidewalks, and walkways."
Health and Welfare	"Through implementation of its Complete Streets policy and the TSP by enhancing its pedestrian and bicycle systems, the City of McMinnville will help encourage greater physical activity and improved health and welfare of its residents."
Transportation Sustainability	"Through implementation of the TSP and the Comprehensive Plan, the City of McMinnville will, to the extent possible, seek measures that simultaneously help reduce traffic congestion, pollution, crashes and consumer costs, while increasing mobility options for non-drivers, and encouraging a more efficient land use pattern."
Aesthetics and Streetscaping	"Aesthetics and streetscaping shall be a part of the design of McMinnville's transportation system. Streetscaping, where appropriate and financially feasible, including public art, shall be included in the design of transportation facilities. Various streetscaping designs and materials shall be utilized to enhance the livability in the area of a transportation project."

EVALUATION CRITERIA AND PERFORMANCE MEASURES

The goals and policy guidance from the TSP have been converted into draft evaluation criteria for the Active Transportation Concept Plan. These criteria align with the Draft Corridor Vision for OR99W. The performance measures provide a performance-based decision framework for the selection of a preferred alternative. Aligning with guidance from the BUD, the performance measures are designed to be understandable, consistent, measurable, able to differentiate between alternatives, and specific to this project.

Table 2 provides the draft evaluation criteria and performance measures for the McMinnville Active Transportation Concept Plan.

- **Evaluation Criteria** are derived from the goal and supplemental policies from the McMinnville TSP and will be used to evaluate draft alternatives.
- Description includes the purpose and general explanation of the evaluation criteria, connecting the criteria to the specific community or agency values (based on the TSP) goals and desired outcomes for the project.
- Performance Measures are the measurements used to assess the evaluation criteria.
- Proposed Methodology describes how the criterion will be measured, whether it is qualitative or quantitative, and the data needed to evaluate the criteria.

Table 3 provides a scoring scale from -1 to +2, reflecting the extent to which a project achieves the prioritization measure and describes the data required to complete the scoring. Performance measure sub-categories within each evaluation criterion are scored individually, and then averaged to provide an overall score for the evaluation criterion. Each evaluation criteria score can result in a range between -7 (worst possible score) to +14 (best possible score) based on the seven evaluation criteria listed in Table 2.

Appendix A provides a sample evaluation of potential projects.

Table 2: Evaluation Criteria and Performance Measures

Evaluation Criterion	Description	Proposed Performance Measures
Complete Streets	The alternative provides comfortable facilities for people walking and biking, regardless of age and ability. The "complete streets" criterion addresses the "Complete Streets" goal and supplemental policy identified in the TSP.	 Bicycle Level of Traffic Stress (BLTS) Pedestrian Level of Traffic Stress (PLTS)
Multi-Modal Transportation System	The alternative provides integrated network of facilities and services for a variety of motorized and non-motorized travel modes based on the appropriate relative priority given the corridor context. The multi-modal transportation system criterion addresses the "Multi-Modal Transportation System" goal and supplemental policy identified in the TSP.	Type and presence of pedestrian, bicycle, transit, motor vehicle, and freight facilities align with the recommendations from the Blueprint for Urban Design (provided in Appendix B)
Connectivity	The alternative provides comprehensive connectivity and circulation to existing active transportation facilities in the City of McMinnville. The alternative encourages walking and biking to essential destinations within the City of McMinnville. The "connectivity" criterion addresses the "Connectivity and Circulation", "Transportation System and Energy Efficiency", and "Transportation Sustainability" goals and supplemental policies identified in the TSP.	 Connection of alternative to the existing and planned bicycle and pedestrian network Barriers to walking and biking (including an unsafe crosswalk or facilities in poor condition) removed by the alternative Facility gap filled by alternative Proximity of alternative to essential destinations Proximity of alternative to activity generators
Safety	The alternative provides safety countermeasures that reduce the number of fatal and severe injury crashes. The "safety" criterion addresses the "Transportation Safety" and "Transportation Sustainability" goals and supplemental policies identified in the TSP.	 Percentage (%) of anticipated crash reduction based on crash reduction factor (CRF) scaled by planning-level cost of project Bicyclist and pedestrian crash history Pedestrian Risk Factor Bicyclist Risk Factor
Equity	The project meets the requirements set forth in the Americans with Disabilities Act (ADA) and provides transportation options to transportation disadvantaged populations. The "equity" criterion addresses the "Accessibility for Persons with Disabilities" and "Health and Welfare" goals and supplemental policies identified in the TSP.	 This will use the Transportation Disadvantaged Population (TDP) Index from the ODOT Active Transportation Needs Inventory (ATNI). The index considers the following characteristics of a census block: elderly populations (65 and older), youth populations (under 18), non-white and Hispanic populations, low-income populations (households earning less than 200% of the poverty level as determined by the census), limited English proficiency population (aggregate of census populations who speak English "not well" or "not at all"), households without access to a vehicle, and people with a disability (severe or non-severe disability) This criterion will also consider impacts to ADA compliance.
Livability	The alternative minimizes impacts to adjacent property owners and encourages the use of public transit, bikeways, sidewalks, and walkways. The project provides equity and receives public support. The "livability" criterion addresses the "Livability" and "Aesthetics and Streetscaping" goals and supplemental policies identified in the TSP.	 Right-of-way acquisition needs Neighborhood street modification, business access and parking Anticipated public support based on Open House and Public Advisory Committee Comments
Design Feasibility	The alternative has no major design feasibility concerns. The "design feasibility" criterion does not directly address any goals or supplemental policies identified in the TSP.	Constructability (including, but not limited to, right-of-way availability, existing terrain, utility location, visibility concerns, etc.)

Table 3: Evaluation Criteria Scoring

Evaluation	Bartaman Manager		Scoring	g Scale		
Criterion	Performance Measure	-1	0	+1	+2	Resources
Complete	Quantitative: BLTS	Project degrades existing BLTS	Project makes no change to existing BLTS	Project improves existing BLTS by 1 point	Project improves existing BLTS by 2 or 3 points	Posted speed, traffic volumes, number of lanes, and bicycle facility type
Streets	Quantitative: PLTS	Project degrades existing PLTS	Project makes no change to existing PLTS	Project improves existing PLTS by 1 point	Project improves existing PLTS by 2 or 3 points	Posted speed, traffic volumes, number of lanes, and pedestrian facility type
Multi-Modal Transportation System	Qualitative: Type and presence of pedestrian, bicycle, transit, motor vehicle, and freight facilities align with the recommendations from the Blueprint for Urban Design (provided in Appendix B)	Project degrades modal priorities based on urban context.	Project has no impact on modal priorities based on urban context.	Project improves modal priorities for urban context.	Project significantly improves modal priorities for urban context.	Posted speed, travel lane characteristics, shy distance, median, bicycle facility type and characteristics, pedestrian facility type and characteristics, parking type and characteristics. The urban context was determined to be Traditional Downtown/CBD and Urban Mix in the Corridor Vision (Reference 2). Based on recommendations from the Blueprint for Urban Design, Transit, Bicyclist, and Pedestrian are "High" priority modes (reference table provided in Appendix B)
	Qualitative: Project is identified by the City of McMinnville Transportation System Plan (TSP) or is located on the Safe Routes to School (SRTS) Network.	N/A	The project is not identified by the TSP or located on the SRTS Network	The project is identified by the TSP or is located on the STRS Network	The project is identified by the TSP and is located on the SRTS Network	City of McMinnville Transportation System Plan, Safe Routes to School Network
Connectivity	Qualitative: Project removes barrier to walking and biking or fills gap in the walking and biking transportation network	Project creates barriers or gaps in the walking and biking transportation network	Project has no impacts to barriers or gaps in the walking and biking transportation network	Project indirectly addresses barriers or gaps in the walking and biking transportation network	Project directly addresses barriers or gaps in the walking and biking transportation network	Existing conditions inventory
	Quantitative: Proximity to activity generators and essential destinations	N/A	Project would serve no active generators or essential destinations in 1/4 mile radius	Project would serve some active generators or essential destinations in 1/4 mile radius	Project would serve many active generators or essential destinations in 1/4 mile radius	Count of active generators and essential destinations within $\frac{1}{4}$ mile of the project location.
	Quantitative: Crash Reduction Factor C/Planning Level Project Cost	N/A	The project is not anticipated to reduce crashes at a location.	The project provides a moderate value crash reduction factor given the project cost.	The project provides a high value crash reduction factor given the project cost.	This is a quantitative measurement based on crash countermeasures and planning-level cost estimates.
Safety	Quantitative: Crash History N/A		There were no bicyclist or pedestrian crashes reported in the 5-year crash history within 250 feet of the project.	There were 1 or 2 bicyclist or pedestrian crashes reported in the 5-year crash history within 250 feet of the project.	There were 3 or more bicyclist or pedestrian crashes reported in the 5-year crash history within 250 feet of the project.	5-Year Crash History
	Quantitative: Pedestrian Risk Factor Scoring	N/A	The project is not located on, or perpendicular to a Medium or High risk factor location.	The project is located on, or perpendicular to a Medium risk factor location.	The project is located on, or perpendicular to a High risk factor location.	This is a quantitative measure based on the ODOT Statewide Pedestrian and Bicycle Safety Plan's
	Quantitative: Bicyclist Risk Factor Scoring	N/A	The project is not located on, or perpendicular to a Medium or High risk factor location.	The project is located on, or perpendicular to a Medium risk factor location.	The project is located on, or perpendicular to a High risk factor location.	established risk factor scoring for systemic safety.

Table 3: Evaluation Criteria Scoring

Evaluation	Performance Measure		Scoring	g Scale		Resources
Criterion	renormance measure	-1	0	+1	+2	Resources
Equity	Quantitative: Project impact to transportation disadvantaged populations based on the ODOT Transportation Disadvantaged Population (TDP) Index	Project degrades transportation options and facilities for transportation disadvantaged populations	Project has no impact on transportation options and facilities for transportation disadvantaged populations	Project indirectly improves transportation options and facilities for transportation disadvantaged populations	Project directly improves transportation options and facilities for transportation disadvantaged populations	Census block data
	Qualitative: Project impact to ADA compliance	Project degrades ADA compliance	Project makes no improvements to ADA compliance	Project makes moderate improvements to ADA compliance	Project makes significant improvements to ADA compliance	ODOT ADA Inspection Summary, ADA Standards for Accessible Design
	Quantitative: Right-of-way acquisition needs	The project requires significant right-of-way acquisition	The project requires minor right-of-way-acquisition	The project requires no right-of-way acquisition	N/A	Right-of-way maps
Livability	Qualitative: Neighborhood street modification, business access and parking	The project degrades access and/or mobility to residential and commercial areas	The project has no impact to access and/or mobility to residential and commercial areas	The project indirectly improves access and/or mobility to residential and commercial areas	The project directly improves access and/or mobility to residential and commercial areas	Parking inventories, locations of residential and commercial properties in study area
	Qualitative: Public response based on Open House and Public Advisory Committee Comments	The project has (or is expected to have) significant negative public response	The project has (or is expected to have) a neutral public response	The project has (or is expected to have) a positive public response	The project has (or is expected to have) strong support from the public	Open House and Public Advisory Committee Comments
Design Feasibility ¹	Qualitative: High-level feasibility of constructing the intended project at the location.	The project poses significant design challenges	The project poses moderate design challenges	The project poses minor design challenges	The project poses no notable design challenges	Constructability (including, but not limited to, right-of-way availability, existing terrain, utility location, visibility concerns, etc.)

¹ ADA design requirements will be considered but not included as a precluding factor to design feasibility.

NEXT STEPS

The Evaluation Criteria and Performance Measures has been reviewed by the project management team (PMT) and updated to produce the Final Evaluation Criteria and Performance Measures. The Evaluation Criteria will be used to compare the alternatives developed as part of Task 5: Alternatives Development, Analysis, and Preferred Alternative Concept.

REFERENCES

- 1. Oregon Department of Transportation. Blueprint for Urban Design, 2020.
- 2. Kittelson & Associates, Inc. Corridor Vision, 2020.
- 3. City of McMinnville. Transportation System Plan, 2010.

Appendix A Sample Evaluation

Bulb	Bulb-Out Improvements at NE 8 th Street / NE Baker Street Intersection ¹									
Evaluation Criterion	Score	Methodology ¹								
Complete Streets	1	Posted speed: 30 mph Number of Lanes: 2 AADT: 14300 Change in LTS: 1 point								
Multi-Modal Transportation System	1	The project improves facilities for people walking and biking, improving modal priorities for the urban context.								
Connectivity	1.3	The TSP recommended that new curb extensions should be installed at the NE 8 th Street / NE Baker Street Intersection. The project is not on a SRTS network. There are some essential destinations and active transportation generators within ½ mile of the intersection. The project directly addresses a barrier in the walking transportation network.								
Safety	1.8	Two crashes involving pedalcyclists within a 5-Year Period: 1 serious injury crash and 1 minor injury crash. Install Curb Ramps and Extensions with a Marked Crosswalk and Pedestrian Warning Signs (BP12) has a Crash Reduction Factor of 37% for pedestrian crashes. This is a high value crash reduction factor given the project cost. Project is located on a high risk factor location for bicyclists and pedestrians.								
Equity	2	Project highly improves ADA compliance at a location. Project directly improves transportation options and facilities for transportation disadvantaged populations.								
Livability	0.3	The project requires no right-of-way acquisition. The project indirectly improves access to residential and commercial areas. The project is expected to have a negative public response.								
Feasibility	2	The project has no significant design challenges								
Total Score		9.4								

-

¹ The scoring provides an example of the evaluation criteria and performance metrics, however the methodology includes incomplete data and analysis. The scoring for this particular project would need to be refined in the project development process if it is considered in Task 5 of this project.

RRFB at NE 8th Street / NE Baker Street Intersection ²										
Evaluation Criterion	Score	Methodology ¹								
Complete Streets	2	Posted speed: 30 mph Number of Lanes: 2 AADT: 14300 Change in Crossing LTS: 2 points								
Multi-Modal Transportation System	2	The project significantly improves modal priorities for urban context, as it provides an enhanced crossing for people walking and biking.								
Connectivity	1.3	The TSP recommended that new curb extensions should be installed at the NE 8th Street / NE Baker Street Intersection. The project is not on a SRTS network. There are some essential destinations and active transportation generators within ½ mile of the intersection. The project directly addresses a barrier in the walking transportation network.								
Safety	1.5	Two crash involving pedalcyclists in 5-year period: 1 minor injury crash and 1 fatal injury crash Install Rectangular Rapid Flashing Beacon (2-Lane Road) (BP8) has a Crash Reduction Factor of 10% for pedestrian crashes. This is a moderate value crash reduction factor given the project cost. Project is located on a high risk factor location for bicyclists and pedestrians.								
Equity	2	Project highly improves ADA compliance at a location. Project directly improves transportation options and facilities for transportation disadvantaged populations.								
Livability	0.7	The project requires no right-of-way acquisition. The project indirectly improves access to residential and commercial areas. The project is expected to have a neutral public response.								
Feasibility	2	The project has no significant design challenges.								
Total Score		11.5								

-

² The scoring provides an example of the evaluation criteria and performance metrics, however the methodology includes incomplete data and analysis. The scoring for this particular project would need to be refined in the project development process if it is considered in Task 5 of this project.

Bik	Bike Lane along Baker Street between NE 1st Street and 5 th Street ³										
Evaluation Criterion	Score	Methodology									
Complete Streets	1.5	Posted speed: 30 mph Number of Lanes: 2 AADT: 14300 Change in BLTS: improve by 2 points Change in PLTS: improve by 1 point									
Multi-Modal Transportation System	1	Based on the context the BUD recommends buffered facilities. Therefore, although this project improves modal priorities for urban context, it does not provide ideal facilities.									
Connectivity	1.3	The project is not identified by the TSP or located on the SRTS Network. The project directly addresses a gap in the biking transportation network. The project would serve many active generators and essential destinations in a ½ mile radius.									
Safety	1.8	There were 3 or more crashes involving pedalcyclist in a 5-year period. Install Bike Lanes (BP18) has a Crash Reduction Factor of 36% reduction for crashes involving bicyclist. This is a high value crash reduction based on project cost. Project is located on a medium pedestrian risk factor location and high bicyclist risk factor location.									
Equity	1	Does not impact ADA compliance. Project directly improves transportation options and facilities for transportation disadvantaged populations.									
Livability	1.3	The project requires no right-of-way acquisition. The project directly improves mobility to residential and commercial areas. The project is expected to have a positive public response.									
Feasibility	2	The project has no anticipated design challenges.									
Total Score		9.9									

-

³ The scoring provides an example of the evaluation criteria and performance metrics, however the methodology includes incomplete data and analysis. The scoring for this particular project would need to be refined in the project development process if it is considered in Task 5 of this project.

Appendix B Blueprint for Urban Design

Designing based on urban context, considering roadway designations and activity of different modes

Urban Context	Target Speed (MPH)*	Travel Lanes?	Turn Lanes ^{1,2}	Shy Distance ^{2,3}	Median ¹²	Bicycle Facility ^{12 5}	Sidewalk	Target Pedestrian Crossing Spacing Range (feet)	On-street parkingt
Traditional Downtown/ CBD	20-25	Start with minimum widths, wider by roadway characteristics	Minimize additional crossing width at intersections	Minimal	Optional, use as pedestrian crossing refuge	Start with separated bicycle facility	Ample space for sidewalk activity (e.g., sidewalk cales, transit shelters)	250-550 (1-2 blocks)	Include on- street parking if possible
Urban Mix	25-30	Start with minimum widths, wider by roadway characteristics	Minimize additional crossing width at intersections	Minimal	Optional, use as pedestrian crossing refuge	Start with separated bicycle facility, consider roadway characteristics	Ample space for sidewalk activity (e.g., sidewalk cates, transit shelters)	250-550 (1-2 blocks)	Consider on- street parking if space allows
Commercial Corridor	30-35	Start with minimum widths, wider by roadway characteristics	Balance crossing width and operations depending on desired use	Consider roadway characteristics, desired speeds	Typically used for safety/ operational management	Start with separated bicycle facility, consider roadway characteristics	Continuous and buffered sidewalls, with space for transit stations	500-1,000	Not Applicable
Residential Corridor	30-35	Start with minimum widths, wider by roadway characteristics	Balance crossing width and operations depending on desired use	Consider roadway characteristics, desired speeds	Optional, use as pedestrian crossing refuge	Start with separated bicycle facility, consider roadway characteristics	Continuous and buffered sidewalks	500-1,000	Generally Not Applicable, Consider roadway characteristics
Suburban Fringe	35-40	Start with minimum widths, wider by roadway characteristics	Balance crossing width and operations depending on desired use	Consider roadway characteristics, desired speeds	Optional, use as pedestrian crossing refuge	Start with separated bicycle facility, consider roadway characteristics	Continuous and buffered sidewalks	750-1,500	Not typical
Rural Community	25 - 35	Start with minimum widths, wider by roadway characteristics	Balance crossing width and operations depending on desired use	Consider roadway characteristics, desired speeds	Optional, use as pedestrian crassing refuge	Start with separated bicycle facility, consider roadway characteristics	Continuous and buffered sidewalks, sized for desired use	250-750	Consider on- street parking if space allows

Source: ODOT Blueprint for Urban Design, Volume 1
Orange box indicates Urban Contexts considered as part of this project.

General Modal Considerations in Different Urban Concepts

Land Use Context	Motorist	Freight	Transit	Bicyclist	Pedestrian
Traditional Downtown/CBD	Low	Low	High	High	High
Urban Mix	Medium	Low	High	High	High

Source: ODOT Blueprint for Urban Design, Volume 1

Public Involvement & PAC Meeting Notes



MEMORANDUM

Date: April 13, 2021 Project #: 23021.020

To: Project Management Team

From: Nick Gross, Amy Griffiths, Marc Butorac, PE, PTOE, PMP

Project: McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation

Concept Plan

Subject: Public Involvement Summary

The project team, Oregon Department of Transportation ("ODOT"), and the City of McMinnville ("the City") hosted a virtual open house for the McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan ("McMinnville Active Transportation Concept Plan"). The goal of the virtual open house was to educate the public on the project and solicit feedback on the selection of a preferred concept for advancement into the draft Concept Plan.

OVERVIEW

The virtual open house contained an accompanying survey which was open from February 25 through March 11, 2021. A livestreamed virtual meeting was held on Thursday, March 4 and a recording of this meeting was posted to the virtual open house website. This memorandum summarizes the feedback received from the virtual open house.

The City advertised the open house through social media posts and newspaper advertisements. Information about the virtual open house was also provided on the project website.¹

The virtual open house for the McMinnville OR 99W Active Transportation Concept Plan had the following components:

- Information about the project, including the project purpose, background, and study area;
- Information about three preliminary concepts developed to address the active transportation needs in the study area;
- An interactive map where participants can make location-specific comments and draw their preferred neighborhood greenway route;

Kittelson & Associates, Inc. Portland, Oregon

189 of 227

¹ https://www.walkbike99wmcminnville.com/

- A survey where participants could provide input on the preliminary concepts; and,
- A livestreamed public meeting that included a Q&A session on the project.

VIRTUAL OPEN HOUSE FINDINGS

The virtual open house had 76 survey responses and 536 page views. Findings from the survey, comment map, and input received during the live meeting are summarized below.

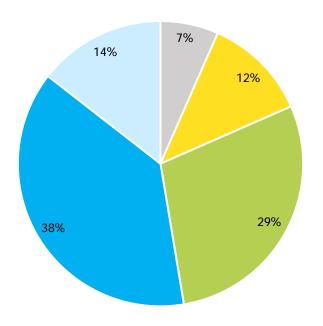
Appendix "A" provides the survey responses.

Appendix "B" provides a detailed summary of the livestreamed virtual meeting.

Respondent Characteristics

Chart 1 shows respondents' confidence levels biking. The survey overrepresents confident cyclists; the Concept Plan will work to provide facilities that meet the needs of less confident users.

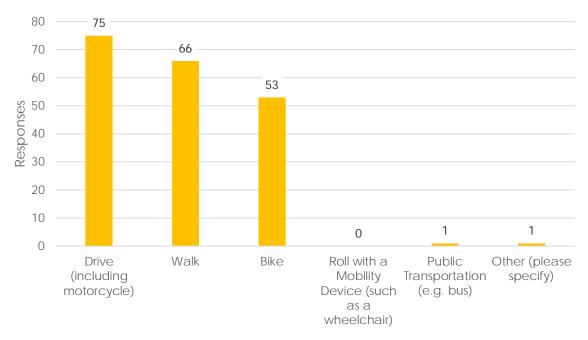
Chart 1: Type of Cyclist of Respondents



- I cannot ride a bike/I am not interested in biking
- I am only comfortable riding on separated paths away from traffic (e.g. Westside Bicycle/Pedestrian Greenway)
- I am comfortable riding a bike on roads with little traffic (e.g. quiet neighborhood streets)
- I am comfortable riding a bike on roads with higher traffic volumes and speeds, as long as there is a bike lane (e.g. Evans Street)
- I am comfortable riding a bike just about anywhere (e.g. with traffic along OR 99W)

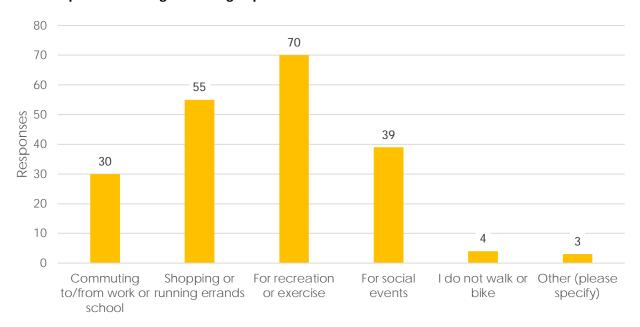
Chart 2 shows the travel modes used by respondents. Almost all respondents use a combination of vehicular and active transportation; they are able to provide insight on the needs for both vehicular and active travelers.





As shown in Chart 3, respondents walk and bike in McMinnville for a variety of trips, including recreation, shopping, commuting to work or school, and social events. The Concept Plan will provide facility recommendations that continue supporting recreational trips and active transportation access in the community.

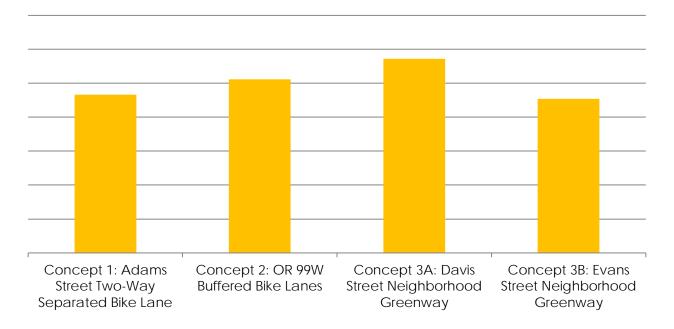
Chart 3: Purpose of Walking and Biking Trips



Concept Feedback

Survey respondents were asked to rank their preference on concepts. As shown in Chart 4, Concept 3A and Concept 2 were the most preferred options.

Chart 4: Concept Preference



Respondents provided the reason they support their top preference. These reasons are described below.

For people who prefer Concept 1, they think that it:

- Looks the safest and most accessible for people biking (due to separation),
- Would be the most used option,
- Provides more separation for pedestrians from traffic lanes, and
- Only impacts Adams Street (does not impact Baker Street).

For people who prefer Concept 2, they think that:

- It is the most intuitive and practical (due to directional flow),
- It has low maintenance requirements,
- It provides direct access to businesses on OR 99W, and
- People would continue biking on Baker Street even if there was a two-way facility on Adams Street.

For people who prefer Concept 3A, they think that:

- It is attractive and sensible (due to low traffic volumes and speeds);
- It supports children and beginner bikers;

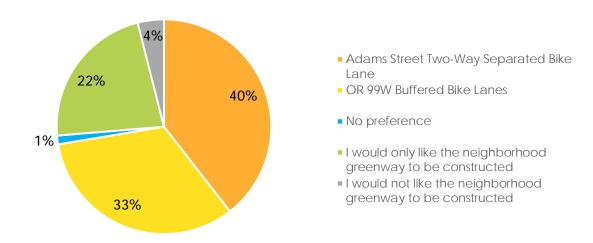
- It is already used as a parallel route today;
- There is no advantage to making OR 99W more bike friendly because there is no need to use it in town; and,
- Options on OR 99W would increase congestion.

For people who prefer Concept 3B; they think that:

- There is less traffic along Evans Street than OR 99W;
- Evans Street is already a high-use bicycling area; and
- It provides clear access to McMinnville High School.

Respondents provided their top preference for facilities along OR 99W, assuming that the neighborhood greenway is also constructed. As shown in Chart 5, respondents are supportive of constructing facilities along OR 99W in addition to neighborhood greenway facilities. Slightly more respondents preferred constructing the Adams Street Two-Way Separated Bike Lane Concept in addition to the neighborhood greenway (40%) to the constructing OR 99W Buffered Bike Lanes Concept in addition to the neighborhood greenway (33%). The primary reason for this preference was due to the presence of vertical separation from traffic. Based on the input above, and the overall preference for OR 99W Buffered Bike Lanes (as shown in Chart 4), recommendations to add future vertical separation to the buffered bike lanes will likely make the OR 99W Buffered Bike Lanes Concept the preferred option.

Chart 5: Top Preference for OR 99W Facilities (In Addition to Neighborhood Greenway)



Virtual open house participants were able to draw their preferred neighborhood greenway alignment. As shown in Figure 1, there are a variety of recommended routes:

- Linfield Avenue and Cowls Street were both identified as southern connections to OR 99W;
- Cowls Street, Davis Street, and Evans Street were all identified as preferred locations for the alignment; and

Kittelson & Associates, Inc. Portland, Oreaon 193 of 227

• 14th Street and 19th Street were both identified as northern connections to OR 99W.

My State: Creeking Section 19 Sec

Figure 1: Neighborhood Greenway Alignment Recommendations

Respondents provided a variety of "other ideas" for projects to make walking, biking, and rolling in the study area more enjoyable. These ideas include the following:

- Provide stronger buffers (e.g., concrete curbs or planters),
- Add sitting benches,
- Add a bike share program, and
- Provide connections to and along Lafayette Avenue, 3rd Street, 4th Street, 5th Street, Birch Street, and Alder Street.

No participants identified a concern with removing parking along the west side of Adams Street.

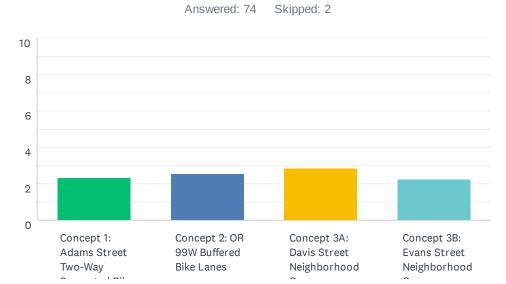
Influence on Concept Plan Recommendations

Public input confirms the recommendation to provide both a low-stress neighborhood greenway route and facilities directly on OR 99W. The following modifications to the preferred concept will be made in the Concept Plan based on public input:

- Near-term and long-term recommendations for adding physical separation to Concept 2 will be included in the Concept Plan, where possible.
- Additional traffic calming recommendations will be included with Concept 3A, particularly along Davis Street between Linfield Avenue and 1st Street.
- Concept 3A's northern connection to OR 99W will be modified from 17th Street/18th Street to 19th Street.
- The Concept Plan will provide recommendations for potential low-stress connections to these concepts that could provide a low-stress walking, biking, and rolling network in McMinnville.

Appendix A Survey Responses

Q1 Please rank your preference of the concepts from highest preference (1) to lowest preference (4).



	1	2	3	4	TOTAL	SCORE
Concept 1: Adams Street Two-Way Separated Bike Lane	26.03% 19	16.44% 12	21.92% 16	35.62% 26	73	2.33
Concept 2: OR 99W Buffered Bike Lanes	26.39% 19	29.17% 21	18.06% 13	26.39% 19	72	2.56
Concept 3A: Davis Street Neighborhood Greenway	37.84% 28	25.68% 19	21.62% 16	14.86% 11	74	2.86
Concept 3B: Evans Street Neighborhood Greenway	10.81% 8	28.38% 21	37.84% 28	22.97% 17	74	2.27

Q2 For the concept you ranked as your highest preference, why is it your preferred concept?

Answered: 72 Skipped: 4

#	RESPONSES	DATE
L	It highlights alternative transportation to cars. We've got to get people out of their vehicles and seeing folks on bikes will give the visibility and prominence that alternative transport deserves.	3/11/2021 10:01 PM
2	Keeps bikes off 99W and leaves Evans Street as accessible to cars.	3/11/2021 8:05 PM
3	Safer	3/11/2021 8:04 PM
4	I personally find HWY 99 to be loud and busy, even if there was a safe way to bike it, and would prefer to be in neighborhoods.	3/11/2021 8:29 AM
5	It provides the best separation for cyclists.	3/10/2021 9:40 AM
6	I like the way it looks, bikes are going the same direction as cars in a lane of their own, it won't narrow the drive lanes like the Two-Way Separated Bike Lanes will	3/9/2021 4:47 PM
7	Seems easiest to implement.	3/9/2021 10:25 AM
8	it feels adequate, safe enough and less expensive than #1	3/9/2021 9:03 AM
9	between riding/walking on a busy street like 99 or a quieter greener one, I would prefer the greener.	3/8/2021 7:55 PM
10	It is the safest and it's also nice to pass by other bikers on their way, to build a culture of biking in this place where few bike. Culture shift relies on people feeling a part of a movement or group that matters.	3/8/2021 10:40 AM
11	Because it seems the safest and I think the most used.	3/8/2021 10:19 AM
12	It seems like the most community impact in a positive way and also the least amount of maintenance in the future for the city.	3/8/2021 9:32 AM
13	changes the 99w corrider and improves its safety instead of hoping you can change the behaviors of people. Seems the greenway alternative is just the best choice because it is the cheapest - which isn't a good basis if you are trying to keep people safe.	3/8/2021 8:05 AM
14	Evans is quiet and would work for multi purpose much better than other options, plus it goes straight into downtown.	3/7/2021 7:25 PM
15	Davis would be a safe low traffic route through town. I already use much of Davis when I bike through town.	3/7/2021 3:27 PM
16	99W is becoming more of a thorough fair every year and the more we adapt to climate change as a community we have to be adapting infrastructure to support changes in transportation options. The more commuters that can safely travel in the major thoroughfare in town the closer we can get to a carbon neutral city.	3/7/2021 1:44 PM
17	Access to businesses on 99w via bicycle	3/7/2021 11:36 AM
18	Slower traffic, more enjoyable to bike through neighborhoods than on highways.	3/7/2021 11:35 AM
19	Less/slower car traffic, fewer/no big trucks, more scenic/quieter than Hwy 99	3/7/2021 11:30 AM
20	Best all around chance for bike commuting in McMinnville. Safest route by far. Doesn't require impact on both Baker and Adams since it is double lane on one road.	3/7/2021 10:45 AM
21	Easy division of road space along the main route.	3/5/2021 7:00 PM
22	Longest straight run.	3/5/2021 5:57 PM
23	Feels more dedicated and safer than a buffered lane.	3/5/2021 2:40 PM
24	I'm concerned that changes to the parts of 99W could worsen traffic. I'd rather see safer routes through neighborhoods.	3/5/2021 12:40 PM
25	Seems safer to get bike traffic off the Main Street.	3/5/2021 9:42 AM
26	I like a greenway	3/5/2021 9:33 AM
27	The first one is out as I do not like reduced lane widths. I believe the walkers/bikers should be away from the highway.	3/5/2021 9:06 AM

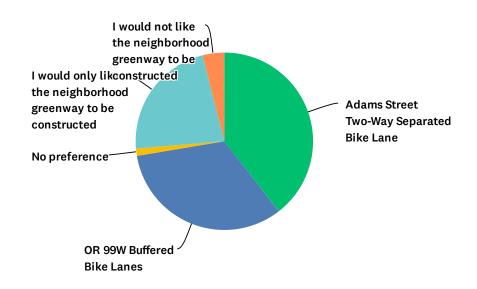
28	Davis Street is a perfect North South connector. It is off of buys roads and connects Linfiled and Sue Buel Elementary, the High School and shopping + services near and around 99w.	3/5/2021 8:53 AM
29	Good for children & beginning bikers	3/5/2021 8:28 AM
30	All of these ideas dont make sense. The only people that ride bikes are the homeless and they dont follow the laws anyway.	3/5/2021 8:04 AM
31	With proper design and cooperation of the neighborhoods I think it would work best for the entire cycling community, families and timid bikers	3/4/2021 7:55 PM
32	Least busy with traffic of the 4 options.	3/4/2021 4:29 PM
33	SE Davis is already a popular option for walkers and cyclist who want to avoid 99W. Limiting motor vehicles to the local residents would make it a popular and safe choice for families and small groups of students riding from Linfield. It also stretches from Booth Bend Rd all the way to NE 14th St. There could be two sections separated by the blocks from SE 1st to NW 4th streets.	3/4/2021 2:04 PM
34	Appears to be the safest option for the most highly used pedestrian/cyclist areas.	3/4/2021 12:59 PM
35	Because there are actual barriers that indicate for bikers only. There are no parked cars along the bike area that can pull in or out with no warning. I think bikers feel safer that way.	3/4/2021 12:47 PM
36	1. Low traffic north of downtown. 2. Traffic light at 3rd St. for safety in crossing 3rd. 3. Davis goes all the way to Linfield and Booth Bend Rd. Negative: Crossing 2nd and 1st.	3/4/2021 7:37 AM
37	In my opinion there is no advantage to making 99W more bike-friendly, it will never be. I am an active, experienced cyclist with 25 years in McMinnville and I NEVER use 99 in town. One does not need to.	3/3/2021 5:29 PM
38	Keeps bicycles on one side of the street, painted markings are very visible and defined.	3/3/2021 4:29 PM
39	Walking, w/chair, or biking would be much quieter on this street, more scenic, and it seems safer to me.	3/3/2021 4:13 PM
40	With the amount of traffic I don't think any feasible improvements to 99W/Adams would do enough to truly increase bike or pedestrian traffic. The Greenway idea provides a space with shade in the summer and less right and left turns from vehicle traffic. This option would be safer and see a lot more use from walkers/runners/cyclists.	3/3/2021 3:43 PM
41	I'm not sure any level of design along Baker or Adams will make me feel safe as a bicyclist. The amount of commercial traffic (such as semi tractor-trailers and agricultural equipment) is so high so consistently. Evans Street is already a relatively high-use bicycling area where drivers may already be more aware to be on the lookout for non-drivers using the right-of-way. The Evans Street route is also adjacent to the high school, athletic areas, and the closest grocery store (Grocery Outlet) for many who live in that residential area. It also provides access to Rite-Aid, as well as an apartment complex. I bike this route for work as often as the weather permits, and I think having it enhanced would be a great way to go. Invest the time and effort in an area that is already being utilized, don't pursue something on Adams and Baker that will need lots of convincing. By enhancing Evans Street, people will feel more encouraged to join other walkers/bikers/rollers who already utilize it, I can't imagine that as many people would opt in to bike on Adams and Baker vs. Evans even if Adams and Baker were enhanced instead.	3/3/2021 1:46 PM
42	1 appears to be the safest.	3/3/2021 1:10 PM
13	Best for bikers	3/3/2021 8:04 AM
14	A davis greenway is the most attractive and sensible option for the existing city design.	3/2/2021 10:38 PM
45	Because it separates non motorized traffic from cars. I feel it's safer for both groups of users and more enjoyable for all. Evans street is even too busy of a car street to have significant	3/2/2021 9:48 PM
	use by active transport users.	
46	use by active transport users. Steers bicycles off of busy roads, often used by non-residents who may not be use to the bike lanes. Moving to quieter residential streets would be better for cyclists and motorists.	3/2/2021 6:39 PM

48	Biking along 99, even with buffered lanes, is scary. Especially for kids.	3/2/2021 5:25 PM
19	avoid 99/47/18. truckers need it	3/2/2021 4:56 PM
50	Under Concept 2 bike traffic moves in same direction as motor traffic, making merges easier and safer and more consistent with normal traffic patterns. The painted buffer strips help maintain separation from motor traffic.	3/1/2021 11:16 PM
51	Like neighborhood greenway instead of cyclists along 99W. Davis is best street for this, since Evans is already used by many cars as a secondary road to reach downtown, avoiding traffic on 99W.	3/1/2021 4:25 PM
52	More space for bikes and well marked for vehicles	3/1/2021 1:31 PM
53	There are bike highways (two-way bike lanes) in Hillsboro that work wonderfully in separating car and bike traffic. Cornelius Pass Road in Hillsboro has a great example between Cornell Road and 26.	3/1/2021 10:52 AM
54	I ride my bike as a mode of transportation. I prefer to not ride along high traffic roads to avoid exhaust, debris, and noise. I like the idea of having a dedicated neighborhood road for biking. Given the number of large trucks that travel on Hwy. 99, even with dedicated bike lanes it seems unsafe. Also, with the dedicated bike lanes on Hwy. 99, it seems like turning left through traffic would be difficult for bikes.	3/1/2021 8:53 AM
55	It seems to be the most convenient and likely to be used option. Adams is also in bad shape and also needs a lot of work, so this could facilitie that happening. And if freight could be encouraged to use Lafayette Hwy instead of Adams, that would be a benefit.	2/26/2021 8:28 PM
56	Does not involve narrowing lanes for vehicular traffic on 99	2/26/2021 6:52 PM
57	It seems like logistically it is easier to maintain than the 2-way separated lanes, but keeps bikes separate from cars.	2/26/2021 4:29 PM
58	Dedicated bicycle route keeps everyone safer.	2/26/2021 1:42 PM
59	Davis runs continuous from the high school south beyond the southern border of the project area, and offers a safer biking environment than anything that can be reasonably developed on Adams Street, with its continuously heavy traffic.	2/26/2021 1:28 PM
60	The buffered bike lane still allows parking along the side of the road while creating spacious sections for bikers and pedestrians.	2/26/2021 10:32 AM
61	Cost and don't want to deal with pedestrian and bike traffic at all.	2/26/2021 7:01 AM
62	Evans street is a clearer access to the high school and 3rd Street with less traffic. It is already wider than Davis which is more residential. Given the variety of traffic on 99 (log trucks, etc) losing lane width seems difficult and would still make me hesitant to ride a bike even with a designated lane.	2/25/2021 8:02 PM
63	It looks safest, and it looks like Portland.	2/25/2021 7:46 PM
64	Creating north/south bound access for bicycles on routes that are already established as north/south bound makes most sense to me; to create a 2-lane buffered zone for bikes isn't conducive to accessing all of the turn-offs from the highway that bicyclists may need without having to cross 2 lanes of highway traffic + 1 bike lane of traffic to make it so.	2/25/2021 7:10 PM
65	Stays away from trucks and traffic, slower speeds, no debris in the streets that can affect safety,	2/25/2021 6:40 PM
66	The idea of a safe and accessible bike lane is more of what Mcminnville needs	2/25/2021 6:17 PM
67	Davis has the most direct connection to Linfield, and has less traffic than Evans. The 2-way separated lane on Adams comes in last because of difficulties in keeping the road surface clean.	2/25/2021 2:51 PM
68	People are always biking along the highway, on both sides Adams and Baker. A two-way bike lane is not going to push all bike traffic there they will still be in a hazardous area on Baker. For everyone's safety, please make bike lanes on both Adams and Baker!	2/25/2021 2:40 PM
69	It seems the most practicial	2/25/2021 2:35 PM

70	A 2-way buffered lane would provide even more protection for pedestrians on the sidewalk, from noise, and proximity to cars.	2/25/2021 2:17 PM
71	Davis has less vehicular traffic and goes all the way to Linfield College. Evans has slightly more vehicular traffic but is a wonderful route from downtown to the high school and 99W.	2/25/2021 11:56 AM
72	it feels like it would be the safest for bike traffic	2/25/2021 11:42 AM

Q3 If a neighborhood greenway is constructed in addition to facilities along OR 99W, which facilities would you prefer to be constructed along OR 99W?

Answered: 76 Skipped: 0



ANSWER CHOICES	RESPONSES	
Adams Street Two-Way Separated Bike Lane	39.47%	30
OR 99W Buffered Bike Lanes	32.89%	25
No preference	1.32%	1
I would only like the neighborhood greenway to be constructed	22.37%	17
I would not like the neighborhood greenway to be constructed	3.95%	3
TOTAL		76

Q4 Do you have other ideas for walking or biking facilities along OR 99W that you prefer to the concepts outlined above? If so, please describe your recommendation in the comment box below.

Answered: 41 Skipped: 35

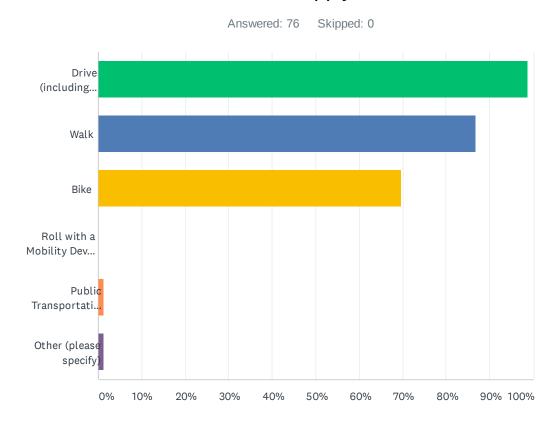
McMinnville OR 99W Active Transportation Concept Plan Virtual Open House Survey

#	RESPONSES	DATE
1	Nothing I can think of at this time.	3/9/2021 4:47 PM
2	A well-marked bike lane on the bridge that goes to the hospital and a well-marked bike lane on Lafayette would promote safer, easier biking. Closing 3rd Street to cars would, obviously, promote more biking and walking as well, but perhaps a well-marked biking option on 3rd,4th or 5th would also be helpful.	3/8/2021 10:40 AM
3	Yes! A bike-share such as CitiBike in NYC, where there are bikes that you can rent/pick up and leave at different locations!	3/8/2021 10:19 AM
4	no	3/8/2021 8:05 AM
5	Expanding Baker Creek out to Hill Road and out to Pevine. Also, a way for tourist to get from downtown on 2nd to Hill Road and out to side roads. More importantly current bike lanes need to be frequently cleaned. I get so many flats and it's hard to ride in existing infrastructure. Please keep bike lanes clean.	3/7/2021 7:25 PM
6	I would not choose to bicycle along Hwy 99W, even with additional bicycle lanes. There is too much traffic.	3/7/2021 3:27 PM
7	The idea shown in some of the images of a barrier between the bike lane and car lane seems very important for a narrow highway with many turns. As clear signage and distinction as possible!	3/7/2021 1:44 PM
8	Bicycle greenway through or parallel to downtown with easy connection to 99w project and sw 2nd avenue. Right now getting from Lafayette ave to sw 2nd bike lanes is unclear and unsafe.	3/7/2021 11:36 AM
9	Designated bike shoulders along the hills through upper and lower city park.	3/7/2021 11:35 AM
10	It might be safer to have a full size 3' concrete wall or highway divider instead of the low curb so that vehicles cannot jump the curb while texting, etc.	3/7/2021 10:45 AM
11	N/A	3/5/2021 7:00 PM
12	I don't think bike lanes should be put along Adams or Baker. Have you ridden along Hawthorn St., in Portland? As someone who drives a car along those streets, it is scary! Bikes "have the right of way" and give no consideration to what cars need to watch out for. Bikes need to be away from cars. and especially on Adams, the almost no stop merges from the side streets/Westside Rd will cause serious injuries and death.	3/5/2021 5:57 PM
13	Trash cans along sidewalks but make them environment friendly. Corvallis has lovely receptacles with plants on top which allows them to blend in but also be good for the environment.	3/5/2021 2:40 PM
14	I think some sort of flashing light or improved crosswalk at 99w and Third street is much needed. Those intersections connecting Clty Park, the Library, the Pool and more to the "core" of our City + County services, and main visitor destination are critical.	3/5/2021 8:53 AM
15	Electrical charging stations for e-bikes & mobility equipment.	3/5/2021 8:28 AM
16	Dont worry about it. Only the homeless ride bikes, and they dont follow the law.	3/5/2021 8:04 AM
17	As a pedestrian it makes more sense to move north/south via Cowls or Davis and at the southern end to cut through the Linfield campus.	3/4/2021 4:29 PM
18	none	3/4/2021 12:47 PM
19	Can you make crossing 99W (at intersections with traffic lights, like 19th St. or Fellows St. for instance) easier for cyclists regarding triggering the traffic light sensors by bicycles? That is, so cyclists do not have to get up on the sidewalk to push the pedestrian crossing button in order to get a green light for the cross street. Being at the sidewalk means the cyclist is in an awkward position, in conflict with auto traffic (which arrives after pushing the pedestrian button) making right turns from the cross street on to 99W.	3/4/2021 7:37 AM
20	At some point, the State, County and City need to address a cyclists or walkers need to reach county roads by traveling in or out of Mcminnville safely. All local cycling routes into or out of town are unsafe with the lone exception of Hill Road west towards Old Sheridan road or Peavine. 99 east towards Lafayette has a dangerously narrow and unsafe bridge. Ditto leaving	3/3/2021 5:29 PM

McMinnville OR 99W Active Transportation Concept Plan Virtual Open House Survey

	town on 3rd to Three mile lane, a bad bridge and then hwy 18. Finally, you can't even consider using Westside road as it is very narrow and speeds are high, same with HWY 47 which has a fig leaf of a bike shoulder.	
21	Stop/Turn green areas at lights and intersections. Easy access to crosswalk signal buttons.	3/3/2021 4:29 PM
22	If possible along walkways, maybe a sitting bench every 4-6 blocks. This would help accommodate seniors and/or limited ability folks who may walk for groceries a place to rest. Options to dispose of trash, drink containers, etc. should be available every 4-6 blocks as well.	3/3/2021 4:13 PM
23	There would need to be more green space along 99W, from 17th to Lafayette especially. It just seems way too tight through there to make improvements that would actually make that space usable/safe.	3/3/2021 3:43 PM
24	Two way bike lane seperated by a curb for safety	3/2/2021 10:38 PM
25	4 way Car only stop signs at every block for cars. No stopping required for active transporters.	3/2/2021 9:48 PM
26	A walking path could be added without hurting car and truck traffic. There's only a limited area that doesn't have good walking access at this time, and that could be widened and paved without cutting into current traffic lanes. Bikes could be routed along Davis and/or Evans	3/2/2021 5:59 PM
27	ruts along pool and 12th are hard to cross and bikers swerve to avoid =danger	3/2/2021 4:56 PM
28	Needs "safe zones" for merging left-turning bicycle traffic at intersections.	3/1/2021 11:16 PM
29	For pedestrians, place buffer between sidewalk and street (strip of low landscaping or grass). Bike lane could also provide this buffer area.	3/1/2021 4:25 PM
30	Multi-use sidewalk plan (where the bike lanes end at sidewalk curbs and you use the sidewalk to ride your bike on).	3/1/2021 10:52 AM
31	There really needs to a stoplight crosswalk or at least a flashing light to cross Adams at 3rd. It's really dangerous and kids cross often	2/26/2021 8:28 PM
32	Are there ways to create separate bike lanes in the neighborhood greenways?	2/26/2021 4:29 PM
33	Add dedicated left hand turn signal at intersection of Hwy 99 and Baker Creek Road.	2/26/2021 1:42 PM
34	We need a continuous sidewalk along 99W !!!!!!!!!!!! At present this is missing from SE Adams St.	2/26/2021 1:28 PM
35	It would be nice if you would concentrate on vehicular traffic not bikes and walkers!	2/26/2021 7:01 AM
36	More pedestrian friendly sidewalks. Additional lighting and safety features along with look/feel of McMinnville/3rd St vs. current rundown feel that is less inviting. A better crosswalk from the High School across Baker and Adams. Potentially a light there or some way for people to more easily and safely cross.	2/25/2021 8:02 PM
37	No parking on Baker Street on the side where the bike lane would betoo easy to be hit by a car door or a car pulling in/out of parking space.	2/25/2021 6:40 PM
38	I don't have any other ideas:)	2/25/2021 6:17 PM
39	no	2/25/2021 2:35 PM
40	I think any options for providing additional buffers to the sidewalks and bike lanes is helpful and useful. Planter boxes, textured bumps if it's a buffered bike lane, signage - it is not a pedestrian or bike friendly road.	2/25/2021 2:17 PM
41	I would sincerely love to see our community more connected by trails of all kinds. My kids love to ride their bikes, and knowing they have safe ped/bike routes through the neighborhoods and to major points of interest is exciting as a community member.	2/25/2021 11:56 AM

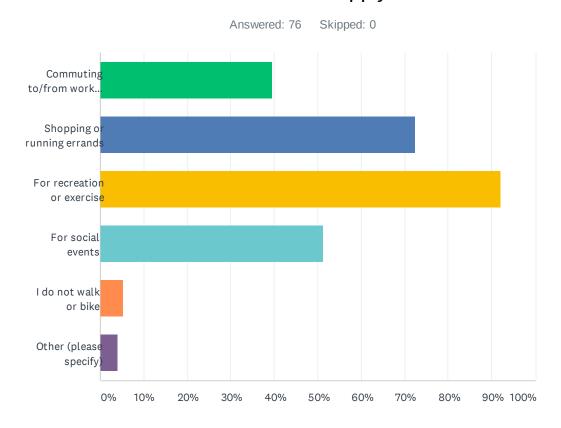
Q5 What type of transportation do you currently use in McMinnville? Select all that apply.



ANSWER CHOICES	RESPONSES	
Drive (including motorcycle)	98.68%	75
Walk	86.84%	66
Bike	69.74%	53
Roll with a Mobility Device (such as a wheelchair)	0.00%	0
Public Transportation (e.g. bus)	1.32%	1
Other (please specify)	1.32%	1
Total Respondents: 76		

#	OTHER (PLEASE SPECIFY)	DATE
1	run, run with stroller, bike with child	3/8/2021 8:06 AM

Q6 If you walk or bike in McMinnville, what are the purpose of your trips? Select all that apply.

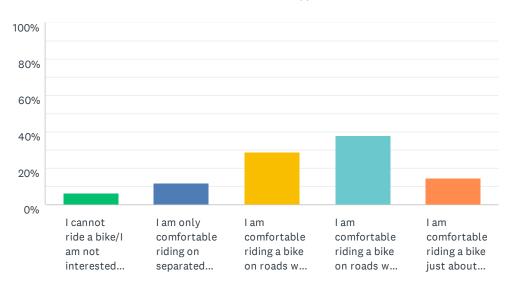


ANSWER CHOICES	RESPONSES	
Commuting to/from work or school	39.47%	30
Shopping or running errands	72.37%	55
For recreation or exercise	92.11%	70
For social events	51.32%	39
I do not walk or bike	5.26%	4
Other (please specify)	3.95%	3
Total Respondents: 76		

#	OTHER (PLEASE SPECIFY)	DATE
1	Exercise	2/26/2021 6:53 PM
2	Accessing public facilities, govt. offices, and churches.	2/26/2021 1:37 PM
3	to get to outlying areas for cyclinglike to Amity, Dayton, Newberg, Sheridan and Lincoln City	2/25/2021 6:46 PM

Q7 How would you characterize your biking ability?





ANSWER CHOICES	RESPON	SES
I cannot ride a bike/I am not interested in biking	6.58%	5
I am only comfortable riding on separated paths away from traffic (e.g. Westside Bicycle/Pedestrian Greenway)	11.84%	9
I am comfortable riding a bike on roads with little traffic (e.g. quiet neighborhood streets)	28.95%	22
I am comfortable riding a bike on roads with higher traffic volumes and speeds, as long as there is a bike lane (e.g. Evans Street)	38.16%	29
I am comfortable riding a bike just about anywhere (e.g. with traffic along OR 99W)	14.47%	11
TOTAL		76

Q8 Is there anything else you would like to share with us about these concepts or about walking, biking, rolling, or taking transit in the study area?

Answered: 42 Skipped: 34

#	RESPONSES	DATE
1	Yes; we are raising our children to be independent and responsible, including instilling the value of trusting their own abilities and capabilities. Unfortunately there are few protections for bikers in town: the 2nd Street bike lane disappears in between two busy lanes just as you approach Adam's heading east, and then the bike stencils continue up 2nd smack in the middle of the road. All kids and adults should be made to feel safe on our streets. The reroute of traffic to 5th Street with the inclusion of street lights has pushed more traffic onto 1st and 2nd Street making it at times dangerous when trying to head south of downtown. There needs to be lined crosswalks and 4 way stops.	3/11/2021 10:06 PM
2	Talking about concept 2 here: if bike lanes are constructed on 99W, I strongly feel that enforcement of proper use should be a priority, not sure the best way to do that but it needs to be a consideration. Is a car allowed to drive the wrong way on a one-way street? Not without consequences, and the same should be for a bicyclist. I am reasonably sure, for example, that people will try to use the bike lane on Adams to go north if deemed "more convenient" or faster to get where they want to be.	3/9/2021 4:57 PM
3	I feel it's not necessary to spend 400,000 and that the greenway is the best option.	3/8/2021 7:57 PM
4	We need more bike lanes in McMinnville! And more public transportation! I am super excited about this project!	3/8/2021 10:20 AM
5	please consider bikes with children	3/8/2021 8:06 AM
6	Really the most important thing for me is maintenance. We can put in all the bike lanes in the world but if they are full of gravel and other debris then people are not going to use them. That is the only thing keeping me from riding to work at the moment. However, I have also notice bike paths getting messy even mid summer. Thank you for all your work on this.	3/7/2021 7:29 PM
7	Would appreciate the enhanced bike designated pathways as I bicycle or walk whenever the weather allows. Many times I can reach my destination faster and more comfortably than driving. These designated pathways will encourage more bicycling and help reduce automobile traffic. I would leave 99W for the cars.	3/7/2021 3:34 PM
8	As much information as possible at various locations would be helpful so folks know what is happening and why. Also to ensure proper use of facilities and infrastructure.	3/7/2021 1:46 PM
9	I am comfortable riding anywhere by myself, but riding with my kids is very uncomfortable in most places including higher speed roads like 99w and Lafayette ave or downtown where they can't be on sidewalks. That is where most all shops and restaurants are. So we find ourselves walking bikes downtown and riding on sidewalks elswhere.	3/7/2021 11:40 AM
10	While currently only in an exploratory phase, I would like to see decisions about this plan tied in to the potential of a new community/recreation center next to Albertsons. Creating the safest possible route for families and children to access these facilities should be a top priority. I personally would not want my children biking along Hwy 99.	3/7/2021 11:34 AM
11	I think it would be wise to also consider a reduction in speed along 99W for the entire length of any section that will gain bike path/route protection. 25 mph or 30 mph tops. It is common to see vehicles driving at 40-45 mph (in 35 mph zones) which is quite dangerous for walking/biking.	3/7/2021 10:49 AM
12	With all of the new housing that will come online in Mac, I agree that recreational bike lanes will be needed. I'd also bet that only a minute percent of those that decide to live in Mac will actually bike to work. Sorry, but Mac isn't an urban city where biking (like in Portalnd) will catch on all that much. Surely not enough to make mess up traveling on Adams, Baker, and 99W worth the investment. 99W is how many MANY drivers get from point A, to point B: Portland/Metro to the coast. If you want to make a nice road for bikes to travel on, widen Westside Rd. and put in a lane that connects Mac to Carlton and Yamhill. Since the ladies on the commission nixed the trail project, there is still a need to have a FUN place to ride. (Mac, along 99W, would never be a fun destination place to ride.)	3/5/2021 6:06 PM
13	With regards to walking. Many of McMinnville's sidewalks in downtown areas are from an older era and are in varied shapes of disrepair. I walk a lot during the winter when it's raining or has recently rained. These are slippery and can be dangerous. Addressing them would be helpful as part of a transportation plan.	3/5/2021 12:43 PM
14	It would be great if it could link with Recreational bicycle ride through the countryside. This	3/5/2021 9:44 AM

McMinnville OR 99W Active Transportation Concept Plan Virtual Open House Survey

could be a great tourist draw.

	could be a great tourist draw.	
15	Greenway needs to be well signed for both bikes & cars.	3/5/2021 8:31 AM
16	Dont waste the time or money.	3/5/2021 8:05 AM
17	It only crosses the study area, but the Cozine Creek Greenway in the City's Parks Plan that was never implemented would be a useful way to talk through part of this area without dealing with cars.	3/4/2021 4:32 PM
18	There is a real lack of adherence to bicycle etiquette and rules among riders (especially young people). I'm surprised by how many cyclists ride on the wrong side of the road and without helmets. When I was young, we used to participate in annual bike safety fairs, where we went through the basics of safe riding, registered our bikes, and received a certificate for our participation. All of the kids I knew took part in it. It was free and was held in the parking lot of the local school. It would be nice if we want to encourage ridership, that we ensure that our riders know the rules of the road.	3/4/2021 2:12 PM
19	I would love to cycle to work (coming from Carlton into McMinnville) but there aren't many safe places to enter the highway/road ways, especially in busy and high traffic areas.	3/4/2021 1:02 PM
20	I see many bikers on sidewalks even when there are bike lanes or it a slow moving residential area. That indicates to me they do not feel safe. However, by being on the sidewalks they present a safety hazard for themselves, pedestrians and for cars pulling out of driveways or sidestreets.	3/4/2021 12:50 PM
21	I bike about 30 miles per week in McMinnville. When I answered that I was comfortable riding 99W as is (above), I do it, but I would prefer one of the options being discussed. I often use Davis St. from NW 12th St. to Booth Bend Rd. I also often cross 99W at traffic signaled intersections throughout the study area. My favorite crossing is on NW 12th because the signal does not require activation of buried sensors to change. My least favorite are the signals in the Linfield area. I am 78 years old.	3/4/2021 7:47 AM
22	Mcminnville and it's environs is a great place to ride but getting into and out of town safely is hard. Mcminnville seems to have the right idea in planning to make local cycling safer and it will need to cooperation of ODOT and Yamhill county to really make the area a more attractive cycling venue by making access to county roads more safe and crossing state highways 99W and 18 easier.	3/3/2021 5:33 PM
23	These are all good and improvements are needed. 99w will only have more traffic and more people will be riding bicycles especially after COVID. Safe riding and walking should be first priority.	3/3/2021 4:35 PM
24	This will be a great improvement for McMinnville whichever option is chosen.	3/3/2021 4:15 PM
25	With high traffic areas it becomes more important to keep the bike lane swept. Along 99W this is a major issue for folks who want to ride their bikes. Even if there is a little separation for the bike lane the road grit and gravel make it into the lane, increasing hazards for cyclists	3/3/2021 3:46 PM
26	I'm really concerned about the separated bike lane. The concept description warns that it would be difficult to maintain and sweep. It doesn't take much to pop a tire. How can it be kept clear of debris and items that could puncture tires?	3/3/2021 1:50 PM
27	A Davis st greenway would attract significant amount of bikers who currently feel unsafe to ride. It would also be attractive to tourists.	3/2/2021 10:40 PM
28	This is a great idea! Parking along the 99 couplet as well as large cross traffic makes bike lane concept hard to me. Green way seems to mimic the natural traffic pattern. I frequently use Evans as my main north south road when driving, but I always chose to walk or bike down Davis or cowls. It's also nice that Davis has a stop light to cross 3rd street.	3/2/2021 9:51 PM
29	not at this time	3/2/2021 6:02 PM
30	McMinnville could increase the desirability of its downtown core even more by making the area more accessible (and safer) for biking and walking. I know people complain about parking, but biking and walking are the future. Let's invest money there.	3/2/2021 5:26 PM
31	hopefully, this will be greater than the 70s bike signs added. Is gas tax money to be used?	3/2/2021 4:58 PM
32	Avoid using bi-directional bike lanes! They increase risks of bike-to-bike collisions and	3/1/2021 11:34 PM

McMinnville OR 99W Active Transportation Concept Plan Virtual Open House Survey

motorists face adjacent oncoming bike traffic on the "wrong" side of the street. Physical separators like curbing tends to get broken up by wayward vehicles and can trip a distracted bicyclist into oncoming traffic. A curbed separator was tried on Farmington Road in the 1970's and eventually had to be taken out because of the hazards. They would be a safety and maintenance nightmare.

	mantenance nightmate.	
33	For kids and teens what are the routes that would be the most convenient and safest?	2/26/2021 4:30 PM
34	Thank you for the opportunity for citizen input!	2/26/2021 1:43 PM
35	I have had several dangerous incidents while walking and attempting to cross Adams Street from the NW corner with Second St. Vehicles traveling south on Adams Street that are approaching or stopped at a yellow red light and want to turn right (west) on Second Street oftentimes threaten walkers who legally enter the crosswalk there.	2/26/2021 1:37 PM
36	Please make this more public,not just a little side ad in the online News Register! Traffic is horrible now and very few people walk or use bikes! Everyone has to know this before you start getting excited about changing everything!	2/26/2021 7:05 AM
37	As cyclists road conditions like pot holes, bumps, debris are important considerations for any proposed bike route. Also important for routes to get to shopping areas, recreational areas and to outer areas	2/25/2021 6:46 PM
38	Keep in mind accessibility for those who are disabled and people who use these modes of transportation a lot but don't have the means to fill out a survey like this.	2/25/2021 6:19 PM
39	I believe that education and enforcement are important components to integrating cycling into the transportation model. Enforcement in particular is lacking too many cyclist flaunt laws, anger/ endanger motorists and pedestrians, and suffer no legal consequences for doing so. This creates a hostile environment for all cyclists.	2/25/2021 2:54 PM
40	I am very excited for all bike improvements along hwy 99. If crosswalk signals are in consideration, I highly recommend ones at 8th and Adams and Baker.	2/25/2021 2:45 PM
41	I think if the crossing signals could allow for "head start" for pedestrians, it would be safer at the major signals (at Albertson's/Roth, and Linfield) Drivers do not expect pedestrians crossing OR99	2/25/2021 2:19 PM
42	I enthusiastically support the creation of more trails and routes connecting our community for peds and bikes! Thank you!	2/25/2021 11:58 AM

Appendix B Public Open House Meeting Notes

LIVESTREAMED VIRTUAL MEETING

A livestreamed virtual meeting was held on Thursday, March 4 from 6:30 to 8:00 PM. This meeting was attended by 17 people: Jenna Berman, Larry Sherwood, Heather Richards, Marc Butorac, Nick Gross, Amy Griffiths, Galen McBee, Barb Jones, Katherine Martin, Mark Davis, Karen Willard, Jamie Fleckenstein, Bill Wilson, Kathy McBee, Bonnie Laux, Peter Higbee and Roger Hall.

The group was asked how many times they walked, biked, or rolled along the OR 99W couplet in McMinnville this past year. Figure 2 shows a word cloud of the responses.

Figure 2: Participants' Walking, Biking, and Rolling Frequency along OR 99W



Participants were also asked how they currently feel walking, biking, and/or rolling along the Adams Street/Baker Street Couplet. Figure 3 shows a word cloud of the responses. Participants feel uncomfortable, apprehensive, and unsafe walking, biking, and rolling along the couplet today.

Figure 3: How Participants Feel Walking, Biking, and Rolling along the Couplet

It's loud when walking.

Uncomfortable and anxious

A little tentative exposed

Apprehensive to Bike very unpleasant Not very accessible for r

Not comfortable not safe Walking is ok

Would not bike there.

Not very safe for biking

Participants were asked what the greatest barriers are to walking, biking, and/or rolling in the study area. As shown in Figure 4, almost half of participants selected traffic conditions as the greatest barrier to walking, biking, and/or rolling in the study area.





The group discussed the three preliminary concepts to address the need for safer, more comfortable walking, biking, and rolling facilities in McMinnville. The following items were brought up by the participants:

- A participant stated that they felt that Concept 1 seems to work very well. Another participant expressed concerns about maintenance and sweeping the two-way separated bike lane. Special equipment would be needed to sweep the bike lanes under Concept 1 due to the constrained width and vertical separation.
- A participant mentioned that that the little bit of extra space associated with a buffer on Concept 2 makes it more comfortable. Another participant asked if vertical separation can be added to Concept 2 as a future phase of work. The project team mentioned that the Concept Plan could include long-term recommendations for vertical separation.
- A participant asked about the cost of adding traffic diverters to Concept 3. The project team mentioned that the cost of diverters can range from about \$7,000 to \$25,000 per intersection depending on needs.
- A participant mentioned that Davis Street from Linfield Avenue to 1st Street is very busy and has lots of parked cars. If Concept 3A moves forward based on public input, the project team will consider traffic calming features like speed humps and chicanes to slow traffic in this segment.
- A participant highlighted the importance of the enhanced crossing at Baker Street / Cowls
 Street because they feel it is "very dangerous" to cross there now.

The participants expressed support for this project's efforts to create safe, comfortable, and accessible active transportation facilities.



Meeting Notes

McMinnville OR 99W (NE McDonald Road to Linfield Avenue) Active Transportation Concept
Plan

PAC Meeting #1

Thursday, December 10 | 3:00 - 5:00 PM

Attendance:

- Kittelson & Associates, Inc.: Marc Butorac, Nick Gross, Amy Griffiths
- Oregon Department of Transportation: Jenna Berman, Daniel Fricke
- The City of McMinnville: Larry Sherwood, Heather Richards
- Barb Jones, Accessibility Advocate
- Cyrus Scarboro-Ford, McMinnville High School Student
- Chuck Hillestad, Former Planning Commissioner, Board of Yamhill County Historic Society
- Dave Rucklos, Director of McMinnville Downtown Association
- Jack Crabtree, McMinnville School District
- Jamie Fleckenstein, McMinnville Planning Department and cyclist
- Cole Mullis, ODOT District Manager
- Peter Higbee, Bicyclist Community
- Steve Macartney, Public Safety
- Zach Geary, McMinnville City Council

1. Action Items

- a. PAC to complete Concept Development Workshop Homework and share completed homework with Amy Griffiths. **Due December 17**
- b. PAC to review background documents and provide comments to Amy Griffiths. **Due December 17**
- 2. Kittelson provided a review of background documents, including the Corridor Vision, TM #1: Performance Based Design Decision Framework, TM #2: Plans and Policy Review, Evaluation Criteria and Performance Measures, and TM #3: Analysis Methodology and Assumptions. Kittelson provided the following clarifications based on questions from the PAC:
 - a. This project is planning to provide facilities while maintaining existing curb-to-curb width and will not require right-of-way acquisition.
 - b. For considering crash history, people using motorized scooters and/or wheelchairs are coded as pedestrians.

- 3. Kittelson reviewed TM #4: Existing Conditions and Future Needs and the PAC provided input based on their firsthand knowledge of the corridor.
 - a. Steve mentioned that he hopes for this project to be included in a STIP-funded multimodal project.
 - b. Steve commented that this plan has to be part of a greater program that looks at intersections, traffic calming, speeds. This exercise is part of a greater thing that needs to occur on OR 99W. Multiple intersections on the corridor are broken. He also mentioned that there are long crossing distances and crossings that do not intersect perpendicularly, which is challenging for people crossing the street.
 - c. Chuck mentioned that he finds it unlikely that a bicyclist would use OR 99W (including the couplet) by preference unless they were unaware of alternate routes. Jenna mentioned that she observed more bicyclists along the couplet than expected when she was conducting the parking inventory.
 - d. Peter mentioned that even where there are bike lanes, they are too dirty to ride in. Jenna mentioned that maintenance is important to this project, and that Cole Mullis is on the PAC to provide a maintenance perspective for this project.
 - e. Jenna mentioned that ODOT will be bringing all of the ADA ramps into compliance as a result of a lawsuit, so there will be a ramp project along the corridor. Larry mentioned that we need to focus on improving driveway cross slopes and ADA ramps to improve pedestrian access. Jamie asked if bulb-outs/curb extensions are included in ADA work. Jenna clarified that they can be, and that the team is looking to the PAC to determine where they consider the extensions to be valuable. Jamie asked how curb extensions would work with dedicated bike lanes on OR 99W. Jenna mentioned that the extensions may only occur on one side. Peter mentioned that the curb extensions can force people biking into the vehicle traffic lane. Cyrus mentioned that the bike lanes could pop up onto the sidewalk to limit bike-driver contact. This would be fleshed out in the alternatives development.
 - f. Chuck mentioned that data suggests that there will be in increase in the people who need motorized scooters and wheelchairs.
 - g. Heather mentioned that she sees a lot of people in wheelchairs or scooters in the street. They did a survey and found that the concrete joints made an uncomfortable ride and it was unpleasant to make all the ups and downs for driveways and ramps. Jaime mentioned that materials is important for accessibility. Chuck mentioned that the slope of driveways crossing sidewalks discourages people from using the sidewalks.
 - h. Chuck mentioned that drivers do not always look closely at the crosswalks they are turning onto, which caused a crash with a handicapped pedestrian in a motorized

Kittelson & Associates, Inc. Portland, Oregon 218 of 227

scooter at the NE corner of Baker Street/2nd Street a few years ago. Chuck also mentioned that when people in scooters cross multiple lanes and a car stops to allow crossing the driver may assume that the car was stopping to make a left turn and not see the person in the scooter because the scooter is too low. Barb mentioned general visibility concerns people in wheelchairs have. For this reason, she feels that it a parallel route along Evans may be preferred.

- i. Chuck mentioned that bicycle lanes are often incompatible with someone on a scooter because of speed. He is concerned that the bicycle has to swerve out of traffic when it is occupied by a scooter, which can be dangerous for both parties. Chuck also mentioned that he feels that the potential for "dooring" where there is high parking turnover is a concern for people biking.
- j. Barb emphasized the importance in driver education that supports visibility for people biking, walking, rolling along and across the street. Marc mentioned that this plan can include recommendations for educational components.
- k. Steve mentioned that single side crosswalk markings may be something to consider so that pedestrians cross on the upstream side of potential left turns on the one way streets. Marc mentioned that we take the upstream side of the intersection when recommended enhanced crossings.
- I. Action Item: PAC to review background documents and provide comments to Amy Griffiths.
- 4. The concept development workshop homework is provided to gather input on the preferred facility types and alignments to be considered as part of the alternatives development. Members of the PAC provided initial comments on the alignment:
 - a. Barb mentioned that two-way facilities along Adams may provide better access to the highway and be a more pragmatic and cost-effective approach to providing facilities along the couplet.
 - b. Dave mentioned that the Farmer's Market is held on Cowls Street, and that bicycle activity is not allowed along Cowls when the market is open. This would add complexity to route along Cowls because it would have to be re-routed frequently. Cowls should not be considered as a parallel route for this project.
 - c. Chuck recommends Davis Street due to low traffic volumes. He mentioned that it would require abundant signage to redirect users to that corridor.
 - d. Peter mentioned that Davis Street has a big hill that people must travel up and down if they travel the extent of the corridor.

Kittelson & Associates, Inc.
219 of 227
Amend

- e. Cyrus mentioned that he observed that Evans Street has the most significant flow of pedestrian traffic to/from the high school. Evans Street would therefore be a good candidate for a parallel route.
- f. Action Item: PAC to complete Concept Development Workshop Homework and share completed homework with Amy Griffiths.
- 5. Next PAC Meeting (Marc)
 - a. Date/Time: Thursday, February 18 | 3:00 5:00PM
 - b. Agenda: Alternatives Development and Preferred Alternative Concept



Meeting Notes

McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan PAC Meeting #2

Thursday, February 18 | 3:00 – 5:00 PM

Attendance:

- Marc Butorac, Nick Gross, and Amy Griffiths; Kittelson & Associates, Inc.
- Jenna Berman, Oregon Department of Transportation
- Larry Sherwood and Heather Richards, The City of McMinnville
- Barb Jones, Accessibility Advocate
- Bahram Refaei, Linfield University
- Cyrus Scarboro-Ford, McMinnville High School Student
- Chuck Hillestad, Former Planning Commissioner, Board of Yamhill County Historic Society
- Dave Rucklos, Director of McMinnville Downtown Association
- Jack Crabtree, McMinnville School District
- Lori Schanche, Planning Commission, Active Transportation Planner
- Peter Higbee, Bicyclist Community
- Steve Macartney, Public Safety
- Zack Geary, McMinnville City Council

Action Items:

- a. PAC to review draft TM #5: Alternatives Development and Preferred Alternative Concept and provide comments to Amy Griffiths. **Due February 25.**
- b. PAC to spread the word about and participate in the Virtual Open House. **February 25**th **to March 11**th.
- c. The consultant team to update concepts based on the feedback summarized below and input received during the Virtual Open House.

Meeting Summary:

The consultant team reviewed draft TM #5: Alternatives Development and Preferred Alternative Concept. The PAC provided input during breakout discussions based on their firsthand knowledge of the corridor.

1. Action Item: PAC to review draft TM #5 and provide comments to Amy Griffiths.

2. Concept 1: Adams Street Separated Bike Lane

- a. A participant mentioned that this concept must be part of a corridor plan that includes access management at several intersections.
- b. Concept 1 would be more permanent than Concept 2. Incremental construction is not feasible for Concept 1.
- c. A participant mentioned that a traffic study would be needed to consider the viability and safety of crossing at 2nd Street & 15th Street in peak hours.
- d. A participant mentioned that flex post delineators "are targets for vehicles" and have high maintenance costs.

3. Concept 2: OR 99W Buffered Bike Lanes

- a. The group discussed that Concept 2 is not as "permanent" as Concept 1 and would allow for more flexibility in the future. Concept 2 could have phased construction.
- b. Participants asked if it would be feasible to add vertical separation (e.g. flex post delineators) to this concept because vertical separation would increase safety and utility. The following challenges were mentioned:
 - i. Maintenance requirements for flex post delineators and other forms of vertical separation are costly.
 - ii. The pre-approved ODOT toolbox for vertical separation is limited.
 - iii. Parallel parking could not be maintained.
 - iv. Vertical separation reduces available width of the roadway, which poses feasibility challenges since the road is a Reduction Review Route for freight.
- c. Three feet is the minimum width requirement for adding vertical separation on an ODOT facility. Adjusting the buffering width from two feet to three feet supports future addition of vertical separation.
 - i. Action Item: The consultant team to modify the cross section to show 5-foot bike lanes and 3-foot painted buffers (rather than 6-foot bike lanes and 2-foot buffers).

4. Concept 3: Neighborhood Greenway

- a. A participant mentioned that OR 99W is safer for people in scooters and wheelchairs because there are better ADA ramps. Therefore, the recommendation of constructing both facilities on OR 99W and a neighborhood greenway route is valuable.
- b. The group discussed the route of the neighborhood greenway alignment. The following modifications were discussed:
 - i. One participant mentioned that the greenway alignment on Davis Street should extend below Linfield Avenue to Booth Bend Road. This connection is outside

Kittelson & Associates, Inc. Portland, Oregon 222 of 227

the study area. Future greenway connections to Booth Bend Road could be added in the future.

- ii. The group discussed that 13th Street, 14th Street, or 19th Street may be better connections back to OR 99W than the "zig-zag" along 17th Street and 18th Street.
 - 1. 14th Street is narrow, which deters people from using 14th Street as a through-street.
 - 2. 13th Street is wider than 14th Street which provides better visibility; 13th Street has greater separation from inexperienced drivers around the high school.
 - 3. 19th Street provides a direct westward connection. Based on traffic volumes, 19th Street may require bike lanes to be a comfortable option.
- iii. The group discussed connections to Baker Creek Road. The group liked the idea of a multi-use path on Evans Street between 17th Street and OR 99W; however, they noted that it would be a high-cost addition to the projects.
- iv. Action Item: The consultant team to modify the neighborhood greenway route based on public input received during this meeting and the Virtual Open House.
- c. Participants mentioned that the segment of Davis Street south of 2nd Street has higher traffic volumes and speeds. A fatal crash involving a child biking occurred in the "dip" on Davis Streets. The group suggested using bike lanes instead of sharrows in this section.
 - i. Action Item: The consultant team to consider the feasibility of providing bike lanes in the segment of Davis Street between Linfield Avenue and 2nd Street.
- d. The group discussed adding traffic diverters to Concept 3 to calm traffic and make Davis Street more comfortable. The intersections of 10th Street and 7th Street were identified as candidate locations for traffic diverters.
 - i. Action Item: The consultant team to include traffic diverters in the public open house to gauge public response on traffic diverters. Based on this input, diverters may be added to Concept 3.
- e. A couple of participants did not support shifting stop signs off Davis Street. Stop signs on Davis Street help discourage through-movement for people driving. The "Idaho stop" law allows people biking to travel through an intersection without stopping.
- Enhanced Crossing Concepts
 - a. The group mentioned that Adams Street/Handley Street is not an ideal location for enhanced crossing treatments because of sight distance challenges, a lack of active transportation generators at Handley Street, topographic challenges with the adjacent creek, and high vehicle speeds through the segment. The group discussed two alternate

Kittelson & Associates, Inc. Portland, Oregon 223 of 227

locations for enhanced crossings: Adams Street parallel with Cowls Street or Adams Street/3rd Street. Based on activity generators and location of existing sidewalks, Adams Street/3rd Street is a more promising location.

- i. Action Item: Kittelson to replace the enhanced crossing concept at Adams Street/Handley Street with a concept at Adams Street/3rd Street.
- b. The PAC was supportive of the other five recommended crossing locations. According to the homework, the order of preference for implementation is Adams Street & Baker Street/15th Street, then Baker Street/Cowls Street, then Adams Street & Baker Street/8th Street, then Adams Street/3rd Street.
- c. A participant inquired about using recessed street surface flashing lighting. The concepts use RRFB's because maintenance of recessed street lighting is difficult and research shows that RRFB's achieve greater driver compliance.
- 6. Upcoming Meetings
 - a. Virtual Open House open February 25th March 11th
 - b. Livestreamed Virtual Open House Meeting: March 4th from 6:30 8:00PM
 - i. Action Item: PAC to spread the word about and participate in the Virtual Open House.
 - c. PAC Meeting #3: April 15th from 3:00 5:00PM



Meeting Notes

McMinnville OR 99W (NE McDonald Lane to Linfield Avenue) Active Transportation Concept Plan PAC Meeting #3

Thursday, April 15 | 3:00 – 5:00 PM

Attendance:

- Marc Butorac, Nick Gross, and Amy Griffiths; Kittelson & Associates, Inc.
- Jenna Berman, Oregon Department of Transportation
- Larry Sherwood and Heather Richards, The City of McMinnville
- Barb Jones, Accessibility Advocate
- Bahram Refaei, Linfield University
- Cyrus Scarboro-Ford, McMinnville High School Student
- Chuck Hillestad, Former Planning Commissioner, Board of Yamhill County Historic Society
- Dave Rucklos, Director of McMinnville Downtown Association
- Lori Schanche, Planning Commission, Active Transportation Planner
- Peter Higbee, Bicyclist Community
- Steve Macartney, Public Safety
- Zack Geary, McMinnville City Council

Action Items:

- a. City to submit 35 Day Notice to Department of Land Conservation and Development (DLCD)
- b. Consultant team to incorporate enhanced crossing location at Adams Street/Walgreens near transit stop at future consideration.

Meeting Summary:

The consultant team reviewed the draft Concept Plan with the PAC and solicited input on the layout and content of the document. The purpose of PAC#3 is to gain consensus to recommend the draft Concept Plan to Planning Commission/City Council.

1. Planning Commission/City Council

- a. Planning Commission/City Council Work session is scheduled for April 27.
- b. PAC comments must be provided to project team by close of business April 16 to be incorporated into packet that goes to Planning Commission/City Council

c. City to submit 35 Day Notice to Department of Land Conservation and Development (DLCD)

2. Overview of Plan

a. The consultant team walked the PAC through the draft Concept Plan including the background material, draft layouts, and enhanced crossing location.

3. General Discussion

- a. A crossing at Adams Street near the Walgreens is needed. A lot of transient people live west of Adams Street in the Cozine Creek area and cross to go to Walgreens. There is also a transit stop in that vicinity.
 - i. Consultant team to incorporate enhanced crossing location at Adams Street/Walgreens near transit stop at future consideration.
- b. Concerned about loss of parking along Adams Street south of 1st Street.
 - i. Discussion of tradeoffs; parking on east vs. west side of roadway
 - ii. There will be an associated risk regardless; people crossing Adams Street to access parking on the east side; keeping parking does not allow for bicycle facility. If parking is on the east side, it shifts the entire roadway over and introduces more curves.
 - iii. The bicycle facility is the priority and needs to be there.
- c. Concerns about speed of vehicular travel along Davis Street south of 1st Street
 - i. Opportunity to limit parking; people are currently parking where parking is prohibited forcing people biking into the center of the travel lane.
 - 1. Potential enforcement issue
- d. When is this project expected to be implemented?
 - i. ODOT has a paving project coming in the next 4-6 years. The goal is to incorporate the paving related improvements (bicycle facilities) into that project.
 - ii. ODOT has an ADA improvement project coming sooner. The goal is to incorporate the enhanced crossing projects into that project.
 - iii. The timing for the neighborhood greenway is up to the City since it is not a ODOT facility. Depends on City budget.







Transportation System Plan

Proposed amendments to Chapter 6, Bicycle System Plan, of the McMinnville Transportation System Plan are on page 6-3 and delineated with bold, underlined, italicized text.



Chapter 6 Bicycle System Plan

6 Bicycle System Plan

McMinnville commuters reacted to recent increases in the price of gasoline in a couple of ways: some long-distance commuters joined carpools or switched to intercity bus services (see Chapter 7), while other local commuters switched to riding their bicycle to work. Historical bicycle volume counts are unavailable, but the rise in local bicycle traffic was noticeable, if even by anecdotal observation. Also noticeable were the concerns raised by commuter, recreational and

student cyclists relating to the number of significant gaps in McMinnville's bicycle system.

Fluctuating gas prices are partly responsible for the increase in bicycle traffic. Given the city's relative compact geography, generally flat topography, future population (compared to larger cities), and increasing costs for driving, cycling will likely become a larger, more popular and viable alternative. Further, as growth generates more vehicle and bicycle traffic in the city there will be increased desire and need to complete McMinnville's bicycle system.



Bike Lane Use on 2nd Street

3 of 16

The Bicycle System Plan outlines recommended steps and projects to increase the role of the bicycle with a system of connected and well-maintained facilities in McMinnville.

Bicycle System Policies

The Bicycle System Plan goal for McMinnville emphasizes the importance of providing a completed system of direct on-street bicycle facilities, and on increasing the percentage of trips made by bicycle.

Bicycle System Goal

To provide a comprehensive system of connecting and direct on-street bicycle facilities that will encourage increased ridership and safe bicycle travel.

Three objectives are recommended in the TSP to help the City of McMinnville achieve its bicycle system goal:

- Create a comprehensive and connected system of bicycle facilities:
- Encourage programs that support bicycle systems and promote cycling activity; and,
- Encourage programs that enhance bicycle safety.

Each objective is to be met through applying policies that pursue particular strategies, develop specified programs, or engage in defined courses of action. The policies for McMinnville's bicycle system are developed consistent with federal policy guidelines and the Oregon Bicycle and Pedestrian Plan.

To increase the role of the bicycle as a viable mode of transportation a system of connected and well-maintained facilities should be provided.

- Provide Bicycle Facilities on Arterials and some Collector Streets – To the extent possible, arterial and some collector streets undergoing overlays or reconstruction will either be restriped with bicycle lanes or sharrow (bicycle/auto shared-lane) routes as designated on the Bicycle System Plan Map (see Exhibit 6-3). Every effort will be made to retrofit existing arterials and selective collectors with bicycle lanes, as designated on the Bicycle System Plan Map.
- Eliminate Barriers to Bicycle Travel The City will actively
 pursue a comprehensive system of bicycle facilities through
 designing and constructing projects, as resources are available,

- and implementing standards and regulations designed to eliminate barriers to bicycle travel. As a result of this policy, new developments or major transportation projects will neither create new, nor maintain existing, barriers to bicycle travel.
- Bicycle Routes and Signage as resources are available, the
 City will periodically consult with local bicyclists to review existing
 and proposed bicycle lanes, and identify improvements needed
 to make these routes function better for bicyclists. These routes
 shall be identified by signage on the routes and shown on
 updates of the bicycle route map.
- Complete the Major Bicycle System A completed system of major bicycle facilities is one of the most important factors in encouraging bicycle travel. The City will work toward annually completing a minimum 10 percent addition (measured in street centerline miles of newly-constructed bicycle lanes, bicycle lane striping and sharrow route designations) to the bicycle system, as designated on the Bicycle System Plan Map, with priority given to projects that fill critical missing links in the bicycle system or address an identified safety hazard.
- Establish Minimum Standards for Bicycle Facility
 Maintenance the City shall develop minimum standards that
 will keep bicycle facilities clean of debris, properly striped, and
 clearly marked and signed.
- Zoning Ordinance Requirements for Bicycle Parking the McMinnville Zoning Ordinance (17.60.140) contains bicycle parking supply requirements and standards that require new developments to provide a minimum amount of bicycle parking, based on the needs of the specific zone or land use type.
- Bicycle Parking at Transit Facilities the City will work with the Yamhill County Transit Authority to encourage the installation of public bicycle parking facilities at transit stations and other inter-modal facilities, and encourage the provision of bicycle racks on all public transit vehicles.

- Target and Eliminate Key Behaviors that Lead to Bicycle Accidents - The City will encourage schools, safety organizations, and law enforcement agencies to provide information and instruction on bicycle safety issues that focus on the most important accident problems.
- Safe Routes To School The City will work with the McMinnville School District to: evaluate existing bicycle access to local schools and supporting infrastructure (bicycle racks, lockers, etc.), estimate the current and potential use of bicycling as a travel mode, evaluate safety needs, and propose changes to increase the percentage of children and young adults safely using this mode.

Existing Conditions

Two fundamental building blocks are needed in understanding the study of McMinnville's bicycle system: (1) a baseline definition of the various terms and language used in describing bicycle facilities, and (2) understanding the various types of bicycle system users.

Revising the Bicycle Planning Language

The City of McMinnville can begin more proactive planning for bicycle facilities by first expanding upon and clarifying the definitions of the various bicycle facilities, especially for the on-street bicycle system. Historical plan documentation in McMinnville has concluded in text and mapping a "Bikeway" or "Bikeway Route" network, some of which is may be implied to mean on-street bicycle lanes. What are bikeway routes? Are they separate lanes for cyclists or a series of signs and painted symbols that indicate for both motorists and cyclists the need to share the outside travel lane? There is need for further clarity in these definitions, otherwise planners, engineers, policy officials and the general public might be unclear what the TSP full intentions are.

Exhibit 6-1 illustrates the basic forms of bikeway facilities as defined by AASHTO. Pavement markings and signing guidance is provided by the Manual of Uniform Traffic Control Devices (MUTCD). Consistent with the MUTCD, the City of McMinnville should² adhere to the following definition of terms concerning bicycle facilities:

Bicycle Facilities

This is a general term denoting improvements and provisions that accommodate or encourage bicycling, including parking and storage facilities, and shared roadways not specifically designed exclusively for bicycle use.

Bikeway

Bikeway is a generic term for any road, street, or path that in some manner is specifically designated for bicycle travel, regardless of whether such facilities are designated for exclusive bicycle use or are to be shared with other travel modes.

Bicycle Lane

A bicycle lane is a portion of a roadway that has been designated by signs and pavement markings for preferential or exclusive use by bicyclists. Bicycle lanes are facilities that are placed on both sides of a street, and they carry bicyclists in the same direction as adjacent vehicle traffic. <u>Bicycle lanes can be buffered from adjacent traffic by vertical barriers or can be identified by lane striping and signage.</u>

Designated Bicycle Routes

Designated bicycle routes consist of a system of bikeways designated by the roadway's jurisdictional authority with appropriate directional and informational route signs, with or without specific bicycle route numbers. Bicycle routes, which might be a combination of various types of bikeways, should



establish a continuous routing. Designated bicycle routes can be divided into **shared roadway** and **shared-use path** facilities.

Shared Roadway

On a shared roadway, bicyclists and motorists use the same travel lane. Shared roadway bicycle routes can be placed on streets with wide outside travel lanes, along streets with bicycle route signing, or along local streets where motorists have to weave into the lane in order to safely pass a bicyclist.





Shared-Use Path

A shared-use path is a bikeway physically separated from motorized vehicular traffic by an open space or barrier, and is either within the public right-of-way or within an independent alignment. Shared-use paths are also used by pedestrians (including skaters, users of manual and motorized wheelchairs, and joggers) and other authorized



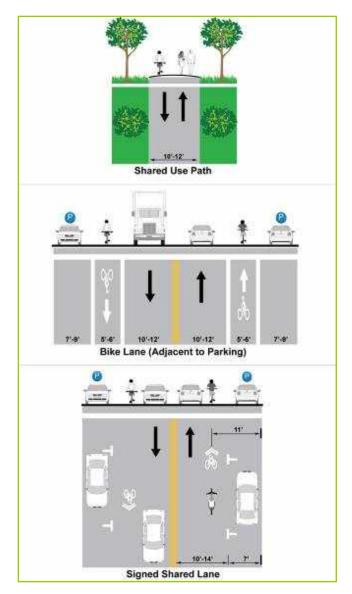
motorized and non-motorized users. Shared-use paths primarily attract recreational users, because they typically wind through and connect destinations; they also offer an opportunity to function as emergency motorized transportation routes. Shared-use paths may be the preferred facility for any cyclist uncomfortable with riding on public roadways alongside motor vehicles.

Neighborhood Greenways

Neighborhood Greenways are residential streets designed to prioritize bicycling and enhance conditions for walking.

Vehicles should travel 20 mph or less. There should be a daily average of approximately 1,000 cars per day with the upper limit set at 2,000 cars. Neighborhood greenways typically include two shared travel lanes and two parking lanes. In order to keep people from jusing neighborhood greenways as automobile cut-through routes, speed bumps and traffic diverters are commonly installed on greenways.

Exhibit 6-1 Bikeway Facility Definitions



Implementation of these specific terms will help advance consistent dialogue between the City of McMinnville and the community regarding bicycle facility planning and design, within the context of multi-modal systems development.

Defining Bicycle Users

There are a variety of bicyclists traveling within the study area, depending on their skills, confidence and preferences. According to AASHTO.

"some riders are confident riding anywhere they are legally allowed to operate and can negotiate busy and high speed roads that have few, if any, special accommodations for bicyclists. Most adult riders are less confident and prefer to use roadways with a more comfortable amount of operating space, perhaps with designated space for bicyclists, or shared use paths that are away from motor vehicle traffic. Children may be confident riders and have excellent bike handling skills, but have yet to develop the traffic sense and experience of an everyday adult rider."

For the purpose of this study the following categories of bicycle user types are applied as the impact of different bicycle facility types are determined:

Advanced or experienced riders are generally using their bicycles as they would a motor vehicle. They are riding for convenience and speed and want direct access to destinations with a minimum of detour or delay. They are typically comfortable riding with motor vehicle traffic; however, they need sufficient operating space on the traveled way or shoulder to eliminate the need for either themselves or a passing motor vehicle to shift position.



Source www.canada.com/ollswap/cervireus

6 of 16

Basic or less confident adult riders may also be using their bicycles for transportation purposes, e.g., to get to the store or to visit friends. This category comprises the majority of bicycle riders in any jurisdiction. They prefer to avoid roads with fast and busy motor vehicle traffic unless there is ample



Source: yawy contextsenstillivesolutions.org

roadway width to allow easy overtaking by faster motor vehicles. Thus, basic riders are comfortable riding on neighborhood streets and shared use paths and prefer designated facilities such as bike lanes or wide shoulder lanes on busier streets.

Children, riding on their own or with their parents, may not travel as

fast as their adult counterparts but still require access to key destinations in their community, such as schools, convenience stores and recreational facilities. Residential streets with low motor vehicle speeds, linked with shared use paths and busier streets with well-defined pavement markings between bicycles and motor vehicles can accommodate children without encouraging them to ride in the travel lane of major arterials.



Source: www.indygreenways.org

Bicycle System Inventory

McMinnville's bicycle system has many excellent features but is lacking cohesiveness and connectivity. Older arterial streets were originally constructed without bicycle lanes while several of the newer arterial streets like Lafayette Avenue now have bicycle lanes.

Exhibit 6-2 maps the current bicycle system within the McMinnville urban area. As Exhibit 6-2 illustrates, several arterial streets such as Hill Road, portions of Old Sheridan Road and Highway 99W remain without designated bicycle facilities.

The McMinnville bicycle system has all three types of bicycle facilities (bike lane, shared-use path and unmarked shared roadway) illustrated in Exhibit 6-1, and these facilities are spread throughout the city.

Bicycle lanes are located throughout the City, mainly on major arterials such as Lafayette, Baker Creek Road, West Second Street and Highway 99W. There are almost seven miles of bicycle lanes on McMinnville arterial streets.



Although McMinnville's bicycle facilities cover most of the city, there are connections that need

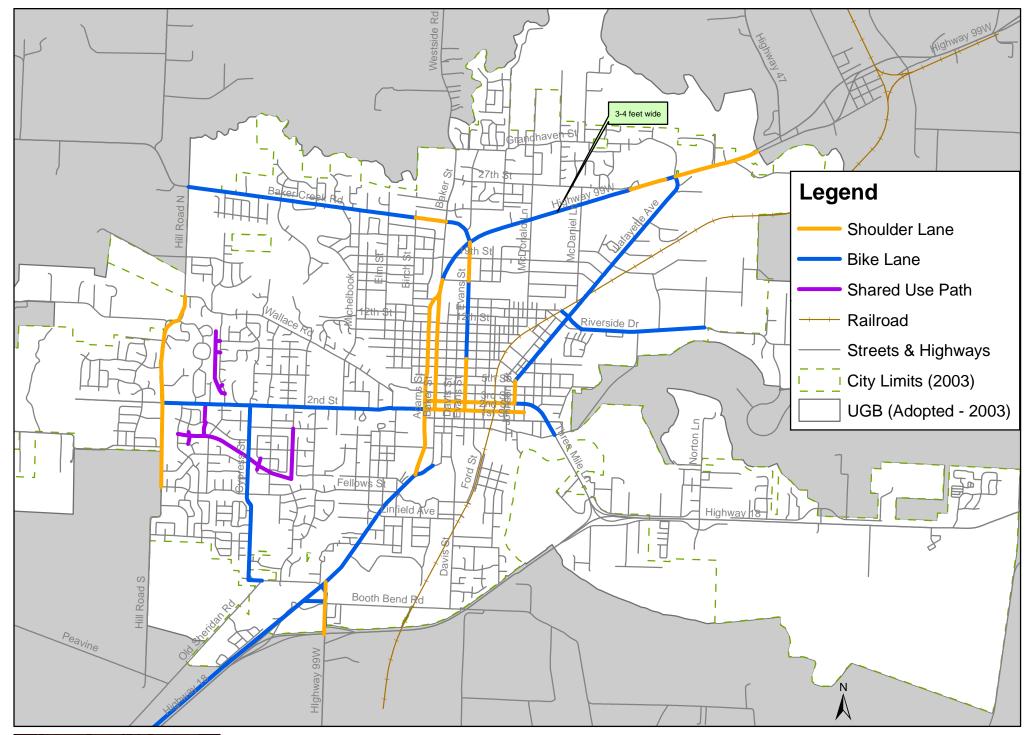
Bike Lane on Highway 99W

to be made and activity centers that should be served by adequate bicycle facilities. As mentioned above, Hill Road, Old Sheridan Road

and Booth Bend Road do not have any bicycle facilities. This lack of connectivity is a large gap in McMinnville's bicycle system. Also, as schools often serve as community hubs in addition to educational facilities, the presence of bicycle facilities near schools is a priority. Older sectors of McMinnville have schools and activity centers disconnected from bicycle facilities.



Bike Lane on Baker Creek Rd





Shared-Use Paths

Shared-use paths can be used by both bicyclists and pedestrians. As noted in Chapter 5, there are two shared-use path facilities in McMinnville: (1) the Southwest Greenway, which was also designed and functions as a linear park and a stormwater detention facility, and (2) the newly constructed shared use path, located between West Second Street and Wallace Road Combined, these facilities provide good connectivity amongst southwest and northwest neighborhoods, but do not provide significant networking capacity for cross-town cycling., nor is there much opportunity to expand the shared-use path system., except for that portion planned for extension north of Wallace Road through the Shadden Claim to Baker Creek Road

Safety Conditions

One way to improve safety conditions for cyclists is to ensure that the transportation network allows for the appropriate separation of modes. For cyclists, modal separation along high volume arterials could improve safety and increase the efficiency of the non-motorized transportation system. Some recommendations for these types of improvements are discussed in the next section.

Bicycle Projects

A recommended list of bicycle improvement projects is generated to improve the overall safety and efficiency of McMinnville's system. An evaluation of existing bicycle conditions as well as traffic operations, safety, and connectivity issues all contributed to producing the project list.

These projects are intended to make better connections within McMinnville for all types of bicycle users. Together, these projects help complete McMinnville's bicycle system, as shown in the Bicycle System Plan Map in **Exhibit 6-3**. There are three types of projects that include bicycle elements.

Complete Street Projects – New Bicycle Lanes

As noted in Chapter 4, a number of *Complete Street* projects are recommended for reconstruction of minor arterials to include pedestrian facilities and on-street bicycle lanes. These projects add slightly more than five miles (street centerline miles) of bike lane facilities. Hill Road, Old Sheridan Road, Booth Bend Road and North Baker Street are *Complete Street* projects that will include new bicycle lanes.

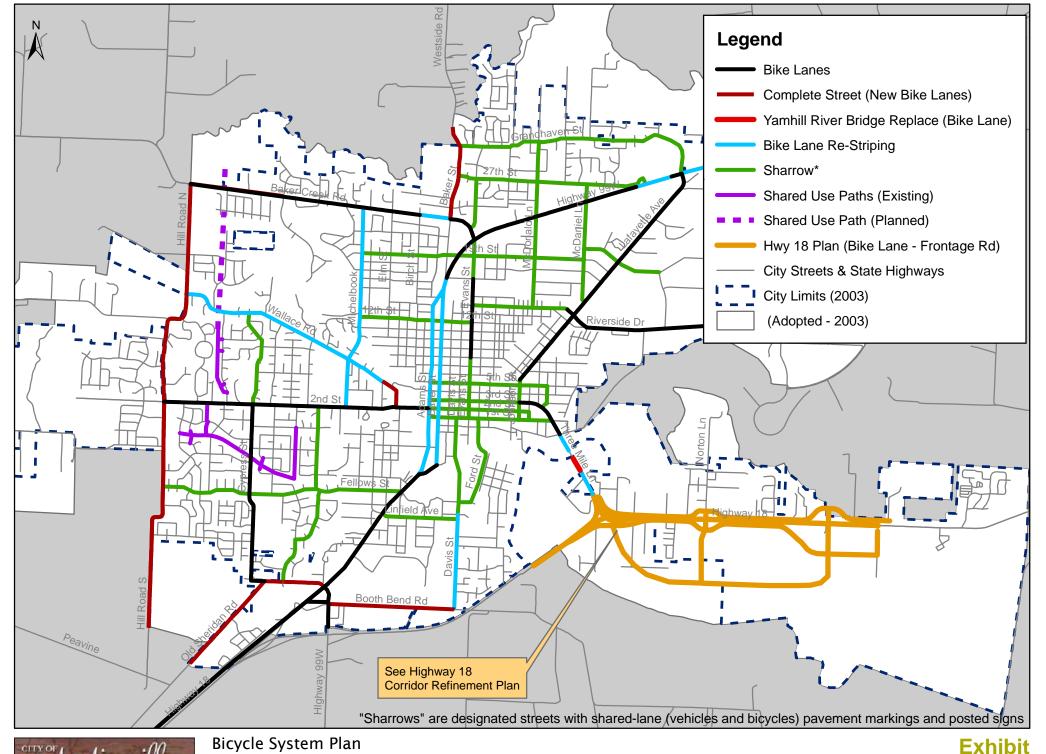
Road Diets - Re-Striping Streets to Add Bicycle Lanes

As the City considers re-striping some of its arterials with on-street bike lanes it may encounter the need to reduce travel lane widths and parking space. An excellent guide for consideration when reducing travel lane widths is Institute of Transportation Engineer's Context Sensitive Solutions in Designing Major Urban Thoroughfares for Walkable Communities. Several existing arterial and collector streets have sufficient width that, with minor re-striping of existing travel lanes and on-street parking, can be retrofitted with on-street

bicycle lanes. These restriping projects are sometimes referred to as *Road Diets*. Approximately 5.5 miles of collector and arterial streets are recommended for re-striping.³.



Candidate for Bike Lane Striping: Michelbook



10 of 16

Amended on 12.15.2021 transpogno 683 of 1001

A range of streets are well-suited for Road Diet improvements. **Exhibit 6-4** shows a "before and after" example of re-striping Baker Creek Road at the Baker Street intersection. New bike lanes can be added to a short section of Baker Creek Road to complete the corridor, by reducing the travel lane widths⁴.

Exhibit 6-4 Road Diet - Baker Creek Road

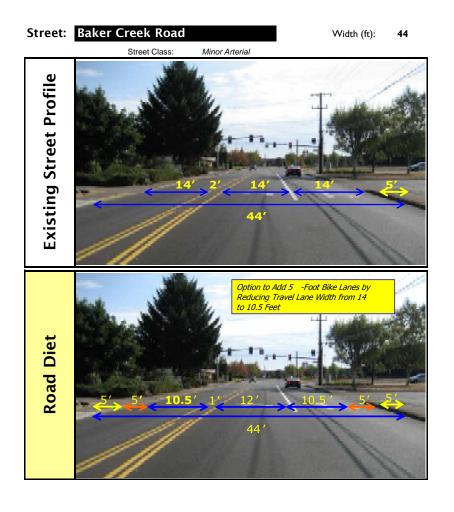
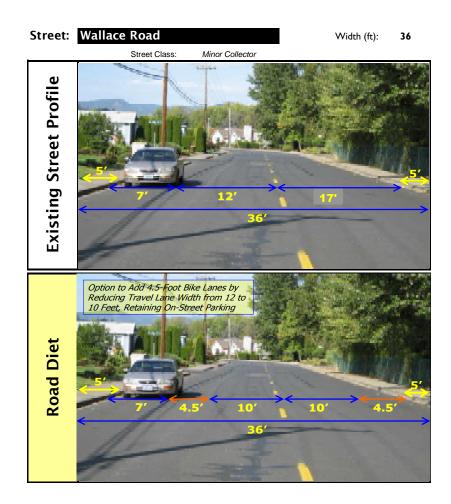


Exhibit 6-5 illustrates a similar Road Diet application on Wallace Road. Wallace Road serves largely residential traffic. The Road Diet application would yield new bicycle lanes, and with reduced travel lane widths the presiding traffic speeds may also slow to desired levels.

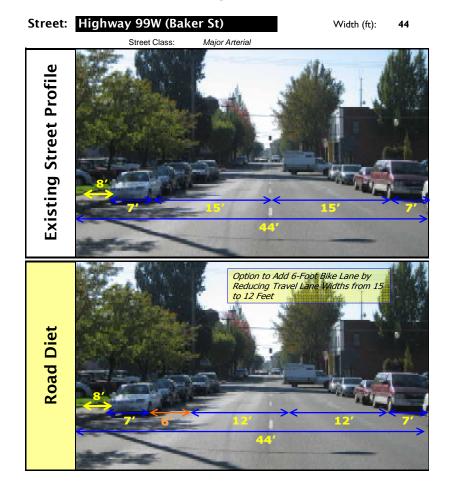
Exhibit 6-5 Road Diet - Wallace Road



11 of 16

Exhibit 6-6 illustrates another Road Diet application, in this example on Highway 99W (Baker Street) within the one-way couplet section. By reducing travel lanes from 15 to 12 feet, a new 6-foot bike lane can be added.

Exhibit 6-6 Road Diet - Highway 99W (Baker Street)



Re-Striping "Sharrows" - Shared-Lane Facilities

Many other collector street and important "connector" streets in McMinnville provide direct connections for cyclists, linking neighborhoods and important activity centers. These routes, however, lack sufficient width to accommodate bicycle lanes even by employing *Road Diet* modifications. The combination of both vehicle and bicycle traffic will require additional route designation signing and markings as shared-lane facilities, routes where motor vehicles and bicyclists share the travel lane. Examples of candidate routes for sharrow designation are shown in **Exhibit 6-7**.

Exhibit 6-7 Candidate Sharrow Routes







These types of route designations are described further in the Bicycle Design Guide section below, and illustrated in **Exhibit 6-8**.

Bicycle Design Guide

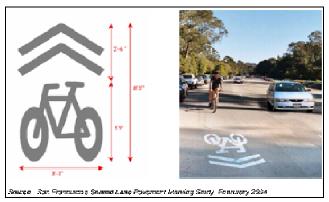
This chapter also includes recommendations for new or revised bicycle facility design guides as part of the McMinnville TSP.

Shared-Lane Symbols and Markings

In the absence of sufficient space to include on-street bicycle lanes on several of McMinnville's major streets, it is important to provide greater route designation for shared travel lanes. These shared lanes, if posted and marked appropriately, indicate presence of bicycle traffic to both the motorists and cyclists. The use of "sharrow" pavement markings has been adopted by the state of California for these conditions. Example "sharrow" pavement markings are illustrated in **Exhibit 6-8**. ODOT is expecting to include sharrows in the update of the Oregon Bicycle and Pedestrian Plan⁵.

Further statewide policy consideration may be required before application and appropriate designation of sharrow pavement markings within the City of McMinnville. The City should exercise caution in "sharrow" pavement marking placement, particularly along streets with on-street parking. See San Francisco's research and findings in report titled "San Francisco's Shared-Lane Pavement Marking Study⁶."

Exhibit 6-8 "Sharrow" Symbol and Pavement Marking



Bike Lane Symbols and Markings

The City's current design standards for bike lane symbols and markings require some minor refinement for consistency with the MUTCD. **Appendix G** summarizes the recommendations of the MUTCD.

Bicycle Route Signing

Auxiliary signs may be used with standard bicycle route signs to inform cyclists of route continuity and major cycling attractions. Examples are also shown in Appendix G. These types of signs can be effectively coordinated through a new wayfinding system.

Other Bicycle Design Features

Bicycle Parkina

Some potential bicyclists are hesitant to ride for utilitarian trips because they fear their bicycles will get stolen. There is a perception that any bicycle rack or hardware is not very helpful in deterring theft. The real and perceived fear of bicycle theft is an impediment to greater bicycle ridership.

The City of McMinnville should review and consider appropriate revisions to its building code and development ordinance to help ensure the appropriate placement (convenient and safe) and number of bicycle racks through the following measures:

- Placement an adequate number of bicycle parking racks and/or lockers as needed at the appropriate destinations, such as schools and colleges, public gathering places, transit stations, bus stops, and shopping centers.
- Design—the recommended style of bicycle rack is the inverted "U" Bike Rib bicycle rack or the equivalent.
- Security—encourage employers and property owners to either provide secure bike parking near building entrances

- and protected from rain, or allow secure storage inside buildings.
- Convenience—encourage merchants to provide secure, practical bicycle parking for customers (e.g. unique design requirements for the downtown McMinnville).





Difficult Intersections

Most conflicts between bicycles and motor vehicles occur at intersections and, not surprisingly, most accidents occur there. Care should be taken to design intersections that allow safe movement of cyclists. There are numerous intersection design treatments for consideration. At the very least, intersections on arterials and collectors should have clearly marked crossover zones where right-turning vehicles can mix with through bicycle traffic (see MUTCD). See Appendix G for further discussion of possible "bike box" treatments.

Drainage Grates

Drainage grates are part of the street drainage system. They capture storm water runoff that has flowed from the roadway into the gutter to be taken away via a subsurface system of pipes or to enter the groundwater through a sump. The City has already revised



their street construction standards to include bicycle-safe drainage

grates. A "bicycle safe" grate must let water pass without allowing routine types and amounts of debris to clog the inlets--and without trapping bicycle wheels. McMinnville should continue its systemwide replacement of older drainage grates with bicycle-safe grates.

Transit Access

YCAP provides bicycle racks on the front of all of their buses serving McMinnville. On the typical weekday, depending on weather conditions, these racks are often full indicating a high level of utilization. The City should continue to coordinate with YCAP to ensure that YCAP's bus fleet maintains bicycle rack access.

Bicycle Implementation Strategies

In implementing the non-motorized section of the TSP, several methods of providing bicycle facilities are currently available to the City:

- Inclusion in STIP. McMinnville should recommend to ODOT that future updates of the Statewide Transportation Improvement Program include re-striping of Highway 99W (especially the Adams-Baker one-way couplet) with bike lanes, which are prioritized in the TSP.
- Conduct further operational studies in follow-up to recommended Road Diet and Sharrow projects to document motorist and bicycle volume, speed and safety characteristics. These data can be used to determine if other sharrow designations should be replaced with onstreet bicycle lanes, which will likely require removal of some on-street parking (one or perhaps both sides of street).
- In coordination with Yamhill County and other major employers (both public and private), consider establishing a bike facility (secure parking, showers, and changing rooms) and other bicycle amenities in the downtown core area and at other major activity and employment centers.

This page intentionally left blank.

¹ Association of American State Highway Transportation Officials. Guide for the Development of Bicycle Facilities, Washington, D.C. 1999.

² Manual of Uniform Traffic Control Devices, U.S. Department of Transportation - Federal Highways Administration, 2004.

³ Context Sensitive Solutions in Designing Major Urban Thoroughfares for Walkable Communities, Institute of Transportation Engineers, 2006.

⁴ National Cooperative Highway Research Program Report 3-72. Harwood, Douglas 2008. The research found no general indication that the use of lanes narrower than 12 feet on urban and suburban arterials increases crash frequencies. This finding suggests that geometric design policies should provide substantial flexibility for use of lane widths narrower than 12 ft. ⁵ Oregon Bicycle and Pedestrian Plan, 1995, Oregon Department of Transportation.

⁶ Shared-Lane Pavement Marking Study, City of San Francisco, February 2004.



Planning Department 231 NE Fifth Street McMinnville, OR 97128 (503) 434-7311

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: December 14, 2021

TO: Mayor and City Councilors

FROM: Heather Richards, Planning Director

SUBJECT: Ordinance No. 5108 – Adopting the 2018 Yamhill County Transit Area Transit

Development Plan as a Supplemental Document to the City of McMinnville Transportation System Plan, and amending Chapter 7 of the McMinnville

Transportation System Plan (Docket G 5-21).

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

Guide growth & development strategically, responsively & responsibly to enhance our unique character.

OBJECTIVE/S: Strategically plan for short and long-term growth and development that will create enduring value for the community

Report in Brief:

This is the consideration of Ordinance No. 5108 to adopt the **2018 Yamhill County Transit Area Transit Development Plan** as a supplemental document to the *McMinnville Transportation System Plan*, and amending Chapter 7, *Transit System and Transportation Demand Management Plans*, of the *McMinnville Transportation System Plan*. This action will update the locally acknowledged transit plan for McMinnville from the *1997 Transit Feasibility Analysis* to the applicable McMinnville Elements of the **2018 Yamhill County Transit Area Transit Development Plan**.

The Planning Commission hosted a public hearing on November 18, 2021 and voted unanimously to recommend approval of the proposed *McMinnville Transportation System Plan* amendments to the McMinnville City Council.

Attachments:

Ordinance No. 5108

o Exhibit A: Decision Document, G 5-21

- o Exhibit B: 2018 Yamhill County Transit Area Transit Development Plan
- Exhibit C: 2018 Yamhill County Transit Area Transit Development Plan Appendices
- Exhibit D: Proposed Amendment to Chapter 7, Transit System and Transit Demand Management Plans, McMinnville Transportation System Plan

Background:

Transit service In McMinnville and the surrounding Yamhill County area comes in several forms, fixed-route bus services, dial-a-ride and commuter link bus service to other Willamette Valley cities. Yamhill County Transit Area (YCTA) operates the fixed-route, dial-a-ride and inter-city bus services in McMinnville. While the City does not directly own and operate public transit, there are many ways in which it supports transit through multl-modal system operations and project and program development. McMinnville's stated Transit System Goal per the Transportation System Plan is "to support YCTA in their goal to provide a city-wide street and sidewalk system that result in efficient transit operations (current and future) as well as safe and convenient pedestrian and bicycle access to public transportation services and facilities".

McMinnville's Comprehensive Plan policies and Zoning Ordinance rely on the most recently acknowledged Transit Plan for decision-making. Currently that plan is the YCTA 1997 Transit Feasibility Analysis.

Discussion:

In 2017, YCTA initiated an update to their 1997 Transit Feasibility Analysis. The City of McMinnville participated in the update of the plan through the Yamhill County Transit Area Project Advisory Committee. (YCTA/PAC). The YCTA/PAC approved and recommended approval of the Transit Development Plan (TDP) to the YCTA Board of Directors and the Board of County Commissioners on October 2, 2018. On October 18, 2018, the Yamhill County Board of Commissioners approved the TDP.

The purpose of the TDP is to provide strategic guidance to help YCTA provide a sustainable and innovative transit system serving both urban and rural users over a 20-year period.

There were five strategic outcomes desired for this effort:

- Optimize and/or reorganize existing service
- Enhance physical transit infrastructure
- Provide revenue-neutral and increased funding scenarios
- Promote full range of transportation options
- Identify transit-supportive land use policies and provide local jurisdictions with guidance for planning and decision-making

Creating an implementable TDP required both technical analysis as well as continual input from the community and stakeholders. Figure 1-1 illustrates how the various phases of the project fit together. The process included:

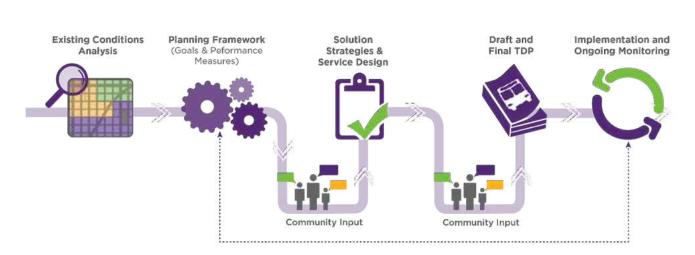
- Assessing existing conditions related to usage of the current transit system, community demographics and travel patterns, and future transportation needs.
- Creating a planning framework with goals and objectives used to assess service strategies.

Attachments:

Ordinance No. 5108

- o Exhibit A: Decision Document, G 5-21
- o Exhibit B: 2018 Yamhill County Transit Area Transit Development Plan
- o Exhibit C: 2018 Yamhill County Transit Area Transit Development Plan Appendices
- Exhibit D: Proposed Amendment to Chapter 7, Transit System and Transit Demand Management Plans, McMinnville Transportation System Plan

- Gathering community input at multiple points in the process, which provided insights into
 existing issues and feedback on service opportunities.
- Developing service strategies that meet the transportation needs identified through existing
 conditions analysis and community input. These strategies were refined and turned into a
 service plan covering all aspects of the system from routing and schedules to fleet, technology,
 system management, and fares.
- Distilling findings into a TDP document, reflecting the preferred vision for transit in Yamhill County and providing a phased approach for implementing the vision.
- Establishing a performance monitoring program based on peer analysis and industry standards to set performance measure benchmarks for YCTA to use in regularly assessing system and route-level progress.



Chapter X of Volume I of the YCTA TDP provides some guidance on supporting public transit with local land-use policies. And Appendix G of Appendices of Volume I of the YCTA TDP provides a detailed assessment of McMinnville's current comprehensive plan and development code relative to supporting the YCTA TDP.

Since the City of McMinnville will be updating its Transportation System Plan in 2022 and 2023, staff is recommending that only the YCTA TDP is adopted as a supplemental document to the Transportation System Plan at this time and that all references to the 1997 Transit Feasibility Analysis in the McMinnville Transportation System Plan, McMinnville Comprehensive Plan and McMinnville Municipal Code be changed to the Yamhill County Transit Area Transit Development Plan (October 2018). Comprehensive Plan policies and the development code will be evaluated for further amendments during the Transportation System Plan update.

Attachments:

Ordinance No. 5108

- Exhibit A: Decision Document, G 5-21
- o Exhibit B: 2018 Yamhill County Transit Area Transit Development Plan
- Exhibit C: 2018 Yamhill County Transit Area Transit Development Plan Appendices
- Exhibit D: Proposed Amendment to Chapter 7, Transit System and Transit Demand Management Plans, McMinnville Transportation System Plan

Attachments:

- Ordinance No. 5108
 - Exhibit A: Decision Document, G 5-21
 - o Exhibit B: 2018 Yamhill County Transit Area Transit Development Plan
 - o Exhibit C: 2018 Yamhill County Transit Area Transit Development Plan Appendices
 - Exhibit D: Proposed Amendment to Chapter 7, Transit System and Transportation Demand Management Plans of the McMinnville Transportation System Plan

Fiscal Impact:

This project was funded entirely by Yamhill County Transit Area with grants.

Recommendation:

Staff recommends the City Council adopt Ordinance No. 5108

"I MOVE TO APPROVE ORDINANCE NO. 5108 TO AMEND THE MCMINNVILLE COMPREHENSIVE PLAN BY ADOPTING THE 2018 YAMHILL COUNTY TRANSIT AREA TRANSIT DEVELOPMENT PLAN AS A SUPPLEMENTAL DOCUMENT TO THE MCMINNVILLE TRANSPORTATION SYSTEM PLAN PRESENTED IN DOCKET G 5-21."

.....

Attachments:

Ordinance No. 5108

o Exhibit A: Decision Document, G 5-21

o Exhibit B: 2018 Yamhill County Transit Area Transit Development Plan

o Exhibit C: 2018 Yamhill County Transit Area Transit Development Plan Appendices

Exhibit D: Proposed Amendment to Chapter 7, Transit System and Transit Demand Management Plans, McMinnville Transportation System Plan

ORDINANCE NO. 5108

AN ORDINANCE ADOPTING THE YAMHILL COUNTY TRANSIT AREA TRANSIT DEVELOPMENT PLAN AND ITS APPENDICES AS A SUPPLEMENTAL DOCUMENT TO THE MCMINNVILLE TRANSPORTATION SYSTEM PLAN AND AMENDING CHAPTER 7, ENTITLED TRANSIT SYSTEM AND TRANSPORTATION DEMAND MANAGEMENT PLANS, OF THE MCMINNVILLE TRANSPORTATION, TO REPLACE THE REFERENCES TO THE 1997 TRANSIT FEASIBILITY PLAN AND REPLACE IT WITH THE YAMHILL COUNTY TRANSIT AREA TRANSIT DEVELOPMENT PLAN.

RECITALS:

- **WHEREAS**, on February 23, 2010, the McMinnville City Council approved Ordinance No. 4922 adopting the *McMinnville Transportation System Plan* as part of the *McMinnville Comprehensive Plan*; and
- **WHEREAS,** on May 25, 2010, the McMinnville City Council approved Ordinance No. 4927 amending the *McMinnville Transportation System Plan*; and
- **WHEREAS,** The Yamhill County Transit Area is the provider of transit services in Yamhill County; and
- **WHEREAS,** the most recent adopted Transit Area Plan is the Yamhill County Transit Area 1997 Transit Feasibility Analysis; and
- **WHEREAS,** in 2017, the Yamhill County Transit Area initiated an update to their Transit Development Plan; and
- **WHEREAS,** the City of McMinnville participated in the update of the plan through the Yamhill County Transit Area Project Advisory Committee; and
- **WHEREAS,** on June 26, 2018, a presentation of the draft 2018 Yamhill County Transit Area Transit Development Plan was provided to the McMinnville City Council; and
- **WHEREAS,** on October 18, 2018, the Yamhill County Board of County Commissioners approved the 2018 Yamhill County Transit Area Transit Development Plan; and
- **WHEREAS,** on October 21, 2021, a session was conducted with the McMinnville Planning Commission to present the final draft of the plan and its impact to the City of McMinnville; and
- **WHEREAS,** on November 18, 2021, the Planning Commission held a duly noticed public hearing to consider the proposed amendments and the Planning Commission recommended approval of the proposed amendments; and
- **WHEREAS**, Docket G 5-21 is a legislative package of City-initiated *McMinnville Transportation System Plan* amendments related to Transit; and
- WHEREAS, the City Council, being fully informed about said request, found that the requested amendments conformed to the applicable Comprehensive Plan goals and policies, as

well as the McMinnville Municipal Code based on the material submitted by the Planning Department and the findings of fact and conclusionary findings for approval contained in Exhibit A; and

WHEREAS, the City Council having received the Planning Commission recommendation and staff report, and having deliberated;

NOW, THEREFORE, THE COMMON COUNCIL FOR THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:

- 1. That the Council adopts the Decision, Findings of Fact and Conclusionary Findings, as documented in Exhibit A for G 5-21; and
- 2. That the Yamhill County Transit Area Transit Development Plan, Volume I and its Appendices are adopted as a supplemental document to the McMinnville Transportation System Plan as provided in Exhibits C and D.
- 3. That Chapter 7 of the *McMinnville Transportation System Plan* is amended as provided in Exhibit D.
- 4. That this Ordinance shall take effect 30 days after its passage by the City Council:

Passed by the Council this 14th day of December 2021, by the following votes:

Ayes:

Nays:

MAYOR

1 1	

Exhibits:

CITY RECORDER

Attest:

Exhibit A: Decision Document, G 5-21

Exhibit B: 2018 Yamhill County Transit Area Transit Development Plan

Exhibit C: 2018 Yamhill County Transit Area Transit Development Plan Appendices

Exhibit D: Proposed Amendment to Chapter 7, Transit System and Transit Demand Management Plans,

Approved as to form:

CITY ATTORNEY

McMinnville Transportation System Plan

EXHIBIT A – ORDINANCE NO. 5108



CITY OF MCMINNVILLE PLANNING DEPARTMENT

231 NE FIFTH STREET MCMINNVILLE, OR 97128

503-434-7311 www.mcminnvilleoregon.gov

DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF AMENDING THE MCMINNVILLE COMPREHENSIVE PLAN BY ADOPTING THE YAMHILL COUNTY TRANSIT AREA TRANSIT DEVELOPMENT PLAN AS A SUPPLEMENTAL DOCUMENT TO THE CITY OF MCMINNVILLE TRANSPORTATION SYSTEM PLAN AND AMENDING CHAPTER 7, TRANSIT SYSTEM AND TRANSPORTATION DEMAND MANAGEMENT PLANS OF THE MCMINNVILLE TRANSPORTATION SYSTEM PLAN.

DOCKET: G 5-21

REQUEST: The City of McMinnville is proposing to amend the McMinnville

Comprehensive Plan by adopting the 2018 Yamhill County Transit Area Transit Development Plan as a supplemental document to the McMinnville Transportation System Plan and amending Chapter 7, Transit System and Transportation Demand Management Plans of the McMinnville

Transportation System Plan.

LOCATION: City-Wide

ZONING: N/A

APPLICANT: City of McMinnville

STAFF: Heather Richards, Planning Director

HEARINGS BODY: McMinnville Planning Commission

DATE & TIME: November 18, 2021. Public hearing held virtually via Zoom meeting

software,

Zoom Online Meeting ID 847 7576 2907.

DECISION-MAKING

BODY: McMinnville City Council

DATE & TIME: December 14, 2021. Meeting held virtually via Zoom meeting software.

Zoom Online Meeting ID 810 3108 8042

PROCEDURE: The application is subject to the legislative land use procedures specified

in Sections 17.72.120 - 17.72.160 of the McMinnville Municipal Code.

CRITERIA: Amendments to the McMinnville Comprehensive Plan must be consistent

with Oregon State Regulations (ORS) governing Oregon land use goals, the Goals and Policies in Volume II of the Comprehensive Plan and the

Purpose of the Zoning Ordinance.

APPEAL: The Planning Commission will make a recommendation to the City Council.

The City Council's decision on a legislative amendment may be appealed to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date written notice of the City Council's decision is mailed to parties who participated in the local proceedings and entitled to notice and as provided in ORS 197.620 and ORS 197.830, and Section 17.72.190 of the

McMinnville Municipal Code.

DECISION

Based on the findings and conclusions and the recommendation of the McMinnville Planning Commission, the McMinnville City Council **APPROVES** the attached Comprehensive Plan amendments (G 5-21).

//////////////////////////////////////	OVAL
City Council:Scott Hill, Mayor of McMinnville	Date:
Planning Commission:	Date:ssion
Planning Department:Heather Richards, Planning Director	Date

I. APPLICATION SUMMARY:

The City of McMinnville is proposing to amend the McMinnville Comprehensive Plan by adopting the 2018 Yamhill County Transit Area Transit Development Plan as a supplemental document to the City of McMinnville Transportation System Plan and amending Chapter 7, Transit System and Transportation Demand Management Plans, of the McMinnville Transportation System Plan.

II. CONDITIONS OF APPROVAL

None.

III. FINDINGS OF FACT

- 1. The Yamhill County Transit Area is the provider of transit services in Yamhill County.
- 2. The most recent adopted Transit Area Plan is the Yamhill County Transit Area 1997 Transit Feasibility Analysis.
- 3. In 2017, the Yamhill County Transit Area initiated an update to their Transit Development Plan.
- 4. The City of McMinnville participated in the update of the plan through the Yamhill County Transit Area Project Advisory Committee. (YCTA/PAC)
- 5. On June 26, 2018, a presentation of the draft 2018 Yamhill County Transit Area Transit Development Plan was provided to the McMinnville City Council.
- 6. The YCTA/PAC approved and recommended adoption of the 2018 Yamhill County Transit Area Transit Development Plan on October 2, 2018.
- 7. On October 18, 2018, the Yamhill County Board of County Commissioners approved the 2018 Yamhill County Transit Area Transit Development Plan.
- 8. On October 21, 2021, a session was conducted with the McMinnville Planning Commission to present the final draft of the plan and its impact to the City of McMinnville.
- 9. Notice of the proposed amendment was provided to the Department of Land Conservation and Development (DLCD) on October 22, 2021.
- 10. Notice of the application and the November 18, 2021 Planning Commission public hearing was published in the News Register on Tuesday, November 9, 2021, in accordance with Section 17.72.120 of the Zoning Ordinance.
- 11. On November 18, 2021, the Planning Commission held a duly noticed public hearing to consider the request.
- 12. On December 14, 2021, the McMinnville City Council held a meeting to consider the Planning Commission's recommendation and voted to adopt Ordinance No. 5108 approving the comprehensive plan amendments.

IV. COMMENTS RECEIVED

No comments received.

V. CONCLUSIONARY FINDINGS:

Alignment with Oregon's Statewide Planning Goals and Administrative Rules:

Oregon Statewide Planning Goal #1, Citizen Involvement (OAR 660-015-0000(1)) – To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the on-going land-use planning process.

The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues.

Federal, state and regional agencies and special-purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement programs established by counties and cities.

The citizen involvement program shall incorporate the following components: 1. Citizen Involvement -- To provide for widespread citizen involvement. The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process. As a component, the program for citizen involvement shall include an officially recognized committee for citizen involvement (CCI) broadly representative of geographic areas and interests related to land use and land-use decisions. Committee members shall be selected by an open, well-publicized public process. The committee for citizen involvement shall be responsible for assisting the governing body with the development of a program that promotes and enhances citizen involvement in land-use planning, assisting in the implementation of the citizen involvement program, and evaluating the process being used for citizen involvement. If the governing body wishes to assume the responsibility for, development as well as adoption and implementation of the citizen involvement program or to assign such responsibilities to a planning commission, a letter shall be submitted to the Land Conservation and Development Commission for the state Citizen Involvement Advisory Committee's review and recommendation stating the rationale for selecting this option, as well as indicating the mechanism to be used for an evaluation of the citizen involvement program. If the planning commission is to be used in lieu of an independent CCI, its members shall be selected by an open, well-publicized public process.

<u>FINDING</u>: **SATISFIED**. Chapter X of the McMinnville Comprehensive Plan outlines compliance with Oregon State Land-Use Goal #1. The Planning Commission has been identified as the Committee for Citizen Involvement for the City of McMinnville per McMinnville Comprehensive Plan Policy #190.00. The Planning Commission hosted a public hearing to consider this proposed amendment on November 18, 2021

Oregon Statewide Planning Goal #2, Land Use Planning (OAR 660-015-0000(2)) – 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 base for such decisions and actions.

<u>FINDING</u>: **SATISFIED**. The City of McMinnville has an acknowledged adopted Comprehensive Plan that provides a land use planning process and policy framework for all decisions and actions related to the use of land. The Comprehensive Plan is implemented through the McMinnville Municipal Code.

On February 23, 2010, the McMinnville City Council adopted Ordinance No. 4922 which adopted the *City of McMinnville Transportation System Plan* as part of Volume I of the McMinnville Comprehensive Plan.

This action amends the McMinnville Comprehensive Plan by adopting the 2018 Yamhill County Transit Area Transit Development Plan as a supplemental document to the McMinnville Transportation Plan.

Oregon Statewide Planning Goals #3 – 11 do not apply to this action.

Oregon Statewide Planning Goal #12, Transportation (OAR 660-015-0000(12)) – To provide and encourage a safe, convenient and economic transportation system.

A transportation plan shall (1) consider all modes of transportation including mass transit, air, water, pipeline, rail, highway, bicycle and pedestrian; (2) be based upon an inventory of local, regional and state transportation needs; (3) consider the differences in social consequences that would result from utilizing differing combinations of transportation modes; (4) avoid principal reliance upon any one mode of transportation; (5) minimize adverse social, economic and environmental impacts and costs; (6) conserve energy; (7) meet the needs of the transportation disadvantaged by improving transportation services; (8) facilitate the flow of goods and services so as to strengthen the local and regional economy; and (9) conform with local and regional comprehensive land use plans.

Each plan shall include a provision for transportation as a key facility. Transportation -refers to the movement of people and goods. Transportation Facility -- refers to any
physical facility that moves or assists in the movement of people and goods excluding
electricity, sewage and water. Transportation System -- refers to one or more
transportation facilities that are planned, developed, operated and maintained in a
coordinated manner to supply continuity of movement between modes, and within and
between geographic and jurisdictional areas. Mass Transit -- refers to any form of
passenger transportation which carries members of the public on a regular and continuing
basis. Transportation Disadvantaged -- refers to those individuals who have difficulty in
obtaining transportation because of their age, income, physical or mental disability.

GUIDELINES

A. PLANNING

- 1. All current area-wide transportation studies and plans should be revised in coordination with local and regional comprehensive plans and submitted to local and regional agencies for review and approval.
- 2. Transportation systems, to the fullest extent possible, should be planned to utilize existing facilities and rights-of-way within the state provided that such use is not inconsistent with the environmental, energy, land-use, economic or social policies of the state.
- 3. No major transportation facility should be planned or developed outside urban boundaries on Class 1 and II agricultural land, as defined by the U.S. Soil Conservation Service unless no feasible alternative exists.

- 4. Major transportation facilities should avoid dividing existing economic farm units and urban social units unless no feasible alternative exists.
- 5. Population densities and peak hour travel patterns of existing and planned developments should be considered in the choice of transportation modes for trips taken by persons. While high density developments with concentrated trip origins and destinations should be designed to be principally served by mass transit, 2 low-density developments with dispersed origins and destinations should be principally served by the auto.
- 6. Plans providing for a transportation system should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. IMPLEMENTATION

- 1. The number and location of major transportation facilities should conform to applicable state or local land use plans and policies designed to direct urban expansion to areas identified as necessary and suitable for urban development. The planning and development of transportation facilities in rural areas should discourage urban growth while providing transportation service necessary to sustain rural and recreational uses in those areas so designated in the comprehensive plan.
- 2. Plans for new or for the improvement of major transportation facilities should identify the positive and negative impacts on: (1) local land use patterns, (2) environmental quality, (3) energy use and resources, (4) existing transportation systems and (5) fiscal resources in a manner sufficient to enable local governments to rationally consider the issues posed by the construction and operation of such facilities.
- 3. Lands adjacent to major mass transit stations, freeway interchanges, and other major air, land and water terminals should be managed and controlled so as to be consistent with and supportive of the land use and development patterns identified in the comprehensive plan of the jurisdiction within which the facilities are located.
- 4. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal

<u>FINDING</u>: **SATISFIED**. The City of McMinnville has an acknowledged adopted Transportation System Plan that addresses Oregon Land Use Goal #12. This action focuses on one aspect of the transportation network (transit).

Oregon Statewide Planning Goal #13, Energy Conservation (OAR 660-015-0000(13)) – To conserve energy. Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

GUIDELINES

A. PLANNING

- 1. Priority consideration in land use planning should be given to methods of analysis and implementation measures that will assure achievement of maximum efficiency in energy utilization.
- 2. The allocation of land and uses permitted on the land should seek to minimize the depletion of non-renewable sources of energy.

- 3. Land use planning should, to the maximum extent possible, seek to recycle and re-use vacant land and those uses which are not energy efficient.
- 4. Land use planning should, to the maximum extent possible, combine increasing density gradients along high capacity transportation corridors to achieve greater energy efficiency.
- 5. Plans directed toward energy conservation within the planning area should consider as a major determinant the existing and potential capacity of the renewable energy sources to yield useful energy output. Renewable energy sources include water, sunshine, wind, geothermal heat and municipal, forest and farm waste. Whenever possible, land conservation and development actions provided for under such plans should utilize renewable energy sources.

B. IMPLEMENTATION

- 1. Land use plans should be based on utilization of the following techniques and implementation devices which can have a material impact on energy efficiency:
- a. Lot size, dimension, and siting controls;
- b. Building height, bulk and surface area;
- c. Density of uses, particularly those which relate to housing densities;
- d. Availability of light, wind and air;
- e. Compatibility of and competition between competing land use activities; and
- f. Systems and incentives for the collection, reuse and recycling of metallic and nonmetallic waste

FINDING: SATISFIED. Public transit conserves energy and reduces the need for fossil fuels.

Oregon Statewide Planning Goals #14 – 19 do not apply to this action.

Alignment with McMinnville's Comprehensive Plan Goals and Policies:

City of McMinnville Comprehensive Plan, Volume II, Goals and Policies

The following policies from Chapter VI, "Transportation System", support this planning effort.

GOAL VI 1: TO ENCOURAGE DEVELOPMENT OF A TRANSPORTATION SYSTEM THAT PROVIDES FOR THE COORDINATED MOVEMENT OF PEOPLE AND FREIGHT IN A SAFE AND EFFICIENT MANNER.

- 101.00 The City of McMinnville shall cooperate with local, regional, and state agencies and private firms in examining mass transit possibilities and implementing agreed upon services.
- 102.00 The City of McMinnville shall place major emphasis on the land use development implications of large-scale regional mass transit proposals. Systems which could adversely affect the goals and policies as set forth in the plan should be closely evaluated.

.....

- 103.00 The City of McMinnville shall encourage development of mass transit systems in existing transportation corridors where possible.
- The safety and convenience of all users of the transportation system including pedestrians, bicyclists, transit users, freight, and motor vehicle drivers shall be accommodated and balanced in all types of transportation and development projects and through all phases of a project so that even the most vulnerable McMinnville residents children, elderly, and persons with disabilities can travel safely within the public right-of-way. Examples of how the Compete Streets policy is implemented:
- The vehicle, pedestrian, transit, and bicycle circulation systems shall be designed to connect major activity centers in the McMinnville planning area, increase the overall accessibility of downtown and other centers, as well as provide access to neighborhood residential, shopping, and industrial areas, and McMinnville's parks and schools.
- The implementation of transportation system and transportation demand management measures, provision of enhanced transit service, and provision of bicycle and pedestrian facilities in the McMinnville planning area shall be embraced by policy as the first choice for accommodating travel demand and relieving congestion in a travel corridor, before street widening projects for additional travel lanes are undertaken.
- 132.30.05 The McMinnville Transportation System Plan shall promote alternative commute methods that decrease demand on the transportation system, options which also enhance energy efficiency such as using transit, telecommuting, carpooling, vanpooling, using flexible work schedules, walking, and bicycling.
- 132.35.00 Transportation facilities in the McMinnville planning area shall be, to the degree possible, designed and constructed to mitigate noise, energy consumption, and neighborhood disruption, and to encourage the use of public transit, bikeways, sidewalks, and walkways.
- 132.57.00 Transit-supportive Street System Design The City will include the consideration of transit operations in the design and operation of street infrastructure.
- 132.57.05 Transit-supportive Urban Design Through its zoning and development regulations, the City will facilitate accessibility to transit services through transit-supportive streetscape, subdivision, and site design requirements that promote pedestrian connectivity, convenience, and safety.
- 132.57.10 Transit Facilities The City will continue to work with YCTA to identify and help develop supportive capital facilities for utilization by transit services, including pedestrian and bicycle access to bus stop and bus shelter facilities where need is determined and right-of-way is available.
- 132.57.15 Pedestrian Facilities The City will ensure that arterial and collector streets' sidewalk standards are able to accommodate transit amenities as necessary along arterial and collector street bus routes. The City will coordinate with YCTA on appropriate locations.

.....

- 132.57.20 Intermodal Connectivity The City of McMinnville will encourage connectivity between different travel modes. Transit transfer facilities should be pedestrian and cyclist accessible.
- 132.58.10 The City should coordinate with YCTA to promote the use of transit and vanpools, in support of vehicle trip reduction strategies.

Alignment with McMinnville's Transportation System Plan:

The stated Transit System Goal in Chapter 7 of the City of McMinnville Transportation Plan, Transit System and Transportation Demand Management Plans, is "to support YCTA in their goal to provide a city-wide street and sidewalk system that result in efficient transit operations (current and future) as well as safe and convenient pedestrian and bicycle access to public transportation system services and facilities."

<u>FINDING</u>: **SATISFIED**. The 2018 Yamhill County Transit Area Transit Development Plan responds to the transit goal identified in Chapter 7 of the City of McMinnville Transportation System Plan.



Yamhill County Transit Area Transit Development Plan

Volume I

October 2018



ACKNOWLEDGEMENTS

This Project is partially funded by a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation (ODOT) and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part, by the federal Moving Ahead for Progress in the 21st Century Act (MAP-21), local government, and State of Oregon funds. The contents of this document do not necessarily reflect views or policies of the State of Oregon.

This project was made possible by the energy and time dedicated by the project advisory committee, ODOT representatives, the Yamhill County Board of Commissioners, and members of the public who provided input at focus groups and other meetings, surveys, and events, including the Friends of the Bus.

YCTA Project Advisory Committee

Josh Simonson, City of Amity Frank Sheridan, City of Sheridan

Andrew (Andy) Eldien, City of Carlton Kenna West, City of Willamina – City Manager

Scott Pingel, City of Dayton Craig Johnson, City of Willamina

Tim Weaver, City of Dundee Bob Sivick, City of Willamina, Past City Manager

David Sword, City of Lafayette Ken Moore, City of Yamhill Kellie Menke, City of McMinnville Chris Mercier, Grand Ronde

Heather Richards, City of McMinnville - Planning Director Kristi Long, NW Senior and Disabled Services

Scott Essin, City of Newberg - City Councilor Gregorio Benavides, Unidos (affiliate)

Pat Johnson, City of Newberg - City Councilor Stan Primozich, YCTA Board of Directors - Transit Liaison Joe Hannan, City of Newberg - City Manager Rick Olson, YCTA Board of Directors - Past Transit Liaison

Brad Allen, City of Newberg - Assistant City Planner Paul Patridge, Yamhill County, Program Mgr DD & Veterans Services

Paula Necas, City of Sheridan

Oregon Department of Transportation Representatives

Transportation Growth Management Program (TGM)	Rail and Public Transit Division
Adam Argo, Principal Planner – Grant Manager	Arla Miller, Regional Transit Coordinator
Naomi Zwerdling, Program and Policy Lead - Past Grant Manager	
Michael Duncan – Sr. Planner/TGM Project Manager, Region 2	

YCTA Board of Commissioners

Mary Starrett, Chair

Richard L. "Rick" Olson, Vice-Chair - Past Transit Liaison

Stan Primozich, Commissioner - Transit Liaison

YCTA Project Team

YCTA	First Transit
Cynthia Thompson, YCTA Transit Manager	Renee Guerrero, First Transit General Manager
Shana Reid, YCTA Transit Assistant	Michael Barr, Service Supervisor
	First Transit bus drivers, dispatchers, and other staff provided valuable input and observations to the project team

Consultant Team

DKS & Associates	Nelson\Nygaard Consulting Associates	Angelo Planning Group
Bob Schulte, Project Lead	Oren Eshel, Project Manager	Darci Rudzinski
Edith Victoria, Emily Guise, Maggie Lin, and Alexis Biddle	Stephanie Wright, Jamey Dempster, Dan Sommerville, and Bryan Blanc	Shayna Rehberg

Table of Contents

VOLUME I: Transit Development Plan

		Page
	Acknowledgements	
1	Introduction	
	Planning Process	
	TDP Outline	
2	Yamhill County Characteristics and Trends	
	Yamhill County Overview	
	Transportation System Overview	
	Market Analysis Existing and Planned Land Use	
_	•	
3	Existing Transit Service	
	YCTA Organizational Structure Existing YCTA Services	
	YCTA Ridership and System Performance	
	Other Transportation Services	
4	Community Input and Needs Assessment	
4	Summary of Community Input	
	Operator Input and Field Observations	
	Summary of Issues and Opportunities	
	Overall Needs Assessment	
5	Transit Goals and Objectives	
•	Definitions	
	Planning Context	
	Goals and Objectives	
6	Service Plan	6-1
_	Long-Term YCTA Vision	
	Implementing the Vision	
	Service Plan Overview	6-13
7	Capital Plan	7- 1
	Vehicles	7-1
	Major Facilities	
	Bus Stops and Passenger Amenities	
	Short-Term Capital Plan Summary	7-12
8	Financial Plan	
	Transit Operating Cost Assumptions	
	Existing and Potential Funding Sources and Trends	
	Recommended Financial Scenarios	
9	Supporting Programs, Technology, and Partnerships	
	System Access	9-3
	Transportation Demand Management	
	Fare Policies and Programs	
	Customer Information, Marketing, and Branding	
	Education, Promotion, and Travel TrainingAdvanced Public Transportation System Technologies	
	Regional Coordination and Partnerships	
	Service Delivery and Organizational Capacity	

10	Supporting Public Transit with Local Land Use Policies	10- 1
	Transit-Supportive Policy and Code Language	10-1
	Best Practices For Transit-Supportive Land Use	10-6
11	Monitoring Implementation of the TDP	
Vol	lume I Appendices	
Арр	pendix A: YCTA Fleet Inventory, Vehicle Type Assumptions, and Fleet Repla	cement Schedule
App	pendix B: Public Transportation Providers	
App	pendix C: Bus Stop Design Guidelines	
Арр	pendix D: Service Design Details	
Арр	pendix E: Public Transportation Funding Sources	
Арр	pendix F: Supporting Programs Details	
Apr	pendix G: Detailed Land Use Policy Assessment	

VOLUME II: TDP Technical Memos and Appendices

Section 1 - TM #1: Goals and Objectives Section 2 - TM #2: Existing Conditions Section 3 - TM #3: Planning Framework Section 4 - TM #4: Solution Strategies Section 5 - TM #5: Service Design Section 6 - PAC Meeting Notes

Table of Figures

		Page
Figure 1-1	TDP Process	1-2
Figure 2-1	Yamhill County Overview and Regional Context	2-1
Figure 2-2	Future Population Forecasts (within Urban Growth Boundaries), 2017-2035	2-4
Figure 2-3	Demographic Information for Yamhill County Communities, 2015	2-6
Figure 2-4	Employment by Sector, 2016	2-7
Figure 2-5	Top Ten Yamhill County Employers, 2012	2-8
Figure 2-6	McMinnville and Newberg Employment Density, 2014	2-9
Figure 2-7	Future Employment Forecasts, 2014-2035	2-10
Figure 2-8	Top Regional Commute Flows from and to Yamhill County, 2014	2-12
Figure 2-9	Yamhill County Existing Land Use (Zoning)	2-15
Figure 2-10	Planned Developments	2-17
Figure 2-11	Potential Future Transit Service Areas	2-18
Figure 3-1	Comparison of YCTA Service Types	3-2
Figure 3-2	Yamhill County Transit Area Route Summaries	3-3
Figure 3-3	YCTA System Map, with McMinnville and Newberg Insets, 2018 Existing	
Figure 3-4	YCTA McMinnville and Newberg Local Service, 2018 Existing	3-5
Figure 3-5	YCTA Fares, 2018	3-7
Figure 3-6	YCTA Farebox Recovery Ratio — Peer Comparison	3-8
Figure 3-7	Yamhill County Transit Area Operating Sources – FY 2012-2016 Average	
Figure 3-8	System-Wide Peer Comparison: Financial Efficiency (Cost/Revenue Hour)	
Figure 3-9	YCTA Existing Fleet Summary, October 2018	3-10
Figure 3-10	YCTA Ridership, Revenue Hours, and Productivity by Service Type, 2012-2016	
Figure 3-11	Fixed-Route Peer Comparison: Trips per Revenue Hour, 2015	3-12
Figure 3-12	Route Summary Table based on Ridecheck, May 2017, Daily	
Figure 3-13	McMinnville Routes Daily Ridership, Spring 2017	
Figure 3-14	Newberg Routes Daily Ridership, Spring 2017	
Figure 3-15	Regional Routes Weekday Ridership Map	
Figure 3-16	Regional Routes Weekend Ridership Map	
Figure 3-1 <i>7</i>	Demand Response Peer Comparison: Trips per Revenue Hour, 2016	3-18
Figure 3-18	Dial-A-Ride Origin Destination Patterns, McMinnville and Newberg	3-19
Figure 3-19	Summary of Regional Transit Connections	3-21
Figure 4-1	Summary of TDP Community Input	4-1
Figure 4-2	Satisfaction with Transit Service	4-2
Figure 4-3	Top Service Improvements Requested by Respondents	4-3
Figure 4-4	Support for Potential Improvements (up to 5 Priorities)	4-5
Figure 4-5	Focus Group Summary	4-6
Figure 4-6	Issues and Opportunities	4-8
Figure 4-7	Needs Assessment Summary	4-11
Figure 5-1	Transportation / Land Use Plans and Key Issues for the Yamhill County	
	Transit Development Plan	
Figure 6-1	Existing Transit Service	
Figure 6-2	Long-Term Transit Vision	6-3

Figure 6-3	Selected Scenario Performance Evaluation Measures (Adapted from TM #1 and #3 Planning Framework Measures)	6-5
Figure 6-4	Overall Ranking of Proposed Enhancements	
Figure 6-5	Enhancements to Implement First	6-8
Figure 6-6	Planning Time Frames	6-12
Figure 6-7	Stops near Winco/Walmart (Immediate or Near-Term/Short-Term)	6-13
Figure 6-8	Immediate Time Cost-Neutral Service Adjustments	
Figure 6-9	Existing and Planning Service Hours by Local and Intercity Service Type	
Figure 6-10	Existing and Recommended Route Numbering	
Figure 6-11	Summary of Changes to Weekday Service Span or Number of Intercity Trips	6-21
Figure 6-12	Summary of Changes to Saturday Service Span or Number of Intercity Trips	
Figure 6-13	Summary of Small City Flex-Route Service Days and Hours	
Figure 6-14	Long-Term System Operating Plan – Weekday, Service Span and Frequency or # of Trips	
Figure 6-15	Long-Term System Operating Plan – Weekend, Service Span and	0-22
rigule 0-13	Frequency or # of Trips	6-23
Figure 6-16	YCTA System Map, with McMinnville and Newberg Insets – Including Summer 2018 Immediate Changes	
Figure 6-1 <i>7</i>	YCTA McMinnville and Newberg Local Service – Including Summer 2018 Immediate Changes	
Figure 6-18	System Map with Near-Term, Short-Term and Mid-Term Changes	
Figure 6-19	McMinnville Map with Near-Term, Short-Term, and Mid-Term Changes	6-27
Figure 6-20	Newberg Map with Near-Term, Short-Term, and Mid-Term Changes	
Figure 6-21	Service Plan Implementation Details by Time Frame	6-28
Figure 6-22	Projected Annual Operating Costs, Existing Funding Sources	6-32
Figure 7-1	Summary of Vehicle-Related Capital Actions	7-1
Figure 7-2	YCTA Vehicle Types	7-2
Figure 7-3	Capital Plan Summary – Maximum Number of Vehicles in Service by Type and Time Frame	7-5
Figure 7-4	Capital Plan Summary – Vehicle Capital Costs by Type and Time Frame (Total and Assumed Local Costs)	7-6
Figure 7-5	Projected Fleet Capital Costs by Assumed Funding Source and Time Frame	7-6
Figure 7-6	Capital Facility Actions and Planning-Level Costs	7-7
Figure 7-7	Brutscher Street Shelter, Newberg	7-7
Figure 7-8	Bus Stop Amenity Standards and Unit Costs	<i>7</i> -10
Figure 7-9	Potential Locations for Stop Improvements or Shelters	<i>7</i> -11
Figure <i>7</i> -10	Capital Project Summary, FY 2019 to FY 2021 and Ongoing	<i>7</i> -12
Figure 8-1	Transit Operating Cost Assumptions	8-1
Figure 8-2	Existing Local Transit Service Contribution per Person and Service Hour	8-4
Figure 8-3	Peer Comparison: Cascades East Transit Local Transit Service Contribution per Person	8-4
Figure 8-4	Examples of Potential Revenue Sources	
Figure 8-5	Incremental Plan Operating Costs, Based on First Year of Each Time Period	
Figure 8-6	Projected Annual Operating Costs, Existing Funding Sources	
Figure 8-7	Service Hours per Capita (adjusted for population growth)	
Figure 8-8	Operating Cost per Capita (adjusted for population growth)	8-9

Figure 8-9	Conceptual Revenue Scenario by Jurisdiction (for Illustrative Purposes)	8-10
Figure 8-10	Projected Annual Operating Costs, with Potential Additional Funding	
	Sources	8-10
Figure 8-11	Potential Funding Scenario Costs by Service Area	8-10
Figure 9-1	Summary of YCTA Programmatic Actions	9-1
Figure 9-2	Best Practices for Transit-Supportive Street Design	9-3
Figure 9-3	Electronic Fare Media Options	9-6
Figure 9-4	Peer Fare Comparison	9-7
Figure 9-5	YCTA Vehicle Branding (Draft)	9-8
Figure 9-6	Route Map and Schedule Example	9-9
Figure 9-7	Summary of YCTA Existing, Planned, and Future Technology Initiatives	9-12
Figure 9-8	Station Maps at Shared TriMet Transit Centers	9-13
Figure 9-9	Summary of Coordination Opportunities	9-14
Figure 9-10	Transit Agency Functions and Estimated FTE	9-20
Figure 9-11	Transit Manager and Oversight Board Roles and Responsibilities	9-21
Figure 10-1	Recommended Comprehensive Plan Policies	10-2
Figure 10-2	Recommended Development Code Language	10-4
Figure 11-1	Process for Ongoing Monitoring	11-1
Figure 11-2	Service Design Standards	11-3
Figure 11-3	Cost Efficiency and Cost Effectiveness Standards	11-4
Figure 11-4	Service Efficiency Standards	11-5
Figure 11-5	Passenger Comfort and Safety Standards	11-6
Figure 11-6	Transit Access and Utilization Measures	

1 INTRODUCTION

Yamhill County residents, employees, and visitors have at their fingertips an extensive transit network linking communities within the county and across the region. The Yamhill County Transit Area (YCTA) operates bus service in 10 cities across Yamhill County and connects riders to regional destinations including Grand Ronde, Hillsboro, Tigard, and Salem. YCTA carries 300,000 trips per year on a combination of fixed-route, intercity, and demand-response service.

Stakeholders and the public generally agree that YCTA routes do a good job of serving existing population and job centers and travel patterns. Yet there are several areas where the existing system falls short, including:

- **Frequency**: There are long gaps in service on some of the intercity routes connecting Yamhill County cities.
- **Reliability**: Some routes do not have enough time in their schedules to account for traffic congestion and frequent stops to pick up passengers, including service along OR 99W and local routes in McMinnville and Newberg. This results in buses that run significantly behind schedule or miss timed transfers.
- Comfort: A number of vehicles in YCTA's bus fleet are beyond the end of their useful life and need to be replaced.
- **Branding**: Buses and other transit infrastructure lack a consistent brand (or look) to identify them as part of YCTA service.
- **Legibility**: It is hard for people, especially potential new riders, to understand how the system works or where transit runs given the lack of marked bus stops in McMinnville and Newberg
- Service diversity: YCTA's intercity routes stop at a few places in smaller cities like Sheridan and Yamhill, but Yamhill County's smaller cities would benefit from more flexible and accessible transit services.

Ridership on most YCTA routes is reasonably strong relative to the amount of service provided, but these issues are keeping the system from attracting more riders and raising its profile within the community.

YCTA developed this Transit Development Plan (TDP) to provide strategic guidance over a 20-year planning period for a sustainable and innovative transit system to serve urban and rural areas in Yamhill County. The TDP will also serve as the basis for the transit element of local transportation system plans (TSPs) adopted by jurisdictions within the YCTA service area.

The overall desired outcome for the TDP is to provide a convenient system that offers seamless travel options for residents, employees, and out-of-area visitors. Other outcomes for the TDP are to:

- Meet needs expected from future regional growth and tourism
- Optimize and/or reorganize existing service
- Enhance physical transit infrastructure
- Provide revenue-neutral and increased funding scenarios
- Promote a full range of transportation options
- Identify transit-supportive land use policies and provide guidance for local jurisdictions

- Improve integration and coordination of urban and rural services, including with the Northwest Oregon Transit Alliance (NW Connector) and other YCTA partners
- Preserve function of state highways by expanding regional transit and reducing single-occupant vehicle travel

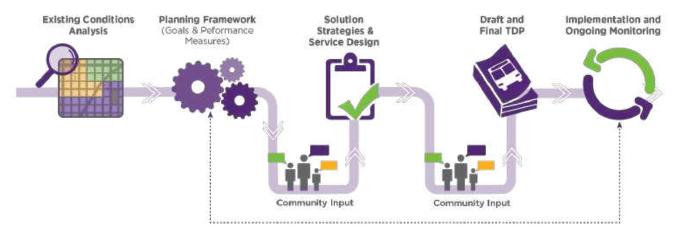
Creation of this TDP comes at an exciting time for public transportation in Oregon. The State Legislature enacted a statewide transportation funding package in 2017 (Statewide Transportation Improvement Fund, or STIF) that is expected provide YCTA with more than \$1.0 million in new annual revenues starting in 2020. While this new funding source is not sufficient to address all of the enhancements identified in the TDP planning process, the STIF will provide YCTA with an opportunity to address many of its most critical infrastructure and service needs. The TDP includes cost-neutral or low-cost changes that can happen in the next 1-2 years and short-, medium-, and long-term changes to make transit in Yamhill County more convenient, reliable, and connected.

PLANNING PROCESS

Creating an implementable TDP required both technical analysis as well as continual input from the community and stakeholders. Figure 1-1 illustrates how the various phases of the project fit together. The process included:

- Assessing existing conditions related to usage of the current transit system, community demographics and travel patterns, and future transportation needs.
- Creating a planning framework with goals and objectives used to assess service strategies.
- Gathering community input at multiple points in the process, which provided insights into
 existing issues and feedback on service opportunities.
- Developing service strategies that meet the transportation needs identified through existing
 conditions analysis and community input. These strategies were refined and turned into a service
 plan covering all aspects of the system from routing and schedules to fleet, technology, system
 management, and fares.
- Distilling findings into a **TDP document**, reflecting the preferred vision for transit in Yamhill County and providing a phased approach for implementing the vision.
- Establishing a **performance monitoring program** based on peer analysis and industry standards to set performance measure benchmarks for YCTA to use in regularly assessing system and route-level progress.

Figure 1-1 TDP Process



TDP OUTLINE

The TDP includes 11 chapters and seven appendices. Technical memorandums produced throughout the project include additional detail and are included in TDP Volume II for reference.

TDP Volume I Chapter	TDP Volume I Appendices	TDP Volume II
1. Introduction		
2. Yamhill County Characteristics and Trends		Section 2 - TM #2: Existing Conditions Section 3 - TM #3: Planning Framework
3. Existing Transit Service	Appendix A: Fleet Inventory Appendix B: Public Transportation Providers	Section 2 - TM #2: Existing Conditions
4. Community Input and Needs Assessment		Section 2 - TM #2: Existing Conditions
5. Transit Goals and Objectives		Section 1 - TM #1: Goals and Objectives
6. Service Plan	Appendix C: Bus Stop Design Guidelines Appendix D: Service Design Details	Section 4 - TM #4: Solution Strategies Section 5 - TM #5: Service Design
7. Capital Plan		Section 5 - TM #5: Service Design
8. Financial Plan	Appendix E: Public Transportation Funding Sources	Section 5 - TM #5: Service Design
9. Supporting Programs and Technology	Appendix F: Supporting Programs Details	Section 4 - TM #4: Solution Strategies
10. Supporting Public Transit with Local Land Use Policies	Appendix G: Detailed Land Use Policy Assessment and Sample Code Language	
11. Performance Standards		Section 2 - TM #2: Existing Conditions
		Section 6 – Advisory Committee Meeting Notes

2 YAMHILL COUNTY CHARACTERISTICS AND TRENDS

YAMHILL COUNTY OVERVIEW

Yamhill County is located in the Willamette Valley in northwestern Oregon. It is bordered by Tillamook County to the west, Washington County to the north, Clackamas and Marion Counties to the east, and Polk County to the south. Yamhill County's eastern border with Marion County is shaped by the Willamette River. McMinnville, the county seat, and Newberg are the largest cities in the county. There are eight additional incorporated cities, all in the eastern portion of the county. The Grand Ronde Community reservation is located in the southwestern part of the county, and the Siuslaw National Forest covers approximately 39 square miles in the far southwestern portion of Yamhill County.

The county measures 718 square miles, and is home to approximately 104,990 residents. The county has an average population density of 146 people per square mile.

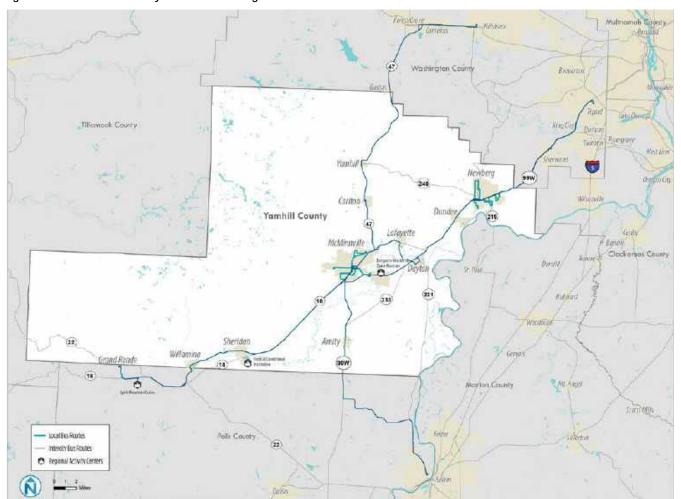


Figure 2-1 Yamhill County Overview and Regional Context

TRANSPORTATION SYSTEM OVERVIEW

Roadways

Yamhill County's existing roadway network includes 117 miles of state highways and 210 miles of county roadways classified as minor collector or above. Outside of cities, the majority of highways in Yamhill County are two-lane roads, with additional through lanes at some locations along OR 99W and OR 18.

The main routes connecting Yamhill County communities and providing connections outside Yamhill County include:

- **OR 99W** connecting I-5 in Portland with Tualatin, Tigard, Sherwood, Newberg, McMinnville, and Corvallis. OR 99W serves as a business route through Newberg and McMinnville.
- OR 18 connecting OR 99W near Dayton with McMinnville, Sheridan, Willamina, Grand Ronde, and US 101 north of Lincoln City. OR 18 serves as a bypass route south of McMinnville. A business loop serves Willamina and Sheridan. OR 18 overlaps with OR 22 between Valley Junction (east of Grand Ronde) and Willamina.
- **OR 22** connecting Salem, Grand Ronde, and US 101.
- **OR 47** connecting OR 99W in McMinnville with Carlton, Yamhill, Cove Orchard, Gaston, Forest Grove, and Hillsboro.

There is significant commute traffic between the incorporated areas of the County, including McMinnville and Newberg, and the Portland and Salem areas. The primary commute routes are OR 99W, OR 47, OR 221 (connecting Dayton and Salem), and OR 18. For recreational travel, OR 99W and OR 18 are one of the primary connections between the Portland metropolitan area and the Oregon coast.¹

In general, non-seasonal congestion is not a problem on most state highways and county roads in Yamhill County. A few locations, however, do not meet ODOT's mobility targets reflecting the maximum congestion that should occur on county roads and state highways. These congested locations include:²

OR 99W between Newberg and Dundee and between Dundee and OR 18, which affects YCTA Routes 44, 45x, and 46s (McMinnville – Tigard). Traffic conditions on OR 99W in Newberg in 2017 reflected construction activity for the the nearly 4-mile Dundee Bypass, opened in late 2017. The bypass connects the eastern end of Newberg (Springbrook Road) and the western end of Dundee and is accessed via Springbrook Road between OR 99W and OR 219. Based on traffic data from the first half of 2018 after the bypass opened, it has reduced delay on OR 99W through Newberg.

Most intersections operate with acceptable levels of delay. Two exceptions applicable to YCTA are:3

- OR 18/OR 154 (Lafayette Highway), used by YCTA Route 44 between Lafayette and Dayton
- OR 99W/OR 47, used by YCTA Route 33 between McMinnville and Hillsboro

According to the 2015 Yamhill County Transportation System Plan (TSP), future traffic volumes on state highways are expected to increase approximately 1.9% per year, and by approximately 0.6% per year on county roads. The highest volumes of future traffic are expected to be on OR 99W and OR 18, and the highest growth rates are anticipated to be on OR 219 and OR 18. Portions of these roadways, which are used by YCTA intercity transit routes, are expected to exceed mobility targets.

Yamhill CountyoFrassit Area | 2-2

¹ Yamhill County Transportation System Plan, 2015

² Yamhill County Transportation System Plan, 2015

³ Yamhill County Transportation System Plan, 2015

Transit Network

YCTA operates four intercity routes on set schedules and alignments connecting Yamhill County cities along OR 99W, OR 18, and OR 47 and providing connections to Tigard, Salem, Grand Ronde, and Hillsboro. Connections to other locations in the Portland region are available in Tigard and Hillsboro with a transfer to TriMet bus and rail services. YCTA routes run on weekdays only, with the exception of two routes serving the OR 18 and OR 99W corridors connecting Grand Ronde, McMinnville, Newberg, and Tigard, which also run on Saturdays. YCTA intercity routes make limited stops within cities. Local fixed-route service provides circulation within McMinnville and Newberg, along with demand-response service that provides shared rides with advance reservations during the same days and hours as local fixed-route service. There is limited local service in the smaller cities in Yamhill County. Chapter 3 provides additional detail on transit service.

Bicycle Network

The majority of dedicated bicycle lanes in Yamhill County are located within McMinnville and Newberg.

McMinnville's bicycle network includes a combination of bike lanes and shoulder lanes. Shoulder lanes are available on many streets throughout the central business district and connect to bike lanes extending out of downtown on OR 99W, Lafayette Avenue, Riverside Drive, a section of Three Mile Lane's west end, OR 18, 2nd Street, Cypress Street, and Baker Creek Road. In addition, some shared use pathways connect north and south of 2nd Street on the west side of McMinnville.⁴

Newberg's bicycle network includes bike lanes on many city streets, including bike lanes along OR 99W through most of the city. Overall, bike lanes are concentrated near newer commercial and residential developments. In addition, there are several local and minor collector streets with bicycle route designations. These include signed shared roadways in the neighborhood just south of downtown, a bike boulevard (including pavement markings and/or bike route signage, and wayfinding signage) from Springbrook/Haworth to Ewing Young Park, and on Meridian to Joan Austin Elementary (using Crestview and Center). ⁵

Nearly all bicycle facilities in rural areas of Yamhill County are either shoulder bikeways or shared roadways. OR 99W provides a paved shoulder lane for most of its route between Newberg and Sherwood. On lower-speed roadways, bikes and cars share a travel lane. There are no shared-use paths in the rural areas of the county at this time.

Significant Planned/Proposed Bicycle Facilities

The 17-mile Yamhelas Westsider Trail, which would link the cities of Gaston, Yamhill and Carlton, is a project in the Yamhill County TSP. The planned trail would run parallel to OR 47 from OR 99W to Gaston, and tie into the Banks-Vernonia trail, connecting to Forest Grove and Hagg Lake. There are potential connections to YCTA Route 33, which runs along OR 47 with stops is Gaston, Yamhill, and Carlton, or Route 44 in Lafayette.

Proposed Yamhelas Westsider Trail



Source: http://yamhelaswestsidertrail.com

⁴ McMinnville Transportation System Plan, 2010

⁵ Newberg Transportation System Plan, 2016

⁶ Google Maps Bicycling, Yamhill County, OR. https://goo.gl/maps/hUyu9DDpqvN2

MARKET ANALYSIS

Current Population and Trends

Current and future population and employment trends in communities across Yamhill County indicate where the greatest transit demand is likely to be today and in the future. Figure 2-2 provides current population (2017) and growth forecasts through 2035 for cities in Yamhill County and the resulting population densities. A total of 108,144 people live in Yamhill County (2017), with the highest population density located along the OR 99W / OR 18 corridor. Yamhill County is forecasted to grow by approximately 27% by 2035—an increase of over 28,000 new residents. Just over three-quarters of the population lives within urban growth boundaries (UGBs) today and this share is projected to increase, with 87% of growth projected to occur within UGBs.

McMinnville and Newberg, the county's two most populous cities, contain 54% of the county population; each city is forecasted to gain more than 9,000 new residents over the 18-year period, nearly 70% of the total growth that is forecasted for the County. This represents an increase of 30% for McMinnville and 40% for Newberg. The population density in is expected to reach 6 persons per acre in McMinnville and 8 persons per acre in Newberg.

Among smaller cities, Lafayette, and Dundee are projected to grow by about 40% and Carlton is projected to grow by 35%. Lafayette has the highest average population density today, with over 7 persons per acre today, and is projected to increase to 10 people per acre by 2035.

Figure 2-2	Future Population Forecasts ((within Urban Growth Boundaries)	. 2017-2035

Jurisdiction (UGBs)	Population, 2017	Population, 2035	Change in Population, 2017-2035	% Change, 2017-2035	Share of Growth, 2035	Density, 2017 (Pop/Acre)	Density, 2035 (Pop/Acre)
Yamhill County Service Area B,C	108,144	136,836	28,692	27%	100%	0.24	0.30
Within UGBs	82,976	107,955	24,979	30%	87%	4.6	6.0
McMinnville UGB	34,293	44,122	9,829	29%	34%	4.6	5.9
Newberg UGB ^A	24,296	34,021 A	9,725	40%	34%	5.4	7.6
Sheridan UGB ^B	6,340	6,893	553	9%	2%	4.0	4.4
Lafayette UGB	4,083	5,717	1,634	40%	6%	7.4	10.3
Dundee UGB	3,243	4,570	1,327	41%	5%	4.2	6.0
Dayton UGB	2,837	3,200	363	13%	1%	3.4	3.8
Carlton UGB	2,229	3,013	784	35%	3%	4.0	5.3
Willamina UGB ^C	2,125 ^B	2,321 ^B	196 ^B	9%	1%	2.9	3.2
Amity UGB	1,642	1,910	268	16%	1%	3.9	4.6
Yamhill UGB	1,077	1,338	261	24%	1%	3.6	4.5
Gaston UGB D	811 ^C	850 ^C	39 ^C	5%	0%	2.5	2.6
Outside UGBs	25,123	28,880	3,757	15%	13%	0.06	0.07

Notes: (A) The 2016 Newberg Comprehensive Plan population forecast data for 2015-2035 are higher than PSU Population Research Center (PRC) forecasts. City of Newberg planning staff communicated that the City intends to adjust its forecast consistent with the recent PRC projections. (B) Sheridan population includes the Federal Correctional Institution population of approximately 2,000. (C) The Willamina UGB includes residents in both Yamhill and Polk counties. City and "Service Area" population reflect the UGB. (D) The Gaston UGB includes residents in both Yamhill and Washington counties. City and "Service Area" population reflect the UGB.

Source: Portland State University Population Research Center (PRC), Coordinated Population Forecasts for Yamhill County, 2017. (TM #3, Figure 3-3)

Current Demographics and Trends

Transportation is often a primary barrier cited by individuals who are unable to access employment, medical services, and educational opportunities (among other key public services). In relatively rural areas like Yamhill County, transit service often carries a large share of persons who are "transit-dependent." Transit provides people who do not have access to a vehicle or are unable to drive with a crucial lifeline to jobs, services, family and friends, and medical providers.

Presidential Executive Order 12898, issued in 1994, directed federal agencies to "make achieving environmental justice part of (their) mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority and low-income populations." The order builds on Title VI of the Civil Rights Act of 1964 which prohibits discrimination on the basis of race, color, or national origin.

There are three fundamental principles of environmental justice:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority and low-income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

While not specifically identified by Title VI or the Executive Order, the analysis presented in this section also considers persons age 65 and older, persons with disabilities, and persons with limited English proficiency. Understanding where these demographic groups are located helps YCTA identify where potential transit customers live and better serve population groups that have unique transportation needs.

Figure 2-3 summarizes transit-dependent populations by city. Several key takeaways include:

- The greatest densities of older adults (age 65 or older) are concentrated in and near McMinnville, Newberg, and Sheridan. Unincorporated areas, where it may be more difficult to access public transportation, have a high share of older adults − 21% of residents, compared to 15% countywide. Population forecasts indicate that the share of older adults in Yamhill County is projected to continue to increase, from approximately 15% of the population currently to 20% by 2035. This demographic trend creates additional demand for public transportation.
- Willamina has a high percentage of both low-income households and people with disabilities compared to the rest of the county. Some types of disabilities may prevent people from driving. Access to transportation is an important factor in allowing persons with disabilities to access services and live independently.
- McMinnville, Newberg, Dayton, and Willamina have the highest percentages of people with low incomes, defined here as earning an annual income less than the federal poverty level (\$12,060 in 2017 for an individual), which is the income-eligibility criteria for various social service programs in Oregon and around the country.
- Lafayette and Dayton have the highest percentage of people who report limited-English speaking proficiency, defined here as people who identify as speaking English "less than well."
- Dayton, Sheridan, and Amity have the highest share of population that identifies as non-white.
 Understanding where different racial or ethnic groups are located in the County can help YCTA reach out to and involve different communities in its decision-making.

TDP Volume II, Section 2: TM #2, Chapter 2 provides additional detail on transit-dependent populations.

Figure 2-3 Demographic Information for Yamhill County Communities, 2015

Jurisdiction	Population [1]	Jurisdiction % of County Population	Older Adults [2]	Limited- English Speaking Population [3]		Civilian Non- Institutionalized Population [5]	People With Disabilities [5]	Population for Whom Poverty Status is Determined [6]	Low-Income Population [6]	
									100% of poverty	200% of poverty
State of Oregon	3,939,233	-	15%	3%	15%	3,900,771	14%	3,862,756	16%	36%
Yamhill County	101,119	100%	15%	3%	12%	98,985	15%	95,796	17%	36%
Incorporated Communities	77,716	77%	13%	4%	14%	74,450	16%	71,490	19%	40%
McMinnville	33,185	33%	16%	5%	13%	32,869	17%	31,558	21%	43%
Newberg	22,566	22%	12%	3%	14%	22,462	12%	21,009	19%	36%
Sheridan	6,048	6%	10%	2%	20%	4,334	21%	4,322	19%	57%
Lafayette	3,824	4%	8%	7%	9%	3,824	13%	3,735	15%	41%
Dundee	3,184	3%	11%	1%	13%	3,184	15%	3,169	8%	28%
Dayton	2,539	3%	12%	7%	24%	2,539	15%	2,539	20%	39%
Willamina	1,811	2%	13%	1%	12%	1,811	23%	1,796	23%	43%
Carlton	1,869	2%	9%	1%	7%	1,869	13%	1,846	5%	30%
Amity	1,558	2%	13%	0%	18%	1,558	19%	1,516	17%	28%
Yamhill	1,132	1%	9%	0%	3%	1,132	14%	1,079	8%	19%
Unincorporated Areas	23,403	23%	21%	1%	6%	24,535	14%	24,306	8%	22%

Notes/Sources: ACS 2011-2015 estimate. [1] Table B01003. [2] Table B01001. Older adults as a percentage of the total population. [3] Table B16004. Population that speaks English less than "well." [4] Table B02001. Individuals identifying as any other race or combination of races other than "White alone," as a percentage of the total population. [5] Table B18101. Disability population as a percentage of the civilian noninstitutionalized population. Disability population in Sheridan is 29% less than the total, primarily due to the Federal Correctional Institution. [6] Table S1701. Percentage of the population for whom poverty status is determined, which excludes institutionalized people (e.g., prisons), people in military group quarters, people in college dormitories, and unrelated individuals under 15 years old. Poverty population in Sheridan is 28% less than the total, primarily due to the Federal Correctional Institution.

Current Economy and Trends

Job Sectors

According to the Oregon Employment Department (OED), Yamhill County's top employment sectors include manufacturing; health care and social assistance; and education services, comprising over 40% of all jobs (Figure 2-4). The retail sector accounts for approximately 10% of jobs. Although not represented among the largest individual employers, wineries and wine-related tourism are major industries in the county. Agriculture – grouped with forestry, fishing, and hunting as an employment sector – is the fifth largest employment sector in the county (9.4% of jobs). Yamhill County has the most vineyards, planted acreage, harvested acreage, yield per harvest acre, and production of any county in the state (see map in TDP Volume II, Section 2: TM #2 Chapter 2). As of 2006, 227 vineyards were in operation in Yamhill County, representing approximately 30% of all Oregon vineyards. A related sector, food services and accommodation, represents 8.8% of jobs.

Mismatches between transit service and employment include later evening shifts at large retailers and food service establishments that existing transit service does not run late enough to accommodate. And agricultural work sites are often located beyond easy access to transit stops on main highways.

Figure 2-4 Employment by Sector, 2016

Employment Sector	# Jobs	% of Total
Manufacturing	6,258	18.1%
Health care and social assistance	5,065	14.7%
Educational services	3,547	10.3%
Retail trade	3,514	10.2%
Agriculture, forestry, fishing & hunting	3,253	9.4%
Accommodation and food services	3,036	8.8%
Construction	1,789	5.2%
Public administration	1,495	4.3%
Other services, ex. public admin	1,416	4.1%
	•	

Employment Sector	# Jobs	% of Total
Professional and technical services	774	2.2%
Transportation, warehousing & utilities	726	2.1%
Finance and insurance	696	2.0%
Wholesale trade	688	2.0%
Arts, entertainment, and recreation	568	1.6%
Real estate and rental and leasing	273	0.8%
Information	251	0.7%
Management of companies and enterprises	144	0.4%
Mining	77	0.2%
Total for All Sectors	34,523	100%

Source: Oregon Employment Department

Yamhill CountyoFrassit Area | 2-7

⁷ OED, Growing a Vintage: Oregon's Wine & Grape Industry, 2007. https://tinyurl.com/yag273tg

Major Employers

Yamhill County's ten largest employers (listed in Figure 2-5) represent a range of industries, including medical services, higher education, manufacturing, and security facilities. All but one — the Federal Correctional Institution in Sheridan — operate in McMinnville or Newberg. The county's two largest employers by number of employees are in Newberg — A-dec and George Fox University. While major concentrations of employment in the county are generally located in proximity to transit, five of Yamhill County's top ten employers, including A-dec, do not have a transit stop within a half-mile of their location.

Figure 2-5 Top Ten Yamhill County Employers, 2012

Employer	Employment	City	Product	Transit Routes
A-dec	978	Newberg	Dental equipment	
George Fox University	560	Newberg	Private college	5
Cascade Steel Rolling Mill	431	McMinnville	Steel products	
Linfield College	430	McMinnville	Private college	2, 3, 11, 22, 24s, 45x
Willamette Valley Medical Center	420	McMinnville	Full service hospital	2
Federal Correctional Institute Sheridan	380	Sheridan	Security facility	
Evergreen Aviation Museum	361 [a]	McMinnville	Aviation museum	
Meggitt Polymers & Composites	283	McMinnville	Aerospace products	33, 44
Providence Newberg Medical Center	255	Newberg	Full service hospital	7, 44, 45x
Betty Lou's Inc.	180	McMinnville	Food Manufacturer and Co-packer	7

Note: [a] Total includes Evergreen International Airlines, which went out of business on December 31, 2013

Source: Grow Yamhill County Report, 2013

Employment Density

Figure 2-6 illustrates employment density in McMinnville and Newberg, the county's two largest employment centers. Average employment density in the rest of the county is less than two jobs per acre. Businesses throughout both McMinnville and Newberg are generally located in and around the OR 99W and OR 18 corridors, or within the central business districts.

McMinnville Newberg NE sames No. Ascade Steel Co Rolling Mills Paker (resolve) Coffen Asi Mountainview Dr. Meggitt Polymers & Composites Reworth him George Fox University dical Center Linfield College Betty Lou's, Inc. Jobs per Acre, by Census Block Local Bus Routes Less than 2.0 16.1 - 20.0 2.1-4.0 20.0 - 25.0 Intercity Bus Routes Major Employers 4.1-8 More than 25.0

Figure 2-6 McMinnville and Newberg Employment Density, 2014

Source: TM #2, Fig 2-13 and 2-13

Source LEHD 2014

8.1 - 16

Future Employment

Yamhill County employment is projected to increase from approximately 33,000 to nearly 43,000 jobs by 2035, an increase of 29%. Figure 3-4 lists existing and forecasted employment for cities in Yamhill County, and the resulting employment densities. Based on the high-level assumptions applied from the regional forecasts, over 6,000 new jobs would be added in McMinnville and Newberg between 2014 and 2035. Growth rates for the top three employment sectors in Yamhill County—accounting for 45% of all employment—are listed below along with major employers represented among these sectors.

- Manufacturing: 9%. Includes A-dec and Cascade Steel Rolling Mill.
- **Health Care and Social Assistance: 18%**. Includes Willamette Valley Medical Center and Providence Newberg Medical Center.
- **Educational Services: 15%**. Includes George Fox University and Linfield College.

Unincorporated areas account for over 20% of all jobs in the county. However, these areas have the lowest employment density and are among the most challenging to serve by transit. Agriculture, forestry, fishing and hunting is among the fastest growing employment sectors in the county, and accounts for most of the land use in unincorporated areas. Along with construction, this sector is forecasted to experience the highest percentage of total annual growth—19% between 2014 and 2024. Wineries and wine-related tourism are an important part of the agricultural sector in Yamhill County, contributing to job growth near Dundee, McMinnville, and Newberg, and rural communities north of OR-99W and east of OR-47. Employees in this sector may benefit from transportation services, though the job locations are often located off the major highways and may require alternative public transportation service models/types.

Figure 2-7 Future Employme	ent Forecasts, 2014-2035
----------------------------	--------------------------

Jurisdiction	Area (Acres)	Jobs 2014	Jobs 2035	Change in Jobs, 2014-2035	% of County Jobs, 2035	Job Density, 2014 (Jobs/Acre)	Job Density, 2035 (Jobs/Acre)
Yamhill County A	459,671	33,073	42,707	9,634	100.0%	0.07	0.09
Incorporated Cities B	15,613	25,109	32,423	7,314	75.9%	1.61	2.08
McMinnville	6,745	13,927	17,984	4,057	42.1%	2.06	2.67
Newberg	3,724	7,920	10,227	2,307	23.9%	2.13	2.75
Sheridan	1,250	1,123	1,450	327	3.4%	0.90	1.16
Dundee	884	485	626	141	1.5%	0.55	0.71
Carlton	567	348	449	101	1.1%	0.61	0.79
Willamina	606	289	373	84	0.9%	0.48	0.62
Dayton	532	282	364	82	0.9%	0.53	0.68
Yamhill	346	272	351	79	0.8%	0.79	1.02
Amity	399	259	334	75	0.8%	0.65	0.84
Lafayette	559	204	263	59	0.6%	0.36	0.47
Unincorporated Areas	444,058	7,964	10,284	2,320	24.1%	0.02	0.02

Notes: For TDP analysis purposes. A. Yamhill County growth extrapolated to 2035 based on 2014-2024 sector growth rates from the Mid-Willamette Valley Region. B. Overall 2035 Yamhill County jobs allocated to cities based on the city's 2014 share of Yamhill County jobs. Source: Oregon Employment Department, Mid-Valley 2014-2024 Employment Forecast.

For additional details see TDP Volume II, Section 3: TM #3 Chapter 3 and Appendix A. This appendix provides sector-by-sector growth forecasts from OED for the Mid-Willamette Valley region that were the basis for the TDP analysis.

Commute Patterns

In addition to understanding where employment is concentrated, commute patterns were analyzed to understand how transit service can best connect employees' home and work locations (Figure 2-8). Findings from analysis of US Census Bureau Longitudinal Employer-Household Dynamics (LEHD) data for 2014 are:

- Nearly 41,000 Yamhill County residents are employed.
- Over **32,000** people work in Yamhill County.
- Nearly **18,000** people both live and work within the county (this represents 44% of Yamhill County residents who are employed and 55% of people who work in Yamhill County).
- The top panel of Figure 2-8 shows the top commute patterns among the nearly 23,000 (approximately 56%) employed residents who travel outside the county for work.
 - Over 12,000 Yamhill County residents (30% of employed residents) commute to locations around the Portland Metro area, including nearly 1,800 to Hillsboro.
 - Over **2,600** residents commute to the Salem area (6%); the largest share (over 760 in 2014 and over 800 in 2015) is from McMinnville.
- The bottom panel of Figure 2-8 shows the top commute patterns into Yamhill County.
 - Over **5,000** workers commute into Yamhill County from locations around the Portland Metro area (16% of all Yamhill County employees).
 - Over 1,600 workers commute from the Salem area; the largest share (over 530 in 2014 and over 600 in 2015) is to McMinnville.
- **McMinnville**: Over 5,000 (38%) of employed McMinnville residents live and work in the city. Nearly 7% of residents work in the city of Portland, with an additional 8% in other Portland metro area cities within the top 10 locations. Nearly 6% of residents work in Salem and 4% work in Newberg. The individual cities with the highest share of commuters to McMinnville are Salem, Portland, Newberg, and Sheridan.
- **Newberg**: Less than 2,000 (21%) of employed Newberg residents also work in Newberg. Compared to McMinnville, more residents work in the Portland Metro area (both as a percentage and in absolute numbers). Approximately 4% work in McMinnville. Approximately 4% of residents work in Salem, a smaller share and number than McMinnville, and 300 residents work in Wilsonville. The individual cities with the highest share of commuters to Newberg are McMinnville, Portland, Lafayette, Sherwood, Tigard, and Dundee.

Overall findings include:

- People who live and work in Yamhill County are an only slightly larger market than the combined out-of-county commute and in-commute.
- Out-of-county work commutes are a larger market than in-commuting to Yamhill County, but the in-commute (about 40% of the out-of-county commute) is still a significant potential market.
- McMinnville is the strongest work commute market to/from Salem.

For additional details see TDP Volume II, Section 2: TM #2 Chapter 2 (Commute Patterns).

Commute Mode Share

Approximately **1%** of Yamhill County residents primarily commute to work on transit, compared to 4% statewide, based on American Community Survey data for 2011-2015. More people carpool (13%) and walk (6%) than the statewide averages (10% and 4%, respectively). Approximately 7% of Newberg residents and 9% of McMinnville residents walk to work.

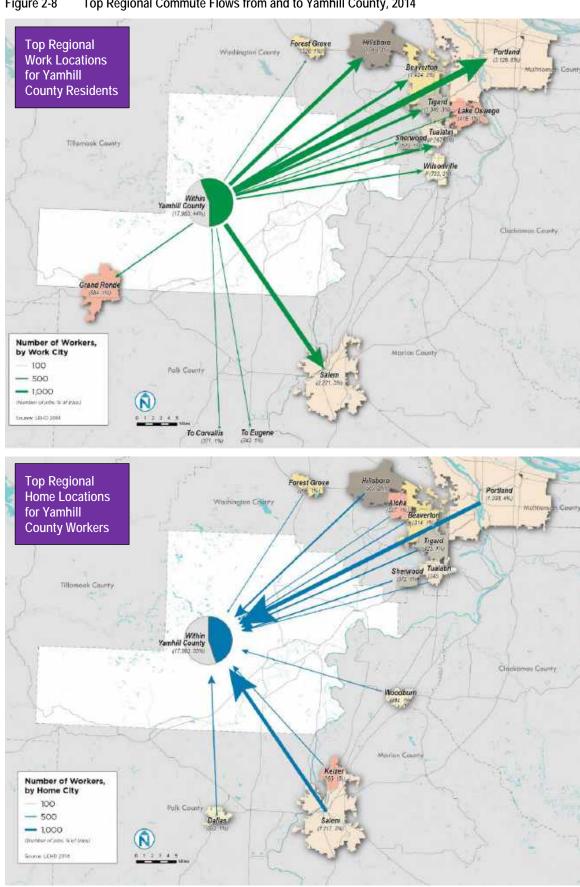


Figure 2-8 Top Regional Commute Flows from and to Yamhill County, 2014

EXISTING AND PLANNED LAND USE

Land use and development in Oregon counties and cities is guided by their adopted Comprehensive Plans, which are implemented primarily by the local development code. Development code and zoning districts define characteristics such as allowed land uses and intensity of development. These districts include several types of residential zones (low-, medium-, and high-density), non-residential zones such as commercial or industrial, and mixed-use zones that allow both residential and non-residential uses to be combined on a site.

The map in Figure 2-9 illustrates existing zoning designations in Yamhill County. Nearly all of the county's industrial and commercial zones are located in incorporated cities; these areas, along with institutional and community facility zoned areas, account for many of the county's largest employers. Farm use, forestry, and agricultural zones comprise most of the county's unincorporated areas, and contain over 20% of jobs in Yamhill County. Southwest Yamhill County is also home to northern sections of the Siuslaw National Forest and Grand Ronde Community tribal lands.

Summary of Existing Land Use by Corridor and City

Medium- to high-density residential areas and concentrations of commercial/industrial uses have the highest potential for transit and are generally located in incorporated areas. The following overview of land use within Yamhill County cities highlights such opportunities. These opportunities were identified through zoning codes and maps, information on proposed developments, and public/stakeholder input.

McMinnville. The majority of land area is zoned for residential use. High-density residential zones are mostly concentrated in the OR 99W corridor, central business district, and around the Linfield College campus; some exceptions are along Hill Road on the city's west side, in the northeast part of the city, and in the Three Mile Lane corridor. McMinnville's R-3 residential zoning district allows nearly 12 units per acre and the R-4 residential district allows for higher-density developments (over 20 units per acre), which could support transit service that is more frequent than today; however, current residential density in the city is relatively low, even in areas currently zoned for medium- or higher-density housing. Some areas of the city have moderate population density, comparable to parts of the city that have transit coverage, but are beyond ¼-mile access to existing transit routes. ½-mile

Commercial uses are concentrated in the OR 99W corridor, Lafayette Avenue corridor, and the downtown central business district. There are also several commercial parcels scattered along Three Mile Lane, and on the west side of the city along 2^{nd} Street.

Industrial parcels are generally east of OR 99W, especially in the Lafayette Avenue, Three Mile Lane, and Booth Bend Road corridors. Land zoned for open space lines the South Yamhill River and Cozine Creek.

Newberg. Much of the land area is zoned for low- and medium-density residential use. Newberg's R-2 residential zoning district allows nearly nine units per acre and the R-3 residential district allows for higher density developments (over 20 units per acre), which could support transit service that is more frequent than today; however, current residential density in the city is relatively low, even in areas currently zoned for medium- or higher-density housing. Some areas in the northeast and southwest parts of the city have moderate residential density comparable to other parts of Newberg, but are not served by transit.

Commercial and central business district zoning is concentrated along the OR 99W corridor. Significant areas of institutional lands owned by George Fox University and Providence Health & Services are located in central and eastern Newberg, respectively. Land zoned for industrial uses is concentrated along the Portland & Western Railroad corridor.

OR 18 Corridor west of McMinnville:

Sheridan. Most development is within a ¼- to ½-mile distance of OR 18 Business, with commercial and mixed-use residential zones (including those allowing multi-family housing) located in close proximity to the OR 18 Business route through the city. Most industrial zoned land is located on the west side of the city north of the highway, including the McFarland Cascade Mill. Yamhill County Head Start is also on the west side of the city south of the highway. Some parcels zoned for industrial or institutional uses are located on the east side of the city south of the Yamhill River, including Sheridan High School; Bridge Street is the only river crossing within the city. A Federal Correctional Institution is located south of OR 18.

Willamina. Most development is within a $\frac{1}{4}$ - to $\frac{1}{2}$ -mile distance of OR 18 Business, with pockets of land zoned for multi-family residential uses located near the highway. An area of multi-family residential uses is located in the far southwest part of the city. The Boise-Cascade Mill is located just outside the eastern edge of the city and the Hampton Lumber Mill is just outside the western edge.

OR 18 / OR 99W Corridors between McMinnville and Newberg:

Dayton. Residential uses are generally lower-density, but within approximately a ½-mile of the existing YCTA stops serving the city.

Lafayette. Commercial uses are located primarily along OR 99W, with most development primarily north of the highway, up to a $\frac{1}{2}$ to $\frac{3}{4}$ mile distance from the highway, including medium-density residential in the far northeast part of the city. Lafayette has the highest population density among Yamhill County cities (7.3 and 10.3 persons per acre in 2017 and 2035 respectively). The highest densities are clustered north of OR-99W, while transit service runs through the far southwest part of the city.

Dundee. Land zoned for commercial and medium-density residential uses is located on either side of OR 99W, along the highway or within approximately $\frac{1}{2}$ -mile.

OR 47 Corridor:

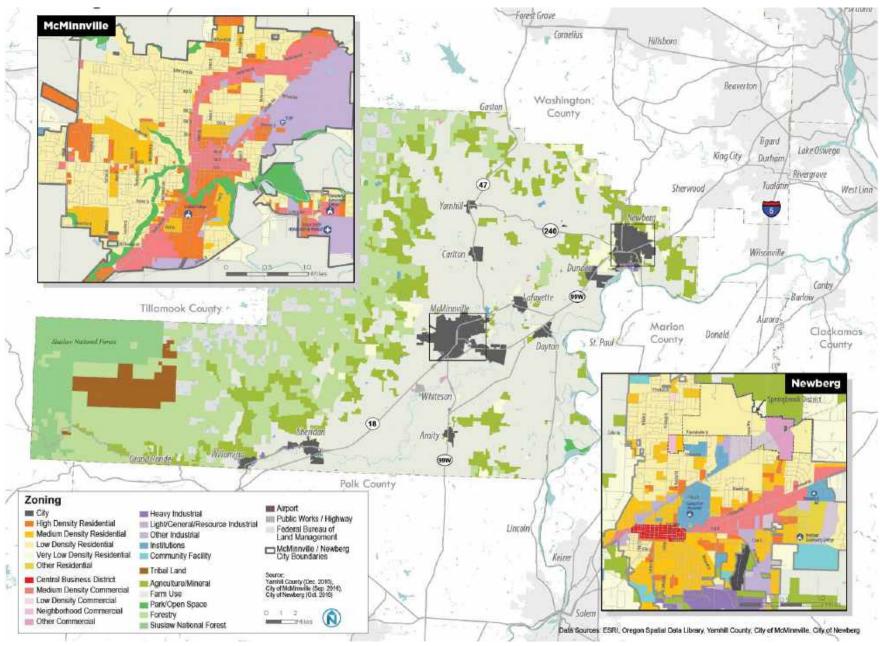
Carlton. Medium- to high-density residential zones are generally clustered around the center of the city, and most development is within a ½-mile distance of the city center.

Yamhill. Most uses are within a $\frac{1}{2}$ to $\frac{3}{4}$ mile distance from the OR 47, where YCTA service can currently be accessed. Multi-family residential zoning and a small mixed-use residential zone is located just east of OR 47's route through the city. A light industrial zone located on the far east side of the city, about a $\frac{3}{4}$ mile distance from the city center along OR 240 (Yamhill-Newberg Highway), appears to be largely undeveloped but includes Fruithill, a produce wholesaler.

OR 99W Corridor between McMinnville and Salem:

Amity. Commercial and light industrial zones are along OR 99W, with adjacent medium-density residential zones on either side. The highest-density residential zoning is at the north end of the city.

Figure 2-9 Yamhill County Existing Land Use (Zoning)



Source: Local Zoning Codes. Reproduced from TM #3, Fig. 3-7

Proposed Development and Future Potential Service Areas

Major planned developments and growth patterns could affect future travel patterns and demand for public transportation. Figure 2-10 illustrates areas within urban growth boundaries where future transit-supportive growth could occur. The information is based on input from the TDP Project Advisory Committee and other stakeholders, City planning documents, and media reports. Notable plans include the Northeast Gateway Plan (2012) and the Transit Feasibility Study (1997) in McMinnville and the Riverfront Master Plan (2002), Springbrook Master Plan (2008), and South Industrial Master Plan (2009) in Newberg.

Figure 2-11 illustrates existing transit service along with potential future service areas identified through the TDP analysis.

The planned developments and other growth areas include:

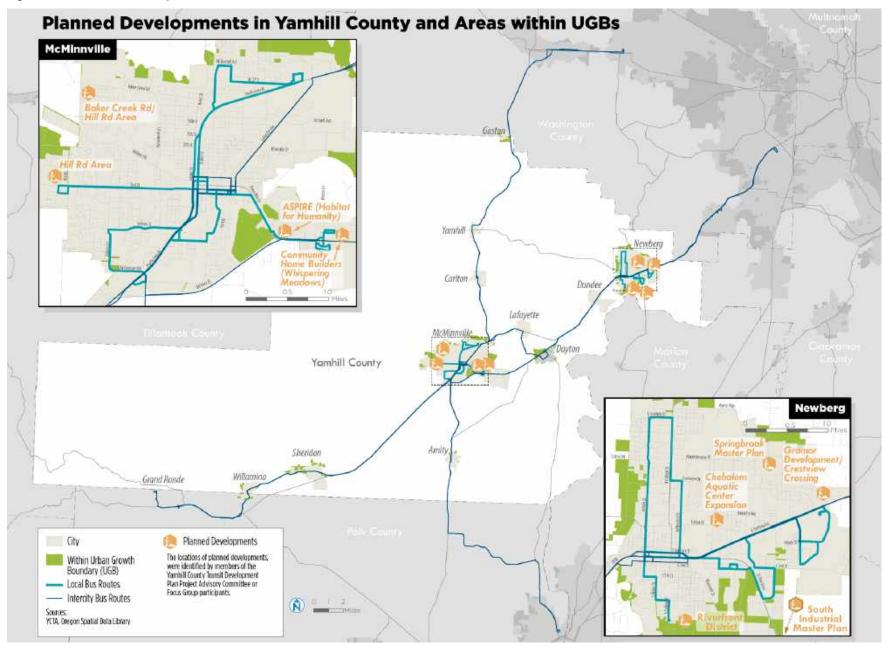
In McMinnville, areas west of Hill Road and in the Hill Road/Baker Creek Road areas in the west part of the city, including a major development with proposed workforce housing, and along Three Mile Lane and Norton Drive in the east part of the city.

The McMinnville Transit Feasibility Study depicts growth areas both inside and outside the UGB at the time the study was developed (see TDP Volume II, Section 3: TM #3, Figure 3-10), and the city continues to use conceptual bus routes identified in the study as a guide for where transit will be available in the future. The growth areas outside the UGB – primarily to the northwest and southwest – reflect a proposed UGB expansion that was ultimately not approved by the State. Growth areas identified along Hill Road in the west and an area in the northern part of the city, both of which are within the UGB, correspond to developments and potential service areas identified in Figure 2-10 and Figure 2-11.

A Planned Development Overlay was adopted for the Three Mile Lane area in McMinnville in 1981 and was amended in 1994. The area is the subject of an ODOT Transportation Growth Management planning grant that has been awarded to the city; work on an area plan is due to begin in July 2018. As the grant application states, large property owners in the area are poised to make substantial investments. "Areas of interest" in the Three Mile Lane planning area represent a range of residential, employment, and commercial development opportunities.

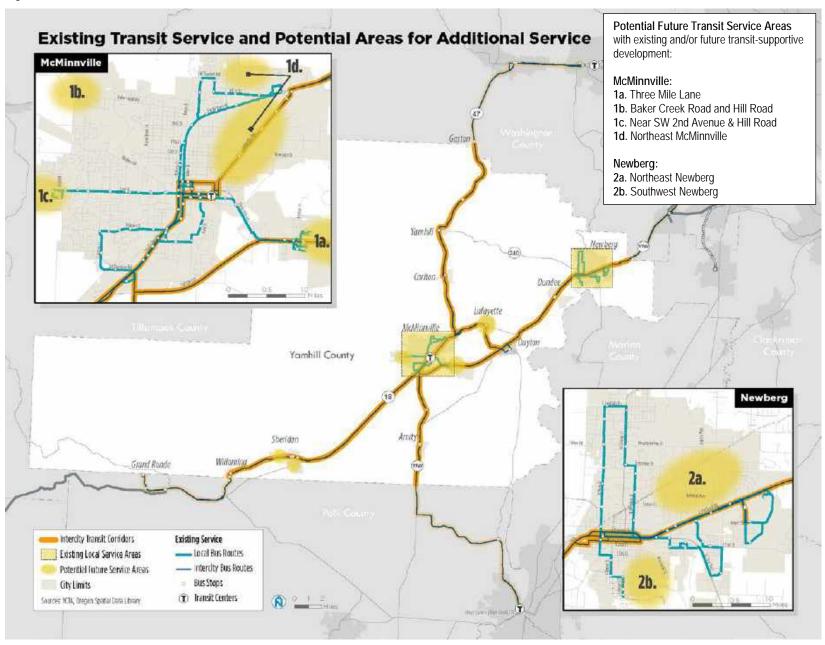
In Newberg, future growth areas include the Gramor/Crestview Crossing development north of OR 99W, which is also associated with a planned extension of Crestview Drive, and the Springbrook Master Plan in the northeast part of the city. In the southwest part of the city, the Riverfront Master Plan area includes medium-density housing and mixed-use areas. Anecdotally, there is significant ongoing development permitting activity.

Figure 2-10 Planned Developments



Note: Green shaded areas are outside of city limits but within the UGB. Source: Reproduced from TM #3, Fig 3-8

Figure 2-11 Potential Future Transit Service Areas



Source: TM #3, Fig 3-12 (Minor Updates)

3 EXISTING TRANSIT SERVICE

YCTA ORGANIZATIONAL STRUCTURE

Yamhill County Transit Area was established in March 2007 by the Yamhill County Board of Commissioners as a County Service District under Oregon Revised Statutes (ORS) 451: County Service Facilities. A resolution from all Yamhill County cities approved establishment of the District and it is organized appropriately, based on YCTA's consultation with Yamhill County legal counsel and the Special Service District of Oregon.

The County Board of Commissioners acts as the YCTA Board of Directors and is responsible for all YCTA operations and management. The YCTA Board reviews and authorizes the YCTA budget process, executes contracts and intergovernmental agreements, and assigns staff and other resources to YCTA tasks or projects. The commissioners rotate duties as Board Chair and Vice Chair. The YCTA office is in McMinnville.

Until September 2018, YCTA had the following two advisory groups:

- The **YCTA Advisory Committee** serves as the primary advisory body to the YCTA board on general public transportation-related issues affecting the county. The committee consists of 11 members one for each of the ten incorporated cities in Yamhill County, and one for the Confederated Tribes of the Grand Ronde.
- The County Board of Commissioners established the **Special Transportation Fund Advisory Committee** (STFAC) in 2009. Its purpose is to advise the County in how to prioritize and allocate Oregon Special Transportation Fund (STF) resources, as required by state law. ⁹ The STFAC has nine members appointed by the Board and meets quarterly. The STFAC roster changes regularly, and must include at least five community members, representing four key constituencies defined in Oregon Administrative Rules. ¹⁰

On September 20, 2018, YCTA replaced these advisory groups with a restructured, 11-member committee called the **Yamhill County Transit Advisory Committee (YCTAC)**. This committee meets YCTA District, STF, and Statewide Transportation Improvement Fund (STIF) requirements. The STIF was established by Oregon House Bill 2017 (HB 2017); the Oregon Transportation Commission approved the STIF administrative rules effective July 1, 2018. 11

⁸ Yamhill County Transit Area Advisory Committee By-Laws, 2003. https://tinyurl.com/y77frdth

⁹ Special Transportation Fund Advisory Committee of Yamhill County Bylaws, 2009. https://tinyurl.com/ycalsqqo

¹⁰ See OAR 732 Special Transportation Fund for the Elderly and Handicapped, Division 5 General Information (732-005).

¹¹ The STIF Advisory Committee for a transportation district or county must include a minimum of five members, including at least one person that is a member of or represents each of the following groups: (1) low-income individuals, (2) individuals age 65 or older or people with disabilities, and (3) public transportation service providers or non-profit entities which provide public transportation services. See OAR 732-040-0030: Advisory Committees. https://tinyurl.com/y928h4ay

EXISTING YCTA SERVICES

System Overview

YCTA offers the following types of service:

Intercity routes on four corridors; these routes operate on a set schedule and alignment, but focus on connecting cities and make limited stops within cities.

Local fixed routes that provide circulation within McMinnville and Newberg.

Demand-response service in Yamhill County provides shared rides without a set route or schedule and includes:

- **ADA Paratransit** *door-to-door* service in Newberg and McMinnville. ADA Paratransit is provided between origins and destinations located within ¾ of a mile of local fixed route transit service (i.e., routes 2, 3, 5, and 7), as required under the federal Americans with Disabilities Act (ADA) of 1991. Service is limited to ADA-eligible customers—those who have a disability that prevents them from riding fixed-route service.
- **General Public Dial-a-Ride** *curb* to *curb* service within Yamhill County. Dial-a-ride primarily serves trips in McMinnville and Newberg due to limited capacity.

Figure 3-1 summarizes the characteristics of each type of service. Each type of service is described in more detail below.

Figure 3-1	Comparison	of YCTA	Service	Types
I IQUIC J-I	Companison	01 1017	JUI VICE	IYPCS

Characteristics	Intercity Routes	Local Fixed-Route	ADA Paratransit	General Public Dial-A- Ride
YCTA Coverage	4 routes: 11, 22, 33, 44 24s and 46s are weekend variants of 22 and 44, respectively 45x is an express variant of 44	2 routes in McMinnville: 2, 3 2 routes in Newberg: 5, 7	34 mile distance around fixed- route service The origin and destination must both be within a 34 mile distance of a fixed-route bus stop Limited eligibility	Generally serves trips in McMinnville and Newberg due to capacity limitations. Some trips extend to the greater McMinnville and Newberg areas
YCTA Service Hours	Varies by route	7:00/7:30 PM to 6:00/6:30 PM	Same days, hours, and times as fixed-route service	8 AM – 4:30 PM
Subscription Trips	N/A	N/A	Limited to 50% of available trips at a given time of day; may exceed the ceiling if there is excess capacity to provide additional trips (discretionary).	Allowed, no restriction
Access	Fixed stops	Fixed and flag stops	Door-to-door	Curb-to-curb

Fixed-Route Service

Local fixed routes provide local circulation within Newberg and McMinnville city limits.

- Routes 2 and 3 serve McMinnville
- Routes 5 and 7 serve Newberg

All four local routes run on weekdays only. Along these routes, YCTA operates as a flag system. This means that YCTA has designated stop locations, but between stops riders may stand on the curb and flag

down the buses or request that the driver let them off at a particular point along the route. Drivers will stop if it is safe to do so.

Intercity routes serve longer-distance travel needs between Yamhill County cities, and connections outside of the county. Figure 3-2 provides a summary of each route's service area, service days, headways (or frequency), and span of service. Along these routes, YCTA has set stops; flag stops are not permitted on intercity routes, including within McMinnville and Newberg.

The intercity routes include:

- Route 11 connects McMinnville, Amity, and Salem
- Route 22 (weekday) and 24s (Saturday) connect McMinnville, Sheridan, Willamina, and Grand Ronde
- Route 33 connects McMinnville, Yamhill, Carlton, Gaston, and Hillsboro
- Route 44 (weekday), 45x (weekday express), and 46s (Saturday) connect McMinnville, Lafayette, Dayton, Dundee, Newberg, and Tigard

Since local routes 2, 3, 5, and 7 operate on weekdays only, routes 24s and 46s are the only options for local circulation within McMinnville and Newberg on Saturdays; within McMinnville, Route 46s operates a modified route along OR 99W instead of Lafayette Avenue on Saturdays.

Figure 3-2 Yamhill County Transit Area Route Summaries

#	Route Name	Туре	Headways or Departure Times	Span of Service
Weel	kday Service			
2	McMinnville East- West Express	Local	Every 60 minutes (east and west routes every 30 minutes)	7 AM- 6 PM
3	McMinnville City Loop	Local	Every 60 minutes (north and south routes every 30 minutes)	8 AM-6 PM
5	Newberg Foothills Drive	Local	Every 60 minutes (interlined with Route 7)	7:30 AM-6 PM
7	Newberg Providence	Local	Every 60 minutes (interlined with Route 5)	7 AM-6:30 PM
11	McMinnville to West Salem	Intercity	To Salem: 6:00, 7:30 AM; 12:00, 4:00, 5:30 PM To McMinnville: 6:00, 7:30 AM; 12:00, 4:00, 5:30 PM Approximate one-way travel time: 40 minutes	6 AM-7 PM
22	McMinnville to Grand Ronde	Intercity	To Grand Ronde: 6:25, 8:15; 10:40 AM; 12:30, 2:30, 4:45, 6:35 PM To McMinnville: 5:30, 7:20, 9:35, 11:35 AM; 1:25, 3:15, 5:40 PM Approximate one-way travel time: 48 minutes	5:30 AM-7:30 PM
33	McMinnville to Hillsboro	Intercity	To Hillsboro: 6:00, 10:30 AM; 12:30, 3:30, 5:30 PM To McMinnville: 7:00, 11:30 AM; 1:30, 4:30, 6:30 PM Approximate one-way travel time: 50 minutes	6:00 AM-7:30 PM
44	McMinnville to Tigard	Intercity	To Tigard: 5:10, 6:25, 7:25, 10:35 AM; 12:15, 1:15, 3:20, 5:40, 6:12 PM To McMinnville: 7:48, 8:48, 11:58 AM; 1:38, 2:38, 4:47, 6:16, 7:01, 7:39 PM Approximate one-way travel time: 1h 12m – 1h 34m	5 AM-9 PM
45x	McMinnville to Tigard	Intercity	One morning trip from Tigard to McMinnville and one afternoon trip from McMinnville to Tigard. Approx. one-way travel time: 1h	6:42 AM-7:50 AM 5:05 PM-6:06 PM
Satu	rday Service	•		
24s	McMinnville to Grand Ronde	Intercity	Approximately every 2 hours with a 1-hour midday gap	9:35 AM-4:50 PM
46s	McMinnville to Tigard	Intercity	Approximately every 3 hours	8 AM-7:30 PM

Figure 3-3 YCTA System Map, with McMinnville and Newberg Insets, 2018 Existing

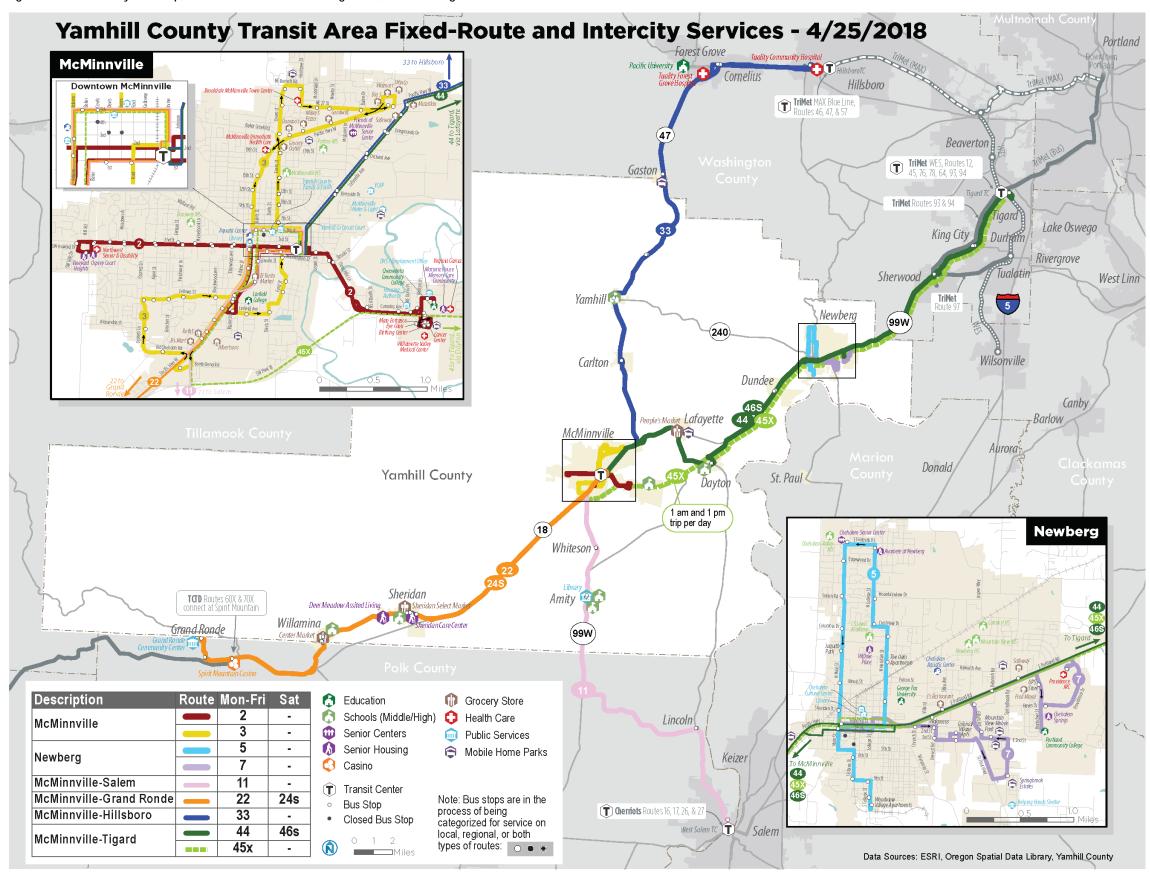
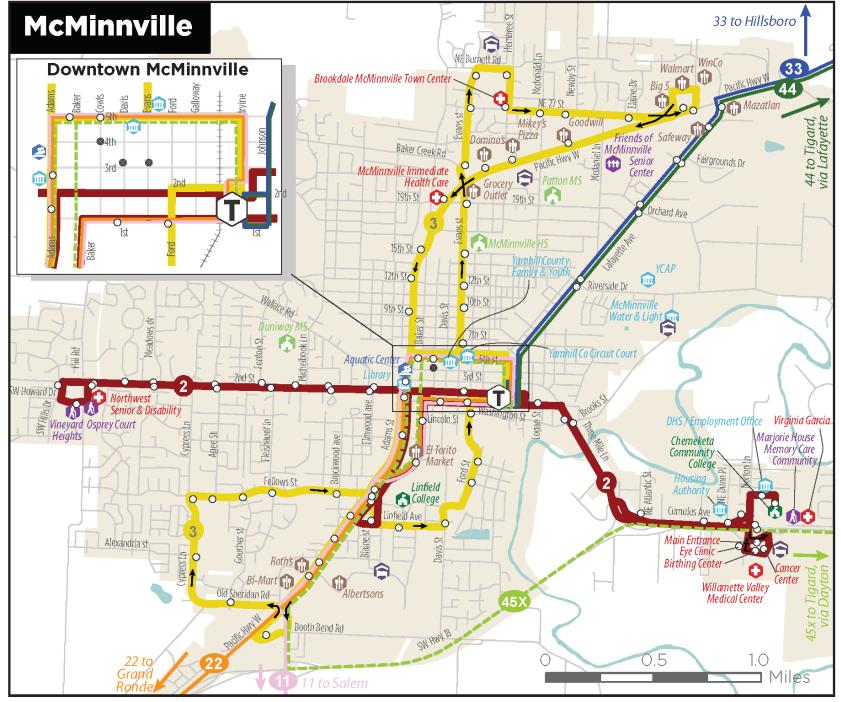
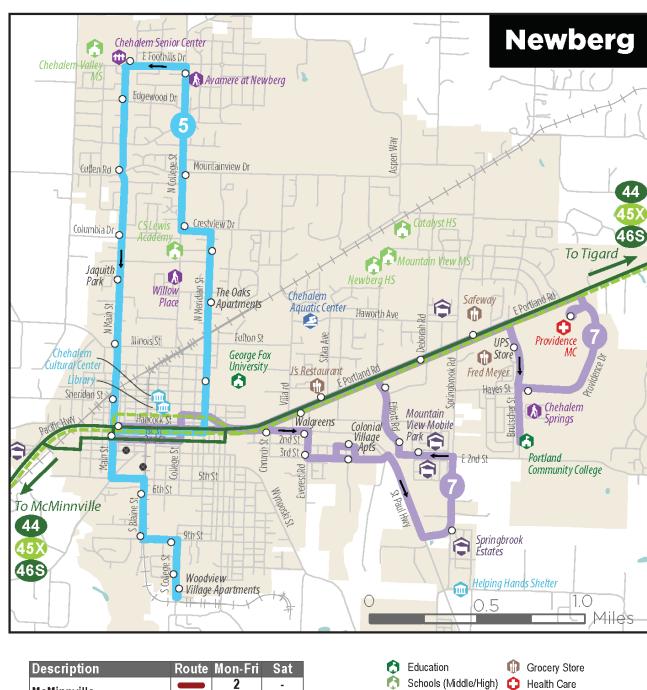


Figure 3-4 YCTA McMinnville and Newberg Local Service, 2018 Existing





Description	Route	Mon-Fri	Sat
McMinnville		2	-
MICMITTIVITIE		3	-
Nowbord		5	-
Newberg		7	-
McMinnville-Salem		11	-
McMinnville-Grand Ronde		22	24s
McMinnville-Hillsboro		33	-
McMinnville-Tigard		44	46s
wicinilityine-iigaiu		45x	-

Senior Centers

Senior Housing

enters public Services

Sousing Mobile Home Parks

Casino

Transit Center

Bus StopClosed Bus Stop

(R)

Demand-Responsive Service

Demand-response service in Yamhill County provides shared rides and includes both general public Dial-a-Ride and ADA paratransit.

ADA Paratransit Overview

YCTA ADA Paratransit is federally-required door-to-door service offered to people with physical or cognitive disabilities who are unable to access or use local fixed-route service. Passenger origins and destinations must be within a $\frac{3}{4}$ -mile buffer of local fixed-route service in McMinnville and Newberg. YCTA paratransit service is offered during the same hours and days as fixed-route service: from 7 AM - 6 PM on weekdays in McMinnville, and 7 AM - 6:30 PM on weekdays in Newberg. YCTA paratransit riders are guaranteed a ride within a two-hour window of their requested trip time.

YCTA paratransit service is not available along Routes 11, 22, 24s, 33, 44, 45x, and 46s, which are intercity routes classified as commuter bus service, and are therefore exempt from the requirement to provide complementary ADA paratransit service.

Reservations for YCTA paratransit can be made between one and 14 days in advance. YCTA accepts paratransit reservations by phone on weekdays between 7:00 AM and 6:30 PM. Individuals calling to make a trip reservation outside these times can leave a message for a trip to be logged when staff are next on duty. Before a person can make a reservation for a paratransit trip, he/she must complete YCTA's ADA Paratransit Application, and be approved by YCTA's ADA Eligibility Committee, based on federal ADA requirements. Subscription paratransit trips are available for work and medical appointments only. YCTA is required to limit subscription trips to no more than 50% of available capacity at any given time of day per federal requirements. Fares for a one-way trip are \$2.50 (fares are not allowed to be more than double the cost of a comparable trip on fixed-route service).

Dial-a-Ride Overview

General public Dial-a-Ride provides curb-to-curb service to the general public to and from locations in Yamhill County. There is no application process required to reserve a Dial-a-Ride trip. YCTA Dial-a-Ride operates on weekdays from 8 AM to 4:30 PM. All YCTA Dial-a-Ride vehicles are ADA accessible, and service animals are allowed. YCTA Dial-a-Ride trips must be scheduled at least 24 hours in advance. A reservation is contingent on capacity, and schedulers may suggest a different time to accommodate customer needs. Dial-a-Ride phone reservations are taken on weekdays between 6:30 AM and 6:30 PM. Trip reservation calls made outside these hours can be left as a voicemail, to be logged when staff are next on duty. Dial-a-Ride riders can make subscription reservations for recurring trips. YCTA allows an unrestricted number of subscription trips in the Dial-a-Ride system. Fares are \$1.75 each way and \$40.00 for a monthly pass.

Major Activity Centers

Major transit trip generators are shown in Figure 3-3 and Figure 3-4 (above) relative to existing YCTA fixed routes and stops. Activity centers are clustered in and around McMinnville and Newberg, along the OR 99W / OR 18 corridor that runs through the eastern part of the county. Additional activity centers—including grocery stores, middle and high schools, senior housing communities, and libraries—are located near Sheridan, Lafayette, Amity, and Willamina. Spirit Mountain Casino is a notable major trip generator a mile south of the county border, in Grand Ronde.

Examples of activity centers that are <u>not</u> directly served by public transportation include:

- Sheridan: Deer Meadow Assisted Living—Route 22 goes past it but does not stop; large buses are not able to pull into the facility parking lot and there are not safe crossings or pull-outs.
- McMinnville:
 - o Senior Center—service runs on OR 99W but does not directly serve the center.
 - O Yamhill Community Action Partnership (YCAP) and McMinnville Water and Light—Intercity routes 33 and 44 run along Lafayette Avenue but do not serve the area east of Riverside Drive.
 - Virginia Garcia Memorial Health Center and Marjorie House Memory Care Community— Route 2 serves Chemeketa Community College less than 0.1 mile to the west, but there is no direct roadway access to allow a bus to travel between the two facilities
- Newberg: There is no service in the northeast part of the city, including to city schools, a large employer (Adec), and the Chehalem Aquatic Center.

In both McMinnville and Newberg, bus stops serve retail areas along OR 99W, but large parking lots often separate store entrances from the roadway and some stops lack nearby pedestrian crossings between stops in each direction.

Fare Structure

Figure 3-5 lists YCTA's existing fares, which range from \$1.25 for a one-way ride on fixed-route service (both local and intercity routes) to \$1.75 on Dial-a-Ride and \$2.50 on ADA Paratransit. Day passes (both individually and as a set of 10) and monthly passes are available but there are currently no discounted fares available. Children six years of age or under can ride for free.

Fares can be purchased in the following ways:

- **During a trip:** Single One-Way fares and Single All-Day Passes can be purchased from drivers while boarding the vehicle with exact change only.
- Prior to a trip: Fares can be purchased in-person from the Yamhill County Board of Commissioners office with exact change only or at the McMinnville Transit Center with cash or check only. Riders can also print and fill in an order form from the YCTA website and send it to YCTA by mail with a check or money order.

Figure 3-5 YCTA Fares, 2018

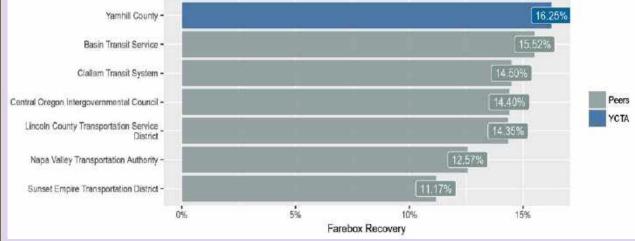
Fare	Fixed-Route	Dial-a-Ride	ADA Paratransit	Notes
Single One-Way Trip	\$1.25	\$1.75	\$2.50	
Single Day Pass	\$2.50			Twice cost of a one-way fare
Book of 10 Day-Passes	\$18.00			Savings of \$7 over 10 individual day passes
Unlimited Monthly Pass	\$35.00	\$40.00		Breaks even after 28 one-way fixed route trips, 14 day passes, 19 day passes when purchased in a book of 10, or 23 Dial-a-Ride trips

Fare policy recommendations are provided in Chapter 9: Supporting Programs and Technology

Peer Comparison: Farebox Recovery

Figure 3-6 shows that YCTA's farebox recovery is slightly higher than a set of six peer agencies, with a rate of more than 16% in 2015 (shown in the chart) and 15% in 2016. A 10% farebox recovery is generally considered to be a minimum standard for transit agencies. The recovery ratio is a function of fare policies (i.e., the price of a ticket or pass), ridership, and total operating costs. YCTA's moderate ridership and low operating costs support a strong farebox recovery ratio.

Figure 3-6 YCTA Farebox Recovery Ratio – Peer Comparison



For peer review details see TDP Volume II, Section 2: TM #2, Chapter 3 and Appendix C

Source: National Transit Database 2015; US Census Bureau American Community Survey 5-year estimate.

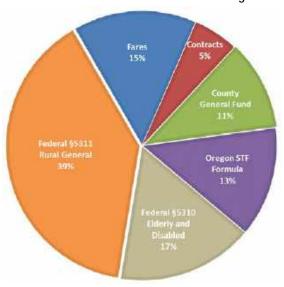
Operating and Capital Costs

Operating Costs

YCTA's operating budget of approximately \$2.1 million has remained fairly steady through 2017. YCTA's key expenditures are contracts for service delivery and fuel, totaling over 80% of the existing operating budget (70% and 12%, respectively). Approximately 70% of YCTA's operating revenue is from federal and state funds, while the remaining 30% is from local sources including fares. As shown in Figure 3-7, YCTA's annual operating revenue sources are comprised of:

- Federal and State funds (70%) provided by the Oregon Department of Transportation (ODOT), which manages Federal Transit Administration (FTA) and state public transportation funds available to rural and small urban public transportation providers, and providers of public transit for seniors and people with disabilities
- Farebox revenue (15%)
- Local service contracts (5%) with the Confederated Tribes of the Grand Ronde Community (supporting Route 22; \$56,000) and the cities of McMinnville and Newberg (supporting local service; approximately \$20,000 each annually in recent years)
- Yamhill County General Fund (11%)

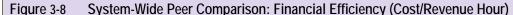
Figure 3-7 Yamhill County Transit Area Operating Sources – FY 2012-2016 Average

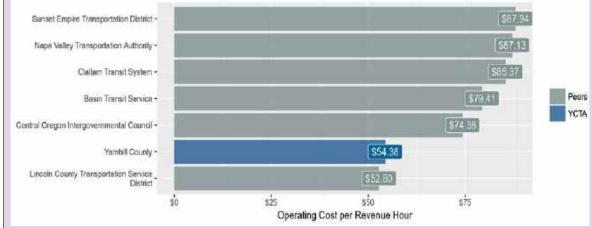


Sources: Yamhill County Transit Area, Oregon Department of Transportation, Federal Transit Administration

Peer Comparison: Financial Efficiency

Financial efficiency reflects YCTA's cost to provide each "revenue hour," or each hour that a bus is on the road. YCTA's cost per revenue hour (\$54.38) is the second lowest among the peer group.





For peer review details see TDP Volume II, Section 2: TM #2, Chapter 3 and Appendix C

Source: National Transit Database 2015; US Census Bureau American Community Survey 5-year estimate.

Capital Costs

Capital budgets depend on relatively expensive one-time purchases, ranging from buses, shelters and bus stop amenities, and technology (e.g., radios and dispatch software) to major investments such as the McMinnville Transit Center. YCTA's capital needs have ranged from less than \$100,000 to over \$1 million in recent years. Grants are available to assist with capital needs and YCTA received three significant awards from discretionary funding programs in 2015 for the 2017-2018 fiscal year. The STF Discretionary program funded communications and scheduling technology as well as the local match for two vehicles funded through the FTA Section 5339 program. ODOT also awarded YCTA funding for four buses through the STIP Enhance program.

Additional detail on public transportation funding sources is provided in Chapter 8: Financial Plan. More information on YCTA current and historical operating and capital costs can be found in TDP Volume II, Section 2: TM 2, Chapter 3 (see pages 3-3 to 3-6).

Transit Vehicle Fleet

YCTA owns a bus fleet of approximately 35 vehicles serving demand-response and fixed-route services, including several new vehicles purchased in 2018, 6 vehicles that are in fair to poor condition, and 4 vehicles that are at the end of their useful life; Appendix A provides a complete fleet inventory. Figure 3-9 summarizes the vehicles, grouped by vehicle type and condition. As of July 2018, only 40% of the vehicles were in "Excellent" or "Good" condition, pointing to a need to replace vehicles that are in poor condition and are expensive to maintain. With new vehicles received as of October 2018, 60% of YCTA vehicles are in "Excellent" or "Good" condition and seven end-of-life vehicles have been replaced. YCTA has secured grants to replace additional vehicles over the next one to two years.

First Transit, the current private contractor for YCTA operations and maintenance functions, provides maintenance for the YCTA fleet at its facility located east of Lafayette Avenue in McMinnville; capacity of this facility to clean, store, and maintain the YCTA fleet is limited.

The Yamhill County Fleet Department maintains small transit vehicles on behalf of non-profit transportation partners, including MV Advancements, Abacus (Yamhill County), and the Yamhill-Carlton Volunteer Program. The maintenance costs are valued at approximately \$5,000 to \$15,000 per year.

Figure 3-9	YCTA Existing Fleet Summar	y, October 2018
------------	----------------------------	-----------------

	Vehicles in					
Vehicle Class	Daily Operation*	Excellent or Good	Adequate	Fair, Marginal, or Poor	End-of- Life	Total Fleet
Medium-size (30-foot) Bus, Heavy-Duty	7	7	2	2	2	13
Large Cutaway, Medium-Duty	3	3	0	3	1	7
Small Cutaway, Light-Duty	5	11	0	0	0	11
Van	2	0	2	1	1	4
Total	17	21	4	6	4	35
% of Total	-	60%	11%	17%	11%	100%

Note: * Not including spares. Based on limited fleet availability, YCTA may interchange the types of vehicles used on different services.

YCTA RIDERSHIP AND SYSTEM PERFORMANCE

System-wide Ridership and Performance

Figure 3-10 shows a five-year trend for YCTA performance. Highlights include:

- Local fixed-route ridership increased by approximately 10% in both 2015 and 2016. This followed service cuts between 2012 and 2013 that led to declines in ridership, after the transition from non-profit operation to service contracted by YCTA, due to a shortfall in operating funding. Local fixed-route service in McMinnville has the highest productivity (see sidebar on the next page for definition) due to the higher development densities and shorter distances over which the services operate.
- Ridership is highest on intercity routes and increased 14% in 2016. Service hours on
 intercity routes are approximately double the number of hours operated on local service from 2013
 onward. Intercity routes carry passengers over a long distance, but with less trips per day or less hours
 than local routes, and productivity is slightly lower than local routes in McMinnville.
- Dial-a-Ride ridership declined as well but it was steady in 2015 and 2016. Dial-a-Ride has
 generally reached its maximum capacity based on fixed resources available. It carries around three
 rides per revenue hour, which is common for similar demand-response systems.

Figure 3-10 YCTA Ridership, Revenue Hours, and Productivity by Service Type, 2012-2016

Service Type		2012	2013	2014	2015	2016	2012-2016
Ridership							
Local Fixed-Route	#	183,437	117,096	83,771	90,848	100,139	-83,298
	% Change ¹	-	-36%	-28%	8%	10%	-45%
Intercity	#	155,522	213,213	169,812	155,057	177,216	21,694
	% Change ¹	-	37%	-20%	-9%	14%	14%
Dial-a-Ride	#	59,816	45,230	47,729	43,366	41,439	-18,377
	% Change ¹	-	-24%	6%	-9%	-4%	-31%
Total	#	398,775	375,539	301,312	289,271	318,794	-79,981
TOTAL	% Change ¹	-	-6%	-20%	-4%	10%	-20%
Revenue Hours							
Local Fixed-Route	#	17,040	8,820	8,147	8,156	8,498	-8,542
	% Change ¹	-	-48%	-8%	0%	4%	-50%
Intercity	#	16,580	16,413	16,059	16,096	15,862	-718
шеску	% Change ¹	-	-1%	-2%	0%	-1%	-4%
Dial-a-Ride	#	12,435	13,165	13,317	13,439	12,706	271
Diai-a-Riue	% Change ¹	-	6%	1%	1%	-5%	2%
Total	#	46,055	38,398	37,523	37,691	37,066	-8,989
	% Change ¹	-	-17%	-2%	0%	-2%	-20%
Productivity							
Local Fixed-Route	#	10.8	13.3	10.3	11.1	11.8	1.0
Intercity	#	9.4	13	10.6	9.6	11.2	1.8
Dial-a-Ride	#	4.8	3.4	3.6	3.2	3.3	-1.5
Total	#	8.7	9.8	8	7.7	8.6	-0.1

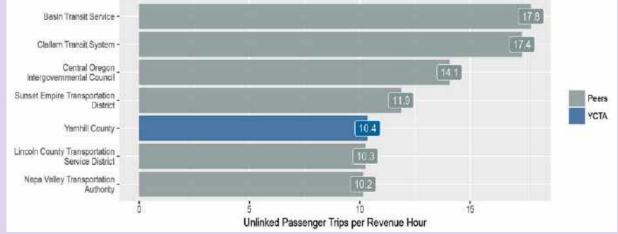
Note: % change is year-to-year, except for 2012-2016 which is % change between 2012 and 2016.

Source: 2012-2014 from National Transit Database. 2015 and 2016 from YCTA.

Peer Comparison: Fixed-Route Service Effectiveness

Service effectiveness measures "productivity" in terms of the number of passenger trips served per vehicle revenue hour of service provided. YCTA provides moderately productive service relative to the amount of service it provides and exceeds ten trips per revenue hour, which is generally considered an acceptable level for a large area like Yamhill County.

Figure 3-11 Fixed-Route Peer Comparison: Trips per Revenue Hour, 2015



For peer review details see TDP Volume II, Section 2: TM #2, Chapter 3 and Appendix C

Source: National Transit Database 2015; US Census Bureau American Community Survey 5-year estimate.

Fixed-Route Ridership and Performance

Figure 3-12 summarizes fixed route performance statistics and ridership by route, based on data collected for each trip over a three-week period from April 24 - May 10, 2017. Highlights include:

Detailed route profiles can be found in TDP Volume II, Section 2: TM #2, Chapter 2 and Appendix A

- There were 811 daily boardings on weekdays and 147 boardings on Saturdays.
- Most local ridership was in McMinnville. The highest intercity ridership was on Route 44/45x between McMinnville, Newberg, and Tigard.
- Route 3 in McMinnville had the lowest on-time performance among local routes; 41% of trips were late (five minutes or more behind schedule). This is in part due to high ridership demand and a large number of individual stops, including flag stops.
- Routes 5 and 7 in Newberg had very low productivity.
- Route 44/45x had the lowest on-time performance among intercity routes; nearly 50% of trips were late. This is in part due to heavy traffic congestion on the OR 99W corridor, due in part to the Dundee Bypass construction in 2017. On-time performance on YCTA's other local routes was also relatively low (64% to 71%) indicating that schedules need to be re-timed.

Figure 3-12 Route Summary Table based on Ridecheck, May 2017, Daily

Route		Boardings Alightings Service Hours Productivity On Time Early Late Max Load Max Load Stop		Max Load Stop							
Weekday											
2	East-West Express	108	108	8.2	13.1	83%	17%	1%	8	NE Tanger Dr & NE Norton Ln (DHS)	
3	City Loop	121	119	7.7	15.8	58%	1%	41%	9	Town Center / Dutch Bros.	
5	Foothills Drive	8	5	4.6	1.7	82%	4%	14%	2	Nap's Thriftway (Newberg)	
7	Providence	11	12	6	1.8	91%	6%	3%	2	Newberg (Radio Shack)	
11	West Salem	56	53	6.6	8.5	64%	11%	25%	12	Amity Hwy 99 @ Chevron	
22	Grand Ronde	124	104	11.1	8.8	67%	6%	27%	13	Spirit Mountain East Entrance	
33	Hillsboro	85	61	8.5	10	71%	2%	28%	24	Carlton - N Pine St. Bus Shelter	
44	Tigard	275	270	22.9	11.2	47%	6%	47%	25	Sherwood Shari's	
45x	Tigard Express	22	22	2.2	10.2	44%	6%	50%	13	Sherwood Shari's	
Total / A	Total / Average 810		754	77.8	9	67%	7%	26%	12		
Saturda	Saturday										
24s	Grand Ronde	41	34	6.3	6.5	76%	1%	23%	6	Spirit Mountain East Entrance	
46s	Tigard	107	113	9.3	11.5	41%	3%	56%	17	Sherwood Shari's	
Total / A	Total / Average 148 147 15.6		15.6	9	58%	2%	40%	11.5			

McMinnville

Figure 3-13 shows daily ridership on the local bus routes serving McMinnville:

- Route 2 travels east-west through McMinnville between Chemeketa Community College (CCC),
 Willamette Valley Medical Center, and senior and social services.
- Route 3 travels north-south through McMinnville, serving destinations including WinCo,
 Walmart, and Safeway in the northeast and Walgreens, BiMart, Roth's, and Linfield College to the south

Both routes have strong ridership, particularly the north portion of Route 3 and the east portion of Route 2. As noted above, on-time performance is a significant operational challenge on the north portion of Route 3.

Average Daily Total Activities (Ons + Offs) Alighting Brookdale McMinnville Town Center Natural Foods Baker Creek Rd McMinnville Transit Center McMinnville. McMinnville Route 2 Route 3 Dutch Health Care Patton MS McMinnville HS YCAP 12th St Riverside Dr McMinnville Water & Light Yamhill County Family & Youth Yamhill Co Circuit Court Chemeket Department of Human ommunit Services Colleg Osprey Court Linfield College Alexandria St Cancer Ce Willamette Vly Medical Booth Bend Rd

Figure 3-13 McMinnville Routes Daily Ridership, Spring 2017

Newberg

Figure 3-14 shows daily ridership on the local bus routes serving Newberg:

- Route 5 travels a loop around the northwest Newberg, serving George Fox University and several senior facilities, with a "there-and-back" line south of downtown connecting to Woodview Village Apartments.
- Route 7 travels east-west through Newberg, connecting Providence Medical Center, Portland Community College, and grocery stores to downtown Newberg. Bus stops along OR 99W may be 300 to 600 feet from the front door of retail stores, through parking lots that typically lack pedestrian accessways.

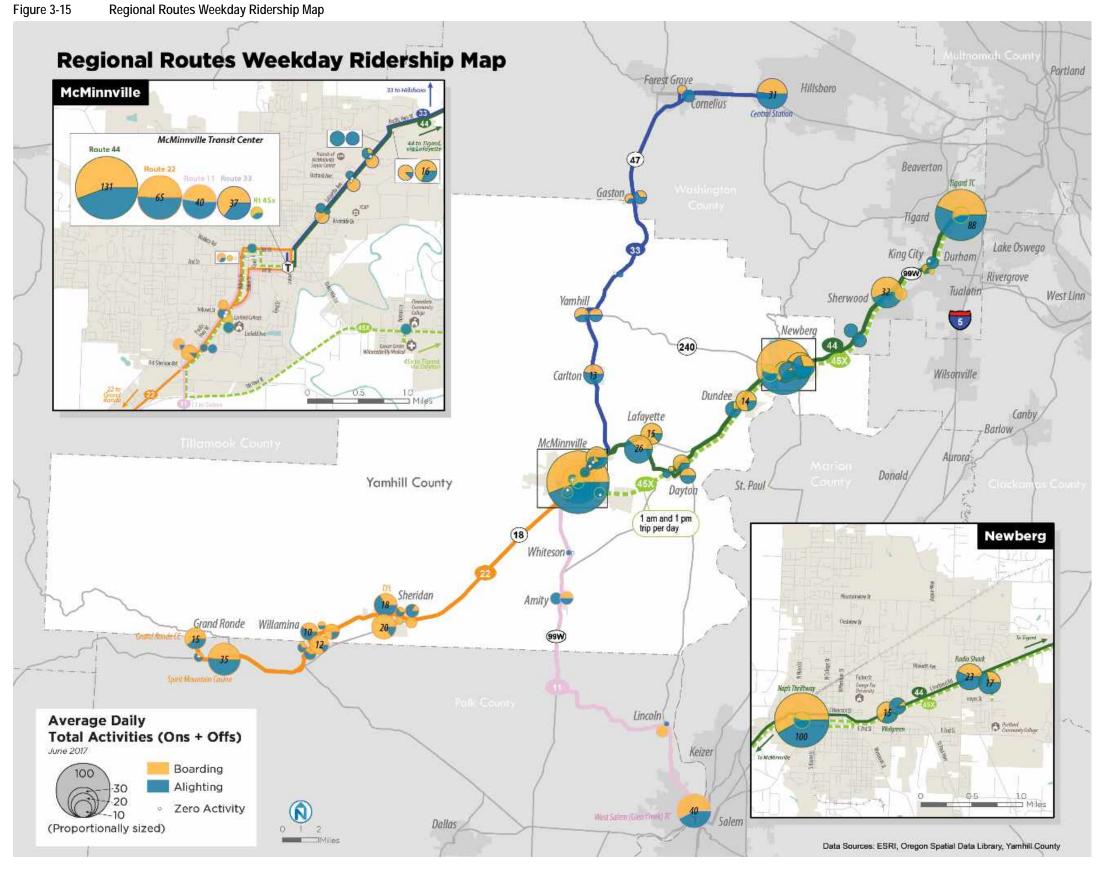
Ridership and productivity (ridership per service hour) was extremely low on local routes in Newberg during the survey period. George Fox University was no longer in session when the survey was conducted; however, a separate survey while George Fox was still in session (week of April 17) did not show ridership activity at the Route 5 stop serving the University.



Figure 3-14 Newberg Routes Daily Ridership, Spring 2017

- Route 11 (McMinnville-West Salem Transit Center): Ridership to McMinnville Transit Center is highest in the morning, and ridership to West Salem Transit Center is highest in the afternoon. Most boarding activity occurs in McMinnville and West Salem.
- Route 22 (McMinnville-Grand Ronde Community Center):
 Ridership is relatively balanced in each direction; the Grand Ronde direction has both a morning and afternoon peak while the McMinnville direction is relatively steady across all trips in the morning and afternoon with a late afternoon peak. Boarding activity is also relatively balanced along the route.
- Route 33 (McMinnville-Hillsboro Central Station): Ridership for the route is relatively steady across all trips but is highest on the northbound 10:30 AM trip to Hillsboro Transit Center. Boarding activity is strongest in McMinnville and Hillsboro but also moderately strong in Yamhill and Carlton.
- Route 44 (McMinnville-Tigard Transit Center): Ridership is steady throughout the day, highest on the late morning trips in both directions and lowest on the early evening trips. Ridership is highest at McMinnville Transit Center, Nap's Thriftway in Newberg, and Tigard Transit Center, but is also relatively steady across the route including along Hwy 99 in Newberg.
- Route 45x (McMinnville-Tigard Transit Center Express): This route currently makes one trip to McMinnville in the morning and one trip to Tigard in the afternoon.

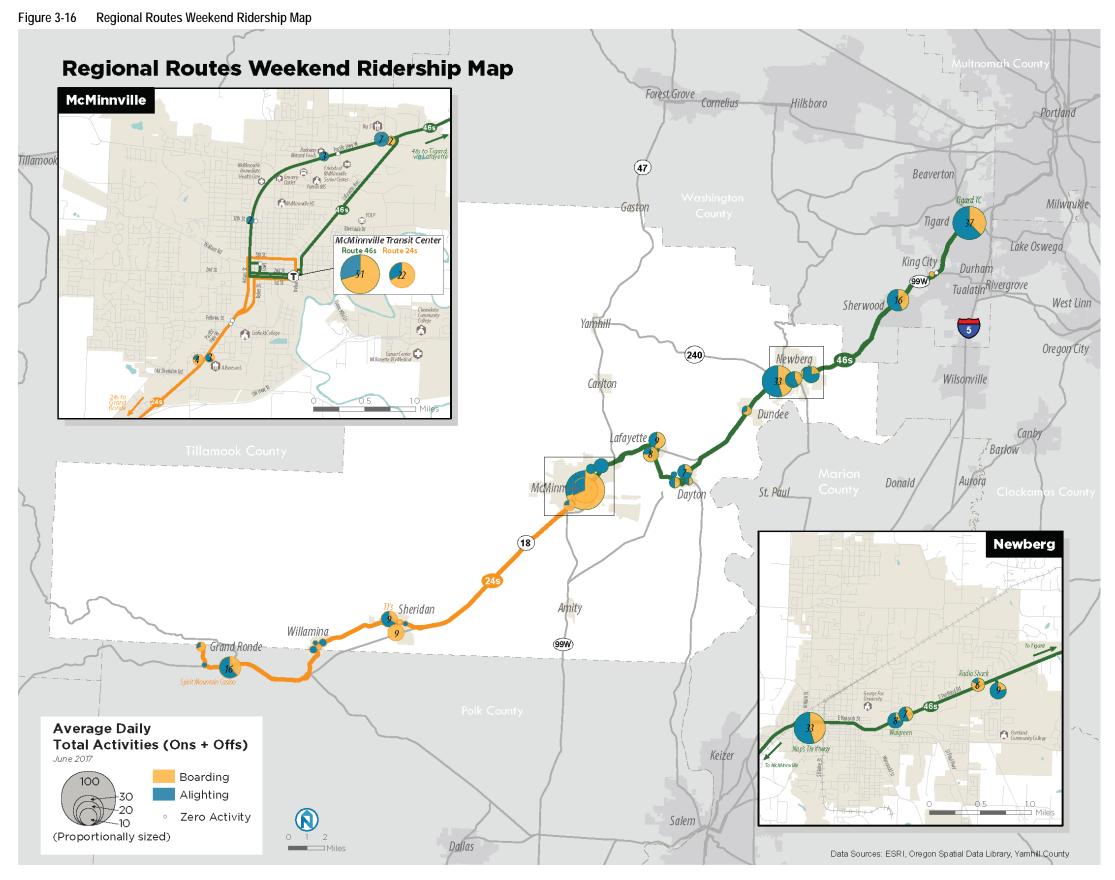
 Ridership activity is highest at Tigard TC, Nap's Thriftway, Linfield College, and Willamette Valley Medical Center in McMinnville.



Yamhill County Transit Area | 3-16

Amended on 12.15.2021
748 of 1001

- Route 24s (McMinnville-Grand Ronde Community Center):
 Ridership is relatively balanced across all four weekend trips (midday and late afternoon trips in the McMinnville direction have the highest ridership) and is also relatively balanced across stops.
- Transit Center): Ridership is relatively balanced across all four weekend trips (midday and late afternoon trips have the highest ridership) and is also relatively balanced across stops. Route 46s provides local service on Hwy 99 in McMinnville since the local fixedroutes do not operate on Saturdays.

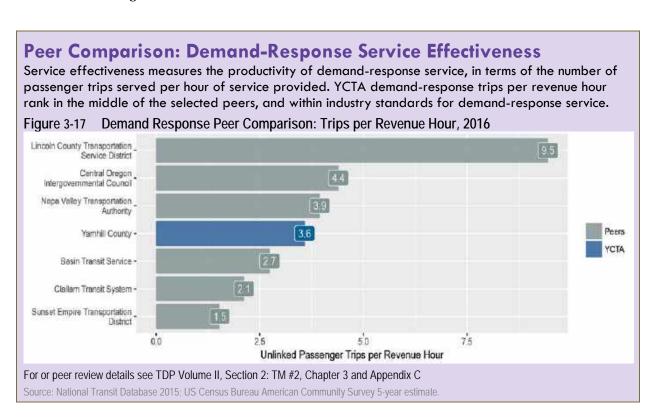


Dial-A- Ride Ridership and Performance

YCTA's demand-response service includes general public Dial-a-Ride and ADA paratransit (serving person who are unable to use fixed-route service due to a disability, within a 3/4 mile distance of fixed-route service in McMinnville and Newberg). Both types of trips are scheduled on the same vehicles. In 2016, demand-response service carried 31,264 riders in the McMinnville area and 10,701 in the Newburg area. On an average month in 2016, the demand-response services transported 3,497 boardings using 1,059 revenue hours—an average of 3.3 passengers per hour. Figure 3-18 shows demand-response travel patterns over a two-week period in April 2017.

Dial-A-Ride ridership and performance highlights include:

- Approximately 90% of the trips analyzed either started or ended in McMinnville (60%) or Newberg (30%), with some rides serving Amity and Dundee (see Figure 3-18). This is due in part to limited capacity and resources to provide broader coverage in the county.
- The vast majority of demand-responsive trips are general public Dial-A-Ride; during the analysis time period, only 18 of 1,848 demand-response trips were classified as ADA trips.
- Demand is spread generally across the day, with peaks occurring at 8 AM, 11 AM, and 1 PM. This pattern generally remains consistent on all days of the week, with slightly above average ridership on Monday, Wednesday, and Friday, which could indicate part-time work schedules or other regularly scheduled activities.
- Of the 1,417 trips in April 2017 with a recorded booking purpose, 80% were work trips. As shown
 in Figure 3-18, top destinations include employment locations such as A-dec and Meggit Silicone;
 other locations are residential care or supportive housing facilities facilitating work placement
 and training.



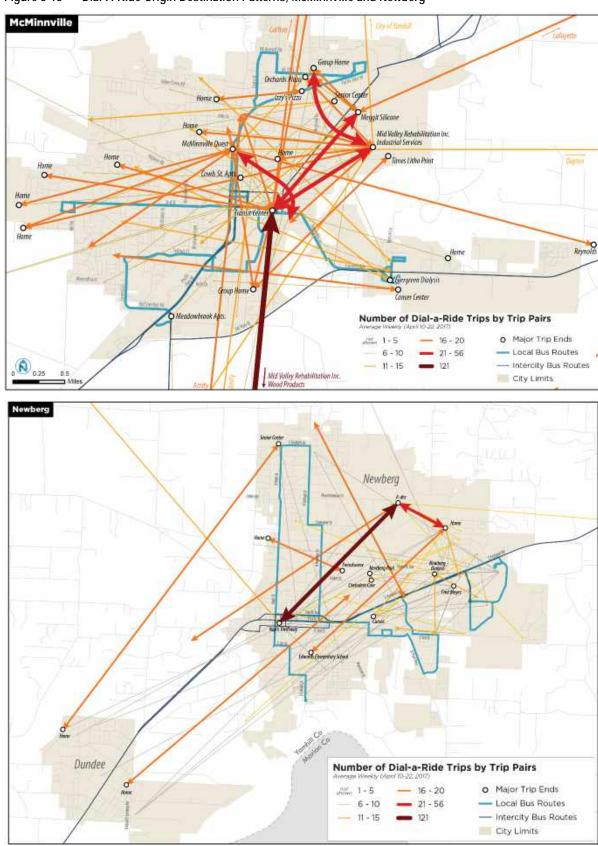


Figure 3-18 Dial-A-Ride Origin Destination Patterns, McMinnville and Newberg

OTHER TRANSPORTATION SERVICES

Regional Transit Providers

YCTA's intercity routes connect passengers to neighboring transit systems outside the county. These neighboring systems include:

Tri-County Metropolitan Transportation District of Oregon (TriMet) operates transit service in the Portland metropolitan area, serving communities in Clackamas, Multnomah, and Washington counties. TriMet operates several modes of fixed-route service, including five light rail (MAX) lines, one commuter rail line (WES), and 79 bus lines. Service runs between 4:30 AM and 2:30 AM; however, WES runs during weekday commute hours only. TriMet also operates the Portland Streetcar. LIFT is TriMet's complementary ADA paratransit service, operating within a ¾-mile buffer of TriMet fixed routes. YCTA connects to TriMet in Hillsboro and Tigard. TriMet plans to build a MAX light rail extension to Tigard Transit Center, opening in 2025 or later.

Appendix B provides an inventory of other public transportation services. Additional detail on other transportation services can be found in TDP Volume II, Section 2: TM #2, Chapter 3 (see pages 3-41 to 3-47). See Chapter 9 for recommendations on improving regional coordination.



YCTA Route 33 at the Hillsboro Central MAX Station/Transit Center. There is no designated bay or signage for YCTA, but YCTA is working with the City of Hillsboro to install a stop pole and seat.

Cherriots provides public transit service in the Salem metropolitan area. Cherriots services run weekdays from approximately 6 AM to 9 PM. CherryLift is Cherriots' ADA paratransit service, available within a ¾-mile buffer of Cherriots fixed route service. Cherriots Regional service connects to communities in Marion and Polk Counties, including Woodburn and Dallas, as well as Wilsonville.

Tillamook County Transportation District (TCTD) operates a Coastal Connector route (60X) that links Lincoln City, Chinook Winds Casino, Rose Lodge, Grand Ronde, and downtown Salem seven days a week. TCTD also operates the Grand Ronde Express (70X) between Grand Ronde and downtown Salem on weekdays only. TCTD is one of five member agencies of the Northwest Connector (NW Connector). Member agencies' routes have a unified website and branding to improve connectivity between communities across northwestern Oregon.

Ride Connection is a non-profit organization made up of a network of agencies who partner together to serve older adults, people with disabilities, low-income individuals, and the general public. Ride Connection serves the three counties in the TriMet District (Clackamas, Multnomah, and Washington). Ride Connection's Community Connector deviated fixed-route services based in Hillsboro and Forest Grove connect with YCTA. The Forest Grove GroveLink service operates from 6 a.m. to 7 p.m. with peak service in the morning and evening commute times. It features two loops — an east and a west loop — as well as an employment service providing a dedicated route to TTM Technologies in eastern Forest Grove. The Washington County Community Bus operates a morning (approximately 7 AM to 9 AM) and evening (approximately 4:30 PM to 7 PM) commuter bus between Forest Grove, Hillsboro, Banks, and North Plains.

South Metro Area Transit (SMART) operates transit in Wilsonville. SMART adopted a transit master plan in 2017 that calls for SMART to realign its 2X commuter route between Wilsonville and Southwest Portland to serve Tigard TC, filling in gaps when TriMet WES service does not operate.

Figure 3-19 highlights the primary connection points between regional providers and YCTA service.

Figure 3-19 Summary of Regional Transit Connections

Community	Location	Provider	Routes		
Tigard	Tigard Transit Center (8960 SW Commercial, Tigard);	TriMet	WES commuter rail(weekday peak only); Routes 12, 45, 64, 76, 78, 93		
	https://trimet.org/transitcenters/	YCTA	Routes 44, 45x (weekday); 46s (Saturday)		
Hillsboro	Central MAX Station/Transit Center	TriMet	MAX Blue Line; Routes 46, 47, 48, 57		
	(333 SE Washington St);	Ride Connection	Washington County Community Bus (weekday only)		
	https://trimet.org/transitcenters/	YCTA	Route 33 (weekday only)		
Forest Grove		TriMet	Route 57		
	Tualatin Valley Hwy and OR 47	Ride Connection	GroveLink (weekday only)		
		YCTA	Route 33 (weekday only)		
West Salem	West Salem Transit Center (Glen Creek Rd NW & Cornucopia St NW);	Cherriots	Routes 16, 17, 26, 27 (all weekday only, although Saturday service is planned for some routes)		
	https://www.cherriots.org/en/baymaps	YCTA	Route 11 (weekday only)		
Grand Ronde	Spirit Mountain Casino or Grand	TCTD	Coastal Connector (60X) and Grand Ronde Express (70X, weekday only)		
	Ronde Community Center	YCTA	Route 22 (weekday); 24s (Saturday)		

Additional Transportation Services

Human Services / Medical Transportation

Social service transportation providers in Yamhill County include a mix of schools, churches, nonprofits and human service agencies. Many of these providers operate a single van or passenger vehicle. As of 2016, nine social service agencies are actively involved or interested in providing transportation service in Yamhill County. Eight agencies are based in McMinnville, and two are based in Salem. See Appendix B for a description of the transportation services these agencies are involved with, and for whom they are available.

Vanpool/Carpool

Cherriots Rideshare is a public ridesharing service operated in Marion, Polk, and Yamhill counties. It is a part of Cherriots' Trip Choice program, which connects commuters with carpool and vanpool partners through Drive Less Connect, a demand-management program operated by the State of Oregon.

Volunteer Service

Yamhill-Carlton Volunteer Transit is a volunteer demand-response service, intended for first/last-mile trips connecting with YCTA fixed-route bus services. Volunteer drivers, operating a Yamhill-Carlton Volunteer Transit van, drive passengers between their trip origin in Carlton (often their home) and the nearest YCTA bus stop. Trips must be reserved at least 24 hours in advance, and the fare is \$2. The fare includes a YCTA fixed-route day pass. Yamhill County oversees this program and provides funding from the County General Fund. The program has one vehicle, which is owned by the County and maintained by the County maintenance shop.

Airport Transportation

HUT Airport Shuttle operates a shuttle service to Portland International Airport seven days per week. The service is based in Albany, and has stop locations south and east of Yamhill County in Corvallis, Salem, and Woodburn. As an example of fares, a one-way adult rate for service from Corvallis to the airport is \$49.

Taxi Service

According to Yamhill County's 2016 Coordinated Public Transit – Human Services Transportation Plan, ¹² four taxicab companies operate in Yamhill County. These include Super Cab and Rick Shaw Taxi in McMinnville, Advanced Taxi Service in Newberg, and Yellow Cab in Beaverton.

Ride-Hailing Services or Transportation Network Companies (e.g., Lyft and Uber)

Although Yamhill County is mostly outside of the official Lyft and Uber service areas, trips on these services can be scheduled for parts of Yamhill County. The ability to schedule a trip appears to be somewhat limited based on availability of drivers to serve the trip, particularly outside of the OR 99W and OR-18 corridors, such as a trip in the OR 47 corridor that originates outside of the service areas.

Tourist-Oriented Services

Spirit Mountain Casino operates shuttle bus routes between the Portland and Salem Metro Areas and the casino. ¹³ One of the routes serves Newberg and leaves from BiMart at 590 Haworth Ave in Newberg every Monday and Wednesday at 9 AM and leaves the casino at 3:15 PM. The shuttle is free, but requires a free Coyote Club membership. The casino operates the service with five over-the-road coaches. There must be 10 passengers or more for the shuttle to operate.

Several private shuttle services specialize in wine tours throughout the Willamette Valley, including Yamhill County. These private shuttles range from standard transportation to and from regional wineries, to tours that include additional wine-related programming. A list of shuttle services is provided in Appendix B.

See Appendix B for an inventory of public transportation providers. Chapter 9 provides additional discussion of Ride-Hailing Services.

_

¹² Yamhill County Coordinated Public Transit – Human Services Transportation Plan, 11/2016. https://tinyurl.com/y6vi2ana

¹³ https://www.spiritmountain.com/shuttle

4 COMMUNITY INPUT AND NEEDS ASSESSMENT

This chapter summarizes public input gathered in the Existing Conditions phase of the YCTA TDP study, and provides an overall assessment of transit needs based on both community input and the analysis of existing conditions.

SUMMARY OF COMMUNITY INPUT

Input was gathered from current riders, the general public, and a variety of stakeholders. Each outreach element is listed in Figure 4-1. The first phase of TDP outreach in Spring/Summer 2017 focused on helping develop goals for YCTA and understanding current conditions and needs. This section summarizes the results; additional details can be found in the documents indicated in the table. Additional public outreach focused on solution strategies and service design was conducted in March 2018 and is summarized in Chapter 6.

Figure 4-1 Summary of TDP Community Input

Time Frame	Project Tasks	Outreach Tools	Detailed Results			
Spring /	Goals	Outreach events	Volume II, Section 1: TM #1			
Summer 2017	Existing Conditions	On-board rider survey	■ Volume II, Section 2: TM #2, Chapter 4 and Appendix D			
2017		Community survey	■ Volume II, Section 2: TM #2, Chapter 4 and Appendix E			
		Stakeholder meetings and focus groups	 Volume II, Section 2: TM #2, Chapter 4 and Appendix F 			
		Bus operator interviews	 Volume II, Section 2: TM #2, Chapter 4 and Appendix G 			
March 2018	Solution Strategies Service Design	Outreach eventsCommunity survey	 TDP Chapter 6 and Volume II, Section 4: TM #4, Chapter 6 and Appendix A 			



The project team held outreach events in McMinnville (Transit Center and Community Center) and in Newberg (Nap's Thriftway and Chehalem Cultural Center) on March 2 and 7, 2018 to obtain input on draft solutions from riders and the public.

Rider (On-Board) Survey

YCTA conducted a survey of current riders on-board buses in April 2017, covering all trips on at least one weekday and weekend day. A total of 306 surveys was collected, including 10 in Spanish.

On-board survey highlights include:

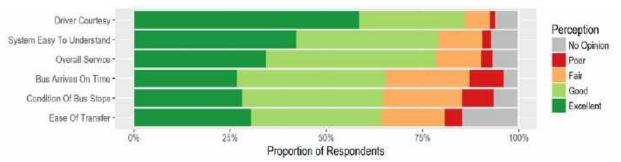
- **Age:** Mostly riders are between age 18 and 64. Approximately 4% of riders are 17 or under and 6% are 65 or over.
- **Labor Market Status:** Two-thirds of riders surveyed are employed—43% work full-time and 24% work part-time. Nearly 20% are students.
- **Income:** Over 70% of YCTA riders have a household income of less than \$30,000 annually, including 43% who earn less than \$15,000 per year.
- **Trip Purpose:** Most people (47%) used YCTA for travel to/from work, with other purposes evenly split between personal business, recreation/social, college/school, medical, and shopping. Linfield College and Chemeketa Community College were the most common school destinations.
- **Transfer Activity:** Approximately 29% of survey respondents connected to/from another YCTA route and/or another provider on at least one end of their transit trip.
- Access to Transit: More than 60% of respondents indicated they walk to and from the bus stop and the walk takes 10 minutes or less for most riders.
- **Frequency of use:** The vast majority of riders (81%) are frequent riders—who use YCTA service two or more days per week.
- **Transit Reliance:** Nearly a third of respondents indicated they would have been unable to make the trip if the bus services were not available.
- Out-of-County Origins and Destinations: Passengers traveling outside of Yamhill County using Route 33 (Forest Grove and Hillsboro) and Route 44 (Sherwood, Tualatin, and Tigard) connect to/from TriMet service for travel to locations in Beaverton, Hillsboro, Tigard, and around the Portland area. Route 11 passengers travel to/from other parts of the Salem area using Cherriots service (YCTA service ends at West Salem Transit Center).

Customer Satisfaction

Over three-quarters of respondents rated their overall satisfaction with service as "good" or "excellent."

- The vast majority of respondents (86%) rated driver courtesy as "good" or "excellent."
- Most respondents (over three-quarters) indicated the system is easy to understand, although most respondents are frequent riders who are already familiar with the system.
- Satisfaction was lowest for on-time arrivals, the condition of bus stops, and ease of transfers.

Figure 4-2 Satisfaction with Transit Service



Q10: Please rate your perception of YCTA service (N=306)

Improvement Priorities

The top priorities among existing riders for improving service are:

- More service on weekends (nearly 60%)—also the single most important improvement (over 28%)
- Increased frequency on weekdays (46%)
- Later evening weekday service (40%). Most of these respondents service wanted service to run until 8 PM or 9 PM. (Respondents who identified earlier morning service as an improvement wanted service to start at 6 AM or earlier.)

Smaller shares of respondents identified better bus stops and earlier morning service within the "Top 3" improvements. Nearly 10% of passengers indicated that service as it operates today meets their needs.

59.0% More Weekend Service -46.1% More Frequent Weekday -40.0% Later Evening Weekday -Better Bus Stops -21.4% Earlier Morning Weekday -17.3% Other -None - Service Meets My Need -9.8% 8,8% 7.8% More Local Service -Better Connections -4.1% Be On Time -20% 40% Proportion of Respondents

Figure 4-3 Top Service Improvements Requested by Respondents

Q11: Please select up to THREE improvements that would help you choose to ride the bus more often (n=296)

For details on the On-Board Survey see TDP Volume II, Section 2: TM #2, Chapter 4 and Appendix D

Community Survey

YCTA conducted a survey of the overall community to help understand travel patterns, opinions about transit, and likelihood of taking transit among the general public. The survey was available from late June 2017 through August 22, 2017. The survey was available online in English, and a paper version of the survey was available in both English and Spanish. A total of 405 surveys was collected—329 online and 76 hard-copy responses. Approximately a third of people who took the survey live in McMinnville, a third live in Newberg, and a quarter reside elsewhere in Yamhill County. The remaining responses came from people who live outside of Yamhill County.

Highlights from the Community Survey include:

- The top destinations people would like to access by transit include major retailers (Fred Meyer, Winco, Safeway, Walmart, Albertson's, etc.) and major institutions (George Fox University, Providence Newberg Medical Center, etc.). McMinnville and Newberg were identified as key destinations from other Yamhill County cities, as were regional connections to the Portland and Salem areas.
- Over 75% of people who took the survey have access to a vehicle and would be considered "choice" riders. Approximately 60% indicated that they and/or a member of their household used public transportation within the past year, most of whom (60%) were occasional riders.
- Among people who took the survey and did not use transit in the past year, nearly half simply prefer to drive. Reasons other people did not use transit include that it is not available near their home (41%), takes too long (37%) or does not run when (34%) or where (28%) they need it to go. A relatively small share (22%) felt uncomfortable riding transit or was concerned that it is unsafe. Approximately 71% of people who did not use transit still identified a moderate or high benefit to the community from public transit service.

Preferences for Transit Improvements

The top improvement that would encourage people to ride transit or to ride it more often is more frequent service. Figure 4-4 identifies a variety of other potential improvements. There did not appear to be a significant difference in priorities between people who had used public transportation in the past year and people who had not used transit.

Nearly 29% of respondents prioritized later evening hours. Several people commented that expanding the hours of service are an important factor in making transit work for people who don't get off work until 6 p.m. or 7 p.m., work later evening shifts, or attend college classes that run at night. Most of these respondents (70%) suggested that service end between 8:00 p.m. and 10:00 p.m. Of the 14% of respondents who said earlier service would encourage them to use the service, most wanted a start time before 6:00 a.m.

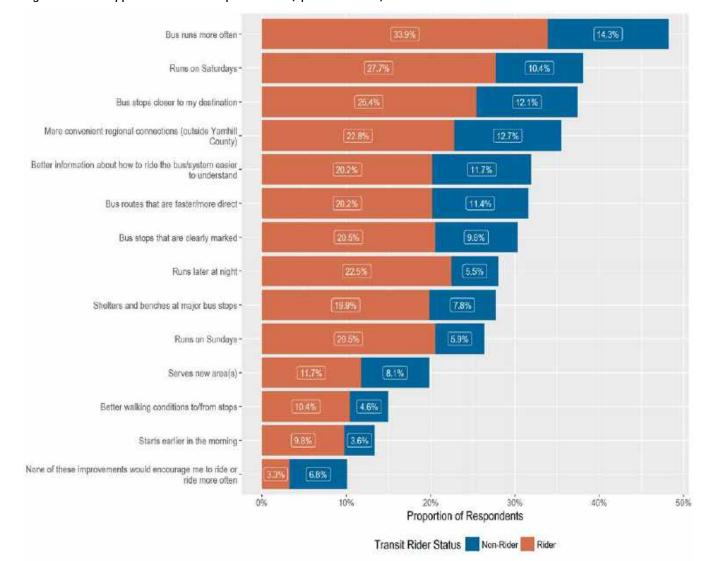


Figure 4-4 Support for Potential Improvements (up to 5 Priorities)

Q20 (Q8) What types of improvements to bus service would help you ride Yamhill County Transit or ride more often? Please rank your top five choices. (n=307)

Relative Preferences for Potential Transit Funding Options

People were asked to identify their *relative* preference for different potential local options for funding public transportation improvements in Yamhill County. By a wide margin, people preferred a countywide product-specific tax (such as lodging, cigarettes, or alcohol)—77% of the top three ranked choices. A new vehicle fee and a business payroll tax were the next most favorably ranked local funding options—66% and 52% of the top three choices, respectively.

Q22 (Online Only): Today, the County General Fund makes up about 10% of the YCTA operating budget (about \$2 million annually). State and Federal funding may not keep pace with the cost of YCTA's current service levels. Please rank the following local funding options for public transportation improvements in order of preference. 1 is most preferred, 7 is least preferred. (n=202)

For details on the Community Survey see TDP Volume II, Section 2: TM #2, Chapter 4 and Appendix E. Figure 4-12 in TM #2 provides a chart showing support for various options.

Focus Groups

The project team conducted a series of meetings to gather input from the public and stakeholders in a small group setting, including over 40 participants at four meetings facilitated as part of the TDP study process. Figure 4-5 summarizes the issues discussed, input and ideas from focus group participants, and key opportunities.

Figure 4-5 Focus Group Summary

Issue / Topic	Description/Comments	Opportunities
Discussion of awarenes	ss and importance of transit in the community	
Awareness of YCTA service	People in the community are not aware of current service	Bus stop signs and shelters, travel training, and transit ambassadors could raise awareness
Importance of transit in the community	Transit is important for: Older and younger people who can't drive, Kids (major roadways and crossings are not safe), Environmental reasons	Coordinate with the business community
How YCTA could better	serve current and new markets	
Agricultural Workers	Agricultural work starts early in the morning (5:30 – 7:00 AM until mid-afternoon)	 Vans could meet workers at points along the highway; consider vanpools through Cherriots Seasonal hours to accommodate agricultural work
Special Events	Transit could improve access and reduce congestion during special events	 Events like Dayton Friday Nights, Newberg Old Fashioned Festival, local sporting events (weekends)
Students	George Fox University students primarily live on campus; small commute market but students who live on campus might use transit to get around	Partner with Linfield College around later evening service
Barriers to using existing	ng services	
Lack of signage and fixed stops	 Stops should have signs (or at minimum, some sort of painted marking), benches, and shelters Flag stops not ideal, but should be better advertised 	 Graphical communication of how to use flag stops Improve legibility of readerboards for visually-impaired, especially stops served by multiple routes
Safety of stops and ability to access to destinations	 Major roadways and crossings are not safe for kids Safety of stops along OR 99W Dfficult to navigate to front door of stores through parking lots 	 Provide "shopper shuttle" to improve access Work with Willamette Medical Center to Hospital to change from two-way to one-way operation Improve access to McMinnville Senior Center, Winco/Walmart, Roth's, Walgreen's, Safeway, etc.
Dial-A-Ride/ ADA Paratransit	 Limited awareness of ADA service Dial-A-Ride is inconvenient – need to reserve in advance – but is appealing to some people –get picked up closer to home than fixed-route service 	 Participants are open to alternative service models, e.g., feeder service to fixed-routes, central connection points, point deviation, shopper shuttles, deviated fixed-routes, etc.
Buses	Need to upgrade vehicles and make them more passenger-friendly	YCTA is currently in the process of purchasing new vehicles
Fares	 Generally perceived as reasonable, but pass costs are high for some populations and fares can be high for large families A modest increase in exchange for more service would be OK 	 Consider 12 and under, student, and low-income discounts, and bulk pass program Expand locations where passes can be purchased (e.g., Newberg)

Issue / Topic	Description/Comments	Opportunities					
Communications	 Use a variety of communication mechanisms (email, phone, etc.) Baker/Evans change not communicated well Challenging due to driver turnover Language barrier – drivers and dispatchers; people may not be awareness of the translation service that is available Send service alerts through Facebook and Twitter and post on website 	 Ensure policies allow/facilitate communications and coordination between drivers YCTA should communicate detour routes to riders (e.g., parades, construction) Worksource training grants are available and could help to increase diversity (and ability to speak multiple languages) among drivers Explore possible partnership with High School computer lab (around website/service alerts) 					
Information	 Difficult to obtain printed materials in the past Website and online are both important An online trip planner would be useful – website and hone 	 Place printed materials at key locations in the community YCTA technology grant will help enhance capabilities 					
Safety	 Perceived as safe by people who use the system not considered a barrier. But new riders may not know that (related to awareness). 	See items under "Awareness of YCTA Service"					
Discussion of where ro	utes run and provide service today; areas that shoul	d be served (including growth areas)					
McMinnville	 No service beyond Hill Road in McMinnville (many a Apartments near 27th & Hembree near Goodwill (so Housing at Baker Creek & Hill Road North American Plants (east of McMinnville) 						
Newberg	 Cultural Center/Library NE Newberg – High School, Aquatic Center, Spring Could reduce service frequency in order to increase 	·					
Other Communities	■ No service in Sheridan to Deer Meadows. Bus goes past but does not stop						
Service between communities	 Yamhill-Newberg requires transferring in McMinnvil Newberg-McMinnville travel patterns are mostly for 						
How could YCTA attrac	t more riders and what are the priorities?						
Service Hours ("Span")	Earlier and later hours are needed for work and school, including arriving at work at 8 AM or 9 AM considering both intercity and local routes	 Consider alternative models for late night service; partner with Linfield College Seasonal hours (e.g., agricultural workers) 					
Days of Service	 Weekend service is seen as a priority, particularly Saturday but also to Church on Sundays. 	Fares could be higher for Sunday service					
Frequency	Mixed opinions on importance of convenience (short walk) and frequency/speed						
Local vs. Regional Service	Regional connections are useful, but local service is as or more important and needs improvement						
Improve Transfers	Need well-timed transfers between local and intercity services	Bring back connection from Route 44 to Oregon Mutual Insurance (OMI)					
Other Discussion Items							
Transit Center	Restroom lock and cleanliness issues	Explore transit center in Newberg					
Coordination	The many community organizations in the county can help raise awareness of transit	 Various groups that YCTA should coordinate with (see TM #2) 					

Issue / Topic	Description/Comments	Opportunities
Park-and-Ride	Informal carpooling already occurs	Explore agreements with churches, etc., to support ride share, park-and-ride access
Land Use / Street Infrastructure / Pedestrian Access	Consider Newberg ADA/Pedestrian/Bike Route Improvement Plan	Cities should include the transit agency in development process and consider street infrastructure and the ability to accommodate transit related to new development applications

Note: Condensed from TM #2, Figure 4-14 (See TDP Volume II, Section 2)

For details on the Focus Groups see TDP Volume II, Section 2: TM #2, Chapter 4 and Appendix F

OPERATOR INPUT AND FIELD OBSERVATIONS

The consultant team met with bus operators and dispatchers either one-on-one or in small groups to obtain their input, and also rode most bus routes to observe how the system works and had additional informal conversations with drivers while riding the bus routes. Drivers generally communicated that they enjoy their job and appreciate that everyone works as a team to help out (e.g., Dial-A-Ride drivers pick up portions of Routes 3 and 7 when these routes get behind). They feel that they are doing their best but that the current design and timing of some routes is challenging, and the lack or quality of infrastructure reflects badly upon them.

For a detailed synthesis of operator input and the consultant team's field observations, see TDP Volume II, Section 2: TM #2, Chapter 4 (Figure 4-6) and Appendix G

SUMMARY OF ISSUES AND OPPORTUNITIES

The table below lists key issues and opportunities identified from both community input and analysis during the TDP study Existing Conditions phase.

Figure 4-6 Issues and Opportunities

Topic Area	Issue	Opportunity
Transportation System	Congestion on OR 99 results in transit delays for Routes 44, 45x, and 46s.	The Newberg-Dundee Bypass was completed midway through TDP development; along with the end of construction detours, its completion appears to have alleviated transit delays on OR 99W.
Land Use	The bulk of land uses in the rural portions of the county are within a ½-mile of YCTA routes.	Better promotion of service, including fixed bus stops to identify the presence of transit and where to catch the bus, may help those who can walk to access existing routes.
	Newberg's residential uses are primarily low and medium density.	The land uses and development patterns in Newberg may be better served by a different type of service than the fixed-routes that are provided today.
	In general, transit routes travel through and between all of Yamhill County's population centers.	Route alignment is generally good, but changes to service times, frequencies, or better marketing are needed to get people onto buses.

Topic Area	Issue	Opportunity
Market Analysis	Unincorporated areas of the county make up 23% of the population but accounted for 43% of the population growth from 2010-2016.	Opportunities may be limited; unincorporated areas are typically low-density and difficult to serve with fixed-route transit.
	The population growth rates of Carlton, Lafayette, and Newberg were the highest in the county from 2010-2016.	These communities may need additional transit service. Service in Newberg, which has two routes today, may need to be modified to tap into the city's rider market.
	Willamina has high percentages of both low-income residents and people with disabilities.	Many members of this community may be unable to walk to the existing Route 22 McMinnville-Grand Ronde service.
Economy	Vineyards are a major player in the local economy. Locations are spread out throughout the county.	Multiple private companies offer visitor transportation, but there may be an opportunity for YCTA to help transport employees, especially along the OR 99W corridor.
	Four of the county's top 10 employers have no transit service available.	Potentially reroute services to attract employees and coordinate with Cherriots Trip Choice on employer outreach.
Existing Services	YCTA does not serve several major activity centers in McMinnville, including YCAP, Virginia Garcia clinic and senior housing between the clinic and Evergreen Aviation Museum. The Virginia Garcia clinic along Cumulus Avenue in eastern McMinnville is a frequent destination; however, the road linking the Chemeketa Community College campus and Virginia Garcia is only open for emergency vehicles.	Consider revising route alignments. Route 2 could serve Virginia Garcia if the emergency roadway were open for transit vehicles (the TDP identifies funding for an automated access gate).
	Service was requested at Deer Meadow Assisted Living outside Sheridan. Route 22 McMinnville-Grand Ronde passes Deer Meadow, but does not stop. There is no safe place to pull over.	While it is not possible to serve Deer Meadow given lack of roadway pull-outs and the parking lot configuration, the TDP includes alternative service models that can address this need.
	Passengers are not aware of where it is safe for buses to stop or how to signal drivers, and become frustrated when buses pass them by.	Consider educating the public about the flag system and transition to set stops once bus stops have been marked/signed.
	Shopping areas and other destinations are challenging for older adults, people with disabilities, and others to access from stops along major roadways (OR 99W).	Explore alternative service models, such as shopper shuttles (and/or other types of shuttles), to provide near front-door access to retail store, senior centers, medical centers, and other locations.
System Performance	Newberg routes 5 and 7 have very low ridership and productivity.	Determine if route alignment changes are needed, or if a different type of service would better fit Newberg.
	On-time performance is generally poor. Route 44 McMinnville-Tigard, which has the highest ridership, is on time less than 50% of the time. On-time performance is poor for McMinnville Route 3; factors are frequent flag stops and the length of the route.	Retime routes with traffic and adjust schedules to show actual running times. Evaluate whether routes are too long for predicted run time. Evaluate use of additional and well-marked fixed stops to mitigate performance issues.

Topic Area	Issue	Opportunity
Regional Coordination	Numerous agencies connect with YCTA, giving passengers the ability to traverse a large area, but it can be challenging for potential new riders to plan a multi-agency trip.	Show regional connections on a system map. Coordinate with agencies to improve signage and information at transfer locations outside of Yamhill County, and identify other potential opportunities such as coordinating schedules or making fares easy to pay and more affordable.
Transit Capital	Certain major stops such as Big 5 do not have a shelter or sign.	YCTA has a contract to relocate and/or install shelters and benches. As part of the TDP, create standards for when to add shelters, such as based on ridership.
	Few bus stop signs exist across the system.	Install signs at scheduled and/or other high-ridership stops with information about schedule and route alignment.
Technology)	Radios cut out in rural portions of the county.	YCTA replaced radios in 2018 using a technology grant.
	Deficiencies in scheduling software capabilities inhibits system performance.	Software is needed that allows dispatchers to efficiently group Dial-a-Ride trips and schedule same-day trips. This is also being addressed through YCTA's technology grant and should be in place sometime in 2018.
	YCTA's GTFS data is slightly different from the actual route alignments, making information online maps or trip planner information inaccurate.	GTFS data will be updated at the conclusion of the TDP.
Information	Individual brochures show each route map and schedule. Some routing is not consistent with printed and online materials.	Create a system map. Update printed and online materials.
	Riders prioritized obtaining information on the YCTA website, followed by a mobile phone app and printed materials.	YCTA has a technology grant that can be used to improve its online capabilities. Using the YCTA website and mobile phones to communicate delays in real-time is a key priority.
	Lack of marketing for transit services.	Use new YCTA funds to ramp up communications and marketing efforts.
Improvement Priorities	Existing riders were least satisfied with on- time performance, condition of bus stops, and ease of transfers.	Refine schedules to more accurately reflect travel times and improve transfers, and install markings at fixed bus stops.
	Top improvement priorities identified by YCTA riders in the on-board survey were service on weekends, more frequent weekday service, and later evening service, followed by better stops and earlier morning service.	Priorities suggested by both riders and the community overall will inform the TDP analysis of solution strategies.
	More frequent and weekend service were also top priorities in the community survey, although later service was a lower priority. Bus stops closer to respondents' destinations, better information, and faster/more direct service were higher priorities.	

Note: Condensed from TM #2, Figure 5-1 (See TDP Volume II, Section 2)

OVERALL NEEDS ASSESSMENT

Overall findings from the Existing Conditions phase of the TDP include that the YCTA route alignment is generally good and useful to customers who depend on it, but that potential improvements could include::

- Schedule adjustments are needed on a variety of routes, including better timing of local and intercity route connections and to help service run on-time given actual traffic conditions.
- Some local routes need to be redesigned, particularly Route 3 in McMinnville (serving the north part of the city) which is over capacity and runs behind schedule. Routes in Newberg have very low ridership, particularly Route 5, and also need to be redesigned.
- Most transit stops lack signage or markings, making it difficult for people to know where the bus stops. Marking stops and transitioning from flag to fixed stops will improve travel times and make people more aware of transit.
- High-quality and consistent branding of vehicles and online and printed information will also raise awareness of where transit runs in the community and help people understand the system.
- Small cities in the County are served only by intercity services that make limited stops. Major shopping destinations are set-back from highways in McMinnville and Newberg, making it challenging to reach storefronts through parking lots. There are opportunities for locally-focused shopper shuttles and flexible routes to improve access to destinations.

Figure 4-7 provides a qualitative assessment of priority for various potential enhancements, based on the input from riders, the general public, focus groups, and the project advisory committee.

Figure 4-7 Needs Assessment Summary

	Overall Assessment	Sur	Surveys		
Potential Public Transportation Enhancement	(Community Input and Existing Conditions Analysis)	Riders	General Public	Focus Groups	Project Advisory Committee
More weekend service – Saturday	High	High	High	High	Intercity: Medium Local: High
More frequent weekday service	Medium-High (particularly intercity connections	High	High	Medium	Intercity: High Local: Low
Later evening weekday service - until 8 PM	Medium-High	High	Medium	High	Medium
Better bus stops / shelters	Medium-High	Medium	Medium	High	Medium-High
Better information, easier to understand	Medium	N/A	Medium	High	Medium
Better regional connections	Low-High	Low	High	High	Low-High
New bus stops / closer to destination	Low-High	Low	High	High	Low-High
More weekend service – Sunday	Low-Medium	High	Medium	Low- Medium	Intercity: Medium Local: Low
Expand coverage (new areas)	Low- Medium	Low	Low	High	Low-High
Faster, more direct service	Low-Medium	N/A	Medium	Medium	Low-Medium
Later evening weekday service - until 10 PM	Low-Medium	High	Medium	Medium	Low-Medium
Earlier morning weekday service	Low-Medium	Medium	Low	Medium	Low-Medium

See TDP Volume II, Section 2: TM #2, Chapter 5 (Figure 5-2) for a quantitative assessment of existing service.

5 TRANSIT GOALS AND OBJECTIVES

The TDP goals and objectives reflect the public transportation priorities for the Yamhill County Transit Area. The goals are coordinated with goals and policies developed in other Yamhill County plans and by key partners such as jurisdictions within and affecting Yamhill County, the state of Oregon, and the Federal Transit Administration (FTA). The goals provide a framework to identify and prioritize Transit Development Plan strategies and policies to support the values and key issues in Yamhill County.

DEFINITIONS

Goals and objectives are defined as follows:

- **Goals** establish Yamhill County's overall policy direction and organizational philosophy. These are typically value statements.
- Objectives offer a means to meeting a goal. They are typically action-oriented strategy statements and should be understandable, specific, attainable, and measurable. Objectives can be met through a variety of actions. For example, an objective to reduce transit travel time can be achieved by eliminating route deviations, providing more direct service, traveling on higher-speed roads, investing in traffic congestion relief solutions, and/or giving transit priority at congested intersections.
- **Performance measures** quantify characteristics of existing transit operations. Some performance measures are used as **evaluation criteria** to select and prioritize strategies as part of the TDP planning framework. A measure is a basis for comparison to a desired goal, to peer systems, or to past performance. The most useful measures for transit planning and operations are typically ratios of product provided (e.g., transit trips) to resources expended (e.g., "revenue" hours of bus driver time). Productivity (ridership per revenue hour), for example, is a nearly universal measure in the transit industry. A good set of performance measures should rely on readily available data, and focus on key aspects of operations.
- Performance standards are target values for specific performance measures. They set the expectations for acceptable levels of performance. Using the productivity example, a standard of 10 to 15 boardings per revenue hour may be the threshold at which routes performing below this standard merit attention. A single performance measure may have multiple standards based on the service type, operating period, or geographic zone being evaluated. When setting performance standards, YCTA needs to balance industry norms, its goals and objectives, and any requirements from funding or other sources. For example, farebox recovery standards may be set below those of peer systems if local policy-makers agree to higher subsidies to address affordability concerns. Alternatively, operating funding requirements may not allow lowering the farebox recovery standard.

PLANNING CONTEXT

Public transportation goals and objectives can best serve the county when coordinated with and related to relevant planning documents from state, regional, and local organizations. The project team evaluated over 20 planning documents guiding transportation and land use decisions in Yamhill County. Figure 5-1 provides a brief assessment of the key issues or "takeaways" for public transportation that were identified from the plan review. One of the key local documents guiding the YCTA goals and objectives is the Yamhill County Transportation System Plan (TSP), updated in 2015.

Along with input from YCTA and Yamhill County staff and elected officials, the Project Advisory Committee (PAC), other stakeholders, and the public, this information provided the groundwork to understand key needs and opportunities for Yamhill County's public transportation system. YCTA's goals and objectives stem directly from—and are intended to reflect—this understanding.

For additional on the Plan Review, see TDP Volume II, TM #1 and TM #1 Appendix A

Figure 5-1 Transportation / Land Use Plans and Key Issues for the Yamhill County Transit Development Plan

Document	Key Issues and "Takeaways"
STATEWIDE PLANS	
Oregon Transportation Plan	 Overarching transportation policy plan guiding transportation investments statewide. Goal to ensure the transit system is easy-to-use, reliable, cost-effective, and accessible. Encourages governments to consider new facilities and connections that support an efficient transportation system and meet the needs of the growing community. Transit-supportive policies include Mobility 1.1 (efficient multimodal system), Mobility 1.2 (multiple travel choices), Economic Vitality 3.2 (mobility options for work and recreation), Energy Supply 4.2 (alternative fuels), Creating Communities 4.3 (sidewalk networks and transit supportive development), and Coordination 7.1 (remove jurisdiction barriers).
Oregon Public Transportation Plan	 State modal policy plan guiding investments and programs for public transportation. 10 goals address user experience, connectivity, livability, equity, health, safety and security, environment, land use, efficient investments, and coordination. Currently being drafted, this Plan may identify public transportation priorities, programs and performance measures presenting opportunities for local agencies.
Oregon Safety Action Plan	 Statewide plan providing policy direction across all modes. Encourages state and local agencies to develop a transit system that prioritizes safety and limits roadway conflicts to support Oregon's long-term vision of zero deaths and life-changing injuries on the State system.
Oregon Transportation Options Plan	 State modal policy plan guiding investments for transportation options (i.e., transportation demand management). Policies encouraging transit systems that support multimodal connections. Encourages local agencies, businesses, and educational institutions to offer travel options programs that support transit use (e.g., transit subsidies, Guaranteed Ride Home programs, etc.). Transit-supportive policies include Safety 1.1 (safe for all modes), Access 3.1 (access for all modes), and Economy 5.1 (household transportation spending)
Oregon Bicycle and Pedestrian Plan	 State modal policy plan guiding investments for bicycle and pedestrian facilities and programs. Presents policies to coordinate within and between state agencies and local jurisdictions to ensure transit facility design integrates pedestrian and bicycle projects. Transit-supportive policies include Safety 1.1 (safe design), Accessibility 2.4 (multimodal connections), and Strategic Investment 8.2 (high need locations) and 8.4 (leverage funding).

Document	Key Issues and "Takeaways"
YAMHILL COUNTY PLANS	
Yamhill County Transportation System Plan (TSP)	 Public transportation is an important part of the County's long-term multimodal transportation goals and strategies. It is important to coordinate public transportation with local and
Yamhill County Comprehensive Land Use Plan	countywide transportation initiatives and land use regulations. Public transportation infrastructure projects should be included in the County TSP to ensure State law compliance.
YCTA Coordinated Human Services Transportation Plan	 Transportation needs for customers accessing human services are wide ranging and best met by flexible, varied transportation solutions. Human services and medical needs extend beyond Yamhill County, which stretch limited local resources if not carefully prioritized and managed.
Yamhill County Agribusiness Economic	 Focuses on the County's agriculture and tourism industries, to ensure the industry can thrive, operate profitably, grow, and contribute to community livability. Plan stakeholders identified transportation – including public and private transit options – as a need to support agri-tourism.
Development Plan	 Transit opportunities include local bus systems, private transportation, and central wine tasting "hubs" in local communities that would support shared mobility.
YCTA Title VI and Limited English Proficiency Plan	■ Federal Transit Administration (FTA) and Oregon Department of Transportation (ODOT) requirement for public transportation providers to document the agency's responsibility to assess, minimize, and mitigate negative effects on specific demographic and socioeconomic populations; also documents the County's public notices barring discrimination and providing clear discrimination related complaint processes.
LOCAL JURISDICTION PLAN	IS
Newberg Downtown Improvement Plan	 Local community transportation system plans (and other local plans) detail specific roadway, sidewalk, and cycling improvements that can complement
Newberg Comprehensive Plan	the public transportation system. The Yamhill County TDP will present an opportunity to align transit capital
Newberg TSP	improvements (e.g., bus stops) with prioritized local projects and investments.
McMinnville Comprehensive Plan	Local land use plans describe policies and programs that encourage medium residential and employment density. The plans address land use
McMinnville TSP	policies and codes that direct developers to provide roadway, sidewalk, or
Amity TSP	transit facility improvements.
Carlton TSP	 The Yamhill County TDP will present an opportunity to understand and inform communities interested in implementing transit-supportive land use
Dayton TSP	regulations and decision-making processes.
Dundee TSP	
Lafayette TSP	
Sheridan TSP	
Willamina TSP	
Yamhill (City) TSP	

GOALS AND OBJECTIVES

Each goal for YCTA is presented individually, followed by objectives to support implementation of the goals. The goals and objectives were used to evaluate existing public transportation conditions and to develop and prioritize public transportation strategies presented in the Transit Development Plan.

Chapter 11 (Monitoring Implementation) provides performance measures that will allow YCTA to measure organizational progress and monitor implementation of the TDP against the goals and objectives.

Goal 1: Mobility – provide convenient, reliable public transportation serving a range of customer needs.

Objective 1. Achieve high route productivity by serving key ridership markets

Objective 2. Serve key activity centers with convenient hours and days of service that meet the travel needs of workers and residents *†

Objective 3. Provide direct and reliable service that supports reliable transfers to intra- and intercounty regional connections *†

Objective 4. Identify areas that will support additional or improved transit services using data-driven and customer focused methods, and coordinate improvements to the coverage, reliability, and frequency of services *

Goal 2: Accessibility – provide public transportation services that are equitable and address the needs of all users.

Objective 1. Coordinate with local agencies to guide transit-supportive land use policies and practices

Objective 2. Provide access to public transportation services that meets applicable County, State and Americans with Disabilities Act (ADA) standards *

Objective 3. Provide local connectivity within and between the various communities in the County *

Objective 4. Provide a mix of public transportation services to meet the needs of different rider markets, such as fixed routes, deviated fixed routes, commuter routes, dial-a-ride, community shuttles and rideshare services

Objective 5. Distribute the benefits and impacts of services fairly and address the transportation needs and safety of all users, including the young, older adults, people with disabilities, and people of all races, ethnicities, and income levels*14

Objective 6. Coordinate with human services agencies serving adults, seniors, and people with disabilities and veterans to identify specific resources, training and needs for these markets †

Objective 7. Provide easy to understand, affordable fare polices, products and payment systems

Goal 3: Passenger experience – make public transportation a convenient, attractive and welcoming way to travel.

Objective 1. Deliver transportation information to riders and the community at-large across multiple print, online, and mobile platforms \dagger

¹⁴ YCTA defines low-income households or people based on total income not exceeding 200% of the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2) for the 48 Contiguous States and the District of Columbia.

Objective 2. Enhance marketing, education, and promotion efforts

Objective 3. Translate all printed and online materials into priority languages identified in the YCTA Limited English Proficiency plan (e.g. translate into Spanish and employ Spanish-speaking customer service staff)

Objective 4. Invest in technologies that enhance customer service, service reliability and access to information

Objective 5. Achieve high customer satisfaction by supporting employee training and outreach.

Objective 6. Provide system legibility by installing marked signs at bus stop locations

Goal 4: Safety and security – ensure transit riders and drivers have safe and secure vehicles and facilities.

Objective 1. Provide for high-quality driver and dispatcher training to ensure passenger and driver safety and security

Objective 2. Provide high-quality transit facilities by including bus stop shelters, seating and other amenities that support customer comfort and convenience.

Objective 3. Maintain vehicles in a state of good repair and replace in accordance with the Transit Asset Management Plan¹⁵ to ensure a reliable, safe and attractive public transportation system

Objective 4. Coordinate with County and local emergency managers to support robust emergency response and resiliency to natural and human disasters

Objective 5. Coordinate with local jurisdictions and Oregon Department of Transportation (where relevant) to provide safe ways to cross streets at or near major bus stops

Goal 5: Livability and economy – integrate public transit in the transportation system to support a prosperous, healthy community

Objective 1. Enhance access to major activity centers (e.g., major residential, employment, industrial, and institutional locations) and emerging or underserved activity centers (e.g., agricultural employment) as resources warrant *

Objective 2. Maintain and explore innovative partnerships with employers and institutions to serve rider markets and supplement public transportation funding

Objective 3. Support a multimodal transportation network by inviting access to transit via bicycling, walking

Goal 6: Efficiency and financial accountability – manage the transit system in a fiscally responsible way to maximize return on investment.

Objective 1. Advocate for increased funding and seek out new and innovative funding opportunities †

Objective 2. Improve system productivity and reliability to ensure efficient resource utilization

Objective 3. Coordinate with other transportation partners to ensure shared long range sustainability of public transportation services

Notes: * Denotes objectives adapted from the Yamhill County Transportation System Plan. † Denotes objectives adapted from the 2017 YCTA Coordinated Public Transit Human Services Transportation Plan.

.

¹⁵ The Transit Asset Management Plan is a federally-required document in which YCTA inventories vehicles and other assets, estimates replacement timeframes, and specifies maintenance activities and schedules to ensure assets meet or exceed useful life expectations.

6 SERVICE PLAN

This chapter presents the long-term vision for transit in Yamhill County, including the types of services and how service will be structured. The vision was developed based on the analysis of current and future transit markets and existing YCTA services, community input and needs assessment, and the YCTA goals described in the previous chapters. It includes service design principles and a phased plan to help YCTA incrementally implement the long-term vision.

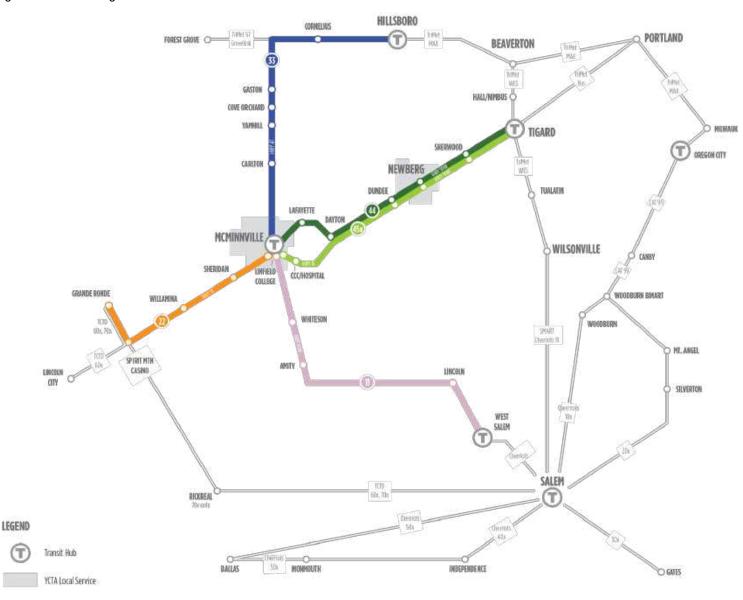
LONG-TERM YCTA VISION

Figure 6-1 illustrates existing YCTA service and transit connections. Figure 6-2 describes the long-term vision for public transit in Yamhill County.

As described in Chapters 3 and 4, challenges for existing transit in Yamhill County include:

- Local service runs on weekdays only in McMinnville and Newberg.
- Intercity services to Hillsboro, Salem, and Tigard have several long gaps in service during the day.
- Route 11 only runs to West Salem, while most demand is for travel to downtown Salem.
- Service within small cities is limited, particularly for people or destinations that are not directly served by existing intercity routes and bus stops.
- Bus stops are not marked and buses lack consistent branding and some are unreliable.

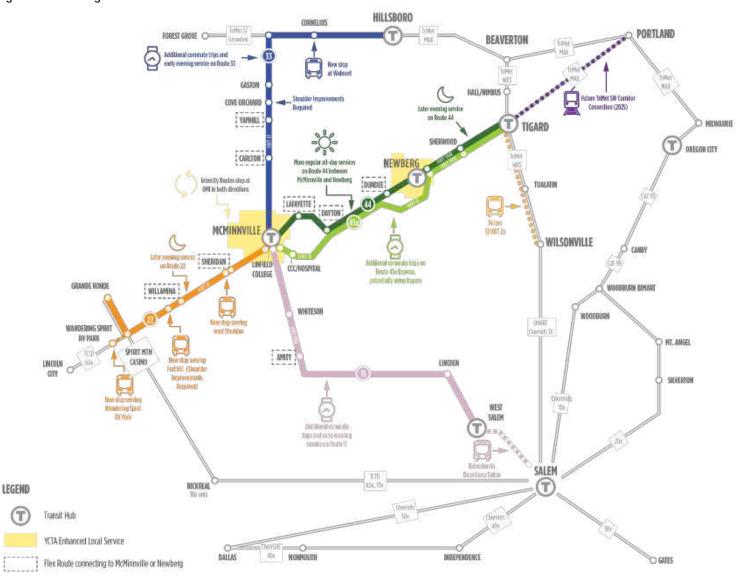
Figure 6-1 Existing Transit Service



The long-term vision for transit in Yamhill County includes:

- Enhanced local service in McMinnville and Newberg, including on Saturdays.
- Regular all-day service on OR 99W (Route 44) connecting McMinnville, Lafayette, Dayton, Dundee, and Newberg, with some trips continuing to Sherwood and Tigard.
- Express service (Route 45x) between McMinnville (via Linfield College and hospital area), Newberg, and Tigard.
- More morning and afternoon peak period and early evening service on intercity routes.
- Route 11 extended to downtown Salem.
- Flex-route service connecting small cities to key destinations in McMinnville and/or Newberg.
- Marked bus stops, more shelters, better customer information, and new buses with a consistent look.
- Sunday service is a lower priority, but may be possible on some routes in the longterm.

Figure 6-2 Long-Term Transit Vision



How we got to the Vision: Service Alternatives

Providing transit service requires evaluating how to allocate limited resources between local services, inter-community connections within Yamhill County, and regional linkages. YCTA's current resource allocation is roughly balanced between locally-focused and regionally-focused service. To understand whether this service model should change, the project team developed two long-range scenarios to contrast distinct approaches to allocating public transportation resources.

- Scenario 1: Locally-focused. YCTA prioritizes resources for local service and connections
 within Yamhill County, while either reducing slightly or maintaining at current levels the
 resources allocated to connections outside of Yamhill County.
- Scenario 2: Regionally-focused. YCTA enhances regional connections to be more attractive to commuters, with more modest improvements to local service and connections within Yamhill County.

The project team then developed specific operational strategies for each scenario and screened each strategy against the YCTA goals and objectives (Chapter 5), providing a cost-benefit analysis with order-of-magnitude costs and an assessment of how each strategy helps YCTA achieve its goals. The Project Advisory Committee worked to prioritize strategies at its meeting on January 25, 2018, to help inform development of the TDP vision.

TDP Volume II, Section 4: TM #4 and the minutes for Project Advisory Committee meeting #3 summarize the results of the scenario analysis.

Figure 6-3 Selected Scenario Performance Evaluation Measures (Adapted from TM #1 and #3 Planning Framework Measures)

	Objective (numbering refers to full Goals & Perfo		Performance			Scenario 2: Regionally	TDP Vision	
Goal		Objectives framework)	Measure	Existing	Scenario 1: Locally Focused	Focused	Mid-Term, 2027	Long-Term, 2028+
Service Hours				35,000	70,100	59,400	50,340	70,845
Estimated Operation buses)	eratin	g Cost (not including cap	ital costs, e.g.,	\$2.6 million	\$5.3 million	\$4.6 million	\$4.2 million	\$5.9 million
Estimated Number of Vehicles in Maximum Service		8 fixed-route buses 4 Dial-A-Ride buses	13 fixed-route buses 11 Dial-A-Ride buses or vans	13 fixed-route buses 7 Dial-A-Ride buses or vans	12 fixed-route buses 7 Dial-A-Ride buses/vans 3 flex-route buses	18 fixed-route buses 9 Dial-A-Ride buses/vans 5 flex-route buses		
Goal #1: Mobility	2.	Serve key activity centers with convenient hours and days of service that meet the travel needs of workers and residents	Service span: hours of service (qualitative)	Local: 7 AM - 7 PM Intercity: 6 am-7 PM or 6 AM-9 PM (varies by route)	Local: 6 AM - 9 PM Intercity: 6 AM - 7 PM or 6 AM - 9 PM (varies)	Local: 7 AM - 7 PM Intercity: 6 AM-9 PM	Local: 7 AM - 7 PM Intercity: 7 AM-9 PM	Local: 6 AM - 9 PM Intercity: 6 AM-9 PM
	3.	Provide direct and reliable service that supports reliable transfers to intra- and inter-county regional connections	Schedule alignment with connecting providers	N/A	More direct service but reduced midday connections	Increased frequency and service to downtown Salem		e regional connections, o downtown Salem

		Objective (numbering refers to full Goals &	Performance			Scenario 2: Regionally	TDP \	/ision		
Goal	,	Objectives framework)	Measure	Existing	Scenario 1: Locally Focused	Focused	Mid-Term, 2027	Long-Term, 2028+		
	3.	Provide local connectivity within and between Yamhill County communities	Revenue hours dedicated to connections between Yamhill County communities	16,900 (48%)	19,600 (27%)	30,400 (56%)	20,200 40%	24,900 35%		
Goal 2: Accessibility	4.	Provide a mix of public transportation services to meet the needs of different rider markets	Service hours per capita Peer median of 0.73, range of 0.28 to 1.24	0.32 (Overall Yamhill County, 2017)	0.65 (UGB Population Forecast, 2035)	0.55 (UGB Population Forecast, 2035)	0.44 (Population Forecast, 2023)	0.57 (Population Forecast, 2028)		
	5.	Distribute the benefits and impacts of services fairly and address the transportation needs and safety of all users	low-income residents within ¼- mile of a transit stop (100% and 200% of poverty)	100%:15,800 200%: 26,900	Not Evaluated	Not Evaluated	100%: 17,500 200%: 29,700	100%: 18,700 200%: 29,800		
	1.	Enhance access to major activity centers		16,700	0	00	0	00		
		(e.g., major residential, employment, industrial,	employees within 1/4-mile of a transit		employees within 1/4-mile of a transit	10,700	19,400	22,900	22,300	25,000
Goal 5: Livability and economy		and institutional locations) and emerging	stop residents within ¼-	05 000 (G	00	0	0	00		
		or underserved activity centers (e.g., agricultural employment) as resources warrant	mile of a transit stop	35,000 (fixed- route)	41,800 (fixed-route only) (not including flex-routes in small cities)	39,950	39,400 (fixed-route) (not including flex- routes in small cities)	43,000 (fixed-route) (not including flex- routes in small cities)		
Goal 6: Efficiency and financial accountability	1.	Advocate for increased funding and seek out new and innovative funding opportunities	Transit operating funding per capita, relative to peers Peer median of \$59.19, range of \$19.52 to \$105.58	\$24.14 (Overall Yamhill County, 2017)	\$39 (Overall Yamhill County Forecast, 2035)	\$33 (Overall Yamhill County Forecast, 2035)	\$33 (Population Forecast, 2023)	\$48 (Population Forecast, 2028)		

Notes: Population, jobs, and low-income access to transit calculated using Remix, LEHD 2014 and American Community Survey 2015 at the block group level, i.e., based on current levels not future projections.

Summary of Community Input on Solutions Strategies

Input on proposed solutions was gathered from current riders and the general public to inform development of the vision and phasing plan. Four public events (Transit Center and Community Center in McMinnville; Nap's Thriftway and Chehalem Cultural Center in Newberg) and an online survey were conducted in March 2018, reaching or engaging approximately 125 people. This sidebar summarizes the results.

Overall Priorities

The overall top service priorities among people who responded to the online survey are:

- Enhanced local service in McMinnville and Newberg including on Saturdays—top priority for 32% and among top 3 priorities for 67%.
- Regular all-day service on OR 99W (Route 44) connecting McMinnville, Lafayette, Dayton, Dundee, and Newberg—top priority for 25% and among top 3 priorities for 65%.
- Improvements to bus stops, vehicles, and customer information—among top 3 priorities for 43%.
- Add commute period and early evening service on intercity routes—among top 3 priorities for 43%.

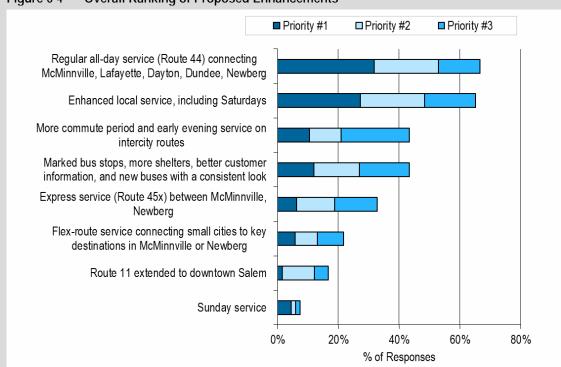
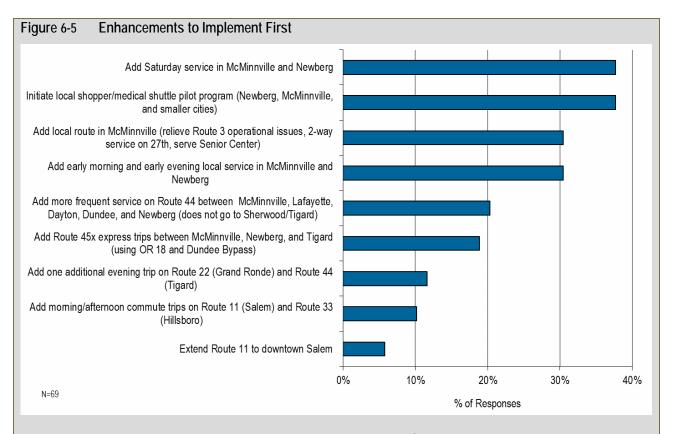


Figure 6-4 Overall Ranking of Proposed Enhancements

Near-Term Priorities

The project team asked people responding to the online survey to prioritize the two most important improvements that could be implemented first (see Figure 6-5):

- The highest priorities (both 38%) were to add Saturday service in McMinnville and Newberg, and initiate a local shopper/medical shuttle pilot program (Newberg, McMinnville, and smaller cities).
- The next highest priorities (both 30%) were to add a local route in McMinnville and run McMinnville and Newberg local bus routes earlier in the morning and in the early evening.
- A third tier of near-term priorities (approximately 20% each) was to provide more frequent service (Route 44) between McMinnville and Newberg (including Lafayette, Dayton, and Dundee) and more express service (Route 45x) between McMinnville, Newberg, and Tigard.



While most people supported the proposed improvements, several key concerns are:

- Dundee residents are concerned about losing service if Route 45x (express) uses the Dundee Bypass.
- Some people were concerned about eliminating flag stops, particularly if the distance between assigned stops is too long on some routes.
- Bus ridership in Newberg may not increase in response to service improvements

Additional outreach findings include:

- Key schedule gaps are on Route 44 (mid-morning and mid-afternoon) and Route 33 (mid-morning).
- Timing of connections is important between intercity routes and between intercity and local routes.
- Later evening hours aligned with class/shift times are important for students and workers.
- Rural flex route service for small cities received the strongest support, but there was also support for starting with shopper/medical shuttles (including in McMinnville and Newberg) to experiment with the service and conducting a community-driven process to design the service in each city.
- Marking bus stops, adding shelters, improving customer information, and improving the appearance/cleanliness of vehicles is a high priority—within top 3 for 43% of respondents.
- Intercity routes need to have higher-capacity buses. Smaller-capacity buses are acceptable for local routes, but cutaways do not provide a comfortable ride.
- Bus schedules need to be clear and consistent, both in print and online forms.
- Communicating information about delays and route changes/closures is essential.
- Programs that provide travel training/education would be valuable

For additional details on community input on proposed solutions see TDP Volume II, Section 4: TM #4 Chapter 6 and Section 5: TM #5 Chapter 3.

IMPLEMENTING THE VISION

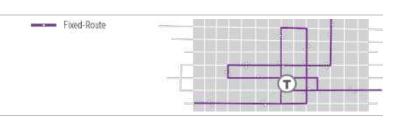
YCTA Service Types

YCTA provides intercity (including express), local fixed-route, and demand-response service. The TDP includes two new service types—a shopper shuttle and rural flex routes. Some services are a hybrid of these service types. For example, Route 44 provides local connections in some parts of McMinnville and Newberg although it is primarily the intercity route serving OR 99W between the two cities.

Intercity routes operate along major arterials and state highways connecting Yamhill County cities. Intercity service includes Routes 11, 22, 33, and 44, and weekend Routes 24s and 46s. Intercity routes make limited stops in cities. Express intercity routes provide more direct service and/or limited stops. Route 45x provides a more direct connection between McMinnville-Newberg, including direct service to Willamette Medical Center and Linfield College. Route 44 provides connections to Dayton and Lafayette.



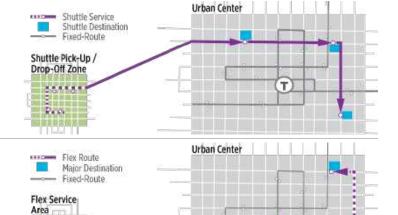
Local routes serve major destinations and run along both arterial and local streets. Local routes often act as feeders, bringing people to hubs where they can transfer to Intercity routes. Local service includes Routes 2 and 3 in McMinnville and Routes 5 and 7 in Newberg.



Demand-response service requires advance reservations. Dial-a-Ride for the general public provides curb-to-curb service within a geographically limited area (primarily McMinnville and Newberg). ADA Paratransit provides door-to-door service for ADA-eligible customers (who have a disability that prevents them from riding fixed-route service) within a ¾ mile distance of local fixed-route service in McMinnville and Newberg.



A shopper/medical shuttle provides door-to-door service between residential areas in McMinnville, Newberg, and small cities to selected major shopping and medical destinations in McMinnville or Newberg, on limited days and hours of service. Trips run at scheduled days and times, but advance reservations are required for door-to-door pickups and drop-offs.



A rural flex route makes both scheduled stops and provides curb-to-curb service (with advance reservations) in small cities, directly serving transit centers and selected major shopping and medical destinations in McMinnville and Newberg. Complementary ADA Paratransit is not required for a route deviation service like a flex route as long as deviations are provided to all riders (not just those with disabilities).

90.00

Service Design Principles

Service design principles are broad transit service concepts that were used to develop the TDP, and provide guidance for YCTA to use in future service design decisions as it implements the Plan.

Service should be simple and direct. Routes that are direct are easier for customers to understand and remember. Direct routes are often shorter and more efficient for passengers and YCTA.



Minimize route deviations. Avoiding out-of-direction travel and keeping directional changes to a minimum make routes easier to understand and reduce overall travel time. Deviations off of the most direct route may be appropriate to avoid a bottleneck or to provide service to major shopping centers, employment sites, schools, etc. In these cases, the benefits of the deviation must be weighed against the inconvenience caused to passengers already on board. Rules of thumb for implementing route deviations include:

- The deviation will result in an increase in overall route productivity.
- The number of new passengers that would be served is equal to or greater than 25% of the number of passengers who would be inconvenienced by the additional travel time on any particular deviated trip.

In most cases, route deviations should be provided all day. Exceptions are during times when the sites that the route deviations serve have no activity—for example, schools and shopping centers.



Operate symmetrical routes. Keeping routes on one roadway in both directions provides clear, consistent service and information. Exceptions can be made where such operation is not possible due to one-way streets or turn restrictions. In those cases, routes should be designed so that the opposite directions parallel each other as closely as possible. The coverage benefits of loop or circular routes should be balanced against route efficiency and productivity.



Serve well-defined markets. Match service to demand by serving destinations that typically rely upon transit. Activity centers may change over time; evaluate service periodically to ensure that routes continue to serve the highest demand areas.



Coordinate public transportation services. Provide timed transfers between local and intercity routes. Where possible, connect with frequent services to reduce the need to coordinate schedules. Transfers should be within line-of-sight or have clear wayfinding signage.



Space stops appropriately. Stop spacing directly affects bus travel times, schedule reliability, and customer access. Closely spaced stops, or stops with inconsistent spacing, increase travel time and reduce predictability. On local routes, 1/8 to 1/4-mile spacing is generally appropriate, while allowing for . Intercity routes should have longer spacing between stops (e.g., 1/2-mile or more) within cities, depending on land use context. Fewer stops encourage people



Match vehicles to passenger demand and access needs. The highest capacity vehicles are needed on intercity services, particularly between McMinnville, Newberg, and Tigard. In cities, vehicles need to balance high passenger demand on some routes with the needed to navigate tight turns and parking lots. Flex service and demand response vehicles are general the smallest and most flexible.



Planning Time Frames

The TDP is structured into several phases to help YCTA incrementally implement the long-term transit vision. Implementation of the plan will be contingent on future funding levels—both sustaining existing funding sources and funding from new sources. The primary new funding source is the Statewide Transportation Improvement Fund, which will provide YCTA with new revenues starting in 2019. However, STIF revenues alone will not be sufficient to implement all desired system enhancements. Other potential local revenue sources are described in the TDP Financial Plan (see Chapter 8).

Figure 6-6 provides an overview of the planning time frames and assumed funding levels.

- The Immediate time frame assumes cost-neutral funding, while the remaining time frames assume increased revenues.
- The **Near-Term** and **Short-Term** enhancements can be implemented with the funding level anticipated to be available for YCTA, including new revenue from the Statewide Transportation Improvement Fund starting in 2019.
- YCTA lacks funding to implement all of the **Mid-Term** and **Long-Term** enhancements. A
 subcommittee of the YCTA Public Advisory Committee is developing a local funding plan to
 determine whether additional enhancements identified for these time frames are viable.
- The **Long-Term** time frames are not constrained to funding and include additional options that could be implemented in the future.

Figure 6-6 Planning Time Frames

Time Frame	Years*	Funding Level
Immediate	0 years: FY 2018 (Summer/Fall 2018)	Cost-Neutral/Near Cost Neutral operational changes that YCTA will implement prior to plan adoption
Near-Term	1 years: FY 2019 (2018-2019)	Low-cost changes assuming partial STIF funds available in FY 2019 (up to \$500,000 in new revenue)
Short-Term	2-3 years: FY 2020 to FY 2022 (2020 – 2022)	Phased expansion based on approximately \$1.1 M in STIF funds available starting in FY 2020. Assume incremental service expansion while prioritizing significant share of new resources to address capital needs (bus stops, fleet, etc.) in early stages of the plan.
Mid-Term	4-9 Years: FY 2023 to FY 2027 (2023 – 2027)	Continued service expansion is possible using STIF funding with many of YCTA's basic capital needs addressed, but additional local funding revenues would be needed to implement additional desired enhancements that are currently assumed in the long-term time frame.
Long-Term	10-20 Years: FY 2028 to FY 2037 (2028-2037)	Flexible service plan (not financially constrained)
Long-Term (Vision)	Beyond 20 Years	Additional service options

Note: *2018 refers to FY 2018-2019, etc. STIF = Statewide Transportation Improvement Fund

SERVICE PLAN OVERVIEW

This section provides the detailed YCTA service plan. To be eligible for STIF funds, YCTA will need to submit a STIF Plan. Consistent with recent ODOT guidance, individual strategies are grouped into a "Project." A project can include several activities, referred to as "Tasks." Tasks correspond to different project elements, such as operations (service) and buses (capital). For example, a project to provide flexroute service in small cities could include a "operations" task for each service area and a "buses" task to purchase vehicles. YCTA will need to submit measures such as cost, service hours, service miles, and estimated ridership for each task. The TDP will provide STIF Plan information for the near-term projects that can be submitted to ODOT as early as Fall 2018.

TDP Volume II, Section 4: TM #5 Chapter 6 summarizes community input on high-level solution strategies. Appendix D and TDP Volume II, Section 5: TM #5 Chapter 3 provide additional detail on service design.

Existing/Immediate

This section identifies a number of cost-neutral service enhancements, focused on operational improvements to the Yamhill County transit system. YCTA plans to implement these changes over the first year of the plan, starting in Summer 2018 (see Figure 6-8). Highlights include:

- **McMinnville local service adjustments** (SI1 and SI2), including interlining routes to help Route 3 run on schedule and implementing a stop closer to the Winco/Walmart front doors (see Figure 3-4).
- Schedule and minor route/stop adjustments on intercity routes (SI4, SI5, SI6, and SI7), including stops at OMI for Route 33 (and potentially other routes).
- Adding a stop on Route 22 at Wandering Spirit RV Park west of OR 18 and Grand Ronde Road (SI5).
- Converting on-call Route 44 and/or 45x stops at Providence Hospital in Newberg and Dayton RV park to regular stops (SI7).

Figure 6-7 Stops near Winco/Walmart (Immediate or Near-Term/Short-Term)

- Stop in Winco parking lot on existing Route 3
- Existing sidewalk can be used
- Contingent on obtaining store approval
- Feasibility of right-turn from OR 99W into parking lot needs to be tested, given concrete median and channelized right-turn island
- Appendix D (and TDP Volume II, Section 5: TM #5 Chapter 3) includes an illustration of later phase routing that can also serve a stop closer to the Safeway front door

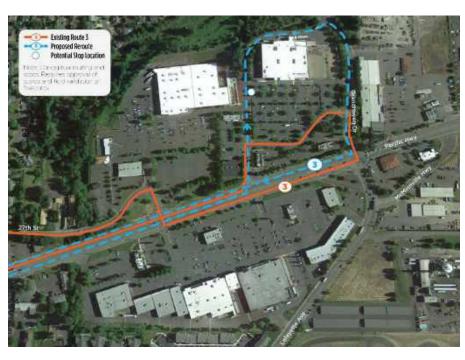


Figure 6-8 Immediate Time Cost-Neutral Service Adjustments

Project	Task	Project Name	Project/Task Description	Routes
SI1	1	McMinnville Local Service Adjustments	Interline McMinnville local routes and adjust schedules, to help address capacity and schedule issues on Route 3: One bus serves 2 East and 3 South One bus serves 2 West and 3 North It is recommended that these changes be made along with route renumbering to minimize passenger confusion.	2, 3
SI1	2	McMinnville Local Service Adjustments	Stop and minor routing adjustments: Revise Route 3 South routing at Booth Bend Rd Revise Route 2 East to use Dunn PI; new Housing Authority bus stop Various other minor stop adjustments	All
SI2	1	McMinnville bus stops closer to store front doors	 Local buses serve stops for WinCo/Walmart near store front doors, subject to identifying suitable locations and reaching agreements with stores. (Safeway could be a later phase, contingent on Route 3 redesign) 	3
SI3	1	Newberg Local Service Adjustments	 Schedule adjustments for Routes 5 and 7 	5, 7
SI4	1	Salem Intercity Schedule, Stop, and Routing Adjustments	Schedule adjustments for Route 11	11
SI4	2	Salem Intercity Schedule, Stop, and Routing Adjustments	 Add a Route 11 stop at OMI (5th & Cowls) in both directions 	11
SI5	1	Grand Ronde Intercity Schedule, Stop, and Routing Adjustments	 Schedule adjustments for Route 22 including better timing with other intercity routes 	22/24s
SI5	2	Grand Ronde Intercity Schedule, Stop, and Routing Adjustments	 Add a stop at OMI (5th & Cowls) in both directions Add a stop at Wandering Spirit RV Park (west of Grand Ronde Road) 	22/24s
SI6	1	Hillsboro Intercity Schedule, Stop, and Routing Adjustments	 Add a stop at Oldsville Road Schedule adjustments for Route 33, including adjusting schedules of the current 10:30 AM and 12:30 PM trips from McMinnville to reduce the current 4h 30 min gap between the 6 AM and 10:30 AM trips. Add a stop at OMI (5th & Cowls) in both directions 	33
SI7	1	Tigard Intercity Schedule, Stop, and Routing Adjustments	Schedule adjustments for Routes 44 and 45x	44/45x
SI7	2	Tigard Intercity Schedule, Stop, and Routing Adjustments	 Modify southbound stop at Langer Pkwy in Sherwood to run in the opposite direction, saving several minutes of time in the southbound direction 	44/45x
SI7	3	Tigard Intercity Schedule, Stop, and Routing Adjustments	 Convert on-call stop at Providence Hospital to a regular stop. Stops on OR 99W. YCTA will need to coordinate pedestrian access improvements with ODOT & City of Newberg. 	44/45x
SI7	4	Tigard Intercity Schedule, Stop, and Routing Adjustments	 Convert on-call stop at Dayton RV Park to a regular stop. Stops on OR-18. YCTA will need to coordinate shoulder improvements with ODOT. 	44

Project	Task	Project Name	Project/Task Description	Routes
SI7	5	Tigard Intercity Schedule, Stop, and Routing Adjustments	 Modify Route 45x to serve Linfield College stops on OR 99W at Fellows St 	45x

Near-Term

As described below and illustrated in Figure 6-18 (System), Figure 6-19 (McMinnville), and Figure 6-20 (Newberg) where applicable, in the near-term (2019-2020) YCTA would:

- Implement local service changes in McMinnville (Project SN1) as shown in Figure 6-19:
 - Renumber routes to make service easier to understand. Routes 2 and 3 each consist of two segments that take approximately 30 minutes to complete and serve the transit center twice.
 This change would provide a unique number for each portion of the route. See Figure 6-10 (table) and Figure 6-19 (map) for a description of the new route numbers.
 - Redesign Route 3 to improve reliability and capacity, including service to the Senior Center (along McDaniel) and two-way service on 27th Avenue and Evans Street. This would improve service to McMinnville High School and multifamily housing and apartments in northeast McMinnville. The routing incorporates a near-term change to serve the Winco/Walmart parking lot.
 - Extend Route 4 (existing Route 2 West) along 2nd Street west of Hill Road and south on Adams and Baker Streets to Booth Bend Road.
 - Extend service hours for Routes 2 and 4 (existing Route 2 West and East) to start at 7 AM (same as Routes 1 and 3).
- Implement local service changes in Newberg (SN2) as shown in Figure 6-20. This costneutral change would add an additional bus to fixed-route service and provide four routes, each operating generally in each quadrant of the city. Each route would take approximately 30 minutes to complete and return to the downtown transit center. Particularly for Route 5 (northwest) and 6 (southwest) there may be time to accommodate deviation requests. This project would serve Northeast Newberg, including Newberg Schools, Head Start, and A-dec.
- Add trips on Route 44 between McMinnville and Newberg (SN3 Phase 1), to provide more frequent, consistent service between McMinnville, Lafayette, Dayton, Dundee, and Newberg. This project reduces waiting times and long schedule gaps on YCTA's highest-ridership route. Added trips would not continue to Sherwood/Tigard.
- Modify Route 44 to run along OR 99W in McMinnville (SN4) as shown in Figure 6-19. This cost-neutral project improves legibility (ease-of-understanding), provides access to destinations along OR 99W and in downtown McMinnville, and allows Route 44 to serve the same route and stops on weekdays and Saturdays. This change would be concurrent with SN1, which would modify Route 3 North to provide service to most existing stops on Lafayette Avenue.
- Modify Route 33 to relocate the westbound Forest Grove stop and add eastbound and westbound stops at Walmart in Cornelius (SN5).
- Implement a pilot shopper/medical shuttle (SN6) serving Sheridan/Willamina/Amity, Carlton/Yamhill, Dayton/Lafayette, Newberg/Dundee, and McMinnville. This would incorporate a community-driven process to develop the specific initial and longer-term design for each set of cities, and evolve into more frequent local service in the cities/markets where it is well-utilized. The service would utilize small vans, which would allow it to serve destinations that are inaccessible in a larger intercity bus, such as Deer Meadows Assisted Living in Sheridan. The

- service would incorporate on-demand technology to allow it to be used in a more real-time manner, as opposed to traditional demand-response service that requires advance reservations.
- Mark and sign all bus stops and install amenities (capital project). All bus stops would be
 marked or have signs installed, and shelters would be installed at high-demand stops. Over time
 YCTA would transition away from flag stops for its local routes, which will make service faster and
 help routes stay on schedule.

Maps are provided in Figure 6-18 (System Map with McMinnville and Newberg insets), Figure 6-19 (McMinnville), and Figure 6-20 (Newberg). See Figure 6-21 for individual project details.

Short-Term

As described below and illustrated in Figure 6-18 (System), Figure 6-19 (McMinnville), and Figure 6-20 (Newberg) where applicable, in the short-term (2020-2022) YCTA would:

- Extend Route 2 (East) in McMinnville to serve NE Cumulus Avenue (SS1) including the Virginia Garcia Clinic and other housing; this project requires modifications to an access roadway connecting NE Cumulus Avenue to the Chemeketa Community College parking lot. The TDP provides a capital funding allowance for this improvement.
- Extend local evening service hours in McMinnville and Newberg to 7 PM (SS2 and SS3) for fixed-route and Dial-A-Ride service.
- Transition away from flag stops on local fixed-routes in McMinnville and Newberg (SS4), once all stops have been marked or signed. This will include outreach to ensure stops are located in the right places. Once implemented the change will help routes run on schedule.
- Add trips on Route 44 between McMinnville and Newberg (SS5 Phase 2), filling remaining schedule gaps.
- Extend Route 11 to the downtown Salem Transit Center (SS6). Route 11 currently connects to Cherriots service at West Salem Transit Center. The route would likely be renamed to avoid confusion with Cherriots Route 11 and could continue to stop on Wallace Road near the West Salem Transit Center.
- Add an additional early evening trip on Route 22 between McMinnville and Grand Ronde (SS7), coordinated with shift times at the Spirit Mountain Casino and with TCTD Route 60X to Lincoln City.
- Expand the Shopper Shuttle pilot projects to flex-route service in two geographic areas (3 days per week, 10 hours per day) SS8. Yamhill/Carlton and Sheridan/Willamina/Amity are recommended since they have the least existing service; the McMinnville-Newberg Connector (SN3 and SS5) will increase service to Dayton and Lafayette. An existing volunteer program serving Yamhill/Carlton could be transitioned to this service. Sheridan/Willamina have a high need and potential market size based on population and geography. YCTA should monitor existing intercity routes to see if there are changes in ridership that could allow some low-demand trips to be discontinued.

Maps are provided in Figure 6-18 (System Map with McMinnville and Newberg insets), Figure 6-19 (McMinnville), and Figure 6-20 (Newberg); Figure 6-21 provides individual project details.

Mid-Term

As described below and illustrated in Figure 6-18 (System), Figure 6-19 (McMinnville), and Figure 6-20 (Newberg) where applicable, in the mid-term (2023-2027) YCTA would:

Implement local service on Saturdays in McMinnville (SM1).

The mid-term also includes two contingencies for service in Newberg:

- Modify service in Newberg coordinated with a potential new transit center (on- or off-street) in downtown Newberg (could also be short-term, depending on timing).
- Add Dial-A-Ride and ADA Paratransit capacity in Newberg, if warranted based on demand, since one Dial-A-Ride vehicle is being shifted to fixed-route service in the near-term (SM2).

Maps are provided in Figure 6-18 (System Map with McMinnville and Newberg insets), Figure 6-19 (McMinnville), and Figure 6-20 (Newberg), Figure 6-21 provides individual project details.

Long-Term

The long-term time frame is not fiscally-constrained and includes additional options supported by TDP community input and analysis that YCTA could implement based on available resources.

As described below and illustrated in Figure 6-18 (System), Figure 6-19 (McMinnville), and Figure 6-20 (Newberg) where applicable, in the long-term (2028-2037) YCTA would:

- Enhance intercity service to be better meet work and school trip needs by adding a later evening trip to Tigard and early evening trips to Salem and Hillsboro (SL1), and adding additional morning and/or afternoon trips to Salem and Hillsboro (SL2). Depending on YCTA's financial and capital resources, and future productivity of these routes, these projects could be blended with SV1 (Long-Term Vision) which would require at least one additional vehicle but would increase frequency during morning and afternoon peak periods making the service significantly more convenient.
- Add additional express trips between McMinnville, Newberg, and Tigard in the morning and afternoon commute periods (SL3). Depending on future traffic conditions, YCTA can evaluate the tradeoffs of routing express trips using the Dundee Bypass. (Performance data can be obtained from ODOT.)
- Expand Saturday service on intercity routes between McMinnville and Salem, and between McMinnville and Yamhill/Carlton (SL4). Extending Saturday service between Yamhill and Hillsboro is not included in this project, but could be considered depending on demand and available funding (see SV2).
- Expand small city flex-routes to three days per week in a third geographic area (Dayton/Lafayette is assumed) and expand the Sheridan/Willamina flex-route to operate five days per week (SL5).
- Expand shopper shuttles serving Dundee/Newberg and/or McMinnville to five day per week operation (SL6).
- Implement earlier (starting at 6 AM) and later (until 9 PM) local service hours in McMinnville and/or Newberg (SL7).
- Develop a pilot flex-route serving the area east of Lafayette Avenue in McMinnville (SL8), including YCAP, McMinnville Power & Light, Dental Clinic, and employment areas, e.g., Cascade Steel, North American Plants, etc.). YCTA may be able secure grant funds for emerging mobility pilot projects or STIF discretionary funds to implement this service sooner.

• Implement a new route serving the Hill Road and Baker Creek Road area in northwest McMinnville (see Figure 6-19); this route would serve Lafayette Avenue and allow modifications of Route 3 (SL9). The feasibility of this route is dependent on development density and activity centers along the route.

Maps are provided in Figure 6-18 (System Map with McMinnville and Newberg insets), Figure 6-19 (McMinnville), and Figure 6-20 (Newberg), Figure 6-21 provides individual project details.

Long-Term "Vision"

The Long-Term "Vision" time frame includes additional long-term enhancements that YCTA could implement based on the results of near-, short-, and mid-term enhancements (e.g., ridership), future land use conditions, and future funding levels. These potential projects include:

- Increase peak period frequency to Salem and Hillsboro (SV1). Current service runs as often as every 90 minutes (Salem) to two hours (Hillsboro) with a single bus serving each route. More frequent service during peak hours would require adding an additional bus during peak hours. This project would depend on ridership demand on existing service.
- **Expand Saturday service** (SV2). This project includes enhancing Saturday frequency on Route 44 between McMinnville and Tigard, extending Route 33 to Yamhill, increasing Saturday Dial-A-Ride capacity in McMinnville, and providing Saturday service in Newberg.
- Implement Sunday service (SV3). Based on TDP outreach, Sunday service is generally seen as a low to medium priority, but was identified as a "Medium" priority for YCTA's Grand Ronde and Tigard routes by 66% of people who provided input on those service areas in an online survey in March 2018 (see TDP Volume II, Section 4: TM #4, Chapter 6). Routes 22 (24s) and 44 (46s) would therefore be the highest priorities for Sunday service, along with some level of local service. TDP focus group participants suggested that less frequent service and/or a higher fare would be acceptable on Sundays.
- **Expand local service** (SV4). Additional local frequency and/or Dial-A-Ride capacity could be added in McMinnville and Newberg, as warranted by YCTA service standards (e.g., productivity, passenger loading, etc.)

Service Hours by Service Type

Figure 6-9 provides a breakdown of service hours by local and intercity service. Existing YCTA service is nearly evenly split between local and intercity services (the latter includes both connections between Yamhill County cities and out-of-county service). Based on input from the community and the Project Advisory Committee, the TDP prioritized enhancements to local service. The proposed plan increases the share of local service to 60% of service hours by the mid-term time frame, and to 65% in the long-term.

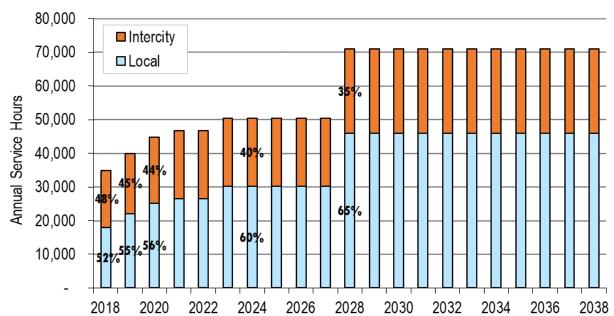


Figure 6-9 Existing and Planning Service Hours by Local and Intercity Service Type

Route Number Changes

Figure 6-10 summarizes recommended changes to YCTA route numbering, to improve legibility of routes by separating different routes patterns into separate route numbers; this also allows YCTA to more easily interline local routes in order to maintain on-time performance or for other operational reasons. Shifting Newberg routes to the 10-19 range allows future expansion in McMinnville while keeping route numbers in the same range (1-9).

Figure 6-10 Existing and Recommended Route Numbering

Service Area	Existing Route Number		New Route	Notes	
Service Area	Weekday	Weekend	Number	Notes	
	3 South	-	1	Split two parts of route into individual routes	
	2 East	-	2	No change to route number	
McMinnville	3 North	-	3	No change to route number	
	2 West	-	4	Split two parts of route into individual routes	
	-	-	5-9	Reserved for future	
	5	-	15	Split Route 5 into two individual routes; modify to avoid conflict with future McMinnville routes	
		-	16		
Newberg	7	-	17	Change	
	-	-	18	Change	
	-	-	10-14,19	Reserved for future	
McMinnville-Salem	11	-	80x	Change to avoid conflict with Cherriots Route 11 with extension to downtown Salem	
McMinnville-Grand Ronde	22	24s	22	Same weekday and weekend route number	
McMinnville-Hillsboro	-	-	33	No change	
McMinnyillo Nowborg Tigard	44	46s	44	Same weekday and weekend route number	
McMinnville-Newberg-Tigard	45x	-	45x	No change	

System Maps

Immediate time frame maps are provided in Figure 6-16 (System) and Figure 6-17 (McMinnville/Newberg), including changes that YCTA will implement starting in Summer 2018.

Near-Term, Short-Term, and Mid-Term changes that YCTA will implement starting in 2019 are shown in Figure 6-18 (System), Figure 6-19 (McMinnville), and Figure 6-20 (Newberg). Where applicable these maps also indicate long-term changes.

System Operating Plan

Figure 6-11 and Figure 6-12 summarize the TDP operating plan (hours of service or the number of trips) on YCTA routes on weekdays and Saturdays, respectively. Figure 6-14 provides a summary for small city flex-route services (including shopper/medical appointment shuttles in McMinnville and Newberg/Dundee).

Figure 6-14 (weekday) and Figure 6-15 (weekend) provide a detailed listing of the YCTA service span (hours of operation) and frequency for each route in each plan time frame.

Figure 6-11 Summary of Changes to Weekday Service Span or Number of Intercity Trips

Route	Existing	Near-Term to Mid-Term	Longer-Term
McMinnville Local Service	7 or 8 AM – 6 PM	7 AM – 7 PM	6 AM – 9 PM*
Newberg Local Service	7 AM – 6:30 PM	7 AM – 7 PM	6 AM – 9 PM
McMinnville-Salem	5	Extended to downtown Salem	+3 trips (AM / PM / early evening*)
McMinnville-Grand Ronde	7	+1 evening trip	No change
McMinnville-Hillsboro	5	No change	+3 trips (AM / PM / early evening*)
McMinnville-Tigard	9	No change	+1 late evening trip*
McMinnville-Newberg	-	+4 round trips	No change
McMinnville-Tigard Express	1 AM / 1 PM	No change	Up to 4 additional one-way trips*

Figure 6-12 Summary of Changes to Saturday Service Span or Number of Intercity Trips

Route	Existing	Near-Term to Mid-Term	Longer-Term
McMinnville Local Service	-	8 AM – 6 PM	8 AM – 6 PM
Newberg Local Service	-	-	8 AM – 6 PM
McMinnville-Salem	-	No change	4 trips
McMinnville-Grand Ronde	4	No change	No change
McMinnville-Hillsboro	-	No change	4 trips (initially to Yamhill-Carlton only)
McMinnville-Tigard	4	No change	No change

Figure 6-13 Summary of Small City Flex-Route Service Days and Hours

Near-Term	Short-Term	Mid-Term	Long-Term
1 to 3 days/wk, 4 hours/day	3 days/wk, 10 hours/day		5 days/wk, 10 hours/day
McMinnville			McMinnville (4 hrs)
Newberg-Dundee			Newberg-Dundee (4 hrs)
Yamhill / Carlton	Yamhill / Carlton		
Sheridan / Willamina / Amity	Sheridan / Willamina / Amity		Sheridan / Willamina / Amity (10 hrs)
Dayton / Lafayette		Dayton / Lafayette*	

Yamhill County Transit Development Plan | Volume I - FINAL

Figure 6-14 Long-Term System Operating Plan – Weekday, Service Span and Frequency or # of Trips

Service			Existing / Im	Existing / Immediate		t/Mid-Term	Long-Tei	rm	Long-Term (Vision)	
Area	Route	Description	Service Span	Frequency	Service Span	Frequency	Service Span	Frequency	Service Span	Frequency
McMinnville	1	South	7 AM- 6 PM	60 min	7 AM – 7 PM	60 min	6 AM – 9 PM	60 min	6 AM – 9 PM	30-60 min
	2	West	8 AM-6 PM	60 min	7 AM – 7 PM	60 min	6 AM – 9 PM	60 min	6 AM – 9 PM	30-60 min
	3	North	7 AM- 6 PM	60 min	7 AM – 7 PM	30 min	6 AM – 9 PM	30 min	6 AM – 9 PM	30-60 min
	4	East	8 AM-6 PM	60 min	7 AM – 7 PM	60 min	6 AM – 9 PM	60 min	6 AM – 9 PM	30-60 min
	New	Lafayette Ave / Baker Creek Rd	N/A	N/A	N/A	N/A	6 AM – 9 PM	60 min	6 AM – 9 PM	60 min
	New	East of Lafayette Ave On-Demand	N/A	N/A	N/A	N/A	7 AM – 6 PM	Varies	7 AM – 6 PM	Varies
	DAR	Dial-A-Ride	7 AM-6 PM	N/A	7 AM – 7 PM	N/A	6 AM – 9 PM	N/A	6 AM – 9 PM	N/A
Newberg	5	Northwest	7 AM – 6:30 PM	60 min	7 AM – 7 PM	60 min	7 AM – 7 PM	60 min	6 AM – 9 PM	60 min
Ü	6	Southwest	7 AM – 6:30 PM	60 min	7 AM – 7 PM	60 min	7 AM – 7 PM	60 min	6 AM – 9 PM	30-60 min
	7	Southeast	7 AM – 6:30 PM	60 min	7 AM – 7 PM	60 min	7 AM – 7 PM	60 min	6 AM – 9 PM	30-60 min
	8	Northeast	N/A	N/A	7 AM – 7 PM	60 min	7 AM – 7 PM	60 min	6 AM – 9 PM	30-60 min
	DAR	Dial-A-Ride	7 AM-6:30 PM	N/A	7 AM – 7 PM	N/A	6 AM – 9 PM	N/A	6 AM – 9 PM	N/A
Intercity	11	McMinnville- Salem	First Trip: 6 AM Last Trip: 5:30 PM	5 round trips	No Change	No Change	First Trip: 6 AM Last Trip: 7:30 PM	8 round trips	First Trip: 6 AM Last Trip: 7:30 PM	8 round trips
	22	McMinnville to Grand Ronde	First Trip: 5:30 AM Last Trip: 6:35 PM	7 round trips	First Trip: 5:30 AM Last Trip: 7:30 PM	8 round trips	First Trip: 5:30 AM Last Trip: 7:30 PM	8 round trips	First Trip: 5:30 AM Last Trip: 7:30 PM	8 round trips
	33	McMinnville to Hillsboro	First Trip: 6:00 AM Last Trip: 6:30 PM	5 round trips	No Change	No Change	First Trip: 6:00 AM Last Trip: 7:30 PM	7 round trips	First Trip: 6:00 AM Last Trip: 7:30 PM	7 round trips
	44	McMinnville to Tigard	First Trip: 5 AM Last Trip: 7:40 PM	9 round trips	No Change	No Change	First Trip: 5 AM Last Trip: 9 PM	10 round trips	First Trip: 5 AM Last Trip: 9 PM	10 round trips
	New	McMinnville to Newberg	N/A	N/A	8 AM – 5 PM	4 round trips	8 AM – 5 PM	4 round trips	8 AM – 5 PM	4 round trips
	45x	McMinnville to Tigard	First Trip: 6:42 AM Last Trip: 5:05 PM	2 one-way trips	No Change	No Change	No Change	No Change	Approx. 6 – 8 AM and 4 – 7 PM	Up to 6 one- way trips

Yamhill County Transit Development Plan | Volume I - FINAL

Service			Existing / Immediate		Near/Short/Mid-Term		Long-Ter	m	Long-Term	(Vision)
Area	Route	Description	Service Span	Frequency	Service Span	Frequency	Service Span	Frequency	Service Span	Frequency
Shopper Shuttles and	Sheridan / Willamina / Amity		N/A		Near-Term: 4 hours, 1-3 days/week Short-Term: 8 to 10 hours, 3 days/week		8 to 10 hours, 5 days	/week	8 to 10 hours, 5 days/week	
Small City Flex Routes	Yamhill/Carlton		N/A	Near-Term: 4 hours, 1-3 days/week Short-Term: 8 to 10 hours, 3 days/week		8 to 10 hours, 3 days	ours, 3 days/week 8 to 10 ho		rs/week	
	Dayton/Lafayette/Amity		N/A		Near-Term: 4 hours, 1 day/week		8 to 10 hours, 3 days	/week	8 to 10 hours, 3 days/week	
	Dundee/Newberg		N/A		Near-Term: 4 hours, 1 day/week		4 hours, 5 days/week	4 hours, 5 days/week 4 hours, 5 days/week		ek
	McMinnville		N/A		Near-Term: 4 hours, 1 day/week		4 hours, 5 days/week		4 hours, 5 days/week	

Figure 6-15 Long-Term System Operating Plan – Weekend, Service Span and Frequency or # of Trips

Service			Existing / Imr	nediate	Near/Sho	ort/Mid-Term	Long	_J -Term	Long-Te	rm (Vision)
Area	Route(s)	Description	Saturday	Sunday	Saturday	Sunday	Saturday	Sunday	Saturday	Sunday
McMinnville	All	Fixed-Routes			60-120 min 8 AM – 6 PM	None	60-120 min 8 AM – 6 PM	None	60-120 min 8 AM – 6 PM	60-120 min 8 AM – 6 PM
	New	East of Lafayette Ave On-Demand	N/A	N/A	N/A	N/A	None	None	None	None
	DAR	Dial-A-Ride	None	None	8 AM – 6 PM		8 AM – 6 PM		8 AM – 6 PM	8 AM – 6 PM
Newberg	All	Fixed-Routes	None	None	None	None	None	None	60-120 min 8 AM – 6 PM	60-120 min 8 AM – 6 PM
	DAR	Dial-A-Ride	None	None	None	None	None	None	8 AM – 6 PM	8 AM – 6 PM
Intercity	11	McMinnville- Salem	None	None	None	None	4 round trips	None	4 round trips	4 round trips
	22 (24s)	McMinnville to Grand Ronde	4 trips, First: 9:00 AM, Last: 4:00 PM	None	No Change	None	No Change	None	No Change	4 round trips
	33	McMinnville to Hillsboro	None	None	None	None	4 trips to/from Yamhill/Carlton	None	4 trips to/from Hillsboro	4 round trips
	44 (46s)	McMinnville to Tigard	4 trips, First: 8:00 AM, Last: 6:18 PM	None	No Change	None	No Change	None	No Change	4 round trips
	New	McMinnville to Newberg	N/A	N/A	None	None	None	None	4 round trips	4 round trips

Figure 6-16 shows the YCTA system including planned cost-neutral changes that YCTA plans to implement starting in Summer 2018.

Figure 6-16 YCTA System Map, with McMinnville and Newberg Insets – Including Summer 2018 Immediate Changes

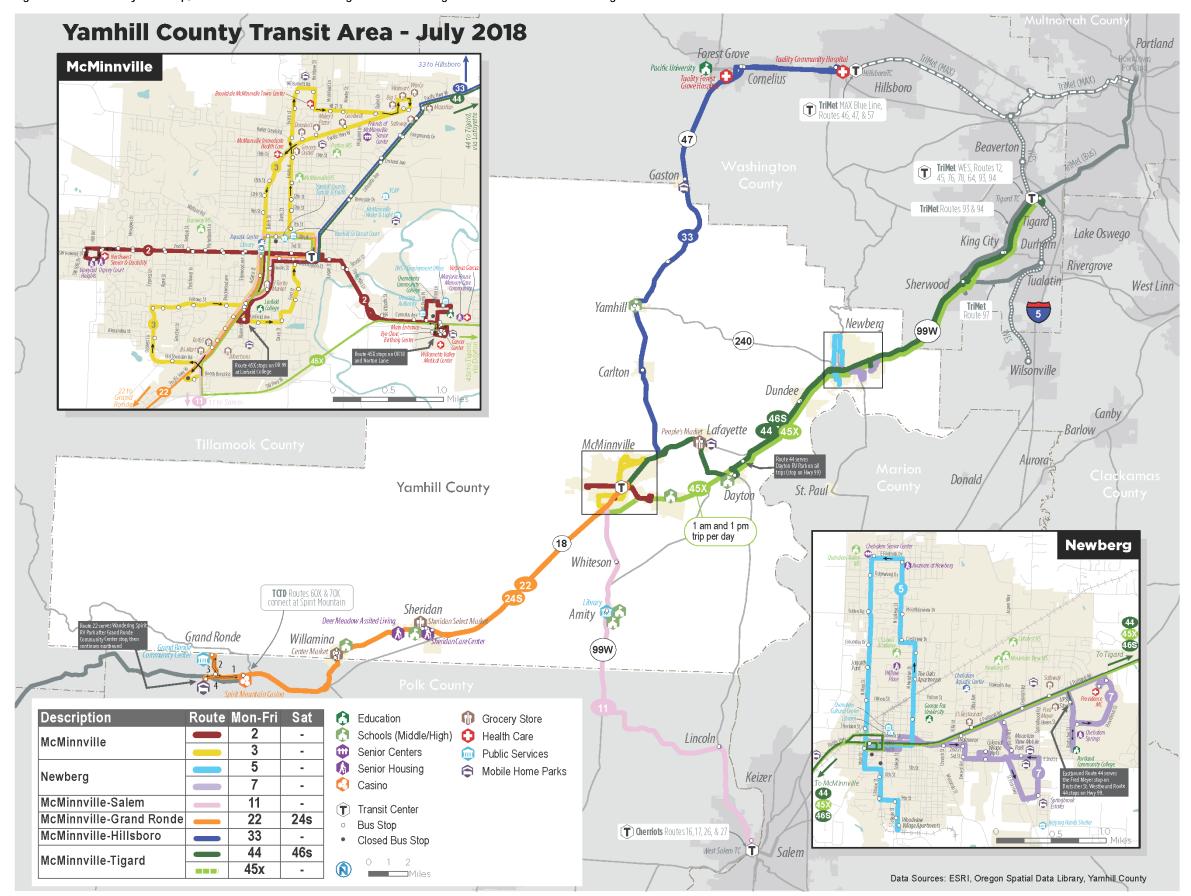
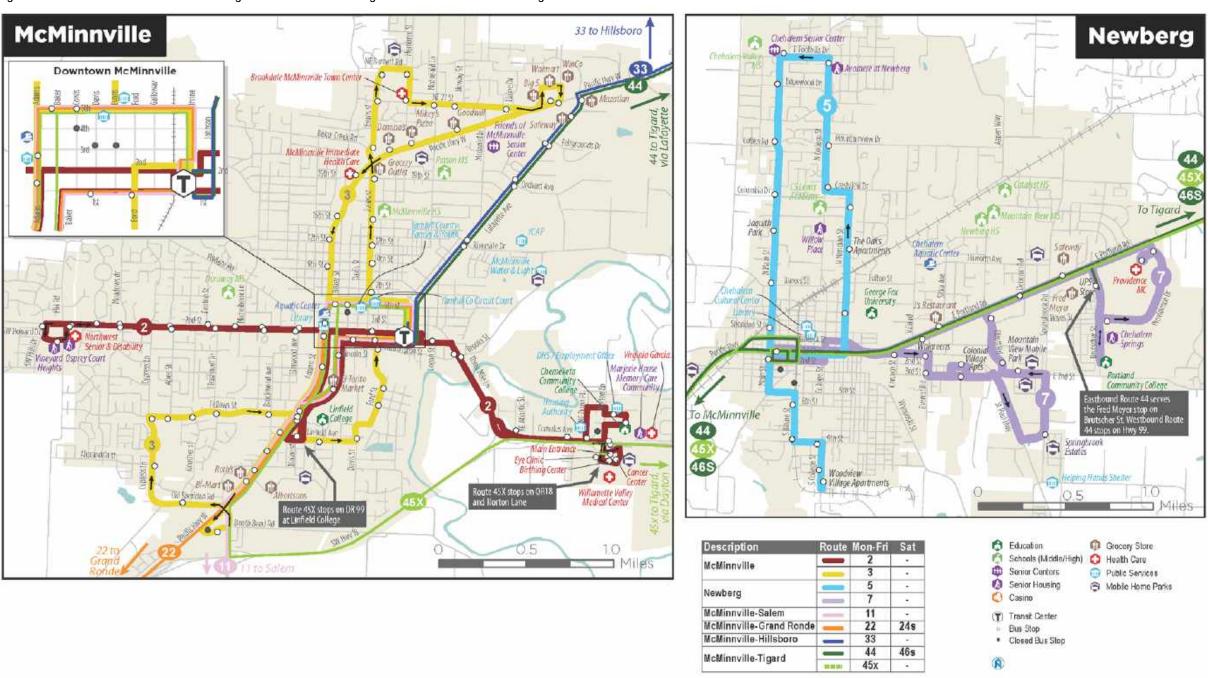


Figure 6-17 YCTA McMinnville and Newberg Local Service – Including Summer 2018 Immediate Changes

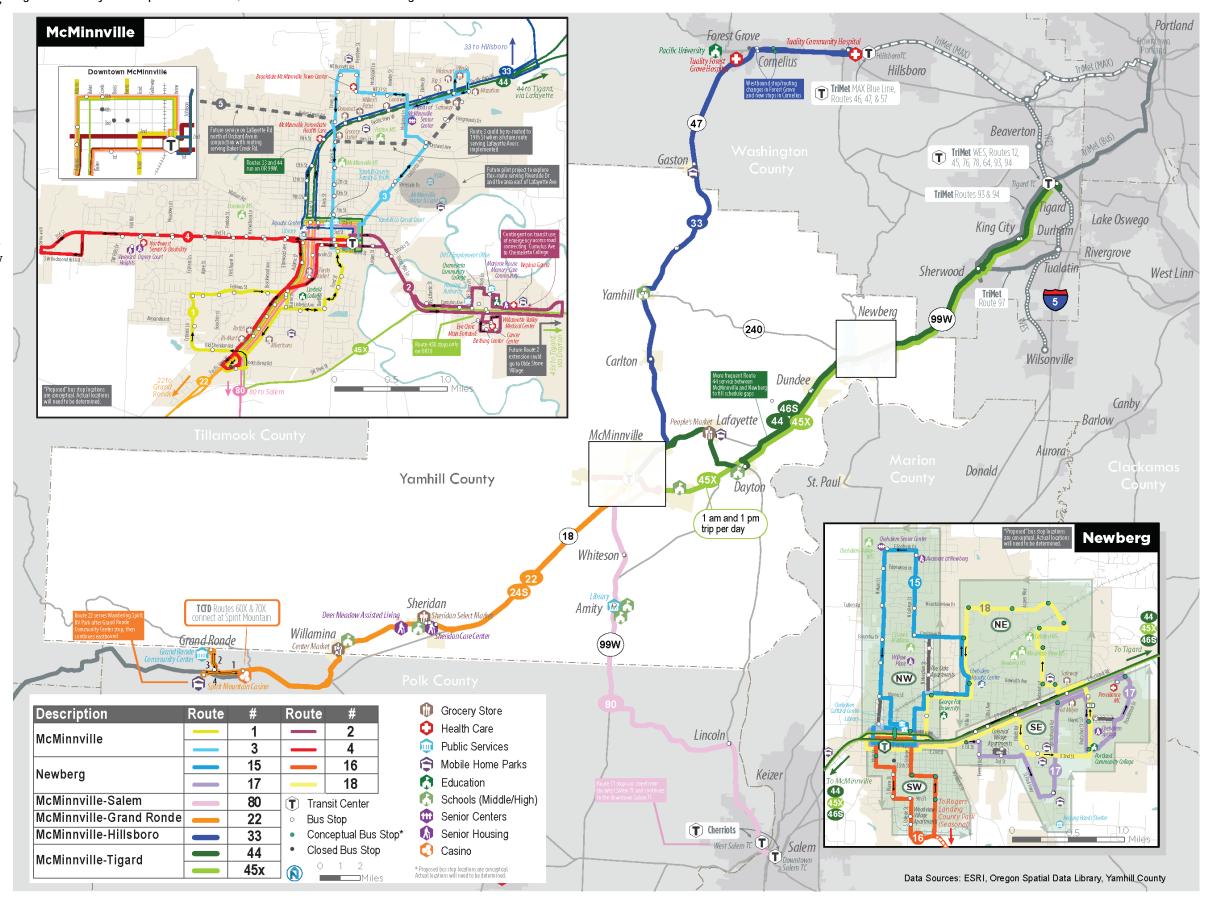


and Figure 6-20 (Newberg) illustrate routing changes in the near-term, short-term, and midterm (and also note some longer-term enhancements).

Figure 6-18 (right) includes the following changes:

- Local route changes in McMinnville, including route number changes (see Figure 6-19 for a larger map)
- All intercity routes serve downtown McMinnville along 5th Street with a stop near OMI
- Route 11 is extended to downtown Salem
- Route 22 serves the Wandering Spirit RV Park in one direction
- Routes 33 and 44 run along OR 99W in McMinnville
- Local route changes in Newberg (see Figure 6-20 for a larger map)

Figure 6-18 (System), Figure 6-19 (McMinnville), Figure 6-18 System Map with Near-Term, Short-Term and Mid-Term Changes



Yamhill Coundy Transit Area | 6-26 Amended on 12.15.2021 797 of 1001

Figure 6-19 shows local route changes in McMinnville starting in the near-term.

Figure 6-19 McMinnville Map with Near-Term, Short-Term, and Mid-Term Changes

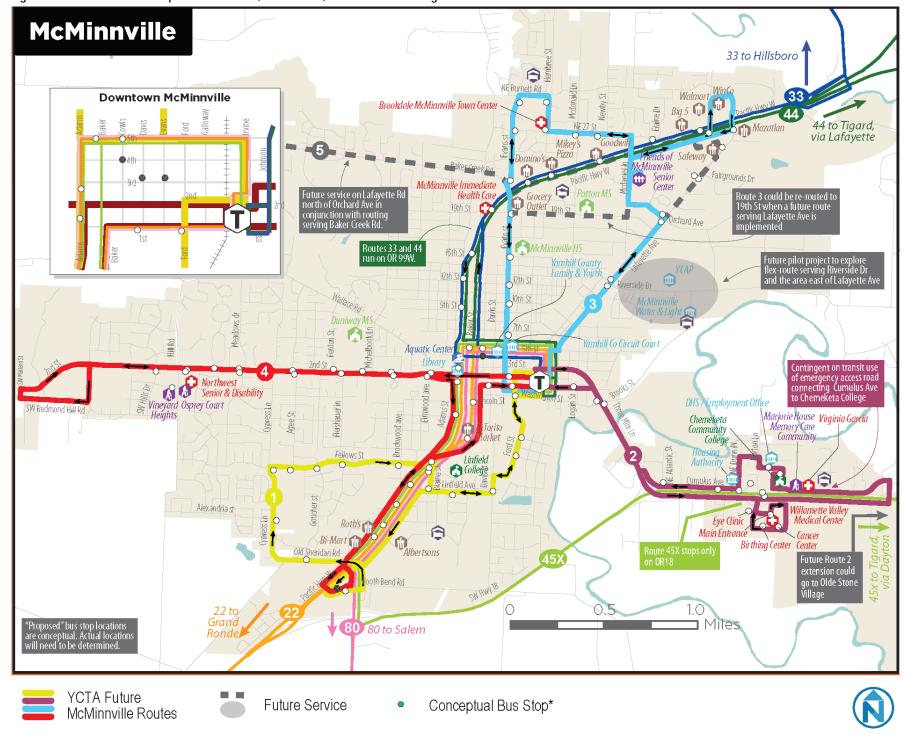
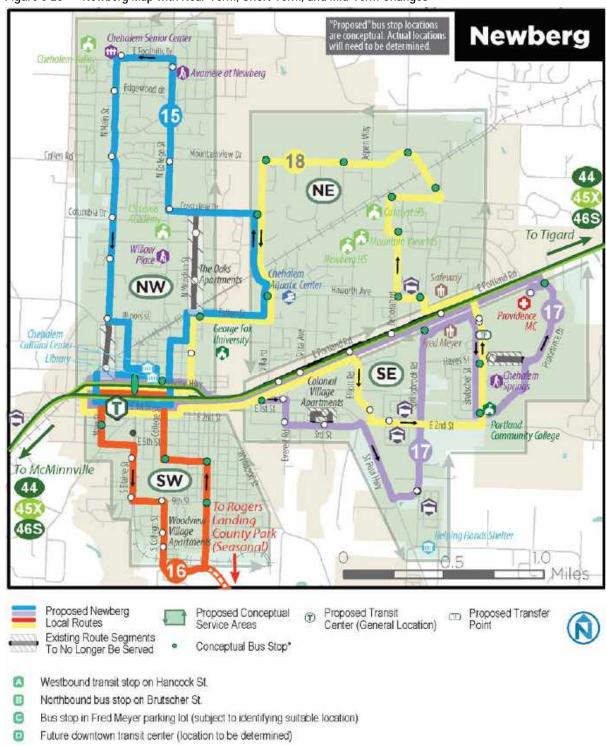


Figure 6-20 shows local route changes in Newberg starting in the near-term.

Figure 6-20 Newberg Map with Near-Term, Short-Term, and Mid-Term Changes



Yamhill Counday Transait Area | 6-27

Individual Project and Task Details

Figure 6-21 provides details about each project and task, including descriptions, additional annual service hours and operating costs, and new capital requirements (in addition to the existing fleet).

Figure 6-21 Service Plan Implementation Details by Time Frame

Project ID	Task ¹	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost	New Capital Requirements
Near-Term										
SN1	1	1	McMinnville Local Service Capacity, Coverage, and Service Hours	McMinnville	Fixed-Route	Renumber McMinnville local routes: Renumber Route 3 South to Route 1 No change to Route 2 East - remains Route 2 No change to Route 3 North - remains Route 3 Renumber Route 2 West to Route 4	See Figure 6-10 and Figure 6-19	-	-	-
SN1	2	2	McMinnville Local Service Capacity, Coverage, and Service Hours	McMinnville	Fixed-Route	Modify Route 1 (formerly Route 3 South) to provide bidirectional service on Ford St south of downtown. This would provide a faster connection between the Transit Center and Linfield College. Route 1 would no longer serve 2 nd St or Adams St, which would still be served by Route 4 (formerly Route 2 West).	Figure 6-19; see Appendix D for details	-	-	-
SN1	3	1	McMinnville Local Service Capacity, Coverage, and Service Hours	McMinnville	Fixed-Route	Modify Route 3 to provide more service to Winco/Walmart area, two-way service on Evans and 27 th St, and service on McDaniel Ln (Senior Center). Requires additional half bus.	Figure 6-19; see Appendix D for details	1,430	\$107,000	1 large cutaway
SN1	4	2	McMinnville Local Service Capacity, Coverage, and Service Hours	McMinnville	Fixed-Route	Modify Route 4 (current 2 West) to extend along 2 nd St west of Hill Rd, providing service for additional residents, and south to Booth Bend Rd to provide direct access to Roths, Bi-Mart, and Albertsons. Accomplished using the remaining half bus from the Route 3 modification.	Figure 6-19; see Appendix D for details	1,430	\$107,000	
SN1	5	2	McMinnville Local Service Capacity, Coverage, and Service Hours	McMinnville	Fixed-Route	1 additional hour for Route 2 and 4 (start at 7:00 AM)	N/A	260	\$20,000	-
SN2	1	1	Newberg Local Service Redesign	Newberg	Fixed-Route	 Four approximately 30-minute routes, each running every hour (2 buses; 1 bus converted from Dial-A-Ride). Routes operate counter-clockwise and generally serve each quadrant of Newberg. Shorter western routes interlined with longer eastern routes, e.g., NW-SE (5-7) and SW-NE (6-8). Renumber routes to 15, 16, 17, and 18; see Figure 6-10 (above) Coordinated transfers with intercity services in downtown (Route 44). Provide a westbound stop on Hancock St for all local and intercity routes. The eastbound stop at Nap's Thriftway only serves eastbound routes. (This could transition later to a downtown transit center) Consider stops near selected store front door for local routes, subject to identifying suitable locations and reaching agreements with stores. Locations TBD, e.g., Fred Meyer and Safeway. 	Figure 6-20; see Appendix D for details	-	-	1 large cutaway
SN3	1	1	McMinnville-Newberg Connector	McMinnville-Tigard	Fixed-Route	Add trips on Route 44 to provide more frequent, consistent service between McMinnville and Newberg. Added trips would not continue to Sherwood/Tigard. Uses existing buses serving Routes 44/45x.	N/A	1,040	\$78,000	-
SN4	1	2	Route 44 serves OR 99W in McMinnville	McMinnville-Tigard	Fixed-Route	Route 44 runs on OR 99W instead of Lafayette Ave in McMinnville, and stops at OMI (5th & Cowls) in both directions; assumes concurrent introduction of local service on Lafayette Ave in McMinnville.	Figure 6-19	-	-	-
SN5	1	2	Route 33 bus stop and routing changes	McMinnville-Hillsboro	Fixed-Route	 Relocate westbound Route 33 stop in Forest Grove. Eliminate westbound stop at McMenamins Grand Lodge (west of Hwy 47). Add new westbound stop at the TriMet bus stop 1/4 mile east of Hwy 47. Modify westbound routing to save travel time. Add eastbound and westbound stops at Walmart (4th Ave) in Cornelius. 	Figure 6-18; see Appendix D for details	-	-	-
SN5	2	3	Route 33 bus stop and routing changes	McMinnville-Hillsboro	Fixed-Route	Coordinate with ODOT on shoulder and other improvements to enhance safety of the Cove Orchard stop. Partner with Gaston and Washington County to provide stop or park-and-ride amenities.	N/A	-	-	TBD

Yamhill County Transit Development Plan | Volume I - FINAL

Project ID	Task ¹	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost	New Capital Requirements
SN6	1	2	Shopper Shuttle	McMinnville, Newberg, Small Cities	Flex Route	Implement shopper shuttle pilot projects in McMinnville, Newberg / Dundee, Yamhill / Carlton, Amity / Sheridan / Willamina, and Dayton / Lafayette (4 hours per day, 1 day per service area; 5 days per week, with up to two additional days in Yamhill/Carlton and Sheridan/Willamina to support medical trip needs such as dialysis where patients may have three appointments per week. Total of 9 days.).	N/A	1,040	\$60,000 + \$48,000 (\$108,000 total)	1 van (+ 1 existing van)
Short-Term										
SS1	1	1	McMinnville Local Service East Extension	McMinnville	Fixed-Route	 Redesign Route 2 (East) to serve NE Cumulus St (e.g., Virginia Garcia Clinic, Fircrest Senior Living, etc.). Contingent on capital improvement to access road/gate. Coordinate with Evergreen Museum to explore possibility of a walking path from a bus stop located at the intersection of Cumulus Ave and NE Cumulus Ave (southwest of the museum). 	Figure 6-19; see Appendix D for details Capital project	-	-	Modifications to access roadway and gate
SS2	1	1	Early Evening Service	McMinnville	Fixed-Route	Extend McMinnville local fixed-route service hours by one hour to 7 PM (last trips leave transit center at 6:00 or 6:30 PM). Assumes 3 fixed-route buses.	N/A	780	\$60,000	-
SS2	2	1	Early Evening Service	McMinnville	Demand-Response	Extend McMinnville demand-response service hours by one hour to 7 PM; assumes 2 Dial-a-Ride vehicles.	N/A	520	\$30,000	-
SS3	1	2	Early Evening Service	Newberg	Fixed-Route	Extend Newberg local fixed-route service hours by a half-hour to 7 PM (last trips leave transit center at 6:00 or 6:30 PM). Assumes 2 fixed-route buses.	N/A	260	\$20,000	-
SS3	2	2	Early Evening Service	Newberg	Demand-Response	Extend Newberg demand-response service hours by a half-hour to 7 PM; assumes 1 Dial-a-Ride vehicle.	N/A	130	\$8,000	-
SS4	1	2	Phase out flag stops	McMinnville/Newberg	Fixed-Route	After stops are marked or signed, transition away from flag stops in McMinnville and Newberg. This will help service run faster and stay on schedule.	N/A	-	-	Mark or sign all bus stops
SS5	1	1	McMinnville-Newberg Connector	McMinnville-Tigard	Fixed-Route	Phase 2 of near-term project to add trips on Route 44 to provide more frequent, consistent service between McMinnville and Newberg. Added trips would not continue to Sherwood/Tigard. Uses existing buses serving Routes 44/45x.	N/A	1,040	\$78,000	-
SS6	1	2	Extension to Downtown Salem	McMinnville-Salem	Fixed-Route	 Extend Route 11 to Downtown Salem Transit Center. Route 11 would still stop along Wallace Rd in West Salem In conjunction with this change, rename Route 11 (e.g., to 80X) to avoid confusion with Cherriots Route 11; see Figure 6-10 	Figure 6-18	758	\$57,000	-
SS7	1	1	Additional Grand Ronde evening trip	McMinnville-Grand Ronde	Fixed-Route	Add an additional evening trip, timed to serve work shifts at the Spirit Mountain Casino and improve connections to/from TCTD 60X Coastal Connector route serving Lincoln City (at Spirit Mountain Casino or Grand Ronde Community Center). Timing should be determined in consultation with TCTD and Spirit Mountain. Improves regional coordination and job access.	N/A	503	\$38,000	-
SS8	1	1	Implement Local Flex Route	Yamhill/Carlton	Flex-Route	Expand shopper shuttle pilot to three days per week, 8 to 10 hour per day operation. Either Yamhill/Carlton or	N/A	1,352	\$78,000	1 van
SS8	2	2	Implement Local Flex Route	Sheridan/Willamina	Flex-Route	Sheridan/Willamina/Amity are recommended for the short-term. One area could be implemented in the first year of the short-term and the second could be implemented in the second or third year based on available resources in Year 1.	N/A	1,352	\$78,000	1 van
Mid-Term	•								'	
SM1	1	1	McMinnville Saturday Service	McMinnville	Fixed-Route	Add local service on Saturdays. Assumes 2 fixed-route vehicles for 10 hours, e.g., 8 AM-6PM.	N/A	1,040	\$78,000	-
SM1	2	1	McMinnville Saturday Service	McMinnville	Demand-Response	Add local service on Saturdays. Assumes 1 Dial-a-Ride vehicle for 10 hours, e.g., 8 AM-6PM.	N/A	520	\$30,000	-
SM2	1	3	Newberg Dial-A-Ride Capacity	Newberg	Demand-Response	Contingency project to restore Newberg Dial-a-Ride to two vehicles, assuming that fixed-route ridership meets standards and additional paratransit capacity is required based on service standards.	N/A	2,080	\$121,000	-
Long-Term										
SL1	1	1	Additional intercity later evening service	McMinnville-Tigard	Fixed-Route	Add 1 additional evening trip	N/A	780	\$59,000	-
SL1	2	1	Additional intercity later evening service	McMinnville-Salem	Fixed-Route	Add 1 additional early evening trip	N/A	403	\$30,000	-

Yamhill Counds Transit Area | 6-29 Amended on 12.15.2021 800 of 1001

Yamhill County Transit Development Plan | Volume I - FINAL

Project ID	Task ¹	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost	New Capital Requirements
SL1	3	1	Additional intercity later evening service	McMinnville-Hillsboro	Fixed-Route	Add 1 additional early evening trip	N/A	520	\$39,000	-
SL2	1	1	Additional intercity morning and/or afternoon trips	McMinnville-Salem	Fixed-Route	Add 1 additional morning and 1 additional afternoon trip; no additional vehicles required; depending on YCTA's financial and capital resources, and future productivity of these routes, consider adding an additional vehicle to increase frequency during morning and afternoon peak periods (see SV1 - Long-Term Vision).	N/A	806	\$60,000	-
SL2	2	1	Additional intercity morning and/or afternoon trips	McMinnville-Hillsboro	Fixed-Route	Add 1 additional morning trip; no additional vehicles required; depending on YCTA's financial and capital resources, and future productivity of these routes, consider adding an additional vehicle to increase frequency during morning and afternoon peak periods (see SV1 - Long-Term Vision).	N/A	520	\$39,000	-
SL3	1	1	Additional express service	McMinnville-Tigard	Fixed-Route	 Add up to four total express trips on Route 45x in morning and afternoon commute hours Express could potentially using bypass if traffic conditions warrant it in the future. Using bypass means express trips would not serve Dundee and downtown Newberg. There would be a timed transfer with local service in eastern Newberg (e.g., Fred Meyer). Route 44 would continue to serve Dundee and downtown Newberg. Express service provides direct access to Willamette Medical Center and other activity centers on the OR 18 Bypass, and reduces travel times between the County's largest population centers. 	N/A	1,213	\$91,000	-
SL4	1	2	Saturday Service Expansion	McMinnville-Salem	Fixed-Route	Add Saturday service between McMinnville and downtown Salem. Assumes 4 round trips.	N/A	322	\$24,000	-
SL4	2	2	Saturday Service Expansion	McMinnville-Hillsboro	Fixed-Route	Add Saturday service between McMinnville and Yamhill/Carlton. Assumes 4 round trips. Phase 1 of Saturday service to Hillsboro.	N/A	159	\$12,000	-
SL5	1	1	Implement/Expand Local Flex Routes	Dayton/Lafayette	Flex-Route	Expand shopper shuttle pilot to three days per week, 10 hours per day operation in a third geographic area (Dayton/Layafette assumed). Amity could be included in Dayton/Lafayette service area and/or Sheridan/Willamina service area.	N/A	1,352	\$78,000	1 van
SL5	2	1	Implement/Expand Local Flex Routes	Sheridan/Willamina	Flex-Route	Expand local flex-route to operate 5 days per week in Sheridan/Willamina.	N/A	1,040	\$60,000	
SL6	1	1	Expand Shopper Shuttle Days of Operation	Newberg/Dundee	Flex-Route	Expand shopper shuttle to a 5 day per week service. Assumes 4 hours per day.	N/A	832	\$48,000	0.5 van
SL6	2	2	Expand Shopper Shuttle Days of Operation	McMinnville	Flex-Route	Expand shopper shuttle to a 5 day per week flex-route service. Assumes 4 hours per day.	N/A	832	\$48,000	0.5 van
SL7	1	1	Early Morning and Later Evening Service	McMinnville	Fixed-Route	Start McMinnville local fixed-route service at 6 AM. Assumes 3 buses.	N/A	780	\$60,000	-
SL7	2	1	Early Morning and Later Evening Service	McMinnville	Demand-Response	Start McMinnville demand-response service hours at 6 AM. Assumes 1 Dial-a-Ride vehicle.	N/A	260	\$15,000	-
SL7	3	2	Early Morning and Later Evening Service	McMinnville	Fixed-Route	Extend McMinnville local fixed-route service hours to 9 PM (last trips leave transit center at 8:00 or 8:30 PM). Assumes 2 buses (reduced coverage or lower frequency than daytime operation).	N/A	1,040	\$78,000	-
SL7	4	2	Early Morning and Later Evening Service	McMinnville	Demand-Response	Extend McMinnville demand-response service hours to 9 PM; assumes 1 Dial-a-Ride vehicle.	N/A	520	\$30,000	-
SL7	5	1	Early Morning and Later Evening Service	Newberg	Fixed-Route	Start Newberg local fixed-route service at 6 AM. Assumes 2 buses.	N/A	520	\$40,000	-
SL7	6	1	Early Morning and Later Evening Service	Newberg	Demand-Response	Start Newberg demand-response service hours at 6 AM. Assumes 1 Dial-a-Ride vehicle.	N/A	260	\$15,000	-
SL7	7	2	Early Morning and Later Evening Service	Newberg	Fixed-Route	Extend Newberg local fixed-route service hours to 9 PM (last trips leave transit center at 8:00 or 8:30 PM Assumes 2 buses.		1,040	\$78,000	-
SL7	8	2	Early Morning and Later Evening Service	Newberg	Demand-Response	Extend Newberg demand-response service hours to 9 PM; assumes 1 Dial-a-Ride vehicle.	N/A	520	\$30,000	-

Yamhill Coundy Transit Area | 6-30 Amended on 12.15.2021 801 of 1001

Yamhill County Transit Development Plan | Volume I – FINAL

Project ID	Task ¹	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost	New Capital Requirements
SL8	1	1	McMinnville Lafayette Ave On-Demand Flex-Route Pilot	McMinnville	Flex-Route	 Develop a pilot flex-route serving the area east of Lafayette Ave (e.g., YCAP, McMinnville Power & Light, Dental Clinic, Pet Stop Inn, etc.), with some fixed stops and on-demand dispatch software that enables ride requests within a 2-hour window or on a subscription basis. Could be designed to serve employment areas at key shift times. Cost assumes 7 AM – 6 PM operation, but could be implemented in two phases (peak hours and midday). YCTA should seek grant funding for emerging mobility projects to provide funding for this service. 	Figure 6-19	2,860	\$165,000	1 van
SL9	1	2	New Route or Extension Serving Hill Rd / Baker Creek Rd Area	McMinnville	Fixed-Route	 Extend service to the Hill Rd and Baker Creek Rd area. Cost assumes a new route along Baker Creek Rd that would connect to the WinCo/Walmart/Safeway area via NE 27th St and to the transit center via Lafayette Ave. This new route would also allow Route 3 to be modified to operate a shorter route, including service on 19th St. and improving access to McMinnville High School. 		3,900	\$293,000	1 large cutaway
Long-Term	(Vision)									
SV1	1	2	Increase peak period frequency to Salem and Hillsboro	McMinnville-Salem	Fixed-Route	Add trips on Route 11 during morning and afternoon commute hours; this would increase frequency. Requires an additional bus on the route.	N/A	806	\$60,000	1 medium bus
SV1	2	2	Increase peak period frequency to Salem and Hillsboro	McMinnville-Hillsboro	Fixed-Route	Add trips on Route 33 during morning and afternoon commute hours; this would increase frequency. Requires an additional bus on the route. Improve coordination with Grovelink employment area trips.	N/A	1,040	\$78,000	1 medium bus
SV2	1	1	Expand Saturday service	McMinnville-Newberg	Fixed-Route	Add frequency on Route 44 between McMinnville and Newberg on Saturdays	N/A	416	\$31,000	-
SV2	2	3	Expand Saturday service	McMinnville-Hillsboro	Fixed-Route	Extend Route 33 to Hillsboro on Saturdays. Hours/cost in addition to Phase 1 (SL4, McMinnville-Yamhill only).	N/A	257	\$19,000	-
SV2	3	3	Expand Saturday service	McMinnville	Demand-Response	Add a second Dial-A-Ride bus in McMinnville on Saturdays	N/A	520	\$30,000	-
SV2	4	1	Expand Saturday service	Newberg	Fixed-Route	Add local service on Saturdays. Assumes 2 fixed-route vehicles for 10 hours, e.g., 8 AM-6PM.	N/A	1,040	\$78,000	-
SV2	5	1	Expand Saturday service	Newberg	Demand-Response	Add local service on Saturdays. Assumes 1 Dial-a-Ride vehicle for 10 hours, e.g., 8 AM-6PM.	N/A	520	\$30,000	-
SV3	1	2	Implement Sunday Service	McMinnville-Tigard	Fixed-Route	Operate Route 44 on Sundays (McMinnville-Tigard). Assumes 4 round trips. This would be the highest priority for Sunday service on intercity routes.	N/A	624	\$47,000	-
SV3	2	3	Implement Sunday Service	McMinnville-Newberg	Fixed-Route	Add frequency on Route 44 between McMinnville and Newberg on Sundays	N/A	416	\$31,000	-
SV3	3	2	Implement Sunday Service	McMinnville-Grand Ronde	Fixed-Route	Operate Route 22 between McMinnville and Grand Ronde on Sundays. This would be the second highest priority for Sunday service on intercity routes.	N/A	624	\$47,000	-
SV3	4	2	Implement Sunday Service	McMinnville-Salem	Fixed-Route	Operate Route 11 on Sundays. Assumes 4 round trips.	N/A	322	\$24,000	-
SV3	5	3	Implement Sunday Service	McMinnville-Hillsboro	Fixed-Route	Operate Route 33 on Sundays. Assumes 4 round trips.	N/A	451	\$34,000	-
SV3	6	3	Implement Sunday Service	McMinnville	Fixed-Route	Add local service on Sundays. Assumes 2 fixed-route vehicles for 10 hours, e.g., 8 AM-6 PM.	N/A	1,040	\$78,000	-
SV3	7	3	Implement Sunday Service	McMinnville	Demand-Response	Add local service on Sundays. Assumes 1 Dial-a-Ride vehicle for 10 hours, e.g., 8 AM-6 PM.	N/A	520	\$30,000	-
SV3	8	3	Implement Sunday Service	Newberg	Fixed-Route	Add local service on Sundays. Assumes 2 fixed-route vehicles for 10 hours, e.g., 10 AM-6PM.	N/A	1,040	\$78,000	-
SV3	9	3	Implement Sunday Service	Newberg	Demand-Response	Add local service on Sundays. Assumes 1 Dial-a-Ride vehicle for 10 hours, e.g., 10 AM-6PM.	N/A	520	\$30,000	-
SV4	1	3	Local Service Expansion	McMinnville	Fixed-Route	Add one additional bus in McMinnville to provide additional frequency and capacity, if and where needed based on service standards, e.g., Routes 2 and 4 (existing 2 East and West). Assumes 12 service hours per day, but could also be implemented during peak hours only for multiple routes.		3,120	\$234,000	1 Large Cutaway
SV4	2	3	Local Service Expansion	Newberg	Fixed-Route	Add one additional bus in Newberg to provide additional frequency and capacity, if and where needed base on service standards. Assumes 12 service hours per day.		3,120	\$234,000	1 Large Cutaway
SV4	3	3	Local Service Expansion	Newberg	Demand Response	Add additional Dial-a-Ride capacity in Newberg, if needed based on service standards (assumes 1 additional van and 1 additional cutaway in service, each for 8 service hours per day)	N/A	4,160	\$241,000	1 Van, 1 Small Cutaway

Notes: [1] Priority tier is a TDP recommendation, which should be confirmed by the YCTA advisory committee for submission in YCTA's STIF Plan. The STIF Plan requires that projects to be submitted at 100% and 130% of projected funding, in order to help prioritize depending on actual funds available. [2] Costs in this table reflect an average cost per hour of \$75 for fixed-route, \$58 for Dial-a-Ride, and \$56 for flex-routes, which is the assumed cost for FY 2020. The TDP financial plan assumes costs that are escalated to the projected implementation year.

Yamhill Counds Transit Area | 6-31 Amended on 12.15.2021 802 of 1001

Cost Overview

A summary of annual transit operating costs relative to anticipated funding levels is provided in Figure 6-22. The chart shows the costs of operating existing services and the estimated costs of enhancements. In the early near-term and short-term, a larger share of YCTA revenues is required for capital enhancements like marking bus stops and upgrading the bus fleet (see Chapter 7). Costs are described in more detail in the TDP financial plan (see Chapter 8).

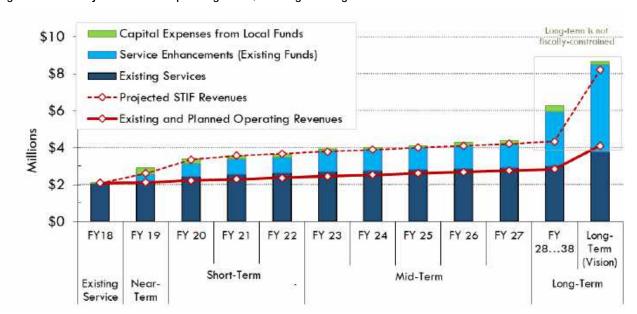


Figure 6-22 Projected Annual Operating Costs, Existing Funding Sources

Additional Funding Scenario

If additional resources are available, YCTA could implement projects that are currently not assumed until the long-term time frame, which is intended as a flexible service plan and is not financially-constrained.

- Expand local flex-route service to a third service area, assumed to be Dayton and Lafayette (SL5) starting in the mid-term.
- **In McMinnville and/or Newberg, provide earlier morning service** (starting at 6 AM) in the short-term and **later evening service** (until 9 PM) in the mid-term (SL7).
- Add additional early evening trips on intercity routes (SL1) starting in the short-term.
- Add additional express trips between McMinnville and Newberg (SL3) starting in the short-term.
- Initiate a pilot of on-demand service east of Lafayette Avenue in McMinnville (SL8) starting in the mid-term. Initially, the pilot could run during peak hours, e.g., 7-10 AM and 3-6 PM, which would reduce its cost.

Chapter 8: Financial Plan provides additional discussion of funding options.

7 CAPITAL PLAN

The capital elements of a transit system include vehicles, bus stop amenities (e.g., signs, seating, shelters, bike racks, etc.), and major capital facilities (transit centers and facilities to maintain and store buses). Buses are typically purchased on a rolling basis to replace old equipment and support expansion of operations, while major facilities require advance planning to secure land and funding. This chapter identifies investments and priorities for each plan time frame.

Emerging Mobility Tools and Technologies

Emerging mobility tools and technologies can help YCTA enhance travel and accessibility for Yamhill County residents, employees, and visitors. The TDP addresses emerging mobility in several parts of the plan:

- Autonomous vehicle (AV) technology for shuttles or other vehicles Chapter 7: Vehicles
- Integration of shared mobility services (cars, bikes, scooters, etc.) Chapter 7: Facilities
- Ride-hailing services such as Uber and Lyft (also known as Transportation Network Companies or TNCs) – Chapter 9: Regional Coordination and Partnerships
- On-demand dispatch technology to enable transit vehicles to serve requests for pickups in near real-time; this is sometimes referred to as microtransit—a publicly or privately operated bus route/system using vans or small buses — Chapter 9: Advanced Public Transportation Technology

VEHICLES

Figure 7-1 summarizes actions related to vehicles and the YCTA fleet. The following sections provide additional detail.

Figure 7-1 Summary of Vehicle-Related Capital Actions

Category	Action	Cost	Partners	Time Frame
Vehicle Replacement and Expansion	Replace end-of-life vehicles with low-floor vehicles branded for and matched to each service type, and maintain an adequate spare ratio.	\$5.4 M (through mid- term), including existing grants YCTA has been awarded; see Figure 7-4 for details.	N/A	Near-term and ongoing
Vehicle Maintenance Facility	YCTA will need an expanded facility to support existing and future vehicle maintenance needs.	See Figure 7-6	Yamhill County, Cities of McMinnville and/or Newberg	Mid-term to long-term
Alternative Fuel Vehicle Options	Evaluate alternative fuel vehicle options, including lifecycle costs, and obtain grants to fund pilot projects.	Not determined – higher fleet and upfront costs and potentially lower fuel/maintenance costs	N/A	Short-term and ongoing
Autonomous Transit Vehicle Technology	YCTA can incorporate autonomous vehicle technology elements as they mature and conduct pilot or demonstration projects, including for first and last-mile access including for low-demand, low-density employment areas.	Unknown	TBD	Mid- to long- term

Vehicle Types and Characteristics

As described in Chapter 3, YCTA's bus fleet is made up of a variety of vehicles that lack a consistent look (or brand), and are aging and increasingly unreliable. This section describes costs and strategies to provide comfortable, reliable vehicles that are matched to each YCTA service type and support expansion in each TDP time frame.

Figure 7-2 identifies the vehicle types and costs assumed in the plan. Different types of vehicles would be matched to each type of YCTA service based on access and capacity requirements, and uniquely branded. This will require having sufficient vehicles of each type and will limit the ability to interline vehicles across services, although operators could still switch vehicles. YCTA will need to balance the benefits of branding with having too many service types and limiting its flexibility.

YCTA is soliciting input on a distinctive image that would be included in a second phase of bus wraps. The image would evoke something of local significance for Yamhill County or each city, such as agriculture (vineyards, hazelnuts, lumber, etc.), universities, etc.

Vehicle amenities could include:

- **Low-floor** vehicles to make it faster and easier for passengers using wheelchairs and mobility devices to board and alight.
- Intercity routes could include charging ports to make services more attractive to commuters and others traveling long distances.
- Local routes could include community-oriented features that help riders feel a sense of ownership and be considerate of the bus and other passengers.

Figure 7-2 YCTA Vehicle Types

Category	Representative Image ³	Typical YCTA Services	Typical Size / Capacity	Cost 1	Assumed Model	Vehicle Class	Minimum Useful Life
Bus – Large ²	Not planned until long-term	Intercity Routes (highest demand)	35-foot multiple doors 35-40+ pass.	\$450,000	Gillig 35'. Low, Low- Floor	А	12 Years or 500,000 miles
Bus - Medium	TANKET (a)	Intercity and Local Routes	30-foot multiple doors 25-35 pass.	\$340,000	El Dorado EZ Rider II 30', Low-Floor	А	12 Years or 500,000 miles
Cutaway - Large	TRANSIT	Intercity and Local Routes	16+ pass. 2 W/C	\$140,000	Champion, Low-Floor	С	7 Years or 350,000 miles
Cutaway - Small	TRANSIT O	Local Routes (lowest demand),Dial-A- Ride, Small City Flex Routes	12 pass. 2 W/C	\$85,000	Arboc Spirit of Independence Low-Floor	D	5 Years or 150,000 miles
Van	(A) TRUST (A)	Small City Flex Routes, Dial-A- Ride	5 pass. 1-2 W/C	\$50,000	Accessible van	E	4 Years or 100,000 miles

Notes: [1] Costs in 2018 dollars, including add-on items. Based on recent YCTA procurements or the Oregon DOT State Price Agreement Vehicle Contract Crosswalk, June 2017. [2] "Bus – Large" vehicle type not assumed until later plan years (long-term). [3] Draft bus wrap images as of July 2018.

Alternative Fuel Vehicles

Transit agencies in North America are increasingly adopting alternative fuel vehicles. As of 2015 approximately half of all transit buses in the U.S. were propelled by a fuel source other than traditional diesel fuel. There are a number of alternative fuel vehicle options on the market, including:

- Compressed natural gas (CNG).
- Hybrid diesel-electric (hybrid-electric).
- Electric vehicles (EV) (battery-electric). As of 2018, there are at least 13 models available deployed at more than 70 transit agencies in the United States¹⁶
- Hydrogen fuel cell.

Most alternative fuel vehicles have higher upfront capital costs than standard diesel-fuel buses, and there are other upfront costs related to installing or upgrading facilities for fueling and maintenance. The First Transit maintenance facility that currently maintains YCTA's fleet does not capacity for these facilities, which may limit near-term options to hybrid-electric vehicles. Options with lower upfront costs are to purchase refurbished battery-electric vehicles (cost of \$200,000 per vehicle currently) or leasing several buses as a pilot project. However, alternative fuel vehicles may be less costly over the life of the vehicle due to lower fuel and/or ongoing maintenance costs.

YCTA could evaluate implementation of alternative fuel vehicles, including pilot projects, considering upfront capital and life cycle operating and maintenance costs of vehicles and facilities.

-

¹⁶ TCRP Synthesis 130: Battery Electric Buses State of the Practice, 2018. https://tinyurl.com/y7c8uqvy

Autonomous Transit Vehicles

Autonomous vehicles, or technology-assisted driving, is an evolving technology that can grouped into five categories:

- Levels 1 to 3 (driver assistance to conditional automation) rely on a driver to pilot the vehicle with varying levels of automated functions.
- Levels 4 and 5 (high to full automation) allow driverless operations. Applications range from personal mobility (individual vehicle owners and users) to shared mobility (subscription-based and bundled transportation services).

Research and development activity around autonomous vehicle technology continues to progress, with pilot services in a number of cities across the United States and internationally. Once driverless vehicles are available for widespread consumer use, they are expected to steadily gain market share. However, the adoption timeline is uncertain given unknowns about the technology itself and the regulatory efforts that will shape it. Autonomous vehicle technology is likely to be adapted by vehicle manufacturers and transit agencies in stages. Likely implications for transit include:

- Lower levels of automation could improve safety and comfort, e.g., improved collision avoidance, smoother acceleration/deceleration, precision curb alignment, automated parking, etc.
- Full (Level 5) automation is likely a decade or more away, 17 but could lead to significant shifts in the way transit services operate by:
 - Shifting the role of the operator to focus on customer service and assisting passengers. Labor represents a major portion of transit operating costs, but the continued need for an attendant (especially in paratransit applications) would likely offset potential labor cost savings.
 - Making it more cost-effective to provide automated circulators or shuttles that can provide
 access to "line-haul" routes. Current automated shuttles typically operate with a low level of
 autonomy on pre-defined, fixed routes in controlled environments, minimizing operational
 challenges and enabling the vehicles to operate with minimal human intervention.
- Converging with ride-hailing and microtransit, some shuttle providers are exploring offering ondemand services where passengers would either press a button at stop locations to board the shuttle or hail a ride through their smartphone, and press a button to request to alight at the next stop.
- The need for maintenance and repair may increase as more, smaller vehicles run more frequently.
 Advanced training requirements are likely to grow as technology evolves and the transit fleet incorporates autonomous technology.

YCTA can incorporate autonomous vehicle technology into future pilot or demonstration projects.

_

¹⁷ FTA: Strategic Transit Automation Research Plan, January 2018. https://tinyurl.com/ybkv9rxh

Fleet Plan

Figure 7-3 summarizes vehicle requirements by the type and number of vehicles required in each plan time frame. The plan

See Appendix A for detailed vehicle type assumptions (Figure A-2) and a replacement schedule (Figure A-3).

assumes transitioning away from cutaways in favor of medium-size buses for local fixed-routes and heavy-duty buses for the intercity routes, particularly on routes with the highest demand. These buses have more seating capacity and features like multiple doors to help board/alight passenger efficiently.

Maximum Vehicles in Service

The number of vehicles operated in maximum service (VOMS) that would be in service each day increases from 17 currently to 19 in the near-term and 22 in the short-term. Figure 7-3 provides a summary. See Figure A-2 in Appendix A for detailed assumptions by route.

The five additional vehicles would be used to provide:

- Near-Term: An additional bus for McMinnville local service and a van to initiate the shopper shuttle and small city service pilots. One of the two existing Dial-A-Ride vehicles in Newberg is shifted to fixed-route service.
- **Short-Term:** Additional vehicles for small city services and a vehicle added back to Newberg Dial-A-Ride service (depending on demand).
- Mid-Term: An additional vehicle for small city services
- Long-term: This time frame provides a set of flexible options for future conditions and is not fiscally-constrained. YCTA could operate up to 30 vehicles if all options are implemented, including additional Dial-A-Ride capacity and additional routes or increased frequency in McMinnville and Newberg, and additional vehicles for small city services. It also assumes that the highest-demand services (Route 3 in McMinnville and Route 44 McMinnville-Tigard) would move to larger buses.

Spare Vehicles

For systems with 50 or more vehicles, the Federal Transit Administration (FTA) recommends maintaining a ratio of approximately 20% spare vehicles to ensure that transit service is not impacted by planned or unplanned vehicle maintenance. There is no corresponding recommendation for a spare ratio for smaller systems like YCTA. In order to match vehicles to each service type, the plan assumes a relatively high spare ratio; YCTA can adjust this based on operational experience with the future vehicle fleet.

Figure 7-3 Capital Plan Summary – Maximum Number of Vehicles in Service by Type and Time Frame

TDP Time Frame	Existing Service	Near-Term	Short-Term	Mid-Term	Long-Term
Vehicle Type Year	2018	2019	2020-2022	2023-2027	2028-2038
Bus - Large	0	0	0	0	4
Bus - Medium	7	7	7	7	6
Cutaway - Large	3	5	5	5	7
Cutaway - Small	5	6	7	7	11
Van	2	2	3	3	4
Total Maximum Vehicles in Service	17	20	22	22	32
Total Vehicles with Spares	22	27	31	32	43
Overall Spare Ratio	29%	35%	41%	45%	34%

Vehicle Capital Cost Summary

Figure 7-4 summarizes vehicle capital costs including replacing end-of-life vehicles in the early years of the plan, and ongoing vehicle replacements over the first 10 years of the plan (based on the typical useful life listed in Figure 7-2 above). Figure 7-5 illustrates costs over this time period.

YCTA has existing grants to purchase new vehicles in 2018 and 2019, but will need to seek additional grant funding sources to replace end-of-life vehicles and support planned expansion. The plan assumes that YCTA will need to cover local matching costs, typically 10.27% to 20% depending on the grant, but also creates a capital reserve to cover the gap between grants and funding needs, including replacing the new vehicles YCTA is currently acquiring in the long-term time frame. See Figures A-1 and A-3 in Appendix A for details on fleet expansion and replacement.

Figure 7-4 Capital Plan Summary – Vehicle Capital Costs by Type and Time Frame (Total and Assumed Local Costs)

TDP Time Frame	Existing	Near-Term	Short-Term	Mid-Term	Long-Term
Year	2018	2019	2020-2022	2023-2027	2028 (1st Year)
Bus - Large	\$0	\$0	\$0	\$0	\$1,104,000
Bus - Medium	\$1,360,000	\$0	\$2,112,000	\$0	\$0
Cutaway - Large	\$280,000	\$560,000	\$293,000	\$1,000,000	\$516,000
Cutaway - Small	\$0	\$340,000	\$0	\$853,000	\$416,000
Van	\$0	\$100,000	\$51,000	\$169,000	\$61,000
Total Cost	\$1,640,000	\$1,000,000	\$2,456,000	\$2,022,000	\$2,097,000
Existing Grants	\$1,603,346	\$571,770	\$1,667,072	\$0	\$0
Additional Grants Needed	\$0	\$391,000	\$614,000	\$1,796,000	\$1,865,000
Total Local Funding Needed	\$0	\$132,175	\$269,042	\$226,000	\$232,000
# of Years in Time Frame	1	1	3	5	1
Avg Total Cost per Year	\$1,640,000	\$1,000,000	\$818,667	\$404,400	\$2,097,000
Avg Local Cost per Year 1	\$0	\$132,175	\$89,681	\$45,200	\$232,000

Notes: Based on bus unit costs in 2018 dollars, adjusted for inflation. [1] Local costs assume an average local share of approximately 11%.

Figure 7-5 Projected Fleet Capital Costs by Assumed Funding Source and Time Frame \$2.5 Local Funding Needed



MAJOR FACILITIES

Figure 7-6 summarizes facility recommendations and costs. The following sections discuss each major type of facility.

Figure 7-6 Capital Facility Actions and Planning-Level Costs

Action/Improvement	Benefits	Estimated Cost*	Partners	Time Frame
Sign and Mark Bus Stops	Communicates where vehicles stop and presence of transit	\$100,000	Local Jurisdictions	Near- to Short-Term
Stop improvement program (benches, shelters, pads, and other amenities)	Provides comfortable, dignified places for passengers to catch the bus	\$25,000 - \$50,000 (annual)	Local Jurisdictions	Near-Term and Ongoing
Improvements at Chemeketa Community College – McMinnville. Gate access and roadway improvements.	Enables service to Virginia Garcia clinic and other housing east of Norton Lane.	\$15,000 - \$25,000	City of McMinnville, Chemeketa College	Short-Term
Willamette Valley Medical Center	Explore one-way circulation options to improve safety.	TBD	Medical Center	Short-Term
Newberg Downtown Transit Center (On- Street to Off-Street)	Provides visibility for transit and a restroom for drivers and passengers.	\$250,000 to \$1.0 M	City of Newberg	Short- to Long-Term
McMinnville Bus Maintenance & Storage Facility	Provides space for future expansion and flexibility for future service contracting.	\$5.0 - \$6.0 M	Yamhill County, McMinnville and/or Newberg	Mid- to Long-Term
Plan for expansion of McMinnville Transit Center	Provides space for future expansion	\$1.0 – 1.5 M	City of McMinnville, Yamhill County	Mid- to Long-Term
Park-and-rides	Identify park-and-ride locations through partnership agreements	-	To be determined (e.g., local churches)	Ongoing

^{*} Order-of-magnitude, planning-level costs, 2018 dollars

Secondary Transit Hubs

Secondary transit hubs are major stops that have a higher level of amenities and passenger capacity to support convenient transfers between routes outside of the downtown transit centers. The plan recommends:

- Plan for secondary transit hubs in McMinnville by acquiring land/easements or securing use of public right-of-way as opportunities arise. Locations could include the northeast (vicinity of OR 99W and Lafayette Avenue), and/or west, east and south parts of McMinnville.
- Establish a secondary transit hub in eastern Newberg (in the vicinity of Fred Meyer) to support coordinated transfers between Routes 44/45x (including possible future re-routing of Route 45x to use the Dundee Bypass) and Newberg local routes. This would require an enhanced or protected pedestrian crossing.

Figure 7-7 Brutscher Street Shelter, Newberg



Brutscher Street adjacent to Fred Meyer in Newberg is a potential secondary transit hub location. Amenities could include higher capacity shelters and a protected pedestrian crossing.

Consider establishing a transit hub at Spirit Mountain Casino, which is served by YCTA Route 22 as well as TCTD services. The Grand Ronde Tribe, which is completing its own transit plan in 2018, may be a potential funding partner.

Transit Centers

Transit centers are the primary locations where bus routes converge and buses can layover between trips. The McMinnville Transit Center provides facilities for customers and operations staff (e.g., First Transit). Key actions include:

- Plan for expansion of the downtown McMinnville transit center by acquiring land as opportunities arise.
- with coordinated schedules between Route 44 and local service. While it is appropriate for YCTA and Newberg to take initial steps to plan for a transit center now, the recommended mid-term implementation time frame is intended to allow existing routes to demonstrate increased ridership from proposed near-term service changes and modest stop improvements (including signage/markings at all stops), before making a significant capital investment. The City of Newberg has also proposed providing public right-of-way for an on-street transit center, which could be implemented at lower cost and in an earlier plan time frame.

Park & Ride Lots

Park-and-ride lots are public parking lots that allow people to park their cars and access transit or ridesharing. There are cu rrently no official park-and-ride lots in Yamhill County. 18 YCTA can secure park-and-ride locations through partnership agreements with institutions such as churches that do not utilize their available parking on weekdays. Transit riders would be allowed to park at certain times. Small context-appropriate park & ride lots and dropoff spaces for taxis and ride-hailing services (e.g., Lyft and Uber; see Chapter 9) could also be incorporated into future transit centers, if land is available.









Top: YCTA owns and maintains the McMinnville Transit Center, built in 2013 and funded through the Oregon Department of Transportation's ConnectOregon IV program supplemented with FTA, Yamhill County, and other ODOT funds.

2nd from Top: Tillamook Transit Center includes bus stops along Second Street near City Hall.

2nd from Bottom: Hawthorne Station in Bend includes bus stops along both sides of Hawthorne Ave.

Bottom: SETD took advantage of a vacant retail space to open a Transit Kiosk in Seaside.

¹⁸ Oregon Department of Transportation. Park & Ride Lots. https://www.tripcheck.com/Pages/RLPark-ride.asp

Maintenance Facilities

YCTA buses are maintained by First Transit under its contract with YCTA. The maintenance shop is located on Lafayette Avenue in McMinnville, but has limited capacity. Key actions include:

- Identify and acquire or partner to secure a long-term location for maintaining and storing buses. Having its own facilities will provide YCTA with future flexibility in contracting for service and incorporating fueling and maintenance facilities for alternative fuel buses.
- YCTA could also consider identifying locations where buses can be stored or maintained in other communities as needs and opportunities arise. This can avoid deadheading (when a bus travels without carrying passengers to reach the start of a route or return to the maintenance base, such as Route 22 currently does), but can create other operational or logistical challenges.

BUS STOPS AND PASSENGER AMENITIES

Bus Stop Amenity Standards

Bus stops are the basic type of transit facility and serve as the front door of the transit system. The presence of bus stops lets people know where buses run and their appearance and condition often define people's impressions of transit. A key near-term improvement is to sign and/or mark all YCTA bus stops; funds are identified starting in the first year of the plan. YCTA should also set aside funds for a program to make ongoing investments in bus stops. Figure 7-9 identifies existing bus stops and amenities, focused on stops outside of McMinnville, as well as current improvement plans.

Stop improvements, and improving pedestrian and bicycle access to bus stops is an area where local jurisdictions play an important role in making improvements and setting standards to ensure that appropriate facilities are built when land is developed or redeveloped (see Chapter 10).

Future facility policies and plans should accommodate ride-hailing services (e.g., drop-off zones for Lyft, Uber, Taxis, etc.), future shared mobility services (e.g., future bike or scooter charging stations), and other first last-mile services.

Solar-Powered Lighting and Beacons

It can be challenging for bus operators to see passengers waiting at shelters, particularly on intercity routes and at night or in low-visibility conditions. YCTA can equip selected stops shelters with a solar-powered beacon that provides lighting at the stop and allow drivers to more easily see when passengers are waiting. Examples are shown at right. Costs range from approximately \$1,000 to \$1,400 for beacons and from \$1,500 - \$2,000 for shelter lighting.











Source: Urbansolar / PV-Stop

Yamhill County Transit Development Plan | Volume I - FINAL

Figure 7-8 Bus Stop Amenity Standards and Unit Costs

Photo Example	Stop Amenity Category	Ridership and Land Use Context Guidelines	Required/Preferred Elements	Optional Elements	Unit Cost
	Minimal marking or pole	None	YCTA route sign or other marking	Well-maintained pull-out location (e.g., highways)	\$30 - \$150
	Basic with no or existing pad	Low = <10 Daily Boardings	 Meets ADA requirements Continuous pedestrian access Posted route and schedule information 	Above plus lighting	\$1,000
Wilsonville (Source: Simme Seat)	Basic with pad and Simme Seat	Low = <10 Daily Boardings Moderate-use activity center	Above plus Simme seatPad	Above plus bicycle parking	\$3,500
Grand Ronde Community Center	Basic with pad and bench	Low = <10 Daily Boardings Moderate-use activity center	Above with expanded pad and bench	Above plus bicycle parking	\$4,500
Peer example with pullout, shelter, and beacon (Island Transit, WA)	Stop with Shelter	Medium = 10-25 Daily Boardings High-use stops and activity centers, intercity stops, transfer points	Above with shelter	Above plus: Enhanced information (system map) Solar-powered beacon light (intercity stop with limited visibility for bus drivers) Lighting	\$12,500
Peer Example (Bend)	Enhanced Stop	High = >25 Daily Boardings	 Above plus Printed information Bicycle parking High-capacity shelter(s) Real-time information display 	Above plus: Secure bicycle parking Trash can Placemaking / art Solar shelters and lighting Designated park and ride or dropoff spaces	\$25,000 or more

Sources: Oregon DOT Transit in Small Cities, 2013; ODOT Transit Division price agreement; industry standards; and estimates for other recent plans. Costs adjusted for inflation to 2018 \$

Stop Improvement Locations

Every transit trip involves waiting at the stop for a certain amount of time. Passenger amenities make waiting feel as safe and comfortable as possible, given limited resources. Standards based on ridership levels help YCTA prioritize requests and justify decisions about where to install amenities. General thresholds for high, medium, and lower ridership stops are included for each tier of bus stop, based on the Spring 2017 ridecheck (see Figure 7-8). YCTA already has some seats and shelters available to install once the TDP is adopted and routes and bus stop locations are finalized.



Bus shelter in Willamina

Figure 7-9 Potential Locations for Stop Improvements or Shelters

Location	Route(s)	Improvements	Partners
Tigard	44, 45x	 Shelter with schedule and system map (adjacent to Transit Center) Improved wayfinding Longer-term, coordinate with TriMet to secure a bay in a new, future Transit Center when the Southwest Corridor MAX line opens. 	City of TigardTriMet
Hillsboro	33	 Stop sign with Simme Seat (adjacent to Transit Center); City of Hillsboro is working on intergovernmental agreement Schedule Improved wayfinding; TriMet added YCTA to TC map The City of Hillsboro is working to provide two-way access into Central Station as part of the Regional Enhanced Transit Corridor initiative, using the City-owned parking area where YCTA currently stops. Coordinate with the City of Hillsboro and TriMet to secure a bay in the expanded space available when this change occurs. 	City of HillsboroTriMet
Salem	80x (11)	 Shelter with system map and schedule at West Salem Transit Center; Cherriots planned to install in Winter/Spring 2018 	Cherriots
Grand Ronde	22	 System map and schedule in Community Center; existing bench and nearby awnings 	 Grand Ronde Tribe
Amity	80x (11)	Shelters in both directions (current plans to install southbound)	City of Amity
Dundee	44	Have shelter in one direction; needed in other direction	City of Dundee
Dayton	44	Have shelter in one direction; plan to install Simme seat in the southbound direction	City of Dayton
Lafayette	44	Have shelter in one direction; shelter needed in the other direction	City of Lafayette
Carlton	33	 Have shelter in one direction; shelter needed in the other direction Explore alternative shelter locations, possibly for both directions, to avoid deviations and minimize travel time. 	City of Carlton
Yamhill	33	Have shelter in one direction; shelter needed in the other direction	City of Yamhill
Sheridan	22	Multiple existing shelters; one is needed eastbound	City of Sheridan
Willamina	22	Have shelter in one direction; shelter needed in the other direction	City of Willamina
McMinnville	Local / Intercity	Marked stops, shelters (multiple locations)	City of McMinnville
Newberg	Local / 44 / 45x	Marked stops, shelters (multiple locations)	City of Newberg

SHORT-TERM CAPITAL PLAN SUMMARY

Figure 7-10 summarizes capital projects for the first three years of the plan.

Figure 7-10 Capital Project Summary, FY 2019 to FY 2021 and Ongoing

TDP Project ID	TDP Task	STIF Project ID & Task	Time Frame	Project Name	Project/Task Description	FY 2019	FY 2020	FY 2021	Subsequent Years
CN1	Multiple	1	Near-Term	Bus Local Match	Replace end-of-life vehicles with low-floor vehicles branded for and matched to each service type; Acquire new vehicles to support SN1.3, SN 1.4, and SN 6.1.	\$128,451	\$136,699	\$110,115	Local Match as Required
CN2	1	3.1	Near-Term and Ongoing	Bus Stop Improvements	Sign and Mark Bus Stops; communicates where vehicles stop and the presence of transit in the community. Stop improvement program (benches,	\$10,000			
CN2	2	3.2	Near-Term and Ongoing	Bus Stop Improvements	shelters, pads, and other amenities) provides comfortable, dignified places for passengers to catch the bus.	\$20,000	\$10,000	\$10,000	
CN2	3	3.3	Near-Term and Ongoing	Bus Stop Improvements	Task 1: PlanningTask 2: Signing/MarkingTask 3: Shelters		\$25,000	\$25,000	\$25,000 annually (ongoing)
CN3	1	-	Near-Term	Technology Enhancements	Automated Vehicle Location/Real-Time Information. Funded by YCTA Technology Grant.	\$191,474			
CN3	2	4.1	Near-Term	Technology Enhancements	(1) Mobile surveillance solution for reliable, real time tracking for 33 buses to increase efficiency and camera coverage inside & out to promote passenger safety. (2) Automated Stop Announcements.	\$100,000			
CN3		4.1	Short-Term	Technology Enhancements	To be determined; could include pilots of dispatching or fare payment technology.		\$50,000		
CN4		8.1	Near-Term	CCC Access Gate	Gate access and roadway improvements at Chemeketa Community College in McMinnville. Enables service to Virginia Garcia clinic and other housing east of Norton Lane.	\$15,000			
CN5		9.1	Near-Term	Marketing	Support vehicle and other branding and marketing.	\$50,000			
CS1		19.1	Short-Term	Capital Reserve	Establish and contribute to a capital reserve fund (e.g., to be used for local matching funds for vehicle grants in the future)			\$50,000	\$50,000 to \$100,000 annually

8 FINANCIAL PLAN

This chapter provides funding and investment scenarios to guide YCTA services over the next 10 years and beyond. It describes:

- Transit operating cost assumptions
- Revenue trends and assumptions including federal and state funding programs, Yamhill County funds, local agency partners, and fares
- Potential additional revenue sources
- Financial scenarios for YCTA, including projected expenses based on the Service Plan (Chapter 6) and Capital Plan (Chapter 7)

TRANSIT OPERATING COST ASSUMPTIONS

YCTA's average cost per service hour of \$55 in 2014 and \$59 in 2018 is assumed to be lower than will be sustainable in the future; for example, YCTA needs to pay a higher, more competitive wage to attract and retain drivers and has minimal administrative staffing that will need to increase in the future (see Service Delivery and Organizational Capacity in Chapter 9). YCTA will be issuing a new RFP for its service contract in 2019, which may have a higher cost than the current contract. In addition, YCTA will need to pay a larger cost of administrative functions provided through Yamhill County, such as legal counsel and human resources. YCTA projects that an average cost of \$70 to \$75 is an appropriate baseline cost; this is below the median of the peer operating cost range.

The TDP financial plan transitions to this cost by 2020. Thereafter, the TDP assumes annual inflation of 2.3% based on the US Bureau of Economic Analysis Consumer Price Index.

Figure 8-1	Transit Operating Cost As	cumntions
Fluule 0-1	Halisii Obelailiu Cosi As	SUHIDUUHS

Service Type	2018	2019	2020	2023	2028
	Existing	Near-Term	Short-Term	Mid-Term	Long-Term
Overall Average	\$59	\$63	\$70	\$78	\$84
Fixed-Route	\$65	\$67	\$75	\$82	\$90
Dial-A-Ride	\$42	\$50	\$58	\$71	\$77
Flex-Route / Shuttle	N/A	\$55	\$56	\$62	\$67

EXISTING AND POTENTIAL FUNDING SOURCES AND TRENDS

YCTA's funding sources are described in more detail below.

Formula Funds

YCTA's federal and state funding sources fall into two categories: formula-based or discretionary. Formula funds are allocated from ODOT every two years based on formulas developed by ODOT staff and approved by local stakeholders through the public transportation advisory committee. The formula programs are described below.

- Oregon Special Transportation Fund (STF). Formula funding for transportation services to
 older adults and persons with disabilities. ODOT allocates these funds to YCTA, and YCTA works
 with local transit providers and the STF Advisory Committee to distribute funds locally. STF
 funds can be counted as local match for federal funding, since STF is entirely locally generated.
- FTA Section 5310 Enhanced Mobility for Seniors and People with Disabilities. Formula funding for capital costs for serving older adults and persons with disabilities. Approximately 70% of the program consists of other federal funds that ODOT transfers into the program. ODOT allocates these funds to YCTA, and YCTA works with local stakeholders to allocate the funds locally. YCTA typically uses the funds for service delivery contracts in addition to traditional capital costs such as vehicles. The local match rate is 20%.
- FTA Section 5311 Formula Grants for Other than Urbanized Areas. Formula funding for operations and capital costs for rural transit services. YCTA typically uses these funds for its operating contract. The local match rate is 50% for operations (including contracts with third-party contractors) and 20% for capital.
- State Transportation Improvement Fund (STIF). The State Legislature passed a transportation funding package (House Bill 2017) that includes over \$100 million dollars annually for public transportation providers statewide, starting in fiscal year 2019. The funding is from a statewide employee payroll tax and can be used for operations, capital, planning, and other purposes. STIF funds can be used to match federal and other grant funding sources.

Discretionary Funds

The FTA and ODOT offer discretionary funding programs (grants) on varying schedules. Discretionary transit funding programs typically fund capital investments such as vehicles, equipment, and bus stops. These funds may also support pilot projects, such as alternative fuel vehicles and new service models, and major capital projects (e.g., transit center construction or expansion). Some of these programs are specific to public transportation, while others fund transportation improvements statewide and have more limited project eligibility requirements. For example, the Connect Oregon IV program provided over \$1.1 million in funding for the McMinnville Transit Center in 2013-2014; however, the HB 2017 legislation limited the eligibility of transit projects for future Connect Oregon funding solicitations.

ODOT Special Transportation Fund (STF) Discretionary. This program funds
transportation services for older adults and persons with disabilities. Solicitations identify specific
prioritization criteria. There is no local match rate requirement. In 2017, the STF Discretionary
program provided YCTA with \$456,000 in funding for communications and scheduling
technology as well as the local match for two vehicles funded through the FTA Section 5339
program.

- **FTA Section 5339 Bus and Bus Facilities.** This program is used to replace, rehabilitate and purchase buses, equipment and bus-related facilities. Vehicle replacements must meet age and mile requirements. The local match rate is 20%.
- **Oregon State Transportation Improvement Program (STIP)** —**Enhance.** ODOT solicits every two to four years statewide for transportation projects that enhance, expand, or improve the transportation system. The program's public transportation funding is typically limited to vehicles and equipment supporting services that improve the state transportation system. The local match rate is 20%. ODOT awarded YCTA \$942,000 for buses in the 2015-2018 STIP and \$707,000 for buses in the 2018-2021 STIP.
- **ODOT State Transportation Improvement Fund (STIF) Discretionary**. The STIF program allocates a total of 9% of available funds for two discretionary funding programs. The Discretionary Fund can be used for all types of projects except ongoing operations. The Intercommunity Discretionary Fund is for improving connections between communities and other key destinations, emphasizing statewide transit network connectivity. Eligible projects include capital (vehicles, facilities, equipment and technology), mobility management, planning, research and operations; however, ongoing operations projects are not guaranteed funding in future grant solicitations. The local match is generally 20% of the total cost, but may be reduced to 10% for projects that predominantly serve or provide access to rural communities (50,000 population or less and outside of urban areas).

Local Funds

YCTA maintains intergovernmental agreements or contracts with local agencies to support public transportation to their areas. These funds are important to YCTA by supplementing local funds with flexible funding that can be used to match federal and state grants. The local funding agreements also direct resources to areas with high transit demand and provide a clear and sustainable service relationship. These contracts include:

- Confederated Tribes of the Grand Ronde Community: The city of Grand Ronde is located just outside Yamhill County in Polk County. Grand Ronde contracts with YCTA for about \$58,500 (2018-2019) annually to support Route 22 (an increase from \$42,000 in previous years); this may change in the future based on the hourly rate YCTA pays its service provider.
- **McMinnville and Newberg**: Yamhill County's largest cities have provided local funds through intergovernmental agreements to support local fixed route operations in their cities. The City Councils decide annually how much to contribute—approximately \$20,000 each in recent years.

Figure 8-2 provides the estimated annual local contribution for Yamhill County and cities. The table compares these contributions to population and service hours attributed to each jurisdiction.

- Yamhill County provides 14% of total funding, which is \$2.68 annually per total person in the County and \$8.18 per service hour.
- McMinnville and Newberg contribute 1% of total funding, which is less than \$1 per person annually and approximately \$2 per local service hour in each city.
- Grand Ronde contributes 3% of total funding, which is \$33 per person and \$14 per service hour.

By comparison, the sidebar below (see Figure 8-3) shows that local jurisdictions in Central Oregon contribute between \$3 and \$13 per person annually.

Figure 8-2 Existing Local Transit Service Contribution per Person and Service Hour

Jurisdiction	Existing Contribution (2018 Budget)	% of Total ¹	Population (2017) ²	Existing Annual Contribution per Person	Annual Service Hours ³	Existing Annual Contribution per Service Hour
Yamhill County	\$284,758	14%	106,300	\$2.68	16,865	\$8.18
Amity			1,640		2,015	
Carlton			2,205		2,600	
Dayton			2,670		8,316	
Dundee			3,225		8,316	
Lafayette			4,095		8,316	
McMinnville	\$20,000	1%	33,665	\$0.59	10,400	\$1.92
Newberg	\$20,000	1%	23,480	\$0.85	7,540	\$2.65
Sheridan			6,185		3,935	
Willamina (Yamhill/Polk)			2,110		3,935	
Yamhill			1,075		2,600	
Unincorporated			26,820			
Grand Ronde	\$56,000	3%	1,661	\$33.71	3,935	\$14.23
Total	\$380,000	19%				

Notes/Sources: [1] Based on YCTA 2018 operating budget of approximately \$2,050,000. [2] Portland State University, Population Research Center (PRC). Grand Ronde population is for the Census Designated Place, 2010 US Census. [3] Based on the intercity route serving each small city, local fixed-route and Dial-A-Ride service hours for McMinnville and Newberg, and the total intercity service hours for Yamhill County.

Peer Comparison: Cascades East Transit Local Funding

The table below shows that local jurisdictions contribute 28% of operating costs for Cascades East Transit, which serves Crook, Deschutes, and Jefferson Counties, including the cities of Bend, Culver, La Pine, Madras, Metolius, Prineville, and Redmond, along with the Confederated Tribes of Warm Springs. Local contributions range from \$3 to \$13 per person.

Figure 8-3 Peer Comparison: Cascades East Transit Local Transit Service Contribution per Person

Jurisdiction	Contribution	Population	Contribution / Person	% of Total
Deschutes County	\$515,313	170,740	\$3.02	6%
Jefferson County	\$103,000	22,445	\$4.59	1%
Crook County	\$203,122	21,085	\$9.63	2%
City of Bend	\$1,082,040	81,310	\$13.31	13%
Other Local Gov't	\$414,479	48,830	\$8.49	5%
Total Local Gov't	\$2,317,954	214,270	\$10.82	28%
Fares	\$653,337			8%
Social Services	\$58,392			1%
Total CET	\$8,415,938			

Source: COIC 2014-2015 Proposed Budget, https://newcoic.files.wordpress.com/2012/08/14-15-updated-binder.pdf

Funding Trend Assumptions

YCTA can expect to receive formula funding revenues as long as it maintains compliance with FTA and ODOT rules, and meets planning and management requirements. YCTA will also continue to have access to capital funding programs that can offer large if infrequent infusion of funds for vehicles and equipment (such as the FTA 5339 Buses and Bus Facilities Grants Program and the discretionary component of the STIF program), although financing large capital facilities may be a challenge if Connect Oregon continues to limit eligibility for public transportation projects.

The TDP assumes that revenue and operating expense trends will continue and that there will be no major changes in local, state, and federal transit grant programs. Starting with the fiscal year 2018 budget, revenues and expenses were projected using the assumptions described below.

- The State Transportation Improvement Fund (STIF) provides approximately \$500,000 in FY 2019, \$1.12 million annually starting in FY 2020, and \$1.27 million in FY 2021. STIF funds are projected to increase by 2.3% annually. The STIF funding allocation is lower than a preliminary projection used in early TDP work—\$1.7 million in fiscal year 2021. Actual STIF revenues may be higher or lower than projected. While STIF resources are available to other public transportation providers in Yamhill County, the TDP assumes that YCTA will receive nearly all available funds.
- Expenses, federal revenue, and state revenue increase at a 2.3% annual inflation rate. The inflation rate is based on the US Bureau of Labor Statistics Consumer Price Index data between years 1996 and 2016, and is consistent with generally low inflation rates in recent years.
- Fare revenues increase based on a fare increase of 25 cents in early years of the plan (after initial improvements are implemented) followed by an average fare increase of 5 cents per year. The fare increase could be for intercity (particularly out-of-county services, which are lower than many other providers, as described in Chapter 9. YCTA can also introduce fare programs to mitigate the increase on low-income persons, youth, and seniors, etc. Increasing fare revenues assume ridership increases at half the rate of service hours. Fare revenue is assumed at 90% of the projection. These trends should maintain YCTA's farebox recovery ratio in the 10% to 15% range.
- Local service agreement revenues grow rapidly with increased coordination. The County expects to grow operations contracts and agreements with local institutional partners, doubling today's revenues by the year 2025 (or a 13% annual growth rate). The growth rate is then assumed to be 5%.
- Yamhill County General Fund revenues increase with inflation, then slow over the long term. YCTA expects General Fund revenues to increase to \$250,000 by the year 2020 (13%), increase with inflation at 2.3% annually until 2025, then taper to 1.0% annual growth over the following 10 years.

Potential for Additional Revenue Sources

As described in Chapter 6, to continue to expand services, by the mid-term time frame YCTA may need to generate additional local revenues in addition to the recently enacted STIF funding source. Appendix E provides a detailed summary of existing and potential funding sources that could be used to fund public transportation service and capital needs, including federal programs, state funds, local option taxes, and local partnerships. These sources are used by peer agencies in Oregon and around the U.S. Where possible, the summary table includes an order-of-magnitude estimate of revenues that could be generated from various local funding options, as well as an assessment of feasibility and applicability for YCTA. Figure 8-4 below identifies several examples. Respondents to a community survey conducted at outset of

the TDP identified a product-specific tax, such as on lodging, as their preference for a potential transit funding source among a range of potential options.

Figure 8-4 Examples of Potential Revenue Sources

Funding Sources	Example Level	High-Level Revenue Estimate
Product-specific tax (lodging, etc.)	9% (Ashland) Existing state lodging tax of 1%	Not estimated
Motor vehicle registration fee	Per \$8 annual	\$400,000
Payroll tax	1/10 of a percent	\$400,000
Utility fee	\$1-\$1.50 per 34,000 households	\$400-600k
Local option property tax	5 cents per \$1,000	\$400,000 (subject to compression)
Gasoline tax	1 cent	\$400,000 (declining based on fuel efficiency and alternative-fuel vehicles)

Corvallis Transit Operation (Utility) Fee

The Transit Operation Fee (TOF) is a monthly charge to City of Corvallis utility customers to generate revenue for the exclusive purpose of funding Corvallis Transit System (CTS) operations. This revenue source was established in 2010 to replace property tax funds that previously supported transit operations and transit fare revenues.

Single-family residential customers are charged \$2.75 per month and multi-family residential customers are charged \$1.90 per housing unit per month. Fees for commercial and industrial customers are based on the type of business. The fee is indexed to gasoline prices. The City Council can decide to increase the fee to fund new or expanded public transportation services.

The fee has been a stable source for about one-third of the CTS budget with annual revenue of approximately \$1.2 million in FY 2013–14 and FY 2014–15. This approach provides significantly more revenue than the property tax revenue, which previously provided about \$400,000 in annual revenues.

Source: City of Corvallis. Transportation Operations Fee. January 2016. https://tinyurl.com/y6wlvttn

Appendix E summarizes potential funding options that could be used to support public transportation in Yamhill County. There is additional discussion of potential funding options in TDP Volume II, Section 3: TM #3.

RECOMMENDED FINANCIAL SCENARIOS

This section provides two TDP funding scenarios:

- Current Trends with STIF. This scenario identifies the enhancements that can be implemented in the Near-Term, Short-Term, and Mid-Term, constrained to anticipated funding including new revenues from the STIF.
- **Additional Funding.** This scenario identifies additional enhancements, currently identified in the Long-Term time frame, that could be implemented with additional local funding.

Key assumptions include:

- **Existing.** Based on an average operating cost of \$59 per service hour.
- **Near-Term to Short-Term.** Assumes a phased increase to an average cost of \$70 per service hour by 2020. In the near-time, with only a partial STIF revenue allocation, a relatively large share of new funding from the STIF is assumed to go towards stop improvements (signs/markings) and new buses, leaving a shortfall in the near-term time period.
- Mid-Term. There is small shortfall; additional projected STIF funding would not cover all programmed improvements.
- **Long-Term.** The long-term time frame is not fiscally-constrained, but is intended to provide a flexible service plan that YCTA can adapt based on actual conditions. Improvements in this category could be implemented sooner if additional funding sources can be identified.
- Long-Term (Vision). Includes additional service options that YCTA could implement based on future needs and conditions.

Current Trends with STIF Funding Scenario

Operating Cost Summary by Time Frame

Figure 8-5 summarizes plan operating costs by time period. Some of YCTA's available local operating funds are programmed for capital improvements identified in Chapter 7, such as local match for buses, and are subtracted from the amount available for operations. Although there are relatively small deficits in the near-term, short-term, and long-term, STIF revenues in excess of projections or additional local funds may be able to support the identified level of enhancements.

Figure 8-5 Incremental Plan Operating Costs, Based on First Year of Each Time Period

Time Period	Fiscal Years	Annual Operating Revenues	Annual Operating Costs of Existing Services	New Annual Operating Costs in Time Period	Cumulative New Annual Operating Costs	YCTA Funds used for Capital Elements	Total Annual Operating Cost	Operating Funds Remaining
Existing	2018	\$2,606,000	\$2,167,000	\$415,000	\$415,000	\$348,000	\$2,930,000	-\$323,000
Near-Term	2018-2019	\$3,344,000	\$2,451,000	\$322,000	\$737,000	\$217,000	\$3,405,000	-\$60,000
Short-Term	2019-2022	\$3,781,000	\$2,690,000	\$441,000	\$1,178,000	\$127,000	\$3,995,000	-\$214,000
Mid-Term	2023-2027	\$4,336,000	\$3,013,000	\$1,763,000	\$2,941,000	\$257,000	\$6,211,000	-\$1,874,000
Long-Term	2028-2038	\$6,014,000	\$3,783,000	\$1,795,000	\$4,736,000	\$126,000	\$8,645,000	-\$2,629,000
Long-Term (Vision)	N/A	\$2,606,000	\$2,167,000	\$415,000	\$415,000	\$348,000	\$2,930,000	-\$323,000

Figure 8-6 illustrates operating costs in each plan year for existing services and enhancements, relative to revenues from existing sources and project revenues from the STIF.

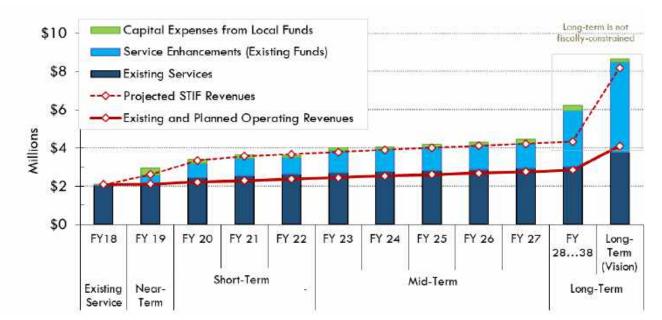


Figure 8-6 Projected Annual Operating Costs, Existing Funding Sources

For comparison, Figure 8-7 and Figure 8-8 show that service hours and operating spending per capita over the life of the plan are within the ranges of YCTA's peer agencies (identified in Chapter 3). Service hours per capita increase significantly, though they remain below the peer median. YCTA's operating spending would be lower than the peer median until the long-term time horizon—including all of the Long-Term (Vision) enhancements.

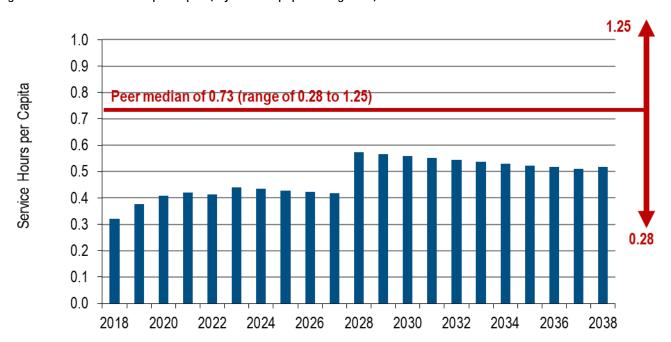


Figure 8-7 Service Hours per Capita (adjusted for population growth)

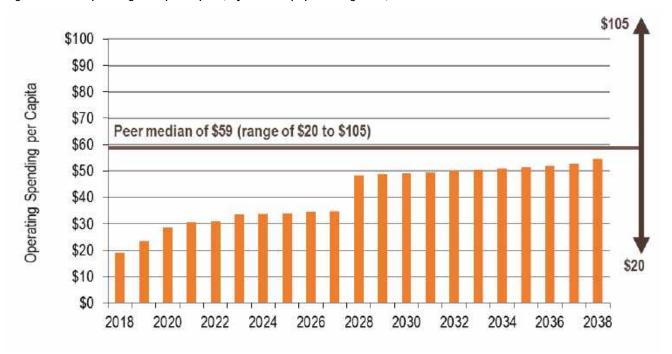


Figure 8-8 Operating Cost per Capita (adjusted for population growth)

Additional Funding Scenario

A sub-group of the YCTA Advisory Committee has been discussing options for additional local funding.

If YCTA is able to identify additional local funds, or if the STIF generates more revenue than is projected, YCTA could implement additional long-term enhancements sooner. The dashed orange line in Figure 8-10 illustrates a scenario where YCTA has additional operating revenues to fund particular enhancements. The orange bars represent the cost of implementing these projects in the short-term or mid-term (they are currently all assumed in the long-term). Figure 8-9 describes a conceptual scenario where local jurisdictions agree to contribute to YCTA services on a per-capita basis (or other formula, such as number of service hours or assessed property values). Since local jurisdictions may have limited general funds to contribute to transit, this may require identifying a new local revenue source. Based on initial discussion of the YCTA Advisory Committee Funding Sub-Committee, such a source would ideally be linked to transit or transportation and could be pursue in the later short-term to early mid-term time frame, once YCTA has implemented short-term enhancements that elevate the image of transit and increase awareness of transit in the county.

See Figure 8-2 and Figure 8-3 earlier in this chapter for existing local contributions in Yamhill County, and a comparison of local contributions elsewhere.

Figure 8-9 Conceptual Revenue Scenario by Jurisdiction (for Illustrative Purposes)

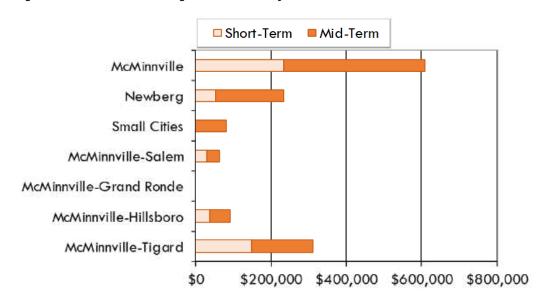
Service Area Type	Annual Local Funding per Person (Conceptual for Illustrative Purposes)	Notes
Large City (e.g., McMinnville)	\$12	
Medium City (e.g., Newberg)	\$8	Based on ratio of medium to large city population
Small City	\$5	
County	\$4	

Figure 8-10 Projected Annual Operating Costs, with Potential Additional Funding Sources



Figure 8-11 provides a breakdown of the potential enhancement costs by service area.

Figure 8-11 Potential Funding Scenario Costs by Service Area



9 SUPPORTING PROGRAMS, TECHNOLOGY, AND PARTNERSHIPS

Transit-supportive programs leverage investments in YCTA transit service and capital facilities. This chapter addresses improvements that can be made to enhance existing services through programs, advanced public transportation technology, and partnerships.

Figure 9-1 summarizes TDP recommendations for YCTA programmatic actions; the following sections discuss these actions in more detail.

Figure 9-1 Summary of YCTA Programmatic Actions

Category	Action	Cost	Partners	Time Frame
System Access (Pedestrian and Bicycle)	Develop a Safe Routes to Transit program to prioritize and fund (with partners) safe and comfortable access routes to transit stops.	Staff Time ¹ and variable capital costs	Local Jurisdictions	Short-term and ongoing
System Access (Parkand-Ride)	Identify cost-effective park-and-ride locations through partnerships with churches and other institutions.	Staff Time ¹	Churches and other institutions	Short-term and ongoing
TDM	Coordinate with Cherriots to promote Emergency Ride Home, Ride Sharing, and Vanpool Programs.	Staff Time ¹	Cherriots	Near-term and ongoing
TDM	Coordinate with major employers to provide transit and supporting program information and understand employee needs.	Staff Time ¹	Cherriots, Spirit Mountain Casino, agricultural and other employers	Near-term and ongoing
TDM, Fare Policies and Programs	Develop employer and other transit group pass programs.	Staff Time ¹ , Electronic Fare System	-	Short-term and ongoing
TDM	Provide staff time to support TDM and other programs; Cherriots has some budgetary funds that be used for a shared, part-time resource.	Staff Time ¹	Cherriots	Short-term and ongoing
Fare Policies and Programs	Explore electronic fare payment technology, to enable group and low-income/honored citizen passes, integration with adjacent agencies, and increase customer convenience. Mobile payment could be an initial option with minimal upfront investment, with a more full-featured system as a later phase.	Capital costs ranging from none to \$50,000 to \$75,000	-	Near-term or short-term
Customer Information	Update route brochures and other printed and online information, including in Spanish.	Staff Time ¹ Graphic Design	-	Immediate and ongoing

Yamhill County Transit Development Plan | Volume I – FINAL

Category	Action	Cost	Partners	Time Frame
Customer Information	Identify key locations to make printed transit information available and periodically refresh available materials. Various suggestions provided in TDP focus group notes, including Housing Office, Colleges, Libraries, etc.	Staff Time ¹ Printing Costs	Human and Social Service Providers and other institutions	Near-term and ongoing
Education, Promotion, and Travel Training	Develop programs to make information on transit and other transportation options more widely available, and facilitate better understanding of how to use the transit system. Suggestions from TDP focus groups are included in TDP Volume II, Section 2: TM #2.	Staff Time ¹	Human and Social Service Providers, Chambers of Commerce, and other institutions	Near-term and ongoing
Advanced Public Transportation Technology	Implement technology to support real- time information and system alerts.	\$120,000 to \$150,000	ODOT	Near-term
Advanced Public Transportation Technology	Evaluate software solutions to more easily implement service change and efficiently schedule fixed-route buses and drivers, and explore joint funding partnerships or obtaining a tool through YCTA's service contract.	\$10,000 - \$12,000 annually	ODOT, Other Providers / NW Oregon Transit Alliance	Short-term
Regional Transit Coordination	Coordinate with transit providers and/or local jurisdictions to improve amenities, wayfinding, and stop facilities (see Figure 9-9 for specific opportunities).	Cost-neutral to low-cost	TriMet, Cherriots, TCTD, SMART, RideConnection, and local jurisdictions	Near-term and ongoing
Regional Transit Coordination	Explore feasibility and potential benefits of joining the Northwest Connector (nwconnector) alliance of transit agencies.	Staff Time ¹ , annual NWOTA contribution (TBD)	NW Oregon Transit Alliance (NWOTA), ODOT	Later short-term to mid-term and ongoing Feasibility can be explored in near- term or short-term
Service Delivery and Organizational Capacity	Increase YCTA staffing to improve contract oversight and ability to perform other transit agency functions (including above actions).	Staff Time ¹ (from existing 2.5 FTE to 6.0 FTE)	Yamhill County	Near-term and ongoing

Notes: [1] Included in overall recommended increase in YCTA staff (see Service Delivery and Organizational Capacity)

SYSTEM ACCESS

Access to transit refers to the various ways transit riders get to/from a transit stop and their trip origin and destination. This section identifies programmatic actions for YCTA to enhance the ability for potential riders to access its service, in collaboration with local jurisdictions and other partners. Appendix C (Bus Stop Design Guidelines) provides additional guidance and resources.

Safe and accessible pedestrian facilities allow people to access transit stops and key destinations—every transit rider is a pedestrian at some point in their trip. The pedestrian network includes sidewalks that are sufficiently wide and well-lit, with curb ramps that provide a transition between sidewalks and the street; well-marked, convenient, and adequately spaced street crossings; and wayfinding that helps direct passengers to transit and destinations. Street trees, landscaping, and a mix of uses create comfortable, attractive streets where people want to walk.

Designing for Disability (also known as inclusive design) refers to designing streets and transit facilities for use by all people regardless of ability. This means ensuring that sidewalks are not impeded by bus stops, utility poles, or other elements; reducing driveway cross-slopes; providing tactile treatments on curb ramps, stop platforms, and other conflict points; and providing information in audio, visual, and tactile formats, considering cultural and language differences as well as people with restricted mobility, visual, and/or audible ability (e.g., signage, audible stop announcements, real-time information, etc.).

Safe and convenient bicycle access routes to transit stops and both short-term and secure, long-term **bicycle parking** expand the distance people can travel to access transit.

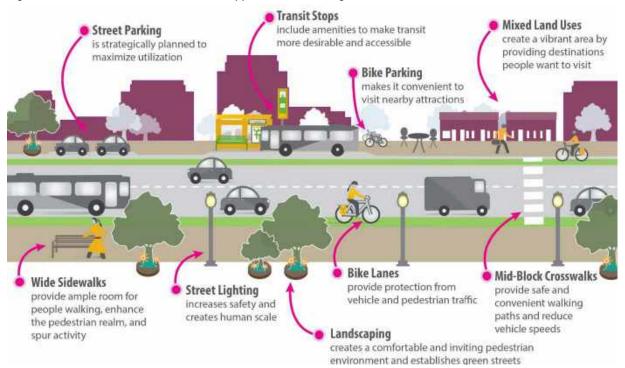


Figure 9-2 Best Practices for Transit-Supportive Street Design

Source: Nelson\Nygaard

Park-and-ride facilities provide all-day parking for transit riders who need to travel by car for a portion of their trip. The TDP does not identify specific locations, but recommends incorporating context-appropriate parking into new YCTA transit center facilities (see Chapter 7) and identifying park-and-ride locations through partnerships with churches and other institutions whose parking is not fully utilized during times of peak transit demand.

TRANSPORTATION DEMAND MANAGEMENT

Transportation Demand Management (TDM) is a general term for strategies that increase overall transportation system efficiency by encouraging people to shift from single-occupant vehicle (SOV) trips to non-SOV modes, or by shifting auto trips out of peak periods. These strategies are often very cost-effective.

Emergency ride home, ride sharing (carpool), and vanpool programs are available to Yamhill County employees and/or residents through the Cherriots' <u>Trip Choice</u> program:

- The Emergency Ride Home Program is available to all employees who live in Yamhill County and use any option other than driving alone to work (e.g., carpool, vanpool, transit). The program provides participants with a voucher for a free ride home in the event of an emergency.
- Carpools and vanpools serving destinations not directly connected by YCTA service can be facilitated through <u>Drive Less Connect</u>, Oregon's online ride-matching tool. <u>Valley Vanpool</u> lists existing vanpools serving Yamhill County, provided by Enterprise. Current vanpools serve Sheridan (Federal Correctional Institution) from Salem and Sherwood. Cherriots can subsidize 50% of the vanpool lease cost for vanpools serving the Salem area, although McMinnville-Salem is not viable (distance is too short).

Coordinate schedules with major employers. Ensuring that large organizations have access to information about YCTA service and supporting programs can help them best meet their employee needs and increase ridership. Cherriots' Employer Services program works with Yamhill County employers. As noted in Figure 9-1, Cherriots may be able to provide partial funding for a staff resource.

FARE POLICIES AND PROGRAMS

This section provides recommendations for YCTA fare policies. The existing fare structure is covered in Chapter 3, and the sidebar below (see Figure 9-4) provides a comparison of YCTA fares to several peer agencies. Key findings include:

- YCTA local fares (\$1.25) are in the middle of the peer range. Some providers have lower fares
 (\$1.00) while others are slightly higher (\$1.50 to \$1.60). Based on TDP outreach, YCTA fares are
 generally perceived as affordable.
- YCTA currently does not offer any discounted fares for seniors, person with disabilities, veterans, or youth. Based on TDP outreach, fares can be expensive for families (due to lack of a youth fare) and there was general support for making fares more affordable for families, veterans, seniors, and low-income people.
- Other providers charge more than YCTA for longer-distance trips, particularly outside of their service area.

TDP fare policy and program recommendations include:

Sell fares in-person at additional locations. YCTA currently sells fares on buses, via mail, and inperson at two locations in McMinnville. There is no location to purchase passes in Newberg; YCTA and the City of Newberg could explore future opportunities, such as with a potential future transit center in Newberg or in partnership with a local retailer(s). An electronic fare system (see below) could provide additional flexibility for purchasing passes and other fares outside of McMinnville.

Raise fares in the future. Once YCTA has installed signage at all bus stops, upgraded its vehicle fleet, and addressed key operational and on-time performance issues through changes to route design, service levels, and schedules (by the end of the near-term or early short-term time frame), it could consider increasing the adult one-way fare by up to 25 cents or increasing fares on its longer-distance, intercity

services (particularly for trips outside of Yamhill County). YCTA could also consider increasing its average fares by an average of 5 cents per year going forward. This will allow it to keep up with increasing costs (due to inflation) and maintain the share of costs that is covered through fares.

Implement reduced fares and passes for honored citizens (seniors and veterans), students/youth, and low-income persons. Offering discounted fares will mitigate the impact of increasing the regular fare. Providing discounted fares could improve access to transit for these groups of people, who are more likely to depend on transit for their mobility needs. Improving affordability for low-income persons and students is also a STIF goal.

Develop fare pass programs. Fare pass programs can improve access to transit by making it more convenient and affordable. Programs are typically available to employees, students, and people with low incomes. Major employers, institutions, and social/human service providers may be interested in group pass programs. George Fox University and Linfield College may be interested in a student pass program. A fare pass program for low-income individuals could improve access to transit for the 16% of Yamhill County residents that have an annual income below the federal poverty level (FPL) of \$12,060. 19,20 An electronic fare system may make it easier for YCTA to implement and administer pass programs.

Explore fare reciprocity between connecting providers. Fare reciprocity between transit agencies can simplify rider connections between transit systems and improve the user experience. Some of the transit agencies that are part of the Northwest Oregon Transit Alliance (NWOTA) offer fare reciprocity. Sunset Empire Transit District (SETD) and Columbia County Rider offer fare reciprocity where their services connect. SETD and Tillamook County Transportation District (TCTD) honor each other's monthly passes. YCTA could explore fare reciprocity agreements with other connecting agencies, such as Cherriots. Electronic fare systems may make these types of arrangements more feasible.

Explore electronic fare media and mobile ticketing. Electronic fare media and mobile ticketing provide transit riders with more convenient and flexible options to pay for their ride while on the go, and also enable easier administration of fare pass programs, discounted fares, and fare reciprocity agreements, and potentially reduce YCTA costs for processing cash fares. Electronic fare media options can be categorized into RFID Smart Cards and Mobile Ticketing options.

TriMet implemented the Hop Fastpass electronic fare media system in 2017, which includes physical card readers at transit stations and on vehicles as well as mobile ticketing options. ODOT studied the cost of expanding the Hop Fastpass system to smaller providers; the study estimated extremely high capital and ongoing operating costs that would be prohibitive for small to medium-sized agencies (see Figure 9-3). ODOT also evaluated a similar alternative solution called Touchpass (Delerrok). A preliminary cost estimate for the TDP indicates implementation costs could range from \$50,000 to \$75,000 (high-end assuming one-time system integration costs, which may or may not be required) with ongoing costs of \$16,000 to \$23,000. On an annualized basis, operating and capital costs range from \$25,000 to \$34,000 per year (average of 11 cents per passenger including the high-end of the capital cost estimate—between 6 to 8% of the average fare).

A mobile ticketing option (no physical card) would provide similar capabilities but would require customers to have a mobile phone; based on an estimate for one vendor (Hopthru), there are no upfront costs. Annual transaction costs would range from approximately \$17,000 to \$29,000 over the first five

¹⁹ ACS 2011-2015 estimate. Table B17021. Percentage of the population for whom poverty status is determined, which excludes institutionalized people, people in military group quarters, people in college dormitories, and unrelated individuals under 15 years old.

²⁰ The United States Department of Health and Human Services (HHS) issues an income measure known as the Federal Poverty Level (FPL) each year; government agencies use the FPL to assess eligibility for a variety of programs and benefits. https://www.healthcare.gov/qlossary/federal-poverty-level-FPL/

years (average cost of 15 to 18 cents per transaction assuming adoption by 40 to 50% of passengers—between 12 to 13% of the average fare). Figure 9-3 provides a summary of some electronic fare media options that are used in the Pacific Northwest, including a preliminary cost analysis of smart card/mobile payment system costs (e.g., Delerrok Touchpass) and mobile ticketing costs (e.g., Hopthru). Additional details are provided in Appendix F.

A mobile payment system could be an initial option with minimal upfront investment and risk for YCTA, with a more full-featured system as a later phase.

Figure 9-3 Electronic Fare Media Options

Format	Name	Currently Used By	Preliminary Cost Estimates for YCTA ¹	Other Potential Vendors
Physical card, mobile application, or pre-printed	Hop Fastpass	 TriMet (Portland, OR) Portland Streetcar (Portland, OR) C-Tran (Vancouver, WA and Portland, OR) 	 Implementation: \$450,000 to \$660,000 ¹ Annual operating costs: Over \$100,000 ¹ 	N/A
one-time use paper tokens	Touchpass (Delerrok)	 Rouge Valley Transit District (Medford, OR) Cascades East Transit (Bend, OR) 	 Implementation: \$55,000 to \$85,000 (high-end includes a \$30,000 contingency for one-time integration costs, if required) ^{2,3} Annual operating costs: \$9,000 - \$18,000 ^{2,3} Annualized operating and capital cost: \$23,000 - \$25,000 (years 1-5) and up to \$30,000 in year 10 ² 	-
Mobile application	<u>Hopthru</u>	 CAT (Hood River, OR) Pierce Transit (Tacoma, WA) Seattle Monorail (Seattle, WA) Sonoma County Transit (Sonoma, CA) Vine Transit (Napa, CA) 	 Implementation: None Annual transaction costs: \$20,000 – \$25,000 (years 1-5), and up to \$46,000 in year 10 ⁴ 	Moovel Masabi

[1] Cost estimates for Hop Fastpass provided by: ODOT and CH2M, "eFare – Hop Program, ODOT Regions 1 and 2 Gap Analysis – Hop Fastpass Feasibility", August 31, 2017. [2] TDP analysis in consultation with Delerrok. Annualized capital cost-estimate assumed a five-year equipment lifetime based on the warranty period. [3] The ODOT/CH2M analysis (see note #1) identified Touchpass implementation costs of \$270,000 to \$760,000 and annual operating costs: \$36,000 to \$42,000. Based on discussions with Delerrok, the TDP analysis is a more appropriate preliminary estimate for YCTA. [4] TDP analysis, in consultation with Hopthru.

Peer Comparison: Fares

Figure 9-4 Peer Fare Comparison



	Local Fixed-Route			Discounted Fare		Intercity Service			ADA / Dial-A-Ride	
Agency	Single Ride	Day Pass	Monthly	Single Ride	Monthly	Single Ride	Day Pass	Monthly	Single Ride	Monthly
Yamhill County (YCTA) ¹	\$1.25	\$2.50	\$35	-	-	\$1.25	\$2.50	\$35.00	\$1.75	\$40
Basin Transit Service ²	\$1.50	\$3.00	\$54	\$0.75	\$27	-	-	-	\$3.00	-
Cascades East Transit (CET) ³	\$1.50	\$2.50	\$30	\$0.75	\$15	\$3.75	\$6.25	\$100	\$2.50	-
Clallam Transit System ⁴	\$1.00	\$3.00	\$36	\$0.50	\$18	\$1.50	\$3.00	\$54.00	\$2.00	
Lincoln County Transp. Service District ⁵	\$1.00	-	-	-	-	\$7.00	-	-	\$1.00	-
Napa Valley Transp. Authority ⁶	\$1.60	\$6.50	\$53.00	\$0.80	\$14	\$3.25 - \$5.50	\$6.50	\$65 - \$120	\$3.20 - \$6.40	-
Sunset Empire Transp. District (SETD) 7	\$1.00	\$3.00	\$30	\$1.00	\$20	\$5.00 - \$8.00	-	-	\$2.00	
Tillamook County Transp. District (TCTD) 8	\$1.50	\$1.50	\$40	-	\$30	\$1.50 - \$6.00	-	-	\$3.00	-

Notes: [1] YCTA, see Chapter 3. [2] Basin Transit, http://www.basintransit.com/routesrates.shtml. [3] CET, http://cascadeseasttransit.com/fares. Multi-zone system for intercity fares. [4] Clallam Transit, http://www.clallamtransit.com/fares-Passes. \$3.75 per mile for Dial-A-Ride trips beyond a ¾-mile distance from fixed-route service. [5] Lincoln County, \$1 per zone for intercity routes, with 9 zones. http://www.nworegontransit.org/wp-content/uploads/2018/06/Fare-Policy-Outreach.pdf. SETD revised fares on 7/1/2018, lowering local day passes from \$5.00 to \$3.00 and monthly passes from \$45 to \$30. General public Dial-A-Ride one-way fare is \$8.00 for 0-10 miles and \$12.00 for 11-20 miles. [8] TCTD, https://www.nworegontransit.org/passes-tctd/. TCTD charges \$15 for a one-way trip to Portland, and \$20 for a round trip.

CUSTOMER INFORMATION, MARKETING, AND BRANDING

Transit information makes using the transit system more intuitive, particularly for infrequent riders. The following strategies will help existing riders and bus operators navigate the system, and make transit more accessible to a broader audience. YCTA has enhanced its branding and information in 2018 using ODOT grant funds for information technology, communications and marketing services; as of August 2018, these enhancements are in the process of being rolled out.

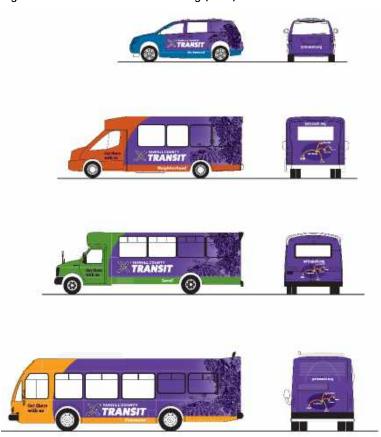
System Branding

YCTA bus stop signs, vehicles, and customer information should all have a consistent YCTA logo and branding that builds an awareness of local and regional transit service. YCTA developed a new logo and other marketing materials in 2018 (example shown at right) along with a bus branding scheme (shown below). Action items include:



- Mark or sign all bus stops (near-term action). Develop YCTA stickers (preferably service-specific) for placement on TriMet bus stops (see Appendix F for specifications and coordination information).
- Include the NW Connector logo at all stops shared with NW Connector routes (e.g., Spirit Mountain Casino and Grand Ronde Community Center).
- Wrap all buses with the new YCTA branding (see Figure 9-5 for the service-specific branding developed by YCTA).

Figure 9-5 YCTA Vehicle Branding (Draft)



Website

An increasing number of people obtain transit information online—including over 50% of YCTA riders (see TDP Volume II, Section 2: TM #2, Chapter 4, Figure 4-8). TDP outreach, including to members of the Latino community, indicated that many people who do not have computers are able to access information via a smartphone. YCTA has been enhancing its website, which already includes links to route and system maps, route schedule brochures, announcements, rider alerts, and information on Dial-A-Ride and ADA Paratransit service. The following enhancements are recommended:

- Integrate real-time bus arrival and status information into the website (see Technology section below).
- Update online mapping to ensure that online trip planners provide accurate information.
- The website includes a translation capability, but other materials need to be translated into Spanish (or other common languages as identified in the YCTA's outreach plans).

System & Route Maps

YCTA has a system map on its website and plans to post system maps at major transit stops and shelters. The current route map and schedule brochures are color-coded and include some major activity centers, but need to be updated. The TDP recommends that YCTA update and enhance its route brochures including:

- Show the direction of the bus on route maps and include additional activity centers and the local street network so riders can more easily find stops. This is particularly helpful when routes loop and cross multiple times.
- Add stop numbers or letters for major timepoints to route maps and schedules to allow riders to easily find these stops on the map.
- Reduce the number of stops on schedules. Currently
 the schedules have too many stops listed in some
 cases; this is true for both local and intercity routes.
 In many cases, it should be sufficient to just list
 major timepoints.
- Ensure that brochures are translated into Spanish, at a minimum.

Figure 9-6 Route Map and Schedule Example



Color-coded individual route map and schedule. Stops labeled with numbers corresponding to the schedule help passengers understand how a route travels.

Source: Cascades East Transit

Wayfinding

In places where there is not line-of-sight visibility between bus stops in each direction, wayfinding signage with directional arrows or a map helps passengers navigate to the appropriate stop. Locations where wayfinding signage should be considered include where:

- Routes operate on a couplet (or pair of one-way streets), such as OR 99W in McMinnville (Adams and Baker Streets) and downtown Newberg (Hancock and 1st Streets)
- YCTA stops are located adjacent to a transit center, such as at Tigard Transit Center

EDUCATION, PROMOTION, AND TRAVEL TRAINING

Outreach and education programs improve awareness of existing services and programs, and promote understanding of how to use the transit system. A lack of knowledge and understanding are often the greatest barriers to transit use. Potential programs that YCTA could develop to promote awareness of transit include:

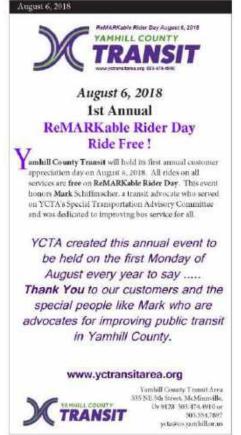
- Public information campaigns to provide information, education, and resources on transit and other transportation option for residents, employees, and visitors
- Bring a friend/rider rewards program.
- Customer appreciation events. In 2018, YCTA held its first annual customer appreciation day (to be held each year on the first Monday in August). This even honored the memory of Mark Schiffmacher, a transit advocate who served on YCTA's Special Transportation Committee.



Sandy 2nd and 3rd graders helped Sandy Transit illustrate etiquette rules as part of a public information campaign. Source: City of Sandy, https://tinyurl.com/ydewzv3s







The 1st Annual Yamhill County Transit Customer Appreciation Day honored a longtime rider advocate and showcased one of YCTA's new vehicles.

ADVANCED PUBLIC TRANSPORTATION SYSTEM TECHNOLOGIES

YCTA secured a technology grant that it began to implement in 2018 to upgrade its technology infrastructure to increase access, convenience, and efficiency. The TDP budgets additional funds (near- and short-term) to continue investing in technology initiatives.

Key public transportation technologies include:

- Two-way radios for driver communications, upgraded in 2018.
- Vehicle information system with automatic vehicle location (AVL) reporting through a global positioning system (GPS), automatic passenger counters (APCs), and automatic bus stop announcements on the bus.
- Real-time bus arrival information and system alerts, enabled by the AVL system, let people know when the bus will arrive, which is particularly important given congestion along OR 99W that can delay service. YCTA currently provides alerts using Facebook and the YCTA website, but could improve and expand its capability to "push" alerts to riders for specific routes.
- On-demand dispatching software to facilitate dynamic on-demand services and help formalize YCTA's volunteer driver program (currently only in Yamhill/Carlton).
- Security cameras.
- Electronic fare collection (see Fare Policies and Programs).
- Scheduling software to optimize how YCTA fixed-route trips are assigned to buses and driver shifts, allowing service changes to be implemented more easily. Economies of scale could potentially be found in partnership with other transit providers (including other northwest Oregon transit agencies), ODOT, or the YCTA service contractor.

Figure 9-7 summarizes the status of YCTA technology initiatives.



SETD (Clatsop County) and TCTD (Tillamook County) recently launched real-time information access

Yamhill County Transit Development Plan | Volume I - FINAL

Figure 9-7 Summary of YCTA Existing, Planned, and Future Technology Initiatives

Category	Existing	YCTA Initiatives / Funding	Notes	Potential Vendors (Partial List)	Implementation Time Frame
Radios		Technology Grant		Silky	Installed Winter 2018
Website/Customer Information		Technology Grant			Implementation in progress in 2018
Paratransit Dispatch	First Transit Proprietary	Technology Grant	Vendor selected	CTS	Implementation starting Fall 2018
AVL, Real-Time Information, Audible Announcements	None	■ Technology Grant	About \$120-\$150k available in technology grant funds	Connectionz ETA TransitApp Trillium/Swiftly (partnership)	Hanover LED Destination Signs are on new buses Mobile Data Terminals (MDTs) are on order RFP issued for real- time information in Fall 2018
On-Demand/Flex Services/Volunteers	None	Future STIF or other funds	\$50-\$60k to pilot TAP Ride for Yamhill/Carlton volunteer program	Doublemap / TapRide	
Electronic Fares (e-fares)	None	Future STIF or other funds		Touchpass, Hopthru, Moovel, Masabi	
Camera System	DriveCam LYTX	STIF Funds (2019)	\$85k to replace	3-4 vendors under consideration (Safety Vision, Lytx, Schetky NW, Angel Trax, Seon, Apollo)	YCTA to go to bid in FY 2018-2019
Scheduling Software	None	Future STIF or other funds	Potentially \$10-\$12k in partnership with other providers, or through service contractor	Remix scheduling software or other vendors	To be determined

REGIONAL COORDINATION AND PARTNERSHIPS

Regional Transit Providers

Travel data shows that Yamhill County residents travel beyond county borders for work, shopping, and other trips. Improving YCTA connections to transit providers in Marion, Polk, Washington, and Clackamas Counties services adds regional mobility for Yamhill County workers, residents, and visitors, often without requiring a wealth of additional YCTA resources. These connections include:

- **TriMet** bus routes in Tigard and Sherwood (e.g., Routes 12 and 93) and WES commuter rail, and MAX light rail and Route 57 in Hillsboro.
- Cherriots routes in west Salem (e.g., Route 17), and additional local routes, Cherriots
 Regional routes, and Greyhound/Amtrak service in downtown Salem.
- Tillamook County Transportation District (TCTD) Coastal Connector and Grand Ronde Express routes. TCTD is a member of the Northwest Connector (see map and description on the next page), which includes four other transit agencies in Northwest Oregon.

Typically, coordination efforts entail shifting schedules slightly to improve transfers and enhancing wayfinding, amenities, and customer information. Overarching coordination recommendations include:

Align schedules and service changes. YCTA can coordinate schedules with the primary routes at major regional transit hubs, in terms of both service span and specific arrival and departure times. Since YCTA's regional services are relatively infrequent, connecting to frequent services (every 15 minutes or better) operated by other providers helps minimize waiting time for transfers and provides YCTA with flexibility in changing its schedules. YCTA needs to maintain ongoing, periodic contacts with other agencies to ensure coordination on schedules and service changes.

Maintain or add bus stop amenities at transfer points. Comfortable, covered waiting facilities and prominent signage are needed at transfer points with regional providers. YCTA can partner with other transportation agencies, local jurisdictions, businesses, or other organizations to implement improvements cost-effectively. See Chapter 7 (Bus Stop Improvement Locations).

Improve transit information and wayfinding. Transit information includes online, printed, and

real-time media. Online trip planning and website information lets potential passengers find out about YCTA service and understand how to use it. YCTA can include information about regional connections on its website and work with its partners to maintain the information. YCTA should have printed information at each regional transit center, expand its technology infrastructure to provide real-time information, and provide wayfinding at stops that are adjacent to a major transit center (e.g., Tigard, Hillsboro, and Salem). Figure 9-8 shows Hillsboro and Tigard transit center maps.

Tigard Transit Center

| 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |



Figure 9-8 Station Maps at Shared TriMet Transit Centers

TriMet station maps for Tigard and Hillsboro Central Transit Centers Source: https://trimet.org/transitcenters/

Explore viability of joining the NW Oregon Transit Alliance

(NWOTA). The Northwest Connector is an alliance of five transit agencies that coordinate to improve regional connections between the Willamette Valley and the Oregon Coast and between northwest Oregon communities. The alliance recently launched a common website

(https://www.nworegontransit.org/) integrating information for all participating agencies. YCTA was not included in the alliance, but the TDP recommends that YCTA explore feasibility and potential benefits of joining the alliance, such as integrated customer information; joint promotion opportunities including a visitor pass and marketing through TravelOregon and other media; and potential coordination around stop improvements and other capital purchases.

At a minimum, there would be financial, administrative, and reporting requirements for YCTA to join the alliance. For example, YCTA would need to make a financial contribution in the vicinity of \$25,000 annually, attend monthly meetings of the NWOTA Coordinating Committee, and provide additional reporting. The YCTA staffing level (see Service Delivery section in this chapter) and financial resources to support joining NWOTA would likely be available to YCTA no earlier than the short-term plan time frame.



Source: http://www.nworegontransit.org/interactive-map/

Figure 9-9 identifies specific opportunities for each YCTA intercity route or travel market.

Figure 9-9 Summary of Coordination Opportunities

Provider or Partner	Category	Specific Opportunities and Actions	Additional Partners
Cherriots	Schedules/General Service Changes	 Align YCTA Route 11 schedules with Cherriots Route 17 service in West Salem (frequent service route). After extending service to downtown Salem, consider serving intercity rail and bus connections (Amtrak and Greyhound), possibly only at specific times where connections are available. Cherriots is supportive of YCTA coming into downtown Salem and also stopping on-street in West Salem near the West Salem transit center. Rename YCTA Route 11 to avoid confusion with Cherriots Route 11, e.g., to 80x. Coordinate with Cherriots to ensure online and printed materials reflect upcoming and future service changes. 	
	Facilities/Infrastructure	 Cherriots is planning to install a shelter for the bay currently utilized by YCTA in West Salem in 2018, including a schedule/map. 	
	Transit Information and Wayfinding	 YCTA could be integrated in electronic displays and provide printed schedules for placement at the downtown transit center. 	
	E-Fares/Fare Reciprocity	 YCTA and Cherriots can explore coordination of fare reciprocity and other opportunities, likely in conjunction with electronic fare technology. 	

Yamhill County Transit Development Plan | Volume I - FINAL

Provider or Partner	Category	Specific Opportunities and Actions	Additional Partners
	Programs	Share information on Yamhill County employers/contacts with Cherriots, identify Yamhill County staff who could assist in outreach with guidance from Cherriots, explore the potential for Cherriots to contribute to a part-time staff person in the future, identify potential locations where information on commute options/emergency ride home program could be placed in Yamhill County.	Spirit Mountain Casino
Grand Ronde Tribe	Schedules/General Service Changes	 Identify opportunities to align Route 22 schedule with needs of Grand Ronde residents. Work with Grand Ronde Casino to better coordinate Route 22 schedules with Casino work shifts, particularly in the later evening. See also Coastal Connector and the Grand Ronde Express 	TCTD
	Transit Information and Wayfinding	 Improve and maintain transit information at the Grand Ronde Community Center and Casino stops. Consider developing a transit hub at the Spirit Mountain Casino. 	TCTD
SMART	Schedules/General Service Changes	 Connections to Wilsonville can currently be made using WES (in Tigard) or the 1X service co-operated by SMART and Cherriots (in Salem), during commute hours only. This should be included in YCTA's regional transit information. In the future SMART plans to operate its 2X service between Wilsonville, Tualatin, and Tigard TC, which would provide a single-transfer connection between Yamhill County and Wilsonville outside of peak commute hours. 	
	E-Fares/Fare Reciprocity	 No immediate opportunities, but possible future coordination in shared e-fare system initiatives. 	
Tillamook County Transportation District (TCTD)	Schedules/General Service Changes	Coordinate schedules with Coastal Connector (60X Lincoln City – Salem) and Grand Ronde Express (70X Grand Ronde - Salem) routes in Grand Ronde or at Spirit Mountain Casino, and ensure these connections are reflected in printed and online materials.	Grand Ronde Tribe Spirit Mountain Casino
	Transit Information and Wayfinding	 Update printed and online materials to reflect new 60X and 70X services. 	
	Other	 Possible future coordination on long-distance non-emergency medical trips. 	
TriMet	Facilities/Infrastructure	 TriMet can include YCTA route stickers at shared stops, e.g., OR 99W in Sherwood/Tigard and TV Hwy in Forest Grove (see Appendix F). Explore integrating YCTA into a future Tigard Transit Center when Southwest Corridor service (MAX line to Portland) opens. 	

Provider or Partner	Category	Specific Opportunities and Actions	Additional Partners
		 Explore integrating YCTA into Hillsboro Central Station; Central Station is currently at capacity but TriMet could incorporate YCTA when considering future needs. The City of Hillsboro is also working to provide two-way access into Central Station as part of the Regional Enhanced Transit Corridor initiative, using the City-owned parking area where YCTA currently stops. Coordinate with the City of Hillsboro and TriMet to secure a bay in the expanded space available when this change occurs. 	City of Hillsboro
	Schedules/General Service Changes	 Expanded evening service is a priority for the City of Gaston. Coordinate with Gaston and Washington County for possible funding support of Route 33 enhancements. 	Washington County City of Gaston
	Transit Information and Wayfinding	 Coordinate on improving wayfinding to YCTA service in Tigard (adjacent to Tigard TC) and work to add a shelter at the YCTA stop in Tigard. 	City of Tigard

Emerging Mobility Services

This section identifies strategies that YCTA can use to integrate emerging mobility services with the transit system and develop strategic partnerships with service providers. These services provide opportunities to incorporate cost-effective and innovative approaches to meeting transportation needs.

- Ride-hailing services are point-to-point transportation services that are most often scheduled and paid for using an online application or platform, such as smart phone apps (but are similar to traditional taxis in some respects). On-demand service providers including Lyft and Uber (also known as transportation network companies or TNCs) are starting to become available outside of major urban areas, including in Yamhill County. These providers also offer shared ride services that match passengers requesting trips along similar routes (e.g., UberPool and LyftLine).
- Car sharing services are typically programs that allow members to reserve and drive a vehicle themselves, and pay on an hourly or daily basis; as of 2018, these services are not currently available in Yamhill County. The vehicles are located in accessible locations and keyless entry is provided with a smart card or smart phone app. Early station-based car sharing programs (e.g., Zipcar) required the car be returned to the same location. More recent programs (e.g., Car2Go and ReachNow) allow a vehicle to be returned to any location within the service area, facilitating one-way trip use along with public transportation. Transit agency partnerships include offering parking spaces for car sharing vehicles in or adjacent to transit facilities.
- Bike and scooter sharing serves short-distance point-to-point trips. Initial bike share systems required that bikes be picked up and returned at any of the dock stations in the service area. Recent trends are for dockless bike share (e.g., Jump and Lime) as well as scooters (e.g., Bird, Skip, and others), allows people to pick-up and drop-off bikes anywhere in the service area. People use a smart phone app to find, unlock, and ride the bikes. Bike share complements transit by enabling passengers to complete the first or last mile of a transit trip beyond a convenient walk from transit.

YCTA (and/or local jurisdictions) can take the following actions to coordinate with these services and ensure they are implemented consistent with YCTA and other local goals:

 Develop pilot programs and/or partnerships with private or non-profit transportation providers, including ride-hailing companies and taxis, to fill in spatial and temporal gaps in transit service, such as later evenings or transit access in small cities. Potential markets include first-last mile connections generally, shift workers, and college students with late evening classes. YCTA would need to conduct a competitive procurement process (e.g., RFP) to solicit vendors. An initial RFQ/RFI (Request for Qualificiations/Information) process could be used to gauge interest and have a more collaborative discussion around accessibility, mobile device and payment alternatives, and other considerations described below. A formal agreement would need to address any potential YCTA liability.

Develop policies around the use of any YCTA subsidies for trips on private providers, such as:

- Encourage providing shared rides where feasible.
- Use "geo-fencing" and electronic fare payment media to ensure that subsidized trips are limited to transit trips (such as to/from a YCTA transit center, secondary transit hub, or intercity bus stop.
- Determining the subsidy mechanism, which could be on a percentage of trip cost up to a maximum amount and/or there could be a flat subsidy with a maximum overall credit per month with a cap per trip. Lyft has a \$4 minimum; the fare structure is \$.45 base charge, \$.95 per mile and \$.11 per minute. Consider whether some types of subsidies should be meanstested, e.g., limited based on income.
- Encourage availability of accessible vehicles and ensure an equivalent service for people with disabilities; the FTA issued a "Dear Colleague" letter in 2016 that made it clear that ADA requirements must be met regardless of receiving federal assistance. This means that TNCs must either offer wheelchair accessible trips when in contract with an agency, or provide an equivalent service through a third-party.
- Provide an alternative to reserving trips using a smart phone app; this will require working out implementation of restrictions on subsidies.
- Provide a method of booking and payment that does not require a cell phone or credit card; the FTA issued a "Dear Colleague" letter in 2016 stating that projects that use federal assistance must meet Federal requirements, such as Title VI. A YCTA fare payment card may be a possible approach.
- Ensure that mobile device applications support multiple languages.
- Integrate microtransit-type technology to increase the convenience and effectiveness of YCTA services. A proposed flex-route serving the low-density, primarily employment and light-industrial areas east of Lafayette Avenue in McMinnville is an example of a service that would benefit from dynamic vehicle routing based on rider requests.
- **Include space for emerging mobility service providers** when designing new or expanded transit centers or secondary transit hubs (see Chapter 7). Design elements include pick-up and drop-off areas, mobility device parking and electric charging stations, and trip planning kiosks.

Develop policies to manage shared mobility providers' use of the public right-ofway, including streets and sidewalks.

The National Associate of City Transportation Officials (NACTO) has developed guidelines to help cities manage shared mobility devices including dockless bikes and scooters. NACTO plans to update the guidelines based on experience in this rapidly evolving landscape. https://nacto.org/home/shared-active-transportation-guidelines/

Partnerships

Local and regional partnerships will be critical to implementing the TDP, and include:

- Cities in Yamhill County, and adjacent counties and cities served by YCTA intercity
 routes, to facilitate permitting, installation, and maintenance of stops and amenities (e.g.,
 shelters), and possibly to contribute funding to help expand service in their community.
- Confederated Tribes of the Grand Ronde to enhance service the McMinnville-Grand Ronde corridor, and partner to facilitate implementation of the Grand Ronde Transit Plan (expected completion in 2018).
- Educational institutions and major employers including Linfield College, George Fox University, and Chemeketa Community College, Willamette Valley Medical Center, Providence Newberg Medical Center, Grand Ronde Casino and others, around opportunities to promote transit and other travel options, coordinate schedules with work shifts, and develop group pass programs.
- Northwest Oregon Connector Alliance (NWOTA) to improve integration between YCTA and other transit providers in northwest Oregon.
- **Travel Oregon**, to help promote transit as an option for visitors.
- **Human and Social Service Agencies** to provide transit information and develop convenient and affordable fare payment options for their clients.
- **Chambers of Commerce** to support employee and customer access to local businesses, special events, and leverage transit for economic development.
- Churches to designate park-and-rides to facilitate transit access and support informal carpooling.
- **Emerging mobility service providers** to accommodate these services at transit facilities, cost-effectively meet demand at low-demand times, and increase access to transit.

SERVICE DELIVERY AND ORGANIZATIONAL CAPACITY

Service Delivery Approach

YCTA contracts with a third-party transit provider (currently First Transit) to operate service in the county. YCTA is planning to conduct a formalized procurement process (e.g., Request for Proposals) to solicit bids to operate and maintain the system, by June 30, 2019. Such a process allows the agency to confirm that it is receiving the best value from a customer perspective, and should recognize that the lowest bid is not always the best at meeting an agency's goals.

Roles, Responsibilities, and Staffing

Contracting for service delivery still requires significant YCTA administrative staff time and resources to oversee the contractor and perform other transit functions that are not be part of the contract. Figure 9-10 summarizes typical transit functions by category, identifies who is responsible—service contractor staff, YCTA staff, or other Yamhill County staff—and provides the current and projected staffing level. The TDP Financial Plan (Chapter 8) assumes an average cost per service hour consistent with these staffing levels. Additional staffing will help YCTA improve oversight for its transit operations and maintenance contract(s) to ensure accurate reporting, communication, and corrective actions to deliver high quality service and facilities. Adequate staffing is also necessary to accomplish the transit-supportive programs identified in the TDP.

Yamhill County Transit Development Plan | Volume I - FINAL

Figure 9-10 Transit Agency Functions and Estimated FTE

				Current / F	Projected S	taffing
Category	Typical Functions	Who Performs?	Typical Positions / Roles	Existing	Near- Term	Short- to Mid-Term
Vehicle operations	Transportation administration and support, safety and training, resolve customer complaints, ADA eligibility	Service Contractor	Operations ManagerSafety/TrainingField Supervisors	3 FTE	4 FTE	6 FTE
	Route planning and service design; technology operations (website, real-time information, automated passenger counting and vehicle location systems)		 Transit Planner³ Operations Specialist 	-	1 FTE	1 FTE
	Vehicle operations, monitoring, dispatch, scheduling, etc. Fare collection		OperatorsScheduler/Dispatcher	24 FT / 4 PT 3 FTE	26 FT / 6 PT 4 FTE	26-28 FT, 6-8 PT 4 FTE
Vehicle maintenance	Administration, record-keeping, work procedures, training Inspection and maintenance Servicing (cleaning, fueling, etc.) vehicles		Maintenance SupervisorMechanicsBus Washer	3.0 FTE	3.5 FTE	3.5 – 5.0 FTE
Non-vehicle maintenance	Administration, maintenance, repair of facilities and operational equipment	YCTA	 Bus, Bus Facilities, Shelter Cleaning Tech 	1.0 FTE	1.0 FTE	1.0 FTE
General administration	Strategic Planning Customer Relations/Outreach Advisory Committee Support Board Support Marketing/Promotion/Customer Information Service and Capital Planning Regulatory Compliance, including ADA Procurement Contract Procurement/Oversight Finance/Budgeting/Accounting¹ Grants Administration¹ Human Resources Oversight¹		 Transit Manager Administrative Assistant Program Coordinator² Grants^{1, 2} Service Planning^{2,3} Intern² 	1.5 FTE	2.5 FTE	2.5 to 5.0 FTE
	Grant Support Finance/Accounting Support Human Resources Support Legal Services	Yamhill County	Grant Specialist Accountant HR Specialist Legal Counsel	Varies	Varies	Varies

Notes: FTE: Full-time Employee Equivalent. [1] Yamhill County staff can provide support in these areas. [2] Position does not exist today. [3] Planning function could be wholly or in part performed by the YCTA service contractor and/or by a YCTA staff position.

Source: Adapted from National Transit Database (NTD), Uniform System of Accounts (USOA), and YCTA Staffing Projections.

YCTA Board Oversight Structure

The YCTA Transit Manger is responsible for day-to-day operations. The Yamhill County Board of Commissioners, which serves as the YCTA Board, has a Transit Liaison who attends YCTA Advisory Committee meetings, provides regular oversight of YCTA performance, and assists the Transit Manager with other issues as required. The YCTA Board reviews YCTA performance at regular meetings and makes major policy decisions, including approving the annual transit budget. Figure 9-11 provides an overview of typical roles and responsibilities.

Figure 9-11 Transit Manager and Oversight Board Roles and Responsibilities

Area	Transit Manager	Board Transit Liaison	YCTA Board
Executive	 Runs all day-to-day operations Informs Board to help shape policy and mission 	 Makes hiring and governance recommendations to full board When requested, offers input to assist the Transit Manager in day-to-day decisions 	Makes major governance and policy decisions with input from Transit Manager
Finance/ Audit	Manages day-to-day financesProposes budgetReports spending against budget	 Reviews budget in detail Oversees audit and aids Transit Manager in ensuring appropriate financial controls are in place 	 Discusses and approves budget Reviews financial and other performance indicators (at each meeting)
Public Relations	 Manages day-to-day public relations activities Plans for ongoing public relations activities and requests assistance on specific tasks from the Board Transit Liaison 	 Helps Transit Manager plan for public relations needs and carries out specific requests for assistance 	Approves and supports public relations activities as required
Personnel/ Human Resources	 Manages everyday personnel activities and makes staff hiring/firing decisions Suggests personnel policies and procedures 	 Ensures appropriate personnel policies and procedures are in place 	Approves personnel policies and procedures as required

Source: Adapted from Transportation Research Board, TCRP Report 85, Public Transit Board Governance Guidebook, 2002, Figure 8

10 SUPPORTING PUBLIC TRANSIT WITH LOCAL LAND USE POLICIES

Coordinated land use and development policies can strengthen YCTA's voice in local land use changes, as well as the maintenance of bus stops and the space around them. Providing input on local zoning and development reviews, and coordinating with local business alliances can be effective in encouraging transit-supportive land uses and drawing businesses to active transit corridors. This chapter addresses transit-supportive land use policies and development code language. It identifies policy and development code elements related to transit-supportive land use and provides "model" or recommended code language that is consistent with TDP recommendations and is suitable for adoption by local jurisdictions with some modifications. Based on this model language, the project team evaluated existing comprehensive plans and development codes of jurisdictions in the YCTA service area in order to gauge what changes may be needed in order to most effectively implement the TDP.

TRANSIT-SUPPORTIVE POLICY AND CODE LANGUAGE

The vision, strategies, and solutions developed during the TDP process are implemented in a number of ways, including through local land use policies, procedures, and development requirements. Given that the local jurisdictions within the YCTA service area have land use planning and development authority, the TDP should recommend local land use policy and procedures that support transit and are consistent with the recommendations from this planning process.

Comprehensive plan policies provide long-range land use and transportation planning direction. Specific policies are recommended to provide consistency with the TDP as well as a solid foundation for transit-supportive land use and transportation implementation going forward.

Development requirements support the implementation of transit-supportive improvements in several ways, including locally adopted provisions required by the Oregon Transportation Planning Rule (TPR) for communities with existing or planned transit service. Adopting transit-supportive development requirements may entail replacing or otherwise modifying existing local development requirements, adding to existing requirements, or some combination thereof.

Recommended Comprehensive Plan Policies

The recommended policies below draw from a number of references and resources and reflect the TDP project scope, TDP recommendations, and TPR requirements. Model policies also provide a basis for recommended development code amendments, discussed in the next sub-section. Recommended policy language addresses the following overarching topic areas:

- Planning for transit-dependent populations
- Establishing the YCTA TDP as a guidance document
- Coordinating with YCTA
- Implementing transit-supportive improvements

²¹ Oregon Administrative Rules (OAR) 660-012-0045(4)

The full suite of recommended policies is not necessarily appropriate in the smallest communities in the YCTA service area, where transit service may be limited and it is sufficient to more broadly address the topic areas represented by the recommended policies. All policies can be modified to fit local plan format and better reflect specific local conditions and interests.

Figure 10-1 Recommended Comprehensive Plan Policies

Planning for Transit-Dependent Populations

1. The [City/County] will facilitate transit service for its community members, with special attention to the needs of members who may be classified as "transit dependent" due to factors such age, income, and/or disabilities.

Establishing the YCTA TDP as a Guidance Document

- 2. The Yamhill County Transit Area Transit Development Plan provides the policy and implementation direction for [City/County] transit planning, which includes route development, financing, and physical improvements necessary to maintain and improve public transit service for [City/County] residents, businesses, and visitors.
- 3. Transit improvements within the [city/county] shall be guided by the findings and recommendations of the Yamhill County Transit Area Transit Development Plan.
- 4. The [City/County] will seek to implement, through capital improvement projects and private development requirements, improvements that encourage increased transit use and are consistent with and supportive of the Yamhill County Transit Area Transit Development Plan recommendations.
- 5. The [City/County] will support higher-density and mixed-use land use around transit stops and in transit corridors to make transit service more feasible and effective.
- 6. In lower-density areas, the [City/County] will support park-and-ride/rideshare facilities, demand-responsive and flexible transit services, and other facilities and services that are appropriate where it is less feasible to serve the area with fixed-route transit.

Coordinating with YCTA

- 7. The [City/County] will invite transit service providers to participate in long-range and comprehensive land use planning projects in order to optimally coordinate land use and transit service.
- 8. The [City/County] will invite transit service providers to participate in the review of land use applications that may have implications for transit service or impacts to transit facilities.
- 9. In planning for and implementing capital projects, the [City/County] will coordinate with Yamhill County Transit Area, Oregon Department of Transportation (ODOT), and other road authorities if applicable to preserve or improve existing and planned transit stop amenities and connections (e.g., sidewalks).
- 10. The [City/County] will work with Yamhill County Transit Area to site and implement needed transit stops and park-and-ride lots within the [city/county] in support of the district-wide public transit system, with an emphasis on sites that are safe and convenient for riders.
- 11. The [City/County] will participate in Yamhill County Transit Area's efforts to promote and implement rideshare and other transportation demand management programs for reducing motor vehicle travel demand on State highways.

Implementing Transit-Supportive Improvements

- 12. The [City/County] will prioritize the improvement of pedestrian and bicycle network gaps and substandard facilities along and adjacent to transit corridors in its long-range transportation planning and capital improvement programming.
- 13. The [City/County] will support improvements such as pedestrian and bicycle connections, shelters, easements for shelters and/or landing pads, and lighting to complement transit service and encourage increased transit use. Transit stop improvements shall be coordinated with the transit service provider.
- 14. The [City/County] will work to improve safety for transit riders through the local planning and development review process, helping to ensure safe locations of transit stops and safe connections to transit stops, including roadway crossings.
- 15. The [City/County] will prioritize improvements to the [City's/County's] pedestrian environment that increase safe and attractive access to transit, including lighting, landscaping, public art, marked and protected crossings, and curb ramps.
- **16.** The [City/County] will establish and implement development requirements that provide preferential parking for ridesharing and allow parking areas to be used for park-and-ride, rideshare, and transit-related facilities.

Summary of Local Policy Assessment

Existing transportation policies (Comprehensive Plans and Transportation System Plans or TSPs) were reviewed for consistency with recommended policies. Key findings are provided below; Appendix G provides the overall assessment (Figure G-1).

Overall, the evaluation found that all the jurisdictions should adopt more specific transit-supportive polices into their comprehensive plan policies, particularly related to establishing transit plans as guiding documents and instituting planning and permitting coordination between local jurisdictions and transit agencies. The following is an overview of evaluation findings by policy category and by jurisdiction size:

- **Planning for transit-dependent populations.** This policy area showed the most consistency between existing and recommended policy. Many jurisdictions make supportive policy statements about low-income, disabled, and senior populations in their communities, although not always explicitly in relation to transit service.
- **Establishing the YCTA TDP as a guidance document.** Existing policies were partially to minimally consistent in this category; typically, while policy may commit to improving and promoting transit, transit plans are not identified as a basis for these actions.
- Coordinating with YCTA. The highest levels of inconsistency were found in this category, where coordination with transit service providers is generally not addressed, whether for land use planning and development, transit-supportive improvements, or transit-supportive programs.
- **Implementing transit-supportive improvements.** Jurisdictions varied widely (from minimally to mostly consistent) in how their policies committed to transit-supportive requirements, including transit stop improvements, safe crossings, pedestrian environment improvements, prioritization of improved pedestrian and bicycle connections to transit, parkand-ride facilities, and TDM/ridesharing programs.
 - McMinnville provides the strongest transit-supportive policy basis of the larger jurisdictions.
 However, as discussed in the development code review (see Appendix G), its development code does not appear to have been updated recently and it does not robustly reflect these policies.
 - Of the smaller jurisdictions, Carlton's and Willamina's policies are among the most consistently transit-supportive. Their policies commit to serve the transportationdisadvantaged, ensure transportation improvements are consistent with transportation plans, coordinate with transit service providers in addressing transit service needs, and implement transit-supportive improvements.

Local policies, even those found to be largely consistent with recommended policies, should be strengthened using recommended transit-supportive language when amendment opportunities arise (e.g., a TSP update). These opportunities are further discussed in the Best Practices section below.

See Appendix G for detailed policy language recommendations and the assessment of local policies (Figure G-1).

Recommended Development Code Language

This section identifies areas of the development code that relate to transit (see Figure 10-2); Appendix G provides sample code language that reflects the TDP objectives and the recommendations, is supported by the Comprehensive Plan policies recommended above, and is consistent with the TPR. The recommended development code language is intended to be a reference for code updates in all of the jurisdictions in the YCTA service area.

Figure 10-2 Recommended Development Code Language

Coordination with Transit Agencies

- Pre-Application Conference
- 2. Application Review
- 3. Hearing Notice

Access to Transit and Transit-Supportive Improvements

Site Access

- 4. Access between the Site and the Street
- 5. Access to the Transit Stop and Supportive Improvements

Area Access

6. Off-Site Access to Transit Stops

Other Transit-Related Development Requirements

Vehicle Parking

- 7. Transit-Related Uses/Facilities in Parking Areas
- 8. Carpool/Vanpool Parking
- 9. Maximum Parking Requirements
- 10. Reduced Parking Requirements
- 11. Parking Area Landscaping

Bicycle Parking

12. Minimum Bicycle Parking Requirements

Urban Form

13. Maximum Building Setbacks

See Appendix G for detailed recommended development code language.

Summary of Local Development Code Assessment

An evaluation of existing development code language in YCTA service area jurisdictions revealed the need for strengthened language related to transit. This section provides key findings; Appendix G (Figure G-2) provides the detailed evaluation.

As established in Technical Memo #3 (Planning Framework) and summarized in TDP Chapter 2, the largest amount of development is expected to occur in Newberg and McMinnville. These two cities are a focus of service improvements proposed in the TDP; consequently, the evaluation of existing development code also focused on these cities. The evaluation, provided in Appendix G (Figure G-2), shows varying levels of consistency between recommended transit-supportive development code language and existing Newberg and McMinnville development code language. Even though McMinnville is the larger of the two jurisdictions, it appears that Newberg's development code has been updated more recently and has sets of transit-specific development requirements that McMinnville's does not. However, both of the cities can improve the transit orientation of their communities by adopting recommended development code language into code sections found to be less than consistent, either as new code sections or as modifications to existing code sections.

The evaluation indicates several opportunities for McMinnville and Newberg to improve existing development code provisions, particularly regarding application review coordination and requirements for transit stop improvements and other transit-related improvements. The following is an overview of evaluation findings by development code category:

- Coordination with transit agencies. Newberg and McMinnville may have a practice of consulting with YCTA about land use applications, but this practice is not formalized in their development codes. In addition, code requirements that address coordination and notification do not clearly differentiate notice of application review from notice of public hearing, which are potentially two separate opportunities in which to engage transit agencies.
- Access to transit and supportive improvements. While both Newberg and McMinnville
 require pedestrian access from development sites to the street, only Newberg has requirements
 specific to transit access and transit stop improvements. McMinnville more strongly supports offsite access to transit in terms of smaller required block sizes and clearer language about
 pedestrian and bicycle access ways.

Other transit-supportive requirements:

- Vehicle parking. Only Newberg has code provisions allowing transit-related uses in parking areas and requiring preferential parking for carpools and vanpools. Neither jurisdiction establishes maximum off-street parking requirements. However, the cities have adopted other effective forms of parking management (e.g., no parking requirements and large reductions in requirements in the densest parts of the cities).²² Both cities require some level of parking lot landscaping; these requirements could be enhanced to provide even better pedestrian environments.
- Bicycle parking. Existing development code requirements in Newberg address bicycle
 parking for transit transfer stations, but not regular transit stops. McMinnville's code requires
 bicycle parking for uses only in commercial zones and does not address transit uses in any
 zone.
- Urban form. Newberg requires minimum setbacks and relatively large maximum setbacks in commercial zones; McMinnville establishes maximum setbacks in the central commercial zone only in downtown. Both cities should review existing setback requirements and consider setbacks for development on OR 99W that will enhance the pedestrian environment and promote transit.

Incorporating more transit-supportive language into each city's development code could be dovetailed with a legislative amendment process such as a TSP update. This is discussed in more detail in the Best Practices section.

See Appendix G for detailed development code language recommendations and the assessment of local development codes (Figure G-2).

²² While existing development code language in Newberg and Dundee does not include maximum off-street parking requirements, there are cases where the cities do not require off-street parking, which is an even more robust measure for managing parking and encouraging transit, or they allow drastically reduced parking requirements. (See the evaluation summarized in Figure G-2 for more details.) It is recognized that these parking strategies are most appropriate and effective in the densest, most urbanized parts of the YCTA service area.

BEST PRACTICES FOR TRANSIT-SUPPORTIVE LAND USE

Best practices to strengthen the connection between transit and land use generally fall into two arenas: increased collaboration between transit agencies and local jurisdictions during long-range transit and land use planning and transit agency participation in land use (development) permitting.

Long-Range Planning

Both transit agencies and local jurisdictions engage in long-range planning processes, and transit and land use can become more integrated through coordination between agencies during their respective long-range planning activities. Transit agencies can engage a variety of local jurisdiction staff, in addition to other community stakeholders, in their long-range planning processes. Local jurisdiction staff can include departments such as planning and community development, public works and engineering, and business and finance. In some unique cases, cities and counties have staff dedicated to transit services and coordination. Cities and counties conduct multiple long-range, comprehensive planning processes that can have a bearing on transit. Including transit agencies on advisory committees is particularly important for the development of concept or area plans and TSPs. Concept and area plans are prepared for new urban growth areas. TSPs, pursuant to the TPR, must include a transit element. Therefore, both of these planning processes present prime opportunities to create more transit-oriented land use and transportation plans.

Transit-Supportive Policy and Code

Long-range transit and land use planning processes should involve the development and adoption of transit-supportive policy and code language. These plans are typically adopted through a legislative process that involves public hearings, which is also the level of review needed for changes to city and county comprehensive plan policies and development code language.

While the TDP policy and code language constitutes a strong base of model language to draw from, the language is built on best practices to-date. Model language should continue to be strengthened, and one example of this is related to development code thresholds for requiring developers to make or plan for transit stop improvements. Conversations with transit and transportation planners have suggested that the threshold be not just sites that are adjacent to existing or planned transit stops (and more particularly stops with frequent service), but sites where a minimum number of employees are projected. Additionally, the thresholds could include comprehensive plan and zoning changes that increase density.

As found in the reviews of policy and development code consistency (previous section), all jurisdictions in the YCTA service area could benefit from integrating recommended transit-supportive policy language and development requirements into their comprehensive plan policies and development codes. A TSP update process provides a natural opportunity to address implementation measures, including new transit-supportive policies and code. However, if a jurisdiction has been through a TSP update process in the last few years, another update is not likely in the near term. For these jurisdictions, adoption of recommended policy and code language could potentially be folded in with other legislative amendment procedures (e.g., other comprehensive plan and development code updates).

Development Permitting

Development permitting presents numerous opportunities for collaboration between transit agencies and local jurisdictions. As indicated in the recommended transit-supportive development requirements, there are multiple points in the development permitting process during which transit service providers could participate—at the pre-application stage where the development proposal is first vetted with the local jurisdiction; after the development proposal is submitted and the jurisdiction's review of the proposal begins; and shortly before and during the public hearing and permitting decision stage, when the local jurisdiction's staff report is being completed and testimony regarding the proposal is collected. Involvement at these points in the process can translate into needed transit improvements being identified early and, thus, included in the development proposal and/or transit improvements being required as a condition of development approval.

In some transit districts, local jurisdiction planning staff already have a practice of informing transit service providers about development applications, or transit service providers routinely inquire about new development applications, whether through informal contact with planning staff or through relationships with developers. In this way, transit service providers can be involved in the development process and advocate for transit improvements that are generally or specifically called for in a transit plan. In some cases, notice and involvement is required by the development code and in some cases, it is not. Similarly, in some instances, transit-supportive improvements are required in code (e.g., transit stop access and improvements) and the transit agencies ensure that the requirement is fulfilled consistent with their own transit planning. When the improvements are not required in code, it is still possible that they will be implemented if planning staff or the transit service provider are present at key points in the development review process to identify improvements called for in the agency's transit plan. These cases underline that, while transit-supportive coordination and improvements may occur without codification, their implementation will be stronger and more consistent if codified.

11 MONITORING IMPLEMENTATION OF THE TDP

System goals, objectives, performance measures, public input, and actual operation of service are all part of an ongoing process to continually evaluate and improve service (see Figure 11-1). YCTA will need to determine an appropriate but level and frequency of service evaluation that is meaningful without being burdensome to staff. Major service changes, including implementation of projects identified in the TDP, should include public outreach to obtain input on routing and schedule details. Minor adjustments based on input from the public, drivers, and other staff as well as performance monitoring should be implemented periodically to ensure that routes are running as expected. Changes should ideally be implemented only every 4 to 6 months to avoid overly frequent changes for riders. All major and minor service changes should be clearly communicated to riders.

This section incorporates the existing conditions analysis, peer evaluation, and industry standards into performance measures and standards that YCTA can use to regularly assess system and route-level performance and progress towards TDP implementation.

Operate Service Transit Local fixed routes Intercity routes Development Plan Dial-a-Ride ADA Paratransit Standards and Policies Create/modify services and routes Measure Performance Gather community input and conduct outreach Meets standards Does not meet standards

Figure 11-1 Process for Ongoing Monitoring

More information on benchmarks including a peer review of YCTA performance compared to comparable providers can be found in Chapter 3 of the TDP and TDP Volume II, Section 2: TM #2, Chapters 3 and 5 and Appendix C.

SERVICE STANDARDS

Performance measures and standards are defined as follows:

- Performance measures quantify transit operating characteristics and provide a basis for comparison to a desired goal, to peer systems, or to past performance. The most useful measures are typically ratios of product provided (e.g., transit trips) to resources expended (e.g., "revenue" hours of bus driver time). Productivity (ridership per revenue hour), for example, is a nearly universal measure in the transit industry. A good set of performance measures should rely on readily available data and focus on key aspects of operations.
- Performance standards (also known as targets or benchmarks) are quantifiable values for specific performance measures. They set the expectations for acceptable levels of performance. Using the productivity example, routes performing below a standard of 10 to 15 boardings per revenue hour may merit attention. A single performance measure may have multiple standards based on the service type, operating period, or geographic zone being evaluated. YCTA performance standards need to balance industry norms, YCTA's own goals and objectives, and any requirements from funding or other sources. For example, farebox recovery standards may be set below those of peer systems if local policy-makers agree to higher subsidies to address affordability concerns. Alternatively, YCTA needs to balance affordability with the requirement to generate revenue to cover its operating costs.

The tables below display performance measures for several categories of performance measures, including a brief definition, where to collect the data, how YCTA currently performs on the measures, comparisons to peers (where applicable), and guidance on metrics for each service type. In some cases benchmarks are the same for each service type, while in other cases the performance measure is the same but the metrics are different.

Service Design Standards

The design standards in Figure 11-2 help ensure service that is convenient and well-matched to passenger needs. A route's hours of operation and frequency, along with other service level characteristics, play a major role in attracting riders. Passengers value convenience and reliability. Service every three hours or service that ends at 6 PM does not provide a convenient option. Service hours and frequencies have a major impact on cost; however, too little investment in service levels or service in areas with insufficient density of people or jobs results in empty buses.

Figure 11-2 Service Design Standards

	Goal					Performance Sta	andards ¹	
Performance Measure	and/or Objective	Definition	Data Source	Existing	Intercity Fixed-Route	Local Fixed- Route	Flex Route / Shuttle	DAR or ADA Paratransit
Service area land use density	1.4, 2.1	Concentration of people and jobs in area served; higher densities support higher levels of transit.	Census ^{5,6}	Routes serve population centers with overall density of 2-8 people and up to 2 jobs per acre	Serves major corridors and urban clusters; 8-12 people or jobs per acre within ¼-mile of stops	6-8 people or jobs per acre within ¼-mile of route (stops)	4+ people or jobs per acre within ¼-mile of route (stops)	>0.5 people or jobs per acre
Minimum span of service – Weekday	1.2	Service start and end times	Service schedules	Local: 7 AM - 7 PM Intercity: 6 AM-7 PM or 6 AM-9 PM (varies by route)	6 AM - 8 PM or 8 AM - 10 PM	6 AM - 8 PM	8 AM – 5 PM	Same as local fixed route
Minimum span of service – Weekend	1.2	Service start and end times	Service schedules	Local: None Intercity: 8 AM – 7 PM (46s) 9:30 AM – 4 PM (24s)	8 AM - 6 PM	8 AM - 6 PM	8 AM – 5 PM	Same as local fixed route
Service frequencies – Weekday ²	1.3, 1.4	How often a bus arrives in each direction	Service schedules	Local: 60 min Intercity: 60 min – 4.5 hours (varies by route)	60-120 minutes	60-120 minutes	Varies	Same as local fixed route
Service frequencies – Weekend ²	1.3, 1.4	How often a bus arrives in each direction	Service schedules	Local: None Intercity: 2h 50m (varies)	60-120 minutes	60-120 minutes		Same as local fixed route
Vehicle loading ²	-	What percent of seated capacity is utilized (having a seat is more important on longer intercity routes)	Ridecheck (in future, APC data)	Local: Generally <100% Intercity: 12-25 (some trips may exceed 100%)	100%	120%	100%	100%

Yamhill County Transit Development Plan | Volume I - FINAL

	Goal				Performance Standards ¹			
Performance Measure	and/or Objective	Definition	Data Source	Existing	Intercity Fixed-Route	Local Fixed- Route	Flex Route / Shuttle	DAR or ADA Paratransit
Vehicle type (see Chapter 7)	2.2	Match vehicle to service type and route context	N/A	Varies	Large cutaway or 30-foot bus	Large cutaway or 30-foot bus	Small cutaway	Van or small cutaway
Stop spacing	-	Close stops provide more access (shorter walking distance) but increase travel times; a balance is needed	YCTA Stop Inventory; GTFS and GIS Data	Not tracked	> ½ - 1 mile within communities	> ¹ / ₈ mile	Varies based context	N/A
Travel time ratio (bus to auto)	1.3	Ratio of bus to auto travel time for a particular route or trip; if the bus travel time far outweighs driving time, those with a choice are likely to drive	Schedules and Google maps	N/A	1.3	1.5-2.5	1.5 - 3	2-3

Note: These metrics can be applied when designing or redesigning services, with the exception of passenger loading which can be evaluated monthly or quarterly once passenger counts are automated.

Cost Efficiency and Cost Effectiveness Standards

Cost efficiency and cost-effectiveness standards evaluate YCTA's level of output (service hours and miles) against the cost to operate service.

Figure 11-3 Cost Efficiency and Cost Effectiveness Standards

	Goal				Existing Performance		Performa	ance Standards ¹	
Performance Measure	and/or Objective	Definition	Data Source	Existing YCTA Performance	Compared to Peers (2015 NTD)	Intercity Fixed-Route	Local Fixed- Route	Flex Route / Shuttle	DAR, ADA Paratransit
Operating cost per revenue hour	6.2	Cost of providing service, divided by the number of hours each bus is in service	NTD ⁷ , YCTA Reporting ⁸	\$55 Fixed-Route: \$65 Dial-A-Ride: \$42	68% of peer median (\$79)	\$75 (2018, adjusted for inflation)		\$65 (2018, adjusted for inflation)	\$65 (2018, adjusted for inflation)
Operating cost per trip	6.2	Cost of providing service, divided by the number of passenger trips provided	NTD ⁷ , YCTA Reporting ⁸	\$6.85 Fixed-Route: \$6 Dial-A-Ride: \$10	94% of peer median (\$7.27)	\$5-7 (2018, adjusted for inflation)		\$7-10 (2018, adjusted for inflation)	\$10-25 (2018, adjusted for inflation)

Note: These metrics can be tracked annually, with peer comparisons updated at least every 5 years.

Service Efficiency Standards

Transit services utilize public dollars and are responsible to operate in an efficient manner; service efficiency standards measure efficient use of resources.

Figure 11-4 Service Efficiency Standards

	Goal				Existing Performance		Performance Standards ¹		
Performance Measure	and/or Objective	Definition	Data Source	Existing YCTA Performance	Compared to Peers (2015 NTD)	Intercity Fixed- Route	Local Fixed- Route	Flex Route / Shuttle	DAR or ADA Paratransit
Passengers per revenue hour	1.1	Average number of passengers a bus carries for each hour it is in service	NTD ⁷ , YCTA Reporting ⁸	7.9 Intercity and Local Fixed Route: 11.8 Dial-A-Ride: 3.2	79% of peer median (10.1)	8-12	8-16	4-10	2-4
Passengers per revenue mile	1.1	Average number of passengers a bus carries for each mile it travels	NTD ⁷ , YCTA Reporting ⁸	0.4 Intercity: 0.4 Local: 0.9 Dial-A-Ride: 0.3	83% of peer median (0.5)	0.3 - 0.5	1	0.4 - 0.8	0.3
Farebox recovery ratio	2.7, 6.1	Percent of operating expenses covered by passenger fares	NTD ⁷ , YCTA Reporting ⁸	15% (System-Wide)	107% of peer median (11%)		10-	15%	

Note: These metrics can be tracked monthly or quarterly, with peer comparisons updated at least every 5 years.

Passenger Comfort/Safety Standards

This set of benchmarks tracks customer satisfaction.

Figure 11-5 Passenger Comfort and Safety Standards

	Goal				Performance Standards ¹				
Performance Measure	and/or Objective	Definition	Data Source	Existing YCTA Performance	Intercity Fixed-Route	Local Fixed- Route	Flex Route / Shuttle	DAR or ADA Paratransit	
On-time performance	6.2	How often a vehicle leaves early or late. Typically no more than 1 minute early or 5 minutes late counts as "on time."	Ridecheck, YCTA Reporting	Local: 58-83% Intercity: 44-71% Dial-A-Ride: 89.9%	80-95%	85-95%	85%	90-95%	
Customer information	3.1, 3.3	Online and printed materials (e.g., website, brochures, mobile apps etc.) translated into other languages as determined in YCTA Title VI and LEP plan, or translation available through a spoken or electronic translation service.	Review of YCTA Online and Printed Materials and Applications	Spoken language translation available	100%				
Passenger complaints	3.5	Number of customer complaints received (indicator of customer satisfaction)	YCTA Reporting	19 driver or system complaints per 100,000 boardings	No more than 25 legitimate complaints per 100,000 boardings				
Safety	4.1	Bus accidents disrupt service and indicate operator training needs or street design problems	YCTA Reporting	0.51 Safety Issues or Incident Reports per 100,000 revenue miles	No more than: 1 preventable accident per 100,000 miles; 2 accidents per 100,000 revenue miles; 2 major accidents per 1,000,000 revenue miles				
Road calls / maintenance	4.3	Number of times a vehicle must be taken out of service.	YCTA Reporting	4 road calls per 100,000 revenue miles	No more than 10 per 100,000 revenue miles.				
No show / late cancellation rate	-	Percent of scheduled trips where the passenger is a no-show or failed to provide adequate notice to cancel a trip (indicates unproductive vehicle time)	YCTA Reporting	5.24% for ADA, DAR	N/A < 5%		< 5%		
Trip denials	2.2	ADA trips where YCTA was unable to provide a request ride within 1 hour of the time requested by the passenger (no ADA trips should be denied)	YCTA Reporting	0% for ADA	N/A			No patterns of denied service allowed per ADA	

Note: These metrics can be tracked monthly or quarterly.

Other Measures: Transit Access and Service Provided/Consumed

This set of measures tracks access to transit (share of population and jobs that live within ¼-mile of a bus stop) and the amount of service provided (service hours) and consumed (ridership) relative to Yamhill County's population within urban growth boundaries (UGBs).

Figure 11-6 Transit Access and Utilization Measures

	Goal and/or Objective				Existing Performance	Performance Standards ¹			
Performance Measure		Definition	Data Source	Existing YCTA Performance	Compared to Peers (2015 NTD)	Intercity Fixed-Route	Local Fixed- Route	Flex-Route / Shuttle	DAR or ADA Paratransit
Service hours per capita	2.4	Annual service hours divided by population with UGBs (how much service is provided)	Census, PSU, and/or NTD 7,8,9	0.42 (based on UGB population)	58% of peer median (0.73) Range: 0.28 to 1.24	Increasing trend and comparison to peer median			
Ridership per capita	2.4	Annual riders divided by population within UGBs (how much service is used)	Census, PSU, and/or NTD 7,8,9	2.9	30% of peer median (9.9) Range: 2.9 to 16.8	Increasing trend and comparison to peer median			
Service Availability ^{2,3}	2.5, 5.1	What percent of the population lives within a ¼-and ½ mile of a transit stop	Census ^{4,5}	70% of employees within ¼-mile of a transit stop (2014 US Census LEHD) 60% of residents in cities within ¼-mile of a transit stop (2010 US Census) Approximately 60% low-income population (200% of federal poverty level) within ¼-mile of a transit stop.	N/A	Increasing trend as TDP is implemented. A standard of 75% of employees, 70% of residents, and 70% of low-income population is recommended within ¼-mile access and 90% or more within ½-mile access. (FTA does not require a certain standard, but does require tracking progress. Standards can be defined locally.)		N/A	
Transit mode share	-	The percent of trips taken via transit shows transit's role in achieving Transportation Planning Rule goals of reducing VMT	American Community Survey ACS 5- Year Estimates (Table S0801) ⁵	Yamhill County: 1% Incorporated Communities: 1% (2011-2015 average)	Statewide average: 4%	Increasing trend and comparison to peers			

Yamhill County Transit Development Plan | Volume I - FINAL

Notes for Figure 11-2 to Figure 11-6:

- ¹ Standards are preliminary thresholds of acceptable performance based on peer systems and industry norms.
- ² Represents a Title VI required measure (system-wide service standard per FTA Circular 4702.1B). FTA does not prescribe the benchmark itself, but the tracking of such metrics.
- ³ Measure for STIF program
- ⁴ US Census, 2010 (updated every decade); this data has finer geographic units than American Community Survey data, which is a sample of the population and has large boundaries in parts of the YCTA service area.)
- ⁵ American Community Survey, 2011-2015 5-Year Estimate (rolling 5-Year estimates on an annual basis).
- ⁶ US Census Bureau, Longitudinal Household Employer Dynamics (LEHD), 2014 (updated annually)
- ⁷ National Transit Database (NTD), 2015
- ⁸ YCTA Reporting, 2016
- ⁹ PSU Population Research Center (PRC), 2017

.

APPENDICES



Yamhill County Transit Area Transit Development Plan

Volume I Appendices

October 2018



1 of 125 Amended on 12.15.20

This Project is partially funded by a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation (ODOT) and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part, by the federal Moving Ahead for Progress in the 21st Century Act (MAP-21), local government, and State of Oregon funds. The contents of this document do not necessarily reflect views or policies of the State of Oregon.

Table of Contents

		Page
APPENDIX	A YCTA Fleet Inventory, Vehicle Type Assumptions, and Replacement Scho	eduleA-1
APPENDIX	B Additional Transportation Service Provider Information	B-1
	C Bus Stop Design Guidelines	
	p Design Principles	
	p Location Considerations	
	p Accessibility Guidance onal Resources	
	D Service Design Details	
	nville Local Service	
	erg Local Service	
	nville-Newberg-Tigard Corridor Intercity Service: Routes 44/45x/46S	
McMin	nville-Salem Intercity Service: Route 80x (Current 11)	D-29
	nville-Grand Ronde Intercity Service: Route 22/24S	
	nville-Hillsboro Intercity Service: Route 33	
	within/between Small Cities9-2021 STIF Plan Information	
	otual Schedules	
-	E Public Transportation Funding Sources	
	F Supporting Programs Details	
	nic Fare Payment	
	al Coordination	
APPENDIX	G Detailed Land Use Policy Assessment	G-1
	Supportive Policy and Code Language	
Evalua	tion of Local Jurisdiction Policies and Development Code	G-9
Table of	Figures	_
		Page
Figure A-1	YCTA Vehicle Fleet Inventory and Replacement Schedule	A-1
Figure A-2	Detailed Vehicle Type Assumptions by Time Frame: Vehicles Operated in Maximum Service	۸ 1
Figure A-3	Detailed Fleet Expansion and Replacement Plan, 2018 - 2028	
Figure B-1	Yamhill County Social Service Agencies Involved in Transportation Services	
•	Wine Tour Shuttle Services	
Figure B-2	Near-Side, Far-Side, and Mid-Block Examples	
Figure C-1 Figure C-2	· · · · · · · · · · · · · · · · · · ·	
· ·	Near-Side, Far-Side, and Mid-Block Bus Stop Tradeoffs	
Figure C-3	Bus Pullout Examples	
Figure C-4	ODOT Bus Pullout Sample Drawing	
Figure C-5	Mid-Block Crossing and Refuge Island Example	
Figure C-6	Minimum Bus Stop Pad and Shelter Dimensions	
Figure C-7	Front and Rear-Facing Shelter Circulation	
Figure D-1	Summary of Service Actions: McMinnville Local Service – Table	
Figure D-2	Stops Near Winco/Walmart (Immediate or Near-Term/Short-Term)	D-/

Figure D-3	Proposed Route 1 (3 South) (Near-Term)	D-8
Figure D-4	Proposed Route 3 (North) (Near-Term)	
Figure D-5	Proposed Route 3 (North) (Long-Term)	D-10
Figure D-6	Proposed Route 2 (East)	D-11
Figure D-7	Proposed Route 4 (Route 2 West)	D-12
Figure D-8	Proposed Options to Serve Hill Road/Baker Creek Road Area (Long-Term)	D-13
Figure D-9	Service Changes: Newberg Local Service	D-15
Figure D-10	Modified Route 5: Northwest Newberg	D-19
Figure D-11	Proposed Route 6: Southwest Newberg	D-20
Figure D-12	Proposed Route 8: Northeast Newberg (Option #1) - Recommended	D-21
Figure D-13	Proposed Route 8: Northeast Newberg (Option #2)	D-21
Figure D-14	Modified Route 7: Southeast Newberg (Option #1) - Recommended	D-22
Figure D-15	Proposed Route 7: Southeast Newberg (Option #2)	D-22
Figure D-16	Service Changes: McMinnville-Newberg-Tigard Corridor Intercity Service (Routes 44/45x) - Table	D-24
Figure D-17	Service Changes: McMinnville-Newberg-Tigard Corridor Intercity Service (Routes 44/45x) - Map	
Figure D-18	Existing and Proposed Route 44 Change at SW Langer Drive	
Figure D-19	Service Changes: McMinnville-Salem Corridor Intercity Service (Routes 11 / Future 80x) - Table	
Figure D-20	Service Changes: McMinnville-Salem Corridor Intercity Service (Routes 11) -	
Figure D-21	Route 80x (Current Route 11) Extension to Downtown Salem	
Figure D-22	Route 80x Potential Extension to Salem Amtrak Station	
Figure D-23	Service Changes: McMinnville-Grand Ronde Corridor Intercity Service (Route 22) – Table	D-35
Figure D-24	Service Changes: McMinnville-Grand Ronde Corridor Intercity Service (Route 22) - Map	
Figure D-25	Photos of Proposed Stop Locations on Route 22 that require shoulder improvements	
Figure D-26	Service Changes: McMinnville-Hillsboro Corridor Intercity Service (Route 33) — Table	D-40
Figure D-27	Service Changes: McMinnville-Hillsboro Corridor Intercity Service (Route 33) - Map	D-42
Figure D-28	Proposed Changes to Route 33 in Forest Grove and Cornelius	
Figure D-30	Small City Service Model Options	
Figure D-31	Service between Small Cities – Table	
Figure D-32	STIF Revenue Projections for Yamhill County	
Figure D-33	STIF Plan Project Summary	
Figure D-34	STIF Criteria and YCTA STIF Plan Draft Allocations	
Figure D-35	FY 2019-2021 STIF Application Template Information, Near-Term/Short- Term Projects: Page 1/4	D-51
Figure D-34	FY 2019-2021 STIF Application Template Information, Near-Term/Short- Term Projects: Page 2/4	
Figure D-34	FY 2019-2021 STIF Application Template Information, Near-Term/Short- Term Projects: Page 4/4	
Figure D-36	FY 2019-2021 STIF Application Template Information, Bus Detail	
Figure E-1	Public Transportation Funding Options	

Figure F-1	Touchpass Budgetary Estimate and 10-Year Lifecycle Cost Analysis	F-2
Figure F-2	HopThru Budgetary Estimate and 10-Year Lifecycle Cost Analysis	F-4
Figure F-3	TriMet Shared Stop Decal Specifications and Coordination Details	F-5
Figure F-4	TriMet Shared Stops	F-6
Figure G-1	Evaluation of Policy Consistency	G-10
Figure G-2	Evaluation of Development Code Consistency	G-1 <i>5</i>

APPENDIX A

YCTA Fleet Inventory

APPENDIX A YCTA FLEET INVENTORY, VEHICLE TYPE ASSUMPTIONS, AND REPLACEMENT SCHEDULE

Figure A-1 YCTA Vehicle Fleet Inventory and Replacement Schedule

Delivery Year	Agency Vehicle #	Make and Model	Odometer Mileage	Assumed Source	Assumed Year for New Grants	Grant Notes	Туре	Vehicle Class	Seating Capacity [1]	Status	Condition	Est. Repl. Year [2]
EXISTING	FLEET (As	of 10/2018)										
2001	592	Gillig Phantom	458,205	Existing		N/A	Bus - Medium	А	30+	spare	Fair / Marginal / Poor	2014
2001	524	BlueBird	0	Existing		N/A	Bus - Medium	А	35	spare	Good / Excellent	2014
2002	400	ElDorado Escort	339,755	Existing		N/A	Bus - Medium	А	21 / 2	end-of-life	Fair / Marginal / Poor	2015
2002	203	Ford E450 Starcraft Allstar	337,597	Existing		N/A	Cutaway - Small	D	0	active	Good / Excellent	2008
2004	305	Ford E450 ElDorado Aerotech	384,863	Existing		21950	Cutaway - Large	С	16/3	end-of-life	Fair / Marginal / Poor	2012
2005	201	Chervrolet Venture	139,530	Existing		N/A	Van	Е	5/1	end-of-life	Adequate	2010
2006	102-s	Ford Freestar Liberty	201,400	Existing		FTA	Van	Е	5	spare	Fair / Marginal / Poor	2011
2006	601	Freightliner Champion CTE	30,182	Existing		N/A	Bus - Medium	А	0	spare	Good / Excellent	2019
2006	602	Freightliner Champion CTE	7,380	Existing		N/A	Bus - Medium	А	0	spare	Good / Excellent	2019
2006	603	Ford E450 ElDorado Aerotech	234,862	Existing		N/A	Cutaway - Large	С	16	spare	Fair / Marginal / Poor	2014
2007	102	Chevrolet Uplander	127,035	Existing		FTA-OR-03	Van	E	5/2	active	Adequate	2012
2008	114	Ford E450 ElDorado	306,199	Existing		N/A	Cutaway - Large	С	16/2	spare	Fair / Marginal / Poor	2016
2008	116-v	Chevrolet Uplander	118,468	Existing		FTA-OR-04	Van	E	5/1	spare	Adequate	2013
2009	404	Chevy 5500 ElDorado	599,701	Existing		24283	Bus - Medium	А	21 / 2	active	Fair / Marginal / Poor	2022
2010	300	Ford E450 ElDorado Aerotech	319,863	Existing		ARRA 25650-2	Cutaway - Large	С	16/2	spare	Fair / Marginal / Poor	2018
2010	401	Eldorado Easy rider	497,910	Existing		25650	Bus - Medium	А	31 / 2	active	Adequate	2023
2010	402	Eldorado Easy rider	526,979	Existing		25650	Bus - Medium	А	31 / 2	active	Adequate	2023
2010	405	Eldorado Easy rider	439,502	Existing		25650	Bus - Medium	А	31 / 2	end-of-life	Adequate	2018
2013	1301	Ford E450 ElDorado Aerotech	179,181	Existing		28542	Cutaway - Small	D	14/2	active	Good / Excellent	2019
2013	1302	Ford E450 ElDorado Aerotech	178,731	Existing		28542	Cutaway - Small	D	14/2	active	Good / Excellent	2019
2013	1303	Ford E450 ElDorado Aerotech	177,792	Existing		28542	Cutaway - Small	D	14/2	active	Good / Excellent	2019
2013	1304	Ford E450 ElDorado Aerotech	165,300	Existing		28542	Cutaway - Small	D	14/2	active	Good / Excellent	2019
2013	1305	Ford E450 ElDorado Aerotech	192,048	Existing		28542	Cutaway - Small	D	14/2	active	Good / Excellent	2019

Delivery Year	Agency Vehicle #	Make and Model	Odometer Mileage	Assumed Source	Assumed Year for New Grants	Grant Notes	Туре	Vehicle Class	Seating Capacity [1]	Status	Condition	Est. Repl. Year [2]
2013	1306	Ford E450 ElDorado Aerotech	189,970	Existing		28542	Cutaway - Small	D	14/2	active	Good / Excellent	2019
2014	1307	Chevrolet Champion	88,407	Existing		FTA OR 04-0022	Cutaway - Large	С	17/2	active	Good / Excellent	2022
2017	1701D	Ford Transit 350HD Arboc SOI	2,035	County Purchase		N/A	Cutaway - Small	D	10/2	active	Good / Excellent	2023
2017	1702D	Ford Transit 350HD Arboc SOI	4,725	County Purchase		N/A	Cutaway - Small	D	10/2	active	Good / Excellent	2023
2017	1703D	Ford Transit 350HD Arboc SOI	4,199	County Purchase		N/A	Cutaway - Small	D	10/2	active	Good / Excellent	2023
2017	1704D	Ford Transit 350HD Arboc SOI	2,518	County Purchase		N/A	Cutaway - Small	D	10/2	active	Good / Excellent	2023
2018	1805C	Ford E450 Champion LF Transport	2,745	Existing	2018	31460-5339	Cutaway - Large	С	17/2	active	Good / Excellent	2026
2018	1806C	Ford E450 Champion LF Transport	2,550	Existing	2018	31460-5339	Cutaway - Large	С	17/2	active	Good / Excellent	2026
2018	1807C	Eldorado EZ Rider	1,255	Existing	2018	N/A	Bus - Medium	А	23 / 2	active	Good / Excellent	2031
2018	1808C	Eldorado EZ Rider	1,121	Existing	2018	N/A	Bus - Medium	А	23 / 2	active	Good / Excellent	2031
2018	1809C	Eldorado EZ Rider	1,148	Existing	2018	N/A	Bus - Medium	А	23 / 2	active	Good / Excellent	2031
2018	1810C	Eldorado EZ Rider	1,081	Existing	2018	N/A	Bus - Medium	А	23 / 2	active	Good / Excellent	2031
GRANTS:	SECURED ((As of 10/2018)									•	
2019		Champion LF, Low-Floor		Grant - Secured	2018	32845-5339	Cutaway - Large	С	17/2	active	N/A	2027
2019		Champion LF, Low-Floor		Grant - Secured	2018	32845-5339	Cutaway - Large	С	17/2	active	N/A	2027
2019		Champion LF, Low-Floor		Grant - Secured	2018	32856-STP	Cutaway - Large	С	17/2	active	N/A	2027
2019		Champion LF, Low-Floor		Grant - Secured	2018	32856-STP	Cutaway - Large	С	17/2	active	N/A	2027
2019		TBD Van, Accessible		Grant - Secured	2019	32845-5339	Van	Е	5/2	active	N/A	2024
2019		TBD Van, Accessible		Grant - Secured	2019	32845-5339	Van	Е	5/2	active	N/A	2024
2020		El Dorado EZ Rider II, Low-Floor		Grant - Secured	2017	STIP Enhance, 2018-2021	Bus - Medium	А	23 / 2	active	N/A	2033
2020		El Dorado EZ Rider II, Low-Floor		Grant - Secured	2017	STIP Enhance, 2018-2021	Bus - Medium	А	23 / 2	active	N/A	2033
2021		El Dorado EZ Rider II, Low-Floor		Grant - Secured	2018	2019 TBD-5339	Bus - Medium	Α	23 / 2	active	N/A	2034
2021		El Dorado EZ Rider II, Low-Floor		Grant - Secured	2018	2019 TBD-5339	Bus - Medium	А	23 / 2	active	N/A	2034
2021		El Dorado EZ Rider II, Low-Floor		Grant - Secured	2018	2019 TBD-5339	Bus - Medium	А	23 / 2	active	N/A	2034
ADDITION	IAL FLEET	(Assumed)										
2019		Arboc Spirit of Independence, Low-Floor		Grant - Unsecured	2019		Cutaway - Small	D	10/2	active	N/A	2025
2019		Arboc Spirit of Independence, Low-Floor		Grant - Unsecured	2019		Cutaway - Small	D	10/2	active	N/A	2025
2019		Arboc Spirit of Independence, Low-Floor		Grant - Unsecured	2019		Cutaway - Small	D	10/2	active	N/A	2025
2019		Arboc Spirit of Independence, Low-Floor		Grant - Unsecured	2019		Cutaway - Small	D	10/2	active	N/A	2025
2020		El Dorado EZ Rider II, Low-Floor		Grant - Unsecured	2020		Bus - Medium	А	23 / 2	active	N/A	2033
2020		Arboc Spirit of Independence, Low-Floor		Grant - Unsecured	2020		Cutaway - Small	D	10/2	active	N/A	2026
2020		Arboc Spirit of Independence, Low-Floor		Grant - Unsecured	2020		Cutaway - Small	D	10/2	active	N/A	2026
2020		TBD Van, Accessible		Grant - Unsecured	2020		Van	Е	5/2	active	N/A	2025
2023		Champion LF, Low-Floor		Grant - Unsecured	2022		Cutaway - Large	С	17/2	active	N/A	2031
2024		Arboc Spirit of Independence, Low-Floor		Grant - Unsecured	2023		Cutaway - Small	D	10/2	active	N/A	2030
2025		Arboc Spirit of Independence, Low-Floor		Grant - Unsecured	2024		Cutaway - Small	D	10/2	active	N/A	2031

Delivery Year	Agency Vehicle #	Make and Model	Odometer Mileage	Assumed Source	Assumed Year for New Grants	Grant Notes	Туре	Vehicle Class	Seating Capacity [1]	Status	Condition	Est. Repl. Year [2]
2025		Arboc Spirit of Independence, Low-Floor		Grant - Unsecured	2024		Cutaway - Small	D	10/2	active	N/A	2031
2025		Arboc Spirit of Independence, Low-Floor		Grant - Unsecured	2024		Cutaway - Small	D	10/2	active	N/A	2031
2026		TBD Van, Accessible		Grant - Unsecured	2025		Van	Е	5/2	active	N/A	2031
2026		TBD Van, Accessible		Grant - Unsecured	2025		Van	Е	5/2	active	N/A	2031
2027		Arboc Spirit of Independence, Low-Floor		Grant - Unsecured	2026		Cutaway - Small	D	10/2	active	N/A	2033
2027		Arboc Spirit of Independence, Low-Floor		Grant - Unsecured	2026		Cutaway - Small	D	10/2	active	N/A	2033
2027		Arboc Spirit of Independence, Low-Floor		Grant - Unsecured	2026		Cutaway - Small	D	10/2	future	N/A	2033
2027		TBD Van, Accessible		Grant - Unsecured	2026		Van	Е	5/2	future	N/A	2032
2028		Champion LF, Low-Floor		Grant - Unsecured	2027		Cutaway - Large	С	17/2	future	N/A	2036
2028		Champion LF, Low-Floor		Grant - Unsecured	2027		Cutaway - Large	С	17/2	future	N/A	2036
2028		Champion LF, Low-Floor		Grant - Unsecured	2027		Cutaway - Large	С	17/2	future	N/A	2036
2028		Arboc Spirit of Independence, Low-Floor		Grant - Unsecured	2027		Cutaway - Small	D	10/2	future	N/A	2034
2028		Arboc Spirit of Independence, Low-Floor		Grant - Unsecured	2027		Cutaway - Small	D	10/2	future	N/A	2034
2029		Gillig 35-foot bus		Grant - Unsecured	2028		Bus - Large	А	32 / 2	future	N/A	2042
2029		Gillig 35-foot bus		Grant - Unsecured	2028		Bus - Large	Α	32 / 2	future	N/A	2042
2029		Champion LF, Low-Floor		Grant - Unsecured	2028		Cutaway - Large	С	17/2	future	N/A	2037
2029		Champion LF, Low-Floor		Grant - Unsecured	2028		Cutaway - Large	С	17 / 2	future	N/A	2037
2029		Champion LF, Low-Floor		Grant - Unsecured	2028		Cutaway - Large	С	17/2	future	N/A	2037
2029		Champion LF, Low-Floor		Grant - Unsecured	2028		Cutaway - Large	С	17 / 2	future	N/A	2037
2029		Champion LF, Low-Floor		Grant - Unsecured	2028		Cutaway - Large	С	17/2	future	N/A	2037
2029		Champion LF, Low-Floor		Grant - Unsecured	2028		Cutaway - Large	С	17/2	future	N/A	2037
2029		Arboc Spirit of Independence, Low-Floor		Grant - Unsecured	2028		Cutaway - Small	D	10/2	future	N/A	2035
2029		Arboc Spirit of Independence, Low-Floor		Grant - Unsecured	2028		Cutaway - Small	D	10/2	future	N/A	2035
2029		Arboc Spirit of Independence, Low-Floor		Grant - Unsecured	2028		Cutaway - Small	D	10/2	future	N/A	2035
2029		Arboc Spirit of Independence, Low-Floor		Grant - Unsecured	2028		Cutaway - Small	D	10/2	future	N/A	2035
2029		TBD Van, Accessible		Grant - Unsecured	2028		Van	Е	5/2	future	N/A	2034

Notes: [1] Seated / Wheelchairs. [2] End-of-life based on FTA mileage or age criteria.

Source: YCTA Fleet Inventory, Updated October 2018, and TDP Fleet Schedule

Figure A-2 Detailed Vehicle Type Assumptions by Time Frame: Vehicles Operated in Maximum Service

		EX	(ISTING			NEA	R-TERM			SHO	RT-TERM				MID-TERN	ı		LONG-TERM				
ROUTE	Van	Cutaway - Small	Cutaway - Large	Bus - Medium	Van	Cutaway - Small	Cutaway - Large	Bus - Medium	Van	Cutaway - Small	Cutaway - Large	Bus - Medium	Van	Cutaway - Small	Cutaway - Large	Bus - Medium	Bus - Large	Van	Cutaway - Small	Cutaway - Large	Bus - Medium	Bus - Large
McMinnville - 2W (2)			0.5				0.5				0.5				0.5					1		
McMinnville - 2E (4)			0.5				1				1				1					1		
McMinnville - 3N (3)			0.5				1				1				1						1	
McMinnville - 3S (1)			0.5				0.5				0.5				0.5					1		
McMinnville – New (5) (Lafayette Ave/Baker Creek/Hill Rd)																				1		
McMinnville – New (E. of Lafayette Ave)																			1			
Newberg - 5/6 (15/16)			0.5				1				1				1					1		
Newberg - 7/8 (17/18)			0.5				1				1				1					2		
Intercity - 11 (80x)				1				1				1				1					2	
Intercity - 22				1				1				1				1					1	
Intercity - 33				1				1				1				1					2	
Intercity - 44/45x				4				4				4				4						4
McMinnville DAR	2	3			2	3			2	3			2	3				2	3			
Newberg DAR		2				1			1	1			1	1				2	2			
Small City Flex / Shopper Shuttles						2				3				3					5			
Vehicles in Service	2	5	3	7	2	6	5	7	3	7	5	7	3	7	5	7	0	4	11	7	6	4
Spares - Minimum	0	2	1	2	1	2	2	2	1	2	3	3	1	3	3	3	0	1	3	3	2	2
Total with Spares	2	7	4	9	3	8	7	9	4	9	8	10	4	10	8	10	0	5	14	10	8	6
Spare Ratio	0%	40%	33%	29%	50%	33%	40%	29%	33%	29%	60%	43%	33%	43%	60%	43%	0%	25%	27%	43%	33%	50%

Figure A-3 Detailed Fleet Expansion and Replacement Plan, 2018 - 2028

					Plus					Funded	by Existing	Grants	Fund	ed by New Gr	ants	Tot	al Existing a	and New Gr	ants
Year and Time Frame	Additional Required Fleet	Required Fleet in Service	Active Fleet ¹	Minus End of Life Vehicles	Vehicles from Existing Grants	Total Fleet Available	Fleet Required with Spares	Net Fleet Req't	Additional Vehicles to be Purchased	Cost of Vehicles ²	Grant Amount	Local Match	Cost of Vehicles ²	Total Grant Funding Requirement	Assumed Local Match	Total # of Vehicles	Total Vehicle Costs	Total Grants	Total Local Match
2018 - Existing																			
Bus - Large	0	0	0	0	0	0	0	0		\$0			\$0	\$0	\$0	0	\$0	\$0	
Bus - Medium	0	7	7	0	0	7	9	2		\$1,360,000	\$1,323,346		\$0	\$0	\$0	0	\$1,360,000	\$1,323,346	\$0
Cutaway - Large	0	3	3	0	0	3	4	1		\$280,000	\$280,000		\$0	\$0	\$0	0	\$280,000	\$280,000	
Cutaway - Small	0	5	11	0	0	11	7	0		\$0			\$0	\$0	\$0	0	\$0	\$0	
Van	0	2	1	0	0	1	2	1		\$0			\$0	\$0	\$0	0	\$0	\$0	
TOTAL	0	17	22	0	0	22	22	4	0	\$1,640,000	\$1,603,346	\$0	\$0	\$0	\$0	0	\$1,640,000	\$1,603,346	\$0
2019 - Near-Term																			
Bus - Large	0	0	0	0	0	0	0	0		\$0			\$0	\$0	\$0	0	\$0	\$0	
Bus - Medium	0	7	7	0	0	7	9	2		\$0			\$0	\$0	\$0	0	\$0	\$0	
Cutaway - Large	2	5	3	0	4	7	7	0		\$560,000	\$486,317	\$68,628	\$0	\$0	\$0	4	\$560,000	\$486,317	\$68,628
Cutaway - Small	1	6	11	6	0	5	8	3	4	\$0			\$340,000	\$302,000	\$38,000	4	\$340,000	\$302,000	\$38,000
Van	0	2	1	0	2	3	3	0		\$100,000	\$85,453	\$14,547	\$0	\$0	\$0	2	\$100,000	\$85,453	\$14,547
TOTAL	3	20	22	6	6	22	27	5	4	\$660,000	\$571,770	\$83,175	\$340,000	\$302,000	\$38,000	10	\$1,000,000	\$873,770	\$121,175
2020 - Short-Term																			
Bus - Large	0	0	0	0	0	0	0	0		\$0	\$0		\$0	\$0	\$0	0	\$0	\$0	
Bus - Medium	0	7	7	0	2	9	10	1	1	\$696,000	\$707,072	\$80,928	\$348,000	\$309,000	\$39,000	3	\$1,044,000	\$1,016,072	\$119,928
Cutaway - Large	0	5	7	0	0	7	8	1	1	\$0	\$0		\$143,000	\$127,000	\$16,000	1	\$143,000	\$127,000	\$16,000
Cutaway - Small	1	7	9	0	0	9	9	0		\$0	\$0		\$0	\$0	\$0	0	\$0	\$0	\$0
Van	1	3	3	0	0	3	4	1	1	\$0	\$0		\$51,000	\$45,000	\$6,000	1	\$51,000	\$45,000	\$6,000
TOTAL	2	22	26	0	2	28	31	3	3	\$696,000	\$707,072	\$80,928	\$542,000	\$481,000	\$61,000	5	\$1,238,000	\$1,188,072	\$141,928
2021 - Short-Term																			
Bus - Large	0	0	0	0	0	0	0	0		\$0			\$0	\$0	\$0	0	\$0	\$0	\$0
Bus - Medium	0	7	10	0	3	13	10	0		\$1,068,000	\$960,000	\$110,115	\$0	\$0	\$0	3	\$1,068,000	\$960,000	\$110,115
Cutaway - Large	0	5	8	0	0	8	8	0		\$0			\$0	\$0	\$0	0	\$0	\$0	\$0
Cutaway - Small	0	7	9	0	0	9	9	0		\$0			\$0	\$0	\$0	0	\$0	\$0	\$0
Van	0	3	4	0	0	4	4	0		\$0			\$0	\$0	\$0	0	\$0	\$0	\$0
TOTAL	0	22	31	0	3	34	31	0	0	\$1,068,000	\$960,000	\$110,115	\$0	\$0	\$0	3	\$1,068,000	\$960,000	\$110,115
2022 - Short-Term																			
Bus - Large	0	0	0	0	0	0	0	0					\$0	\$0	\$0	0	\$0	\$0	\$0
Bus - Medium	0	7	13	1	0	12	10	0					\$0	\$0	\$0	0	\$0	\$0	\$0
Cutaway - Large	0	5	8	1	0	7	8	1	1				\$150,000	\$133,000	\$17,000	1	\$150,000	\$133,000	\$17,000
Cutaway - Small	0	7	9	0	0	9	9	0					\$0	\$0	\$0	0	\$0	\$0	\$0
Van	0	3	4	0	0	4	4	0					\$0	\$0	\$0	0	\$0	\$0	\$0
TOTAL	0	22	34	2	0	32	31	1	1	\$0	\$0	\$0	\$150,000	\$133,000	\$17,000	1	\$150,000	\$133,000	\$17,000

					Plus					Funded	by Existing	Grants	Fund	led by New Gr	ants	Tota	al Existing a	nd New Gr	ants
Year and Time Frame	Additional Required Fleet	Fleet in	Active Fleet ¹	Minus End of Life Vehicles	Vehicles from Existing Grants	Total Fleet Available	Fleet Required with Spares	Net Fleet Req't	Additional Vehicles to be Purchased	Cost of Vehicles 2	Grant Amount	Local Match	Cost of Vehicles ²	Total Grant Funding Requirement	Assumed Local Match	Total # of Vehicles	Total Vehicle Costs	Total Grants	Total Local Match
2023 - Mid-Term																			
Bus - Large	0	0	0	0	0	0	0	0					\$0	\$0	\$0	0	\$0	\$0	\$0
Bus - Medium	0	7	12	2	0	10	10	0					\$0	\$0	\$0	0	\$0	\$0	\$0
Cutaway - Large	0	5	8	0	0	8	8	0					\$0	\$0	\$0	0	\$0	\$0	\$0
Cutaway - Small	0	7	9	4	0	5	10	5	5				\$465,000	\$413,000	\$52,000	5	\$465,000	\$413,000	\$52,000
Van	0	3	4	0	0	4	4	0					\$0	\$0	\$0	0	\$0	\$0	\$0
TOTAL	0	22	33	6	0	27	32	5	5	\$0	\$0	\$0	\$465,000	\$413,000	\$52,000	5	\$465,000	\$413,000	\$52,000
2024 - Mid-Term																			
Bus - Large	0	0	0	0	0	0	0	0					\$0	\$0	\$0	0	\$0	\$0	\$0
Bus - Medium	0	7	10	0	0	10	10	0					\$0	\$0	\$0	0	\$0	\$0	\$0
Cutaway - Large	0	5	8	0	0	8	8	0					\$0	\$0	\$0	0	\$0	\$0	\$0
Cutaway - Small	0	7	10	0	0	10	10	0					\$0	\$0	\$0	0	\$0	\$0	\$0
Van	0	3	4	2	0	2	4	2	2				\$112,000	\$99,000	\$13,000	2	\$112,000	\$99,000	\$13,000
TOTAL	0	22	32	2	0	30	32	2	2	\$0	\$0	\$0	\$112,000	\$99,000	\$13,000	2	\$112,000	\$99,000	\$13,000
2025 - Mid-Term								ı										<u> </u>	
Bus - Large	0	0	0	0	0	0	0	0					\$0	\$0	\$0	0	\$0	\$0	\$0
Bus - Medium	0	7	10	0	0	10	10	0					\$0			0	\$0	\$0	
Cutaway - Large	0	5	8	0	0	8	8	0					\$0	\$0	\$0	0	\$0	\$0	\$0
Cutaway - Small	0	7	10	4	0	6	10	4	4				\$388,000	\$345,000	\$43,000	4	\$388,000	\$345,000	\$43,000
Van	0	3	4	1	0	3	4	1	1				\$57,000	\$50,000	\$7,000	1	\$57,000	\$50,000	\$7,000
TOTAL	0	22	32	5	0	27	32	5	5	\$0	\$0	\$0	\$445,000	\$395,000		5	\$445,000	\$395,000	
2026 - Mid-Term													, , , , ,	, , , , , , ,		-	, , , , , , , , , , , , , , , , , , , ,	, , , , , , , , , , , , , , , , , , , ,	, , , , , , ,
Bus - Large	0	0	0	0	0	0	0	0					\$0	\$0	\$0	0	\$0	\$0	\$0
Bus - Medium	0	7	10	0	0	10	10	0					\$0	\$0			\$0	\$0	
Cutaway - Large	0	5	8	2	0	6	8	2	2				\$328.000	\$291,000		2	\$328,000	\$291,000	
Cutaway - Small	0	7	10	0	0	10	10	0					\$0			0	\$0	\$0	\$0
Van	0	3	4	0	0	4	4	0					\$0			0	\$0	\$0	
TOTAL	0	22	32	2	0	30	32	2	2	\$0	\$0	\$0	\$328,000	\$291,000	\$37,000	2	\$328,000	\$291,000	
2027 - Mid-Term									<u> </u>			, , ,			,,,,,				
Bus - Large	0	0	0	0	0	0	0	0					\$0	\$0	\$0	0	\$0	\$0	\$0
Bus - Medium	0	7	10	0	0	10	10	0					\$0			0	\$0	\$0	
Cutaway - Large	0	5	8	4	0	4	8	4	4				\$672,000	\$598,000	7.7	4	\$672,000	\$598,000	7
Cutaway - Small	0	7	10	0	0	10	10	0	· ·				\$0			0	\$0	\$0	\$0
Van	0	3	4	0	0	4	4	0					\$0			0	\$0	\$0	\$0
TOTAL	0	22	32	4	0	28	32	4	4	\$0	\$0	\$0	- ' '	\$598,000		_	\$672,000	\$598,000	

					Plus						by Existing	Grants	Fund	led by New Gr	ants	Tot	al Existing a	nd New Gra	ants
Year and Time Frame	Additional Required Fleet	Fleet in	Active	End of Life	Vehicles from Existing Grants	Total	Fleet Required with Spares	Net Fleet	Additional Vehicles to be Purchased	Cost of Vehicles 2	Grant Amount	Local Match	Cost of Vehicles ²	Total Grant Funding Requirement	Local	Total # of Vehicles	Total Vehicle Costs	Total Grants	Total Local Match
2028 - Long-Term																			
Bus - Large	4	4	0	0	0	0	6	6	2				\$1,104,000	\$982,000	\$122,000	2	\$1,104,000	\$982,000	\$122,000
Bus - Medium	-1	6	10	0	0	10	8	0					\$0	\$0	\$0	0	\$0	\$0	\$0
Cutaway - Large	2	7	8	1	0	7	10	3	3				\$516,000	\$459,000	\$57,000	3	\$516,000	\$459,000	\$57,000
Cutaway - Small	4	11	10	0	0	10	14	4	4				\$416,000	\$370,000	\$46,000	4	\$416,000	\$370,000	\$46,000
Van	1	4	4	0	0	4	5	1	1				\$61,000	\$54,000	\$7,000	1	\$61,000	\$54,000	\$7,000
TOTAL	10	32	32	1	0	31	43	14	10	\$0	\$0	\$0	\$2,097,000	\$1,865,000	\$232,000	10	\$2,097,000	\$1,865,000	\$232,000

Notes: [1] Active fleet includes existing purchases (funded by existing grants in 2018). [2] Based on unit costs and quantities.

APPENDIX B

Additional Transportation Service Provider Information and Transportation Project Details

APPENDIX B ADDITIONAL TRANSPORTATION SERVICE PROVIDER INFORMATION

Figure B-1 Yamhill County Social Service Agencies Involved in Transportation Services

Organization	Transportation Services	People Services Are Available For
	McMinnville	
Yamhill County Health and Human Services - Abacus Program	5 vans/cars in operation for medical treatment and employment	People with disabilities
Yamhill County Health and Human Services – Developmental Disability Service	Not a current provider of transportation services, but may become one if necessary grants can be obtained to fund it	People with disabilities
Yamhill Community Action Partnership	Bus passes provided	Older adults, people with low-income, people with disabilities
Head Start of Yamhill County	Provides bus for students to/from school, as well as bus passes	Children of families with low-income
Yamhill County Special Olympics	Transportation to/from athletic events, provided by rental vehicles	People with disabilities
Yamhill Community Care Organization	Medical and wellness trips provided to members by First Transit, who operates 15 wheelchair accessible vans	Oregon Health Plan (OHP) members
Oregon Mennonite Residential Services (OMRS)	11 vans used for transportation of residents of OMRS group homes	People with disabilities
MV Advancements	Many MV clients use YCTA for transportation. MV also operates 25 vans/min-buses for work crews, community activities, and some medical appointments	People with disabilities
	Salem	
Willamette Valley Transport (WVT)	5 wheelchair-accessible vans for general purpose demand response services	People with physical injuries or disabilities preventing them from transporting themselves
United Way of the Mid- Willamette Valley	Bus passes	General public, with specified interest programs

Source: YCTA TDP, TM #2, Figure 3-33 and Yamhill County Coordinated Public Transit – Human Services Transportation Plan, 2016

Figure B-2 Wine Tour Shuttle Services

Wine Tour Service	City / Cities Service is Based In
Yamhill County Based Services	
A Nose for Wine Tours	Hillsboro
A Vineyard Wine Tour	McMinnville
Aspen Limo Tours	Dundee, McMinnville, Newberg, Portland
Backcountry Wine Tours	McMinnville, Newberg, Portland
Beautiful Willamette Tours	Portland, Salem, Vancouver
Black Tie Tours	Newberg
Cellar Door Wine Tours	Lafayette
Embrace Oregon	McMinnville
Insiders Wine Tour	McMinnville
Oregon Select Wine Tours	Newberg
Summit Wine Tours	Newberg
Triangle Wine Country Tours	McMinnville, Newberg, Portland
Wine Country Car Service	Newberg
Multnomah County Based Services	
Evergreen Escapes	Portland
First Nature Treks & Tours	Portland
Grape Escape	Portland
Lucky Limousine & Town Car Service	Portland
My Chauffeur Wine Tours	Portland
Oregon Wine Guides	Portland
Sea to Summit Tours & Adventures	Portland
Tesla Custom Winery Tours	Portland
Uncorked Northwest Wine Tours	Portland
Winemaker Tours	Portland
Washington County Based Services	
Prestige Wine Tours LLC	Beaverton
Vino Ventures	Beaverton
Services Based Out of State	
Main Street Designated Drivers & Wine Tours	New York, NY

Source: Willamette Valley Wineries Association

APPENDIX C

Bus Stop Design Guidelines

APPENDIX C BUS STOP DESIGN GUIDELINES

BUS STOP DESIGN PRINCIPLES

The following principles identify key characteristics of good bus stop design and locations. Bus stops should:

- **Be placed in convenient, comfortable, and safe locations:** Bus stops should ideally be located where passengers will feel comfortable and safe waiting for transit service. Stop locations should be well lit and offset from fast-moving traffic when possible. Transit customers often view stops that are conveniently located near major activity centers (e.g., shopping areas, schools, or and workplaces) as the most attractive and safe.
- **Be visible and easily identifiable:** Bus stops should be located in places where passengers can easily find them. Passengers waiting for the bus should also be easily visible to bus drivers. Bus stops should present a strong brand identity, through signage and other amenities, which assists customers in identifying stop locations and available services. Riders should feel familiar with the elements present at each transit stop, even if the exact amenities vary somewhat between locations.
- **Provide information on available services:** All bus riders and potential riders need basic information in order to use a transit service: Can I get to where I want to go from this stop? Is the route running at this time of day? When will the next bus arrive? While much of this information can now be accessed using a smart phone, transit riders continue to value basic route and schedule information at each bus stop. Such information helps reduce confusion about transit service and can act as low-cost advertising to potential new transit customers. Advanced information systems, such as real-time passenger information, can further enhance the transit experience and increase customer satisfaction.
- Be easily accessible by people walking, bicycling, and rolling: Nearly all transit riders are pedestrians or bicyclists at some point in their journey. Therefore, it is important that each bus stop have a safe and defined pathway to and from local destinations that is accessible to riders of all abilities. Most stops should have accessible and safe sidewalk access and be located near a crosswalk. Ideally, this pedestrian infrastructure should extend far beyond the stop location, ensuring that riders can safely travel to their destination. It is also important to consider how bicyclists will access each bus stop, and add infrastructure such as bike lanes and storage racks where appropriate.
- Be well-integrated with their surroundings: Bus stops are most effective when actively integrated with surrounding development. Well-placed stops can enhance the transit experience and attract new riders, while poorly placed stops can hinder bus operations and decrease customer safety. Developers and planners should consider bus stop location early in the design process of a new project, rather than placing stops at later stages of construction. Similarly,

- planners should consider how road and sidewalk reconstruction and new bicycle infrastructure could affect stop quality and transit operations.
- **Provide amenities to make the wait comfortable:** Providing amenities at or very near stops makes using transit more convenient and comfortable. Well-designed bus stops can actually decrease the amount of time customers perceive they have been waiting for the bus. Chapter 7 of the TDP outlines a wide-range of potential bus stop amenities and the sections below provide additional guidelines for placing these amenities based on stop ridership and location.

BUS STOP LOCATION CONSIDERATIONS

Location Relative to Intersection (Far-Side, Near-Side, Mid-Block)

Bus stop placement directly impacts the convenience and accessibility of the transit system. Determining the proper location of bus stops involves choosing between near-side, far-side, and mid-block stops. While many other factors should be considered when choosing a bus stop location, including adjacent land use, space availability, and pedestrian access, the location of the stop relative to the intersection is an important consideration. If all other factors are equal, far-side stops are preferable.

Figure C-1 illustrates near-side-, far-side, and mid-block stop placement. Key considerations are summarized below, with additional details in Figure C-2

- Near-side bus stops are located before an intersection, allowing passengers to load and unload while the vehicle is stopped at a red light or stop sign. Near-side bus stops can minimize interference when traffic is heavy on the far-side of an intersection. At traffic signal-controlled locations, near-side stops eliminate "double stopping" (before and after the traffic signal) as passengers can board the bus while it is stopped. However, buses at near-side stops may create conflicts with right-turning vehicles and restrict sight distances for vehicles and crossing pedestrians. Passengers may also cross the street in front of the bus, increasing bus travel time.
- **Far-side** bus stops are located after an intersection, allowing the bus to travel through the intersection before stopping to load and unload passengers. When the bus pulls away from the stop at an intersection controlled by a traffic signal, the signal generates gaps in traffic allowing buses to more easily re-enter the traffic lane. Far-side stops also encourage pedestrians to cross behind the bus and take up the least amount of curbside space. Although transit signal priority (TSP) is not currently used in Yamhill County, far-side bus stops are preferred in conjunction with TSP. Additionally, far-side stops avoid conflicts between buses and right-turning vehicles. Far-side stops are generally the preferred stop location, if the traffic signal and roadway configuration is favorable.

Mid-block bus stops are located between intersections. Mid-block stops minimize sight distance problems for vehicles and pedestrians. Additionally passenger waiting areas located mid-block often experience less pedestrian congestion. However, mid-block stops require both deceleration and acceleration areas, requiring additional distances for no parking restrictions or increased turnout construction costs. Mid-block stops also increase walking distances for patrons crossing at intersections, or result in patrons crossing the street mid-block away from a designated crossing. Mid-block stops should generally be used under special circumstances, such as where large destinations justify high-volume access or when the distance between adjacent intersections exceeds stop spacing recommendations.

Figure C-1 Near-Side, Far-Side, and Mid-Block Examples

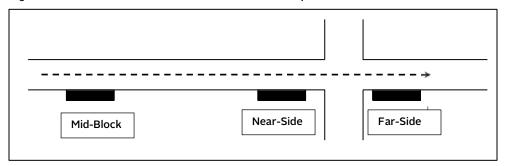


Figure C-2 Near-Side, Far-Side, and Mid-Block Bus Stop Tradeoffs

	Advantages	Disadvantages	Where Recommended
Near-Side Stop	 Minimizes interference when traffic is heavy on far side of intersection Allows bus boarding closest to crosswalk. Pedestrians waiting to cross do so while the bus is stopped and not moving into the stop. Width of the intersection is available for the bus to pull away from curb and merge with traffic Allows customers to board/alight while the bus is stopped at a red light 	 Increases sight line problems for crossing pedestrians Increases conflicts with right-turning vehicles passing and turning in front of the bus May result in stopped buses obscuring curbside traffic control devices and crossing pedestrians May block the through lane during peak periods with queuing buses May obscure sight lines for vehicles approaching from the side street to the right of the bus 	 Traffic is heavier on the far-side of the intersection Pedestrian conditions and movements are better than on the far-side Bus route continues straight through the intersection or the stop is set back a reasonable distance to enable right-turn Curb extension prevents vehicles from turning right directly in front of a bus Multiple concurrent buses at a far-side stop could spill over into the intersection
Far-Side Stop	 Minimizes conflicts with turning vehicles Provides additional right-turn capacity by making curb lane available for traffic Encourages pedestrians to cross behind the bus, instead of in front of the bus (improved sightlines for approaching vehicles) Creates shorter deceleration distances for buses and minimizes area needed for curbside bus zone Buses can take advantage of the gaps in traffic flow created at signalized intersections behind the stop 	 May result in traffic queued into intersection when a bus is stopped in travel lane (near-side stop preferred at non-signalized intersections where bus would block a single travel lane) May obscure/increase sight distance at the far-side crosswalk and for side streets Pedestrians stepping off the curb to cross the street as the bus approaches the bus stop (applies to unsignalized intersections) Vehicles occupying right-turn only lanes and deciding to proceed straight instead of turning, and cutting off bus Can result in the bus stopping twice; at 	 Traffic is heavier on the near-side of an intersection At heavy right-turns on major approach, or heavy left and through movements from side street Pedestrian conditions are better than the near-side Intersections with priority treatments including queue jump lanes and transit signal priority (TSP), e.g., extending green time at a signal to allow a bus to make it through the intersection (not currently used in Yamhill County) Removes buses from conflicts at complex intersections with multiphase signals or dual turn lanes
Mid-Block Stop	 Minimizes sight line obstructions for vehicles and pedestrians Conflicts with intersection traffic minimized 	 Encourages unsafe pedestrian crossing unless a crosswalk or other crossing opportunity is provided Increases walking distance to intersection crossing Requires greatest amount of curb space and potential parking restrictions 	 Traffic or street/sidewalk conditions at the intersection are not conducive to a near or far-side stop Customer traffic generators are located mid-block and/or adjacent intersections are too far apart

Bus Pullouts

Bus pullouts provide an area for buses to pull out of the traffic flow to stop. Bus pullouts have both advantages and disadvantages in that they can be helpful for overall roadway operations, but can cause delays for transit passengers because the bus must exit and re-enter the traffic stream. To balance the advantages and disadvantages, bus pullouts are most often used on higher-speed roadways (urban arterials and rural highways with speeds of 40 mph or more and/or traffic volumes of 250 or more vehicles per hour) and at stops with higher passenger volumes. Key locations include:

- Stops located at the intersection of major urban arterials (such as near OR-99W and Lafayette Avenue in McMinnville or OR-99W and Springbrook Road in Newberg)
- Stops located along major urban arterial and collector roads at or near a major activity center
- Rural bus stops along state highways

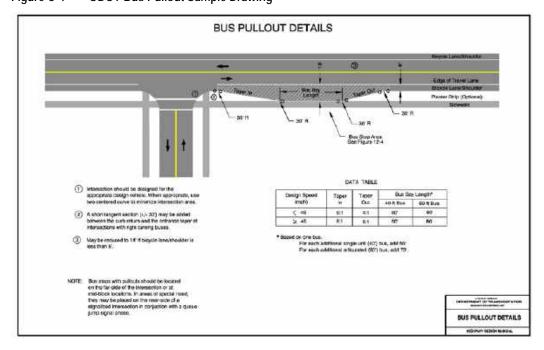
To avoid delays to right-turning traffic, bus pullouts should be developed at the far side of intersections. Where possible, they should also be located within existing auxiliary lanes (for example, a right-turn lane into a shopping center) or merge lanes.

Figure C-3 Bus Pullout Examples



Source: Left - Google Maps, Island Transit, Whidbey Island, WA. Right - OR 99W & SW Langer Drive, Sherwood

Figure C-4 ODOT Bus Pullout Sample Drawing



Source: ODOT, Highway Design Manual, Figure 12-1: Minimum Bus Pullout Details. https://tinyurl.com/yawlrujx

Pedestrian Crossings away from Intersections

On major arterials, bus stops should be located at signalized intersections (preferably the far-side as discussed above) to make it easy for transit passengers to cross the street. At locations where there are no nearby signalized or stop sign-controlled intersections (such as along many parts of OR 99W in McMinnville and Newberg), crossings with pedestrian refuge islands should be provided (see Figure C-3 for an example). Stops on the far-side of the crosswalk are preferred to maximize visibility of/for crossing pedestrians. Appropriate pedestrian signal treatments should be considered based on roadway travel speeds and lane configurations.

Pedestrians refuges at
50' increments

Crossing Island
8' or more in width,
4' minimum

Figure C-5 Mid-Block Crossing and Refuge Island Example

Source: ODOT, Highway Design Manual, Figure 13-4. https://tinyurl.com/ya3khqfq

New Roadway Construction

Where new roadways are constructed, if it is likely that transit will be provided along that roadway at some point in the future, the design of the roadway should provide adequate right-of-way for the subsequent development of bus stop facilities and bus pullouts.

BUS STOP ACCESSIBILITY GUIDANCE

Accessibility requirements come from multiple overlapping sources that include both general guidelines and specific guidance when introducing or altering bus stops. Several national sources authoritatively

dictate the rules and standards on accessibility; however, there is little in the way of direct, clear guidance on the requirements, with many open to interpretation. Sources include:

The **ADA Accessibility Guidelines for Transportation Facilities (ADAAG)** is the primary source for federal guidance on accessibility issues, and the US Department of Transportation (DOT) has adopted ADAAG as the standard for ADA compliance. ADAAG requires that "bus boarding and alighting areas" be "connected to streets, sidewalks, or pedestrian paths by an accessible route" (ADAAG 810.2.3).

The **Federal Transit Administration (FTA)** also provides accessibility standards, which are the interpretation of the ADAAG standards, more specific for transportation facilities.² DOT requirements only apply to facilities and systems that are subject to the DOT ADA regulations.

General minimum ADAAG requirements include:

- Section 810.2.1: Surface. "Bus stop boarding and alighting areas shall have a firm, stable surface."
- **Section 810.2.2: Dimensions.** "Bus stop boarding and alighting areas shall provide a clear length of 96 inches [8 feet] minimum, measured perpendicular to the curb or vehicle roadway edge, and a clear width of 60 inches [5 feet], measured parallel to the vehicle roadway."
- **Section 810.2.3: Connection.** "Bus boarding and alighting areas shall be connected to streets, sidewalks, or pedestrian paths by an accessible route complying with <u>402</u> [Accessible Routes]."
- **Section 810.2.4: Slope.** "Parallel to the roadway, the slope of a bus stop boarding and alighting area shall be the same as the roadway, to the maximum extent practicable. Perpendicular to the roadway, the slope of the bus stop boarding and alighting area shall not be steeper than 1:48 $\lceil \sim 2\% \rceil$."
- **Section 810.3: Bus Shelters.** "Bus shelters shall provide a minimum clear floor or ground space complying with 305 [Clear Floor or Ground Space] entirely within the shelter. Bus shelters shall be connected by an accessible route complying with 402 [Accessible Routes] to a boarding and alighting area complying with 810.2."
- **Section 810.4: Bus Signs.** "Bus route identification signs shall comply with 703.5.1 through 703.5.4, and 703.5.7 and 703.5.8. In addition, to the maximum extent practicable, bus route identification signs shall comply with 703.5.5." The standards include finish, contrast, and legibility standards.

Another source for accessibility guidance is the concept of Designing for Disability, also known as universal or inclusive design. Universal design guidelines intended to create environments that are most usable by all people, including people with disabilities. Universal design provides a higher level of access for people with disabilities, and many municipalities strive to meet these accommodations. Universal design guidelines include:

- Bus stop areas should be clear of all obstacles, street furniture should maintain a maximum clear width of 48 inches and clear headroom of 80 inches from the pedestrian pathway to the stop.
- The sidewalk adjacent to stops should be wide enough to accommodate expected levels of pedestrian activity and for two wheelchair users to pass each other traveling in opposite directions.
- Door clearances for front and rear bus doors should be kept clear of trees, poles, hydrants, etc.

.

¹ ADA Accessibility Guidelines for Transportation Facilities (ADAAG); https://tinyurl.com/zupmy25

² USDOT Final Rule Adopting New Accessibility Standards (2006) http://www.fta.dot.gov/12325 5936.html

Application of Accessibility Guidance

In 2015, the FTA issued <u>Circular 4710.1</u> providing recipients of FTA financial assistance with guidance on implementing the ADA.³ Along with the ADAAG, it helps clarify transit agency responsibilities in situations including:

- Adding amenities and modifying existing on-street bus stops: Adding a sign, trash barrel, or bench to an existing stop likely does not trigger accessibility requirements, such as adding a sidewalk or path. Alterations are defined by changes to a facility that affects the usability of the facility. "Alterations include, but are not limited to, remodeling, renovation, rehabilitation, reconstruction, historic restoration, resurfacing of circulation paths or vehicular ways, changes or rearrangement of the structural parts or elements, and changes or rearrangement in the plan configuration of walls and full-height partitions. Normal maintenance, reroofing, painting or wallpapering, or changes to mechanical and electrical systems are not alterations unless they affect the usability of the building or facility." (ADAAG 106.5) The principle of Designing for Disability also suggests avoiding creating an obstruction within an existing pedestrian path when placing amenities and ensure that required minimum clear width is maintained.
- **Installing of shelters**: The ADA Circular considers that shelters are usually under a transit agency's control, therefore ADA-compliant shelters and an accessible route between the shelter and the boarding and alighting areas are required. Adding shelters likely qualifies as an alternation. If shelters are installed at existing bus stops, the boarding and alighting area itself should comply "to the maximum extent practicable" (ADAAG <u>209.2.3</u>). ADAAG Section <u>810.3</u> specifies that:
 - The minimum clear floor or ground space must be entirely within the shelter to accommodate individuals using wheelchairs; Section <u>305</u> [Clear Floor or Ground Space] requires clear floor/ground space to be a minimum of 30 inches by 48 inches.
 - The bus boarding and alighting area must be connected to streets, sidewalks, or pedestrian
 paths by an accessible route; Section <u>402</u> [Accessible Routes] outlines specific requirements
 for walking surfaces, ramps, curb ramps, and slope.
 - The bus boarding and alighting areas must provide a clear length of 96 inches minimum, measured perpendicular to the curb or vehicle roadway edge, and a clear width of 60 inches minimum, measured parallel to the vehicle roadway (ADAAG 810.2.2).
- **Siting new bus stops**: The scope of the accessibility requirements for a new or relocated onstreet bus stop requires that the stop comply with requirements in Section 810.2 for surface, dimensions, connection, and slope (ADAAG 810.2.1 810.2.4). The requirement to have an accessible boarding and alighting area is qualified as "to the maximum extent practicable" (ADAAG 209.2.3) and "to the extent the construction specifications are within their control" (ADAAG 810.2.2).
- Connectivity: Bus boarding and alighting areas must be connected to streets, sidewalks, or pedestrian paths by an accessible route (ADAAG 810.2.3). Existing sidewalks, whether ADA-compliant or non-compliant, that connect to bus boarding and alighting areas are not required by ADAAG to be brought into compliance unless an alteration is undertaken at the stop. However, the ADA Circular recognizes sidewalks and other pedestrian elements as "essential elements" even though they are often outside a transit agency's jurisdiction, and encourages agencies to inventory stop accessibility and "coordinate with owners of public rights-of-way (e.g., local municipalities) to help ensure connections to stops are as accessible as possible."

_

³ FTA Circular 4710.1, 2015. https://tinyurl.com/z9ggo86

Bus Stop and Shelter Placement Illustration

Figure C-6 illustrates the desired clearances around different bus stop elements, including a minimum loading pad of 5 feet by 8 feet to accommodate wheelchair loading and a minimum 30-inch by 48-inch clear zone within the shelter. Shelters may be placed front-facing or rear-facing, depending on conditions. Figure C-7 illustrates circulation from the shelter to the loading zone. A minimum 4-foot clear sidewalk zone is required either behind or in front of the shelter. The Oregon Bicycle and Pedestrian Design Guide recommends a 6-foot sidewalk clear zone and a continuous 8-foot wide sidewalk along the length of a bus stop. The maximum cross-slope is 2%, for at least a 4-foot wide area across driveways, curb ramps, and crosswalks.

Accessible
Route

Minimum Clear Floor Area
(2'-6" Wide by 4' Deep)
Entirely within Perimeter
of Shelter to Permit Wheelchair
or Mobility Aid User Access

Not to Scale

Not to Scale

Curb Edge

Figure C-6 Minimum Bus Stop Pad and Shelter Dimensions

Source: TCRP Report 19, Guidelines for the Location and Design of Bus Stops, Figure 28. https://tinyurl.com/ycn9uwna

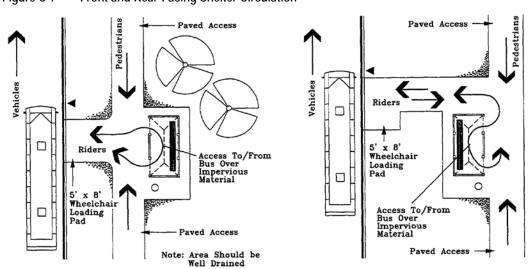


Figure C-7 Front and Rear-Facing Shelter Circulation

Source: TCRP Report 19, Guidelines for the Location and Design of Bus Stops, Figure 25. https://tinyurl.com/ycn9uwna

ADDITIONAL RESOURCES

US Access Board, ADA Standards for Transportation Facilities. https://tinyurl.com/zupmy25. E.g., Section 810 Transportation Facilities.

FTA, ADA Circular 4710.1. https://tinyurl.com/z9gqo86

National Aging and Disability Transportation Center (NADTC), Toolkit for the Assessment of Bus Stops Accessibility and Safety, https://tinyurl.com/yc8q3so6

ODOT Highway Design Manual and Bicycle Pedestrian Design Guide:

- Chapter 12. Public Transportation. https://tinyurl.com/yawlrujx. E.g., Section 12.3 Transit Stops and 12.4 Transit Accessibility and Amenities.
- Chapter 13. Pedestrian and Bicycle. https://tinyurl.com/ya3khqfg. E.g., Section 13.5 Street Crossings.
- Appendix L. Oregon Bicycle and Pedestrian Design Guide. https://tinyurl.com/y7aq9l8q. E.g.,
 Transit Stop Connections in Chapter 4.

Oregon Transportation and Growth Management Program, Transit in Small Cities: Primer for Planning, Siting, and Designing Transit Facilities in Oregon. https://tinyurl.com/ybwlgxbg

Transit Cooperative Research Program (TCRP), Report 19, Guidelines for the Location and Design of Bus Stops. https://tinyurl.com/ycn9uwna

TriMet, Bus Stop Design Guidelines, 2010. https://tinyurl.com/ycl8sao4

APPENDIX D

Service Design Details

APPENDIX D SERVICE DESIGN DETAILS

This appendix provides service design details for service plan provided in Chapter 6 of the TDP. It is an update of information originally presented in TM #5. It is organized into the following sections, one for each city or corridor, and is intended to provide each jurisdiction with information for local plans:

- McMinnville Local Service
- Newberg Local Service
- Intercity Corridors
 - McMinnville-Newberg-Tigard
 - McMinnville-Salem
 - McMinnville-Grand Ronde
 - McMinnville-Hillsboro
- Service within/between Smaller Cities

MCMINNVILLE LOCAL SERVICE

Key Improvements

- Additional routes make service more reliable, more frequent, and cover more of the city
- Earlier and later weekday hours and Saturday service

Key Outreach Ideas/Findings

- Addressing Route 3 issues and enhancing local service are among the top priorities among survey respondents.
- Service on Riverside Drive would be desirable sooner than the long-term.
- Some concerns about eliminating flag stops.
- Most people wanted buses to start running at 5:30 a.m. or by 6:00 a.m. (roughly split) and for the last bus to leave the transit center at 8 p.m. (although approximately 25% of people wanted it to run later).

Additional community input is summarized in TDP Volume II, Section 4: TM #4, Chapter 6 and Appendix A.

Figure D-1 summarizes local service improvements in McMinnville, by time frame.

Figure D-1 Summary of Service Actions: McMinnville Local Service – Table

Project ID	Task 1	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost 1,2	New Capital Requirements
Immediate										
SI1	1	-	McMinnville Local Service Adjustments	McMinnville	Fixed- Route	Interline McMinnville local routes and adjust schedules, to help address capacity and schedule issues on Route 3: One bus serves 2 East and 3 South One bus serves 2 West and 3 North	-	-	-	-
SI1	2	-	McMinnville Local Service Adjustments	McMinnville	Fixed- Route	Stop and minor routing adjustments: Revise Route 3 South routing at Booth Bend Rd Revise Route 2 East to use Dunn PI; new Housing Authority bus stop Various other minor stop adjustments	-	-	-	-
SI2	1	-	McMinnville bus stops closer to store front doors	McMinnville	Fixed- Route	Local buses serve stops for WinCo/Walmart near store front doors, subject to identifying suitable locations and reaching agreements with stores. (Safeway could be a later phase, contingent on Route 3 redesign)	Figure D-2	-	-	-
Near-Term										
SN1	1	1	McMinnville Local Service Capacity, Coverage, and Service Hours	McMinnville	Fixed- Route	Renumber McMinnville local routes: Renumber Route 3 South to Route 1 No change to Route 2 East - remains Route 2 No change to Route 3 North - remains Route 3 Renumber Route 2 West to Route 4	Figure 6-10 (TDP Vol. I)	-	-	-
SN1	2	2	McMinnville Local Service Capacity, Coverage, and Service Hours	McMinnville	Fixed- Route	Modify Route 1 (formerly Route 3 South) to provide bidirectional service on Ford St south of downtown. This would provide a faster connection between the Transit Center and Linfield College. Route 1 would no longer serve 2 nd St or Adams St, which would still be served by Route 4 (formerly Route 2 West).	Figure D-3	-	-	-

Project ID	Task 1	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost ^{1, 2}	New Capital Requirements
SN1	3	1	McMinnville Local Service Capacity, Coverage, and Service Hours	McMinnville	Fixed- Route	Modify Route 3 to provide more service to Winco/Walmart area, two-way service on Evans and 27th St, and service on McDaniel Ln (Senior Center). Requires additional half bus.	Figure D-4	1,430	\$107,000	1 large cutaway
SN1	4	2	McMinnville Local Service Capacity, Coverage, and Service Hours	McMinnville	Fixed- Route	Modify Route 4 (current 2 West) to extend along 2 nd St west of Hill Rd, providing service for additional residents, and south to Booth Bend Rd to provide direct access to Roths, Bi-Mart, and Albertsons. Accomplished using the remaining half bus from the Route 3 modification.	Figure D-7	1,430	\$107,000	
SN1	5	2	McMinnville Local Service Capacity, Coverage, and Service Hours	McMinnville	Fixed- Route	1 additional hour for Route 2 and 4 (start at 7:00 AM)	N/A	260	\$20,000	-
SN4	1	2	Route 44 serves OR 99W in McMinnville	McMinnville -Tigard	Fixed- Route	Route 44 runs on OR 99W instead of Lafayette Ave in McMinnville, and stops at OMI (5th & Cowls) in both directions; assumes concurrent introduction of local service on Lafayette Ave in McMinnville.	See Figure 6-19 (TDP Vol. I)	-	-	-
SN6	1	2	Shopper Shuttle	McMinnville, Newberg, Small Cities	Flex Route	Implement shopper shuttle pilot projects in McMinnville, Newberg / Dundee, Yamhill / Carlton, Amity / Sheridan / Willamina, and Dayton / Lafayette (4 hours per day, 1 day per service area; 5 days per week, with up to two additional days in Yamhill/Carlton and Sheridan/Willamina to support medical trip needs such as dialysis where patients may have three appointments per week. Total of 9 days.).	N/A	1,040	\$60,000 + \$48,000 (\$108,000 total)	1 van (+ 1 existing van)

Project ID	Task 1	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost ^{1, 2}	New Capital Requirements
Short-Term										
SS1	1	1	McMinnville Local Service East Extension	McMinnville	Fixed- Route	 Redesign Route 2 (East) to serve NE Cumulus St (e.g., Virginia Garcia Clinic, Fircrest Senior Living, etc.). Contingent on capital improvement to access road/gate. Coordinate with Evergreen Museum to explore possibility of a walking path from a bus stop located at the intersection of Cumulus Ave and NE Cumulus Ave (southwest of the museum). 	Figure D-6 Capital project	-	-	Modifications to access roadway and gate
SS2	1	1	Early Evening Service	McMinnville	Fixed- Route	Extend McMinnville local fixed-route service hours by one hour to 7 PM (last trips leave transit center at 6:00 or 6:30 PM). Assumes 3 fixed-route buses.	N/A	780	\$60,000	-
SS2	2	1	Early Evening Service	McMinnville	Demand- Response	Extend McMinnville demand-response service hours by one hour to 7 PM; assumes 2 Dial-a-Ride vehicles.	N/A	520	\$30,000	-
SS4	1	2	Phase out flag stops	McMinnville/ Newberg	Fixed- Route	After stops are marked or signed, transition away from flag stops in McMinnville and Newberg. This will help service run faster and stay on schedule.	N/A	-	-	Mark or sign all bus stops
Mid-Term										
SM1	1	1	McMinnville Saturday Service	McMinnville	Fixed- Route	Add local service on Saturdays. Assumes 2 fixed-route vehicles for 10 hours, e.g., 8 AM-6PM.	N/A	1,040	\$78,000	-
SM1	2	1	McMinnville Saturday Service	McMinnville	Demand- Response	Add local service on Saturdays. Assumes 1 Diala-Ride vehicle for 10 hours, e.g., 8 AM-6PM.	N/A	520	\$30,000	-
Long-Term	•							•		
SL6	2	2	Expand Shopper Shuttle Days of Operation	McMinnville	Flex- Route	Expand shopper shuttle to a 5 day per week flex- route service. Assumes 4 hours per day.	N/A	832	\$48,000	0.5 van

Project ID	Task 1	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost ^{1, 2}	New Capital Requirements
SL7	1	1	Early Morning and Later Evening Service	McMinnville	Fixed- Route	Start McMinnville local fixed-route service at 6 AM. Assumes 3 buses.	N/A	780	\$60,000	-
SL7	2	1	Early Morning and Later Evening Service	McMinnville	Demand- Response	Start McMinnville demand-response service hours at 6 AM. Assumes 1 Dial-a-Ride vehicle.	N/A	260	\$15,000	-
SL7	3	2	Early Morning and Later Evening Service	McMinnville	Fixed- Route	Extend McMinnville local fixed-route service hours to 9 PM (last trips leave transit center at 8:00 or 8:30 PM). Assumes 2 buses (reduced coverage or lower frequency than daytime operation).	N/A	1,040	\$78,000	-
SL7	4	2	Early Morning and Later Evening Service	McMinnville	Demand- Response	Extend McMinnville demand-response service hours to 9 PM; assumes 1 Dial-a-Ride vehicle.	N/A	520	\$30,000	-
SL8	1	1	McMinnville Lafayette Ave On-Demand Flex-Route Pilot	McMinnville	Flex- Route	 Develop a pilot flex-route serving the area east of Lafayette Ave (e.g., YCAP, McMinnville Power & Light, Dental Clinic, Pet Stop Inn, etc.), with some fixed stops and on-demand dispatch software that enables ride requests within a 2-hour window or on a subscription basis. Could be designed to serve employment areas at key shift times. Cost assumes 7 AM – 6 PM operation, but could be implemented in two phases (peak hours and midday). YCTA should seek grant funding for emerging mobility projects to provide funding for this service. 	See Figure 6-19 (TDP Vol. I)	2,860	\$165,000	1 van

Project ID	Task 1	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost ^{1, 2}	New Capital Requirements
SL9	1	2	New Route or Extension Serving Hill Rd / Baker Creek Rd Area	McMinnville	Fixed- Route	 Extend service to the Hill Rd and Baker Creek Rd area. Cost assumes a new route along Baker Creek Rd that would connect to the WinCo/Walmart/Safeway area via NE 27th St and to the transit center via Lafayette Ave. This new route would also allow Route 3 to be modified to operate a shorter route, including service on 19th St. and improving access to McMinnville High School. 	Figure D-8 Figure D-5	3,900	\$293,000	1 large cutaway
Long-Term (Vision)									
SV2	3	3	Expand Saturday service	McMinnville	Demand- Response	Add a second Dial-A-Ride bus in McMinnville on Saturdays	N/A	520	\$30,000	
SV3	6	3	Implement Sunday Service	McMinnville	Fixed- Route	Add local service on Sundays. Assumes 2 fixed-route vehicles for 10 hours, e.g., 8 AM-6 PM.	N/A	1,040	\$78,000	
SV3	7	3	Implement Sunday Service	McMinnville	Demand- Response	Add local service on Sundays. Assumes 1 Dial-a-Ride vehicle for 10 hours, e.g., 8 AM-6 PM.	N/A	520	\$30,000	
SV4	1	3	Local Service Expansion	McMinnville	Fixed- Route	Add one additional bus in McMinnville to provide additional frequency and capacity, if and where needed based on service standards, e.g., Routes 2 and 4 (existing 2 East and West). Assumes 12 service hours per day, but could also be implemented during peak hours only for multiple routes.	N/A	3,120	\$234,000	1 Large Cutaway

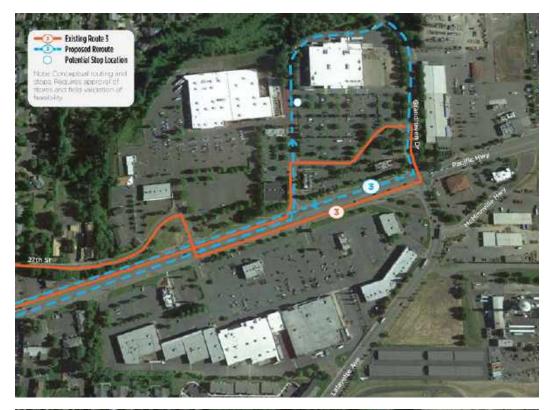
Notes: [1] Element required for STIF Plan. STIF Plan requires that projects be ranked and allows projects to be submitted at 100% and 130% of projected funding. Preliminary recommendation to be confirmed by YCTA Advisory Committee. [2] Costs in this table reflect an average cost per hour of \$75 for fixed-route, \$58 for Dial-a-Ride, and \$56 for flex-routes, which is the assumed cost for FY 2020. The TDP financial plan assumes costs that are escalated to implementation year.

Route Maps and Details

Figure D-2 Stops Near Winco/Walmart (Immediate or Near-Term/Short-Term)

Immediate or Near-Term:

- Stop in Winco parking lot on existing Route
 3
- Existing sidewalk can be used
- Contingent on obtaining store approval
- Feasibility of right-turn from OR 99W into parking lot needs to be tested, given concrete median and channelized right-turn island



Short-Term:

- Add stop in Safeway parking lots on future Route 3
- Previous concept revised to avoid unprotected left turn onto Lafayette
- Contingent on identifying a suitable stop location, obtaining store approval, and having sufficient time in the route for the deviation



Figure D-3 Proposed Route 1 (3 South) (Near-Term)

- Route 3 South (left panel) currently runs in a "Figure 8" pattern. It duplicates service provided by Route 2 between McMinnville Transit Center and Linfield College (along SE Adams Street), in one direction only. It serves SE Ford Street in only one direction.
- The only Immediate time frame modification to Route 3 South (included in the left panel) is to reverse the loop on SW Booth Bend Road and serve a new stop across the street from Carl's Jr.
- In the near-term (right panel), Route 3 South would be renamed to Route 1 and be modified to provide bidirectional service along SE Ford Street between McMinnville and Linfield College. This would make the route easier to understand, provide more direct service to Linfield College, and improve service to residents along SE Ford Street. This change should be coordinated with near-term modifications to Route 4 (2 West) that would extend it to SW Booth Bend Road.

Immediate Route 3 South



Near-Term Route 1

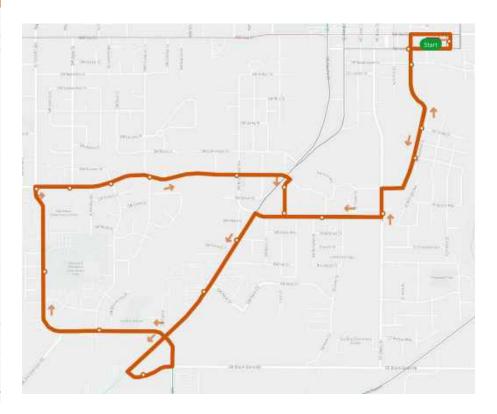


Figure D-4 Proposed Route 3 (North) (Near-Term)

- Routing on Evans assumes that Routes 33 and 44 have been moved to Lafayette Avenue; if not this routing could be modified to keep Route 3 southbound on Adams Street.
- Assumes service closer to the Winco/Walmart store entrances, as illustrated in Figure D-2.

Counter-Clockwise



Clockwise



Figure D-5 Proposed Route 3 (North) (Long-Term)

- If a Lafayette Avenue/Baker Creek Road route is implemented (see Figure D-8), the Route 3 bidirectional loop could be shortened since the new route would serve Lafayette Avenue.
- Route 3 would continue to serve the Senior Center along McDaniel Lane, but could then serve NW 19th Street. This would improve service to McMinnville High School and residential areas between OR 99W and Lafayette Avenue.

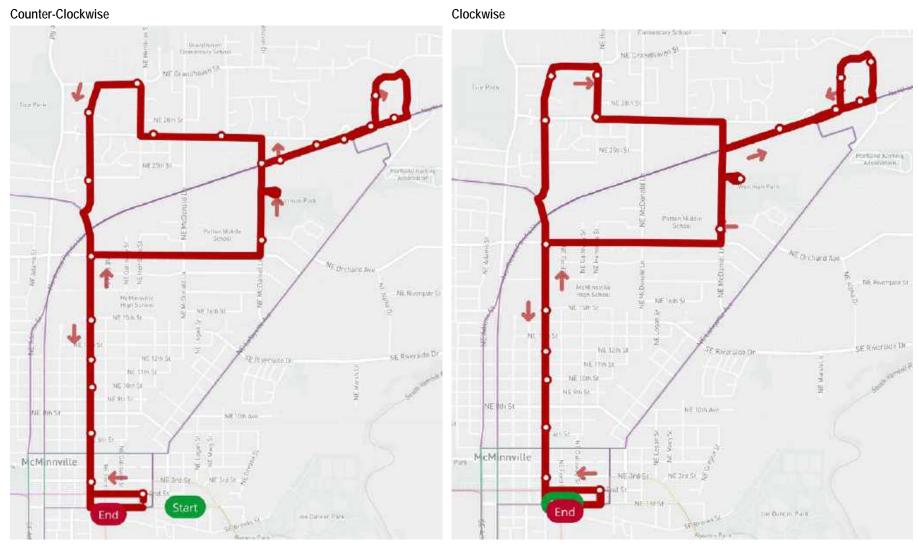
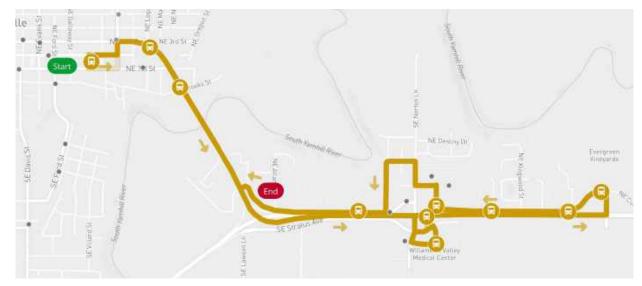


Figure D-6 Proposed Route 2 (East)

Short-Term

- Extension to NE Cumulus Ave east of Norton Lane, serving Virginia Garcia Clinic and housing
- Requires installing a controlled access gate to allow bus to access Chemeketa parking lot from NE Cumulus Ave.



Long-Term (Vision)

 Conceptual extension to Olde Stone Village and Evergreen Space Museum; would require access to museum through gate that is currently locked.



Figure D-7 Proposed Route 4 (Route 2 West)

Near-Term

■ Extension of Route 4 east of Hill Road and south to the BiMart, Roths, and Albertsons area; a full vehicle will be required for this route which will be feasible when another bus is added to the system to serve Route 3

Outbound (To SW Redmond Hill Rd, SW Mallard Street, and 2nd Street)



Inbound (To Booth Bend Road and McMinnville Transit Center

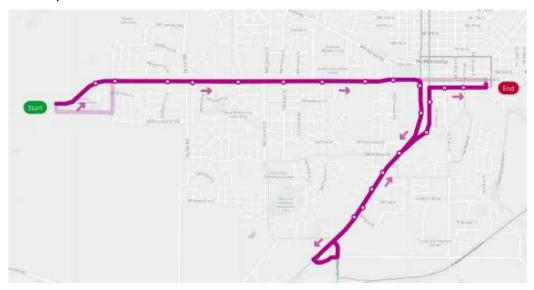
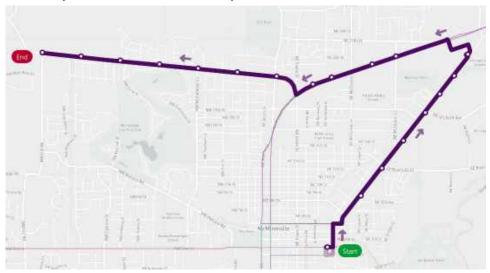


Figure D-8 Proposed Options to Serve Hill Road/Baker Creek Road Area (Long-Term)

- Long-term concept to serve the Hill Road / Baker Creek Road area, connecting to the Winco/Walmart/Safeway area and downtown McMinnville via Lafayette Avenue.
- The routing shown assumes a stop in the Safeway parking lot.
 Ability to also serve a stop in the Winco/Walmart parking lot depends on available time in the schedule.
- Route could complement or be an alternative to the Route 2W long-term option (Figure D-8), also shown in the background at right.
- Route 3 could be modified if this route is implemented.

Outbound (To Baker Creek Road / Hill Road):



Inbound (To Downtown McMinnville Transit Center):



 An alternative / complementary option would be to connect this new route with Route 4 (current 2 West) along Hill Road, creating a bidirectional loop.



NEWBERG LOCAL SERVICE

Key Improvements

Additional routes make service more reliable and cover more of the city, including northeast Newberg

Key Outreach Ideas/Findings

- Overall support, but some concerns about maintaining service for seniors with moving a dial-a-ride bus to the fixed routes.
- Some concerns about eliminating flag stops.
- Comment about serving affordable housing on Haworth (addressed in change to proposed Route 8).

Additional community input is summarized in TDP Volume II, Section 4: TM #4, Chapter 6 and Appendix A.

Figure D-9 summarizes local service improvements in Newberg, by time frame.

Figure D-9 Service Changes: Newberg Local Service

Project ID	Task 1	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost 1,2	New Capital Requirements
Immediate			•					•		
SI3	1		Newberg Local Service Adjustments	Newberg	Fixed- Route	Schedule adjustments for Routes 5 and 7	-	-	-	-
Near-Term										
SN2	1	1	Newberg Local Service Redesign	Newberg	Fixed-Route	 Four approximately 30-minute routes, each running every hour (2 buses; 1 bus converted from Dial-A-Ride). Routes operate counter-clockwise and generally serve each quadrant of Newberg. Shorter western routes interlined with longer eastern routes, e.g., NW-SE (5-7) and SW-NE (6-8). Renumber routes to 15, 16, 17, and 18; see Figure 6-20 (TDP Vol. I) Coordinated transfers with intercity services in downtown (Route 44). Provide a westbound stop on Hancock St for all local and intercity routes. The eastbound stop at Nap's Thriftway only serves eastbound routes. (This could transition later to a downtown transit center) Consider stops near selected store front door for local routes, subject to identifying suitable locations and reaching agreements with stores. Locations TBD, e.g., Fred Meyer and Safeway. 	Figure D-10 Figure D-11 Figure D-12 Figure D-14	-	·	1 large cutaway

Project ID	Task 1	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost ^{1, 2}	New Capital Requirements
SN6	1	2	Shopper Shuttle	McMinnville, Newberg, Small Cities	Flex Route	Implement shopper shuttle pilot projects in McMinnville, Newberg / Dundee, Yamhill / Carlton, Amity / Sheridan / Willamina, and Dayton / Lafayette (4 hours per day, 1 day per service area; 5 days per week, with up to two additional days in Yamhill/Carlton and Sheridan/Willamina to support medical trip needs such as dialysis where patients may have three appointments per week. Total of 9 days.).	N/A	1,040	\$60,000 + \$48,000 (\$108,000 total)	1 van (+ 1 existing van)
Short-Term										
SS3	1	2	Early Evening Service	Newberg	Fixed- Route	Extend Newberg local fixed-route service hours by a half-hour to 7 PM (last trips leave transit center at 6:00 or 6:30 PM). Assumes 2 fixed-route buses.	N/A	260	\$20,000	-
SS3	2	2	Early Evening Service	Newberg	Demand- Response	Extend Newberg demand-response service hours by a half-hour to 7 PM; assumes 1 Diala-Ride vehicle.	N/A	130	\$8,000	-
SS4	1	2	Phase out flag stops	McMinnville/ Newberg	Fixed- Route	After stops are marked or signed, transition away from flag stops in McMinnville and Newberg. This will help service run faster and stay on schedule.	N/A	-	-	Mark or sign all bus stops
Mid-Term										
SM2	1	3	Newberg Dial- A-Ride Capacity	Newberg	Demand- Response	Contingency project to restore Newberg Dial-a-Ride to two vehicles, assuming that fixed-route ridership meets standards and additional paratransit capacity is required based on service standards.	N/A	2,080	\$121,000	-

Project ID	Task 1	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost ^{1, 2}	New Capital Requirements
Long-Term										
SL6	1	1	Expand Shopper Shuttle Days of Operation	Newberg / Dundee	Flex- Route	Expand shopper shuttle to a 5 day per week service. Assumes 4 hours per day.	N/A	832	\$48,000	0.5 van
SL7	5	1	Early Morning and Later Evening Service	Newberg	Fixed- Route	Start Newberg local fixed-route service at 6 AM. Assumes 2 buses.	N/A	520	\$40,000	-
SL7	6	1	Early Morning and Later Evening Service	Newberg	Demand- Response	Start Newberg demand-response service hours at 6 AM. Assumes 1 Dial-a-Ride vehicle.	N/A	260	\$15,000	-
SL7	7	2	Early Morning and Later Evening Service	Newberg	Fixed- Route	Extend Newberg local fixed-route service hours to 9 PM (last trips leave transit center at 8:00 or 8:30 PM). Assumes 2 buses.	N/A	1,040	\$78,000	-
SL7	8	2	Early Morning and Later Evening Service	Newberg	Demand- Response	Extend Newberg demand-response service hours to 9 PM; assumes 1 Dial-a-Ride vehicle.	N/A	520	\$30,000	-
Long-Term (Vision)				•			'		1
SV2	4	1	Expand Saturday service	Newberg	Fixed- Route	Add local service on Saturdays. Assumes 2 fixed-route vehicles for 10 hours, e.g., 8 AM-6PM.	N/A	1,040	\$78,000	
SV2	5	1	Expand Saturday service	Newberg	Demand- Response	Add local service on Saturdays. Assumes 1 Dial-a-Ride vehicle for 10 hours, e.g., 8 AM-6PM.	N/A	520	\$30,000	
SV3	8	3	Implement Sunday Service	Newberg	Fixed- Route	Add local service on Sundays. Assumes 2 fixed-route vehicles for 10 hours, e.g., 10 AM-6PM.	N/A	1,040	\$78,000	

Project ID	Task 1	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost ^{1, 2}	New Capital Requirements
SV3	9	3	Implement Sunday Service	Newberg	Demand- Response	Add local service on Sundays. Assumes 1 Diala-Ride vehicle for 10 hours, e.g., 10 AM-6PM.	N/A	520	\$30,000	
SV4	2	3	Local Service Expansion	Newberg	Fixed- Route	Add one additional bus in Newberg to provide additional frequency and capacity, if and where needed based on service standards. Assumes 12 service hours per day.	N/A	3,120	\$234,000	1 Large Cutaway
SV4	3	3	Local Service Expansion	Newberg	Demand Response	Add additional Dial-a-Ride capacity in Newberg, if needed based on service standards (assumes 1 additional van and 1 additional cutaway in service, each for 8 service hours per day)	N/A	4,160	\$241,000	

Notes: [1] Element required for STIF Plan. STIF Plan requires that projects be ranked and allows projects to be submitted at 100% and 130% of projected funding. Preliminary recommendation to be confirmed by YCTA Advisory Committee. [2] Costs in this table reflect an average cost per hour of \$75 for fixed-route, \$58 for Dial-a-Ride, and \$56 for flex-routes, which is the assumed cost for FY 2020. The TDP financial plan assumes costs that are escalated to implementation year.

Route Maps and Details

A counter-clockwise (CCW) pattern is recommended for proposed services in Newberg for several reasons: (1) Consistency across all routes (easier for people to remember). (2) It enables bidirectional travel on streets where routes run in both directions, such as along OR 99W. Each route is described in detail below.

Northwest: Proposed Route 5

- Counter-clockwise loop, every 60 minutes
- Interlined with Route 7
- Deviations could be allowed
- Existing Route 5 would be modified to serve Fulton Street – Villa Road – Crestview Drive, providing access to the Chehalem Parks & Recreation District Aquatic and Fitness Center on Haworth Avenue. This would eliminate service on Meridian Road between Fulton and Crestview and two existing YCTA stops including Oaks Apartments. The eliminated service would be within a quarter-mile of the revised route.
- Existing Route 5 would also be modified to serve Sheridan Street and the Chehalem Cultural Center, using Illinois Street, Washington Street, and Sheridan Street. This would serve a key destination without significant impact to existing stops and reduce existing delay turning onto Main Street and approaching Hancock Street.

Figure D-10 Modified Route 5: Northwest Newberg

Yamhill Coun**is Tranzs**it Area | D-19

Figure D-11

Southwest: Proposed Route 6

- Counter-clockwise loop, every 60 minutes
- Interlined with Route 8
- Deviations could be allowed
- Route 6 would be split from existing Route 5 and provide additional coverage in southwest Newberg.
- The City of Newberg proposed serving Rogers
 Landing Park. Based on likely demand this could be
 served seasonally or on weekends (assuming future
 Saturday or Sunday service).
- There are also some operational concerns:
 - Seasonal parking enforcement would be needed to ensure the bus is able to turn around.
 - The hill leading into the park would need to be avoided in winter weather conditions (snow/ice).

Final State of the State of the

Proposed Route 6: Southwest Newberg

Northeast: Proposed Route 8

- Counter-clockwise loop, every 60 minutes
- Interlined with Route 6
- Option #1 is recommended.
- South of OR 99W, the route serves Elliott Avenue (CPRD offices, FISH Emergency Services) and PCC, with a transfer to Route 7 on Brutscher near Fred Meyer (and/or Route 45x if it is re-routed to use the Bypass in the future).
- It could be possible to serve a stop in the Safeway parking lot with this route.
- North of OR 99W, the route serves multifamily housing on Haworth Avenue, Newberg Schools, Head Start, Adec, Allison Inn, and the CPRD Aquatic and Fitness Center.

Figure D-12 Proposed Route 8: Northeast Newberg (Option #1) - Recommended

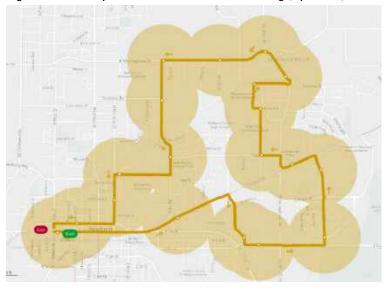


Figure D-13 Proposed Route 8: Northeast Newberg (Option #2)



Southeast: Modified Route 7

- Counter-clockwise loop, every 60 minutes
- Interlined with Route 6
- Option #1 is recommended.
- The proposed concept attempt to make Route 7 more "legible" by having both proposed Routes 7 and 8 serve portions of Southeast Newberg
- The deviation from Third Street to Second Street to provide front door service at the Colonial Village Apts could potentially be eliminated to save time.
- Crossing St. Paul Hwy on Third/Second Street does not appear viable in the present roadway configuration (if that could be addressed, it would open up some other routing options).
- On south Springbrook Road, the route serves employment, housing, and the Helping Hands Rentry Outreach Center (Note: Ridership on this portion of existing Route 7 could not be surveyed in Spring 2017 due to construction).
- The route serves PCC, Fred Meyer, and Providence Hospital. The recommended routing option (#1) could be used to provide front door service at Fred Meyer. From Springbrook Road the route turns right into the Fred Meyer parking lot (assuming a viable location can be identified), right on Brutscher Street. After stopping at PCC, the route could continue to Providence Mdedical Center using Werth Blvd. Alternatively, the existing routing could be maintained (return to Hayes Street using the roundabout, and turn right).
- Route 7 returns to downtown along OR 99W (westbound).

Figure D-14 Modified Route 7: Southeast Newberg (Option #1) - Recommended

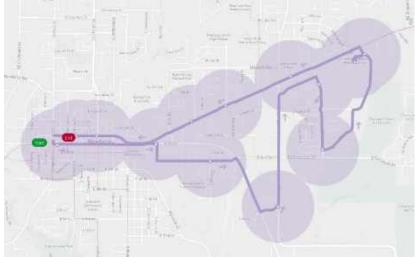
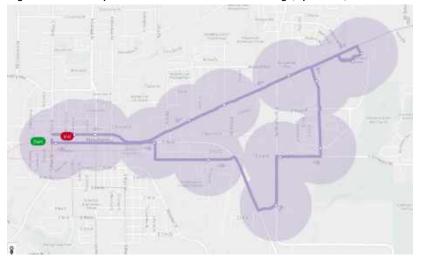


Figure D-15 Proposed Route 7: Southeast Newberg (Option #2)



MCMINNVILLE-NEWBERG-TIGARD CORRIDOR INTERCITY SERVICE: ROUTES 44/45X/46S

Key Improvements

- More frequent service between McMinnville and Newberg on Route 44, filling in existing long gaps in service
- Route 45x has additional morning and afternoon commute trips, potentially using Dundee Bypass
- One additional evening trip to/from Tigard on Route 44

Key Outreach Ideas/Findings

- Filling mid-morning and mid-afternoon service gaps is seen as a priority.
- Concerns about bypassing Dundee with Route 45x service
- Design Route 45x schedules to accommodate needs of Linfield students, arriving before 8 a.m. classes
- Improve timing to McMinnville local routes
- Need alternate service on Lafayette Avenue, if Route 44 runs on OR 99W in McMinnville
- Among weekend service options, Sunday service in this corridor is a relatively high priority

Additional community input is summarized in TDP Volume II, Section 4: TM #4, Chapter 6 and Appendix A.

Figure D-16 summarizes intercity service improvements for the OR 99W corridor, between McMinnville, Dayton, Lafayette, Dundee, Newberg, and Tigard, by time frame, including local service improvements in Dayton, Lafayette, and Dundee.

Figure D-16 Service Changes: McMinnville-Newberg-Tigard Corridor Intercity Service (Routes 44/45x) - Table

Project ID	Task 1	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost 1,2	New Capital Requirements
Immediate										
SI7	1		Tigard Intercity Schedule, Stop, and Routing Adjustments	McMinnville -Tigard	Fixed- Route	Schedule adjustments for Routes 44 and 45x	-	-	-	-
SI7	2		Tigard Intercity Schedule, Stop, and Routing Adjustments	McMinnville -Tigard	Fixed- Route	Modify southbound stop at Langer Pkwy in Sherwood to run in the opposite direction, saving several minutes of time in the southbound direction	-	-	-	Stop Improvements
SI7	3		Tigard Intercity Schedule, Stop, and Routing Adjustments	McMinnville -Tigard	Fixed- Route	Convert on-call stop at Providence Hospital to a regular stop. Stops on OR 99W. YCTA will need to coordinate pedestrian access improvements with ODOT & City of Newberg.	-	-	-	Stop Improvements
SI7	4		Tigard Intercity Schedule, Stop, and Routing Adjustments	McMinnville -Tigard	Fixed- Route	Convert on-call stop at Dayton RV Park to a regular stop. Stops on OR-18. YCTA will need to coordinate shoulder improvements with ODOT.	-	-	-	Stop Improvements
SI7	5		Tigard Intercity Schedule, Stop, and Routing Adjustments	McMinnville -Tigard	Fixed- Route	Modify Route 45x to serve Linfield College stops on OR 99W at Fellows St	-	-	-	Stop Improvements
Near-Term										
SN3	1	1	McMinnville- Newberg Connector	McMinnville -Tigard	Fixed- Route	Add trips on Route 44 to provide more frequent, consistent service between McMinnville and Newberg. Added trips would not continue to Sherwood/Tigard. Uses existing buses serving Routes 44/45x.	N/A	1,040	\$78,000	-

Project ID	Task 1	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost ^{1, 2}	New Capital Requirements
SN4	1	2	Route 44 serves OR 99W in McMinnville	McMinnville -Tigard	Fixed- Route	Route 44 runs on OR 99W instead of Lafayette Ave in McMinnville, and stops at OMI (5th & Cowls) in both directions; assumes concurrent introduction of local service on Lafayette Ave in McMinnville.	See Figure 6-19 (TDP Vol. I)	-	-	-
SN6	1	2	Shopper Shuttle	McMinnville, Newberg, Small Cities	Flex Route	Implement shopper shuttle pilot projects in McMinnville, Newberg / Dundee, Yamhill / Carlton, Amity / Sheridan / Willamina, and Dayton / Lafayette (4 hours per day, 1 day per service area; 5 days per week, with up to two additional days in Yamhill/Carlton and Sheridan/Willamina to support medical trip needs such as dialysis where patients may have three appointments per week. Total of 9 days.).	N/A	1,040	\$60,000 + \$48,000 (\$108,000 total)	1 van (+ 1 existing van)
Short-Term										
SS5	1	1	McMinnville- Newberg Connector	McMinnville -Tigard	Fixed- Route	Phase 2 of near-term project to add trips on Route 44 to provide more frequent, consistent service between McMinnville and Newberg. Added trips would not continue to Sherwood/Tigard. Uses existing buses serving Routes 44/45x.	N/A	1,040	\$78,000	-
Mid-Term										
N/A										
Long-Term										
SL1	1	1	Additional intercity later evening service	McMinnville -Tigard	Fixed- Route	Add 1 additional evening trip	N/A	780	\$59,000	-

Project ID	Task 1	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost ^{1, 2}	New Capital Requirements
SL3	1	1	Additional express service	McMinnville -Tigard	Fixed- Route	 Add up to four total express trips on Route 45x in morning and afternoon commute hours Express could potentially using bypass if traffic conditions warrant it in the future. Using bypass means express trips would not serve Dundee and downtown Newberg. There would be a timed transfer with local service in eastern Newberg (e.g., Fred Meyer). Route 44 would continue to serve Dundee and downtown Newberg. Express service provides direct access to Willamette Medical Center and other activity centers on the OR 18 Bypass, and reduces travel times between the County's largest population centers. 	N/A	1,213	\$91,000	-
SL5	1	1	Implement/Exp and Local Flex Routes	Dayton / Lafayette	Flex- Route	Expand shopper shuttle pilot to three days per week, 10 hours per day operation in a third geographic area (Dayton/Layafette assumed). Amity could be included in Dayton/Lafayette service area and/or Sheridan/Willamina service area.	N/A	1,352	\$78,000	1 van
Long-Term (Vision)									
SV2	1	1	Expand Saturday service	McMinnville -Newberg	Fixed- Route	Add frequency on Route 44 between McMinnville and Newberg on Saturdays	N/A	416	\$31,000	-
SV3	1	2	Implement Sunday Service	McMinnville -Tigard	Fixed- Route	Operate Route 44 on Sundays (McMinnville-Tigard). Assumes 4 round trips. This would be the highest priority for Sunday service on intercity routes.	N/A	624	\$47,000	-
SV3	2	3	Implement Sunday Service	McMinnville -Newberg	Fixed- Route	Add frequency on Route 44 between McMinnville and Newberg on Sundays	N/A	416	\$31,000	-

Notes: [1] Element required for STIF Plan. STIF Plan requires that projects be ranked and allows projects to be submitted at 100% and 130% of projected funding. Preliminary recommendation to be confirmed by YCTA Advisory Committee. [2] Costs in this table reflect an average cost per hour of \$75 for fixed-route, \$58 for Dial-a-Ride, and \$56 for flex-routes, which is the assumed cost for FY 2020. The TDP financial plan assumes costs that are escalated to implementation year.

47 33 to Hillsboro Beaverton 1 **TriMet** WES, Routes 12, 45, 76, 78, 64, 93, 94 Gaston Future connection to TriMet Southwest Corridor project (MAX) and SMART Route 2X (to Wilsonville) at Tigard TC Tigard TC To TriMet Routes 93 & 94 Tigard One additional Lake Oswego evening trip on King City Durham Yamhill County Route 44 Rivergrove A Modify southbound Tualatin Sherwood. Yamhili routing and stop on SW Langer Dr **TriMet** Route 97 in Sherwood Newbera (99W (240) Carlton Add trips on Route 44 between Wilsonville Providence McMinnville and Newberg. Some Dundee Hospital stop no trips would not continue to longer on-call Sherwood/Tigard. Canby Route 45X uses Dundee Bypass (timing to Lafayette be determined 468 Barlow Route 44 runs on OR Transfer with local Newberg servce at Fred **McMinnville** 99W instead of Meyer. Could serve Newberg Providence Lafayette in McMinnville, *Aurora* Hospital on all trips. and stops at OMI (5th & Cowls) in both directions St. Paul G Add up to four express trips on Route Clackam 45x potentially using bypass) Dayton RV park stop no longer on-call Hubbard 11 to Salei (18)

Figure D-17 Service Changes: McMinnville-Newberg-Tigard Corridor Intercity Service (Routes 44/45x) - Map

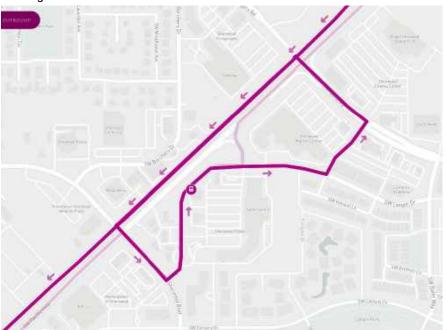
Route Maps and Details

Route 44 Southbound / Langer Drive

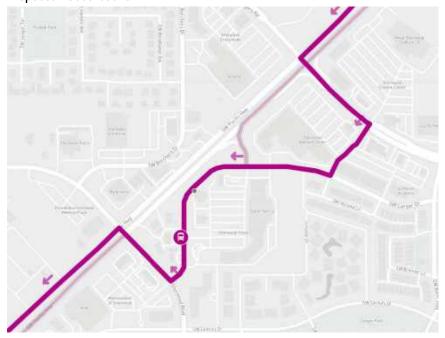
- Redesign the deviation to Sherwood Plaza (Shari's) on SW Langer Drive in Sherwood, which requires approximately three minutes northbound and five or more minutes southbound.
- This will require stopping on the opposite side of the street from the current stop. There is a TriMet bus zone, but no sidewalk. A TriMet stop located further south opposite Dutch Bros. can be used. This change would also need to be coordinated with TriMet.

Figure D-18 Existing and Proposed Route 44 Change at SW Langer Drive

Existing - Southbound



Proposed - Southbound



MCMINNVILLE-SALEM INTERCITY SERVICE: ROUTE 80X (CURRENT 11)

Key Improvements

- Extend Route 11 to Downtown Salem Transit Center
- Add trips during morning and afternoon commute hours, including early evening

Key Outreach Ideas/Findings

- Request to fill mid-morning and mid-afternoon service gaps (no departures from McMinnville between 7:30 a.m. and noon, or between noon and 4:00 p.m.)
- Comments supporting extending to downtown Salem sooner, and potentially serving Greyhound/Amtrak
- Desire for service from Dayton to Salem (suggestion to use OR 221)
- Among weekend service options, Saturday service in this corridor is a relatively high priority

Additional community input is summarized in TDP Volume II, Section 4: TM #4, Chapter 6 and Appendix A.

Figure D-19 summarizes intercity service improvements between McMinnville and Salem, by time frame, including local service improvements in Amity.

Figure D-19 Service Changes: McMinnville-Salem Corridor Intercity Service (Routes 11 / Future 80x) - Table

Project ID	Task 1	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost 1,2	New Capital Requirements
Immediate										
SI4	1		Salem Intercity Schedule, Stop, and Routing Adjustments	McMinnville -Salem	Fixed- Route	Schedule adjustments for Route 11	-	-	-	-
SI4	2		Salem Intercity Schedule, Stop, and Routing Adjustments	McMinnville -Salem	Fixed- Route	Add a Route 11 stop at OMI (5th & Cowls) in both directions	-	-	-	-
Near-Term										
SN6	1	2	Shopper Shuttle	McMinnville, Newberg, Small Cities	Flex Route	Implement shopper shuttle pilot projects in McMinnville, Newberg / Dundee, Yamhill / Carlton, Amity / Sheridan / Willamina, and Dayton / Lafayette (4 hours per day, 1 day per service area; 5 days per week, with up to two additional days in Yamhill/Carlton and Sheridan/Willamina to support medical trip needs such as dialysis where patients may have three appointments per week. Total of 9 days.).	N/A	1,040	\$60,000 + \$48,000 (\$108,000 total)	1 van (+ 1 existing van)
Short-Term										
SS6	1	2	Extension to Downtown Salem	McMinnville -Salem	Fixed- Route	 Extend Route 11 to Downtown Salem Transit Center. Route 11 would still stop along Wallace Rd in West Salem. In conjunction with this change, rename Route 11 (e.g., to 80X) to avoid confusion with Cherriots Route 11. 	Figure D-21 Figure D-22	758	\$57,000	-
Mid-Term										
N/A										

Project ID	Task 1	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost ^{1, 2}	New Capital Requirements
Long-Term										
SL1	2	1	Additional intercity later evening service	McMinnville -Salem	Fixed- Route	Add 1 additional early evening trip	N/A	403	\$30,000	-
SL2	1	1	Additional intercity morning and/or afternoon trips	McMinnville -Salem	Fixed- Route	Add 1 additional morning and 1 additional afternoon trip; no additional vehicles required; depending on YCTA's financial and capital resources, and future productivity of these routes, consider adding an additional vehicle to increase frequency during morning and afternoon peak periods (see SV1 - Long-Term Vision).	N/A	806	\$60,000	-
SL4	1	2	Saturday Service Expansion	McMinnville -Salem	Fixed- Route	Add Saturday service between McMinnville and downtown Salem. Assumes 4 round trips.	N/A	322	\$24,000	-
Long-Term (Vision)									
SV1	1	2	Increase peak period frequency to Salem and Hillsboro	McMinnville -Salem	Fixed- Route	Add trips on Route 11 during morning and afternoon commute hours; this would increase frequency. Requires an additional bus on the route.	N/A	806	\$60,000	1 medium bus
SV3	4	2	Implement Sunday Service	McMinnville -Salem	Fixed- Route	Operate Route 11 on Sundays. Assumes 4 round trips.	N/A	322	\$24,000	

Notes: [1] Element required for STIF Plan. STIF Plan requires that projects be ranked and allows projects to be submitted at 100% and 130% of projected funding. Preliminary recommendation to be confirmed by YCTA Advisory Committee. [2] Costs in this table reflect an average cost per hour of \$75 for fixed-route, \$58 for Dial-a-Ride, and \$56 for flex-routes, which is the assumed cost for FY 2020. The TDP financial plan assumes costs that are escalated to implementation year.

Lafayette Intercity routes stop in downtown McMinnville McMinnville (near OMI) in both Auron directions St. Paul Donald Dayton Yamhill County Hubbard (18) Whiteson Salud Medical Center Woodburn Amity Gervais 99W Mt. Angel Flexible services connecting small cities to McMinnville Lincoln Keizer Route 11 extended to downtown Silverton Salem, with connections to Amtrak and a variety of other Cherriots routes. Continues to stop in West Salem (Wallace St) enroute to downtown. T Cherriots Routes 16, 17, 26, & 27 T Salem West Salem Dallas West Valley Hospital

Figure D-20 Service Changes: McMinnville-Salem Corridor Intercity Service (Routes 11) - Map

Route Maps and Details

Figure D-21 illustrates the extension of current Route 11 to downtown Salem as Route 80. The route would stop on Wallace Road near Glen Creek Transit Center, and at the Downtown Salem Transit Center. The actual stop location at the Downtown Salem Transit Center would need to be determined in coordination with Cherriots.

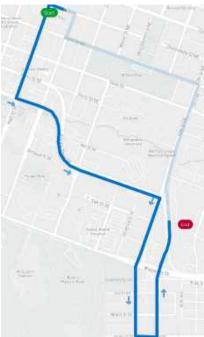
The route could also serve the Salem Amtrak station at certain times of day, an addition of approximately 10 minutes each way. See Figure D-22.

Figure D-21 Route 80x (Current Route 11) Extension to Downtown Salem

alem Figure D-22 Route 80x Potential Extension to Salem Amtrak Station







MCMINNVILLE-GRAND RONDE INTERCITY SERVICE: ROUTE 22/24S

Key Improvements

- Add stops serving west Sheridan and Wandering Spirit RV Park (others depend on shoulder improvements)
- Align schedule with YCTA Route 44/45x in McMinnville and Tillamook County Route 60x in Grand Ronde
- Add an additional evening trip serving Casino work shifts

Key Outreach Ideas/Findings

 Desire for stops at Dairy Queen, High School, Deer Meadow Assisted Living, and Oldsville Road, and a shelter across from TJs in Sheridan

Additional community input is summarized in TDP Volume II, Section 4: TM #4, Chapter 6 and Appendix A.

Figure D-23 summarizes intercity service improvements between McMinnville and Grand Ronde, by time frame, including local service improvements in Sheridan, Willamina, and/or Amity.

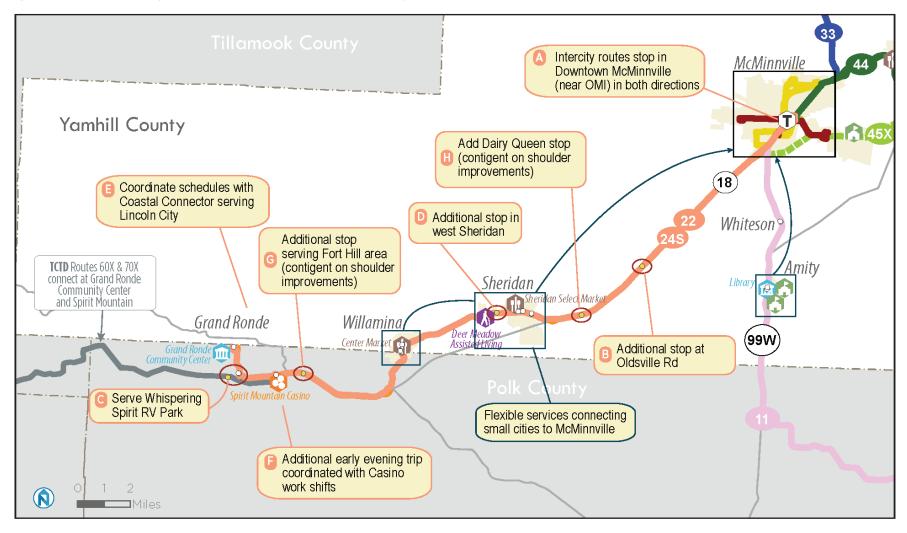
Figure D-23 Service Changes: McMinnville-Grand Ronde Corridor Intercity Service (Route 22) – Table

Project ID	Task 1	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost ^{1, 2}	New Capital Requirements
Immediate										
SI5	1		Grand Ronde Intercity Schedule, Stop, and Routing Adjustments	Figure D-21 Figure D-22.	Fixed- Route	Schedule adjustments for Route 22 including better timing with other intercity routes	-	-	-	-
SI5	2		Grand Ronde Intercity Schedule, Stop, and Routing Adjustments	Figure D-21 Figure D-22.	Fixed- Route	 Add a stop at OMI (5th & Cowls) in both directions Add a stop at Wandering Spirit RV Park (west of Grand Ronde Road) Add a stop at Oldsville Road 	-	-	-	-
Near-Term										
SN6	1	2	Shopper Shuttle	McMinnville, Newberg, Small Cities	Flex Route	Implement shopper shuttle pilot projects in McMinnville, Newberg / Dundee, Yamhill / Carlton, Amity / Sheridan / Willamina, and Dayton / Lafayette (4 hours per day, 1 day per service area; 5 days per week, with up to two additional days in Yamhill/Carlton and Sheridan/Willamina to support medical trip needs such as dialysis where patients may have three appointments per week. Total of 9 days.).	N/A	1,040	\$60,000 + \$48,000 (\$108,000 total)	1 van (+ 1 existing van)
Short-Term										
SS7	1	1	Additional Grand Ronde evening trip	McMinnville -Grand Ronde	Fixed- Route	Add an additional evening trip, timed to serve work shifts at the Spirit Mountain Casino and improve connections to/from TCTD 60X Coastal Connector route serving Lincoln City (at Spirit Mountain Casino or Grand Ronde Community Center). Timing should be determined in consultation with TCTD and Spirit Mountain. Improves regional coordination and job access.	N/A	503	\$38,000	-

Project ID	Task 1	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost ^{1,2}	New Capital Requirements
SS8	2	2	Implement Local Flex Route	Sheridan / Willamina	Flex- Route	Expand shopper shuttle pilot to three days per week, 8 to 10 hour per day operation. Either Yamhill/Carlton or Sheridan/Willamina/Amity are recommended for the short-term. One area could be implemented in the first year of the short-term and the second could be implemented in the second or third year based on available resources in Year 1.	N/A	1,352	\$78,000	1 van
Mid-Term										
N/A										
Long-Term										
SL5	2	1	Implement/Expa nd Local Flex Routes	Sheridan / Willamina	Flex- Route	Expand local flex-route to operate 5 days per week in Sheridan/Willamina.	N/A	1,040	\$60,000	
Long-Term (Vision)									
SV3	3	2	Implement Sunday Service	McMinnville -Grand Ronde	Fixed- Route	Operate Route 22 between McMinnville and Grand Ronde on Sundays. This would be the second highest priority for Sunday service on intercity routes.	N/A	624	\$47,000	

Notes: [1] Element required for STIF Plan. STIF Plan requires that projects be ranked and allows projects to be submitted at 100% and 130% of projected funding. Preliminary recommendation to be confirmed by YCTA Advisory Committee. [2] Costs in this table reflect an average cost per hour of \$75 for fixed-route, \$58 for Dial-a-Ride, and \$56 for flex-routes, which is the assumed cost for FY 2020. The TDP financial plan assumes costs that are escalated to implementation year.

Figure D-24 Service Changes: McMinnville-Grand Ronde Corridor Intercity Service (Route 22) - Map



Route Maps and Details

Figure D-25 Photos of Proposed Stop Locations on Route 22 that require shoulder improvements

Map ID	Time Frame	Location	Photo
G	Contingent on shoulder improvements	Fort Hill Road area. Shoulders are narrow and roadway is divided with a barrier in segments.	Source: Google Street View
Н	Contingent on shoulder improvements	Dairy Queen North shoulder is narrow.	Source: Google Street View

MCMINNVILLE-HILLSBORO INTERCITY SERVICE: ROUTE 33

Key Improvements

- Improve facilities/signage at Hillsboro Transit Center
- Add trips during the morning and afternoon/early evening commute hours

Key Outreach Ideas/Findings

- Time Route 33 to allow connections to Salem or Hillsboro in the morning (e.g., 9 am), and to Tigard route
- Desirable to connect Yamhill/Carlton to Newberg

Additional community input is summarized in TDP Volume II, Section 4: TM #4, Chapter 6 and Appendix A.

Figure D-26 summarizes intercity service improvements between McMinnville and Hillsboro, by time frame.

Washington County has communicated a desire from the City of Gaston for additional service (e.g., SL1.3), and may be able to contribute funding support. If additional partner funding can be identified; it may be possible to implement this project sooner. Washington County and Gaston also plan to explore submitting a discretionary application for a park & ride/stop enhancement in Gaston.

Figure D-26 Service Changes: McMinnville-Hillsboro Corridor Intercity Service (Route 33) – Table

Project ID	Task	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost 1,2	New Capital Requirements
Immediate										
SI6	1	-	Hillsboro Intercity Schedule, Stop, and Routing Adjustments	McMinnville- Hillsboro	Fixed- Route	 Schedule adjustments for Route 33, including adjusting schedules of the current 10:30 am and 12:30 pm trips from McMinnville to reduce the current 4h 30 min gap between the 6 AM and 10:30 AM trips. Add a stop at OMI (5th & Cowls) in both directions 	-	-	-	-
Near-Term										
SN5	1	2	Route 33 bus stop and routing changes	McMinnville- Hillsboro	Fixed- Route	 Relocate westbound Route 33 stop in Forest Grove. Eliminate westbound stop at McMenamins Grand Lodge (west of Hwy 47). Add new westbound stop at the TriMet bus stop 1/4 mile east of Hwy 47. Modify westbound routing to save travel time. Add eastbound and westbound stops at Walmart (4th Ave) in Cornelius. 	Figure D-28	-	-	-
SN5	2	3		McMinnville- Hillsboro	Fixed- Route	Coordinate with ODOT on shoulder and other improvements to enhance safety of the Cove Orchard stop.	N/A	-	-	-
Short-Term										
None										
Mid-Term			_							
None										
Long-Term										
SL1	3	1		McMinnville- Hillsboro	Fixed- Route	Add 1 additional early evening trip. This was initially a mid-term priority, but was deferred to the long-term given funding availability;	N/A	520	\$39,000	-

Project ID	Task	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost ^{1, 2}	New Capital Requirements
						however, Washington County and Gaston are able to provide approximately \$20,000 towards the cost of adding this trip, which would serve Gaston High School and students returning from after school activities. This has been included in the Near-Term STIF plan (subject to YCTA STIF Advisory Committee approval).				
SL2	2	1	Additional intercity morning and/or afternoon trips	McMinnville- Hillsboro	Fixed- Route	Add 1 additional morning trip; no additional vehicles required; depending on YCTA's financial and capital resources, and future productivity of these routes, consider adding an additional vehicle to increase frequency during morning and afternoon peak periods (see SV1 - Long-Term Vision).	N/A	520	\$39,000	-
SL4	2	2	Saturday Service Expansion	McMinnville- Hillsboro	Fixed- Route	Add Saturday service between McMinnville and Yamhill/Carlton. Assumes 4 round trips. Phase 1 of Saturday service to Hillsboro.	N/A	159	\$12,000	-
Long-Term (Vision)		<u> </u>				'			'
SV1	2	2	Increase peak period frequency to Salem and Hillsboro	McMinnville- Hillsboro	Fixed- Route	 Add trips on Route 33 during morning and afternoon commute hours; this would increase frequency. Requires an additional bus on the route. Improve coordination with Grovelink employment area trips. 	N/A	1,040	\$78,000	1 medium bus
SV2	2	3	Expand Saturday service	McMinnville- Hillsboro	Fixed- Route	Extend Route 33 to Hillsboro on Saturdays. Hours/cost in addition to Phase 1 (SL4, McMinnville-Yamhill only)	N/A	257	\$19,000	-
SV3	5	3	Implement Sunday Service	McMinnville- Hillsboro	Fixed- Route	Operate Route 33 on Sundays. Assumes 4 round trips.	N/A	451	\$34,000	-

Notes: [1] Element required for STIF Plan. STIF Plan requires that projects be ranked and allows projects to be submitted at 100% and 130% of projected funding. Preliminary recommendation to be confirmed by YCTA Advisory Committee. [2] Costs in this table reflect an average cost per hour of \$75 for fixed-route, \$58 for Dial-a-Ride, and \$56 for flex-routes, which is the assumed cost for FY 2020. The TDP financial plan assumes costs that are escalated to implementation year.

Relocate westbound stop New eastbound and at McMenamins in Forest westbound stops at Grove, 1/4 mile to the east Walmart in Cornelius Forest Grove lity Community Hospital Pacific University 🕜 HillsbosoTC Tuality Fare Grove Hospi Cornelius Hillsboro TriMet MAX Blue Line, Align schedule with GroveLink employment area shuttle serving Routes 45, 47, & 57 47 TTM Technologies and 24th Ave Industrial area Gaston Coordinate with ODOT to improve bus stops in Cove Orchard Potential flexible services Yamhill connecting small cities to McMinnville (see separate board) Newberg 240 Carlton Intercity routes stop in Dundee Downtown McMinnville (near OMI) in both directions Lafayette 465 44 McMinnville Yamhill County St. Paul Dayton 18 99W

Figure D-27 Service Changes: McMinnville-Hillsboro Corridor Intercity Service (Route 33) - Map

Route Maps and Details

Route 33 Forest Grove and Cornelius Stop and Routing

Figure D-28 Proposed Changes to Route 33 in Forest Grove and Cornelius



SERVICE WITHIN/BETWEEN SMALL CITIES

Key Improvements

 Shopper shuttle pilot services and community-driven process to design services connecting small cities to intercity transit routes and/or key destinations/services in McMinnville and Newberg

Key Outreach Ideas/Findings

 Over 60% of online survey respondents preferred a Rural Flex Route model, while 27% supported a rural shopper/medical shuttle

Additional community input is summarized in TDP Volume II, Section 4: TM #4, Chapter 6 and Appendix A.

Figure D-29 summarizes service improvements aiming at increasing connectivity within/between small cities and McMinnville/Newberg, by time frame.

Several service models were proposed in TM #4 and taken out to the community for their input in March 2018 (see Figure D-30). In general, there was a preference for the Rural Flex Route model, but based on public comments, some aspects of the other service models, e.g., serving as a feeder to intercity routes, also have appeal in smaller cities. There was general support for using a pilot shopper/medical shuttle to help develop the specific design for each service, which could incorporate a community-driven process (or set of communities). This could evolve into a service that operates more frequently over time in the communities and markets where it is well-utilized.

The service would utilize small vans, which would allow them to serve destinations that are inaccessible in a large bus, such as Deer Meadows Assisted Living in Sheridan.

The service would incorporate on-demand technology to allow them to be used in a more real-time manner, as opposed to traditional demand-response service where reservations are required the previous day.

Note: A shopper/medical shuttle pilot is also included in the McMinnville and Newberg local service sections; due to its proximity Dundee is included in the cost of the Newberg service.

Figure D-30 Small City Service Model Options

SERVICE MODEL	RURAL SHOPPER/MEDICAL SHUTTLE	RURAL F	LEX ROUTE	RURAL FEEDER SERVICE			
Description	Door-to-door service in small cities, with advance reservations, to selected major shopping and medical destinations in McMinnville or Newberg	Nowborg Transit Cont	vice with advance serving McMinnville or ters and selected major	Curb-to-curb service within small cities, with advance reservations, making timed transfers with intercity buses in each city, and offering trips between points within each city			
Image	Starte Creation Starte Creation Code Floor Rate Starte Creat Up/ Drop-Dri Zee W-4	Flow's fine to	listan faite	Fields Sections	Estato Gedar		
# Vehicles							
Service Days/Hours	Limited days and hours of service: 1 day per week in each service area*, approx. 4 hours per day	Regular all-day service: 2-3 days per week in each service area, approx. 8-5 pm	Regular all-day service: 5 days per week in each service area, approx. 8-5 pm	Regular all-day service: 2-3 days per week in each service area, approx. 8-5 pm	Regular all-day service: 5 days per week in each service area, approx. 8-5 pm		
Cost	\$	\$\$\$\$ (\$\$ per vehicle)	\$\$\$\$\$\$ (\$\$ per vehicle)	\$\$\$\$ (\$\$ per vehicle)	\$\$\$\$\$\$ (\$\$ per vehicle)		

Figure D-31 Service between Small Cities – Table

Project ID	Task 1	Priority Tier ¹	Project Name ¹	Service Area(s)	Service Type	Project/Task Description ¹	Map or Other Details	Additional Annual Hours ¹	Additional Annual Operating Cost 1, 2	New Capital Requirements
Near-Term										
SN6	1	2	Shopper Shuttle	McMinnville, Newberg, Small Cities	Flex Route	Implement shopper shuttle pilot projects in McMinnville, Newberg / Dundee, Yamhill / Carlton, Amity / Sheridan / Willamina, and Dayton / Lafayette (4 hours per day, 1 day per service area; 5 days per week, with up to two additional days in Yamhill/Carlton and Sheridan/Willamina to support medical trip needs such as dialysis where patients may have three appointments per week. Total of 9 days.).	N/A	1,040	\$60,000 + \$48,000 (\$108,000 total)	1 van (+ 1 existing van)
Short-Term										
SS8	1	1	Implement Local Flex Route	Yamhill / Carlton	Flex- Route	Expand shopper shuttle pilot to three days per week, 8 to 10 hour per day operation. Either Yamhill/Carlton or Sheridan/Willamina/Amity are	N/A	1,352	\$78,000	1 van
SS8	2	2	Implement Local Flex Route	Sheridan / Willamina	Flex- Route	recommended for the short-term. One area could be implemented in the first year of the short-term and the second could be implemented in the second or third year based on available resources in Year 1.	N/A	1,352	\$78,000	1 van
Mid-Term										
N/A										
Long-Term										
SL5	2	1	Implement/Exp and Local Flex Routes	Sheridan / Willamina	Flex- Route	Expand local flex-route to operate 5 days per week in Sheridan/Willamina.	N/A	1,040	\$60,000	-

Notes: [1] Element required for STIF Plan. STIF Plan requires that projects be ranked and allows projects to be submitted at 100% and 130% of projected funding. Preliminary recommendation to be confirmed by YCTA Advisory Committee. [2] Costs in this table reflect an average cost per hour of \$75 for fixed-route, \$58 for Dial-a-Ride, and \$56 for flex-routes, which is the assumed cost for FY 2020. The TDP financial plan assumes costs that are escalated to implementation year.

FY 2019-2021 STIF PLAN INFORMATION

Recommended Definition of a High-Percentage of Low-Income Households

The Statewide Transportation Investment Fund (STIF) guidance⁴ and STIF Advisory Committee Bylaws template⁵ define a low-income household as:

A household the total income of which does not exceed 200% of the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2) for the 48 Contiguous States and the District of Columbia.

The STIF guidance provides local discretion for defining a "high-percentage" of low-income households, which is among the criteria used to evaluate STIF projects submitted for funding. The definition must be provided in section 4.3 of the STIF funding plan. The TDP recommends the following methodology for determining a high-percentage of low-income households, or population; the recommended language refers to both population and households based on data availability and to provide YCTA and the YCTA STIF Advisory Committee with more flexibility. 6

A community with a high percentage of low-income households (or population) is defined as having an equal or higher low-income percentage than the county-wide percentage of low-income households (or population). Within a city comprised of multiple Census tracts (i.e., McMinnville and Newberg), an area with a high percentage of low-income households (or population) is defined as a Census tract with an equal or higher percentage of low-income households (or population) than the city-wide percentage of low-income households (or population).

Figure 2-3 of the TDP (Chapter 2) provides demographic information for Yamhill County. Based on low-income population (see footnote below), communities with an equal or higher low-income (200% of poverty) percentage than the county-wide percentage (36%) are: McMinnville (43%), Newberg (36%), Sheridan (57%), Lafayette (41%), Dayton (39%), and Willamina (43%). Communities with a lower percentage are: Carlton (30%), Dundee (28%), Amity (28%), and Yamhill (19%). (It would be possible for the YCTA STIF Advisory Committee to use a different method or standard to make this determination.) In

 $\underline{https://www.oregon.gov/ODOT/RPTD/RPTD\%20Committee\%20Meeting\%20Documents/STIF-Application-Guidance.pdf}$

Yamhill County Tranzsit Area | D-47

⁴ ODOT, STIF Application Guidance.

⁵ ODOT, Model STIF Advisory Committee Bylaws Template. https://tinyurl.com/ydgs9w45

The STIF regulations enacted by the Oregon Legislature in HB 2017 refer to low-income households. The American Community Survey (ACS) provides poverty information for households, families, and individuals; however, a breakdown of 200% of the federal poverty level (the STIF definition of low-income) is only available for families (Table S1702) and population (Table S1701). Households include all person who occupy a housing unit including a single family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements. Population data is for the population for whom poverty status is determined, which excludes institutionalized people (e.g., prisons), people in military group quarters, people in college dormitories, and unrelated individuals under 15 years old. In addition, based on the same data availability limitations, the Remix software calculates the share of the *population* within a ½-mile of transit stops. It is possible to convert from population to households based on average household size (calculated as people in occupied housing units [96,886] divided by total housing units [35,002], from 2016 ACS 5-Year Estimate, Table DP04, equal to 2.8 people per household, rounded to nearest 0.1).

addition, within McMinnville and Newberg it is possible to use Census Tract data to identify different areas in these larger cities that have a high-percentage of low-income households; the recommended comparison is to the city-wide percentage of low-income population.

FY 2019-2021 STIF Plan Summary

STIF Plans (applications) must be received by ODOT no later than November 1, 2018 for the first round of funding opportunity or May 1, 2019 for the second round of funding opportunity. The template requires that projects submitted in the STIF Plan identify which of the following STIF Criteria and Oregon Public Transportation Plan (OPTP) goals (and policies; not listed) are met. The table below lists the preliminary STIF revenue projections for YCTA in the current funding cycle, and 130% of the projected funding level (recipients are encouraged to submit a "130%" list in case revenues exceed projections, and the request can exceed 130% if desired).

Figure D-32 STIF Revenue Projections for Yamhill County

Year	TDP Time Frame	Preliminary Revenue Projection	130% of Projection
FY 2019	Near-Term	\$496,000	\$645,000
FY 2020	Short-Term	\$1,127,000	\$1,465,000
FY 2021	Short-Term	\$1,275,000	\$1,658,000

Figure D-33 summarizes funding requested through STIF. Actual funding is constrained by revenue received.

Figure D-33 STIF Plan Project Summary

Category		Fiscal Year	
	2019	2020	2021
100% List	\$640,161	\$1,100,699	\$1,173,115
100% with Planning/Administration	\$43,300	\$26,800	\$12,900
Total 100% List	\$683,461	\$1,127,499	\$1,186,015
130% List	\$35,000	\$365,000	\$425,000
130% List with Planning/Administration	\$0	\$0	\$19,100
Total 130% List	\$35,000	\$365,000	\$444,100
Overall Total	\$718,461	\$1,492,499	\$1,630,115
Preliminary Revenue Projection	\$496,000	\$1,127,000	\$1,275,000
130% of Projection	\$645,000	\$1,465,000	\$1,658,000

YCTA needs to rate the projects based on STIF criteria established in the legislation. Figure D-34 summarizes the allocations. A minimum of 1% of funding needs to serve students in Grades 9-12 and the YCTA STIF Plan should exceed that threshold. Not all project types are allocated to STIF criteria, so the amounts are less than the total STIF plan requested funding amount.

Figure D-34 STIF Criteria and YCTA STIF Plan Draft Allocations

	STIF Criteria	FY 2019	FY 2020	FY 2021	Total	% of Total
Criterion 1	Increased frequency of bus service to areas with a high percentage of Low-Income Households.	\$334,750	\$619,750	\$603,600	\$1,558,100	47%
Criterion 2	Expansion of bus routes and bus services to serve areas with a high percentage of Low-Income Households.	\$148,500	\$511,500	\$607,000	\$1,267,000	38%
Criterion 3	Fund the implementation of programs to reduce fares for public transportation in communities with a high percentage of Low-Income Households.	\$0	\$0	\$0	\$0	0%
Criterion 4	Procurement of low or no emission buses for use in areas with 200,000 or more.	\$0	\$0	\$0	\$0	0%
Criterion 5	The improvement in the frequency and reliability of service between communities inside and outside of the Qualified Entity's service area.	\$26,250	\$57,750	\$70,700	\$154,700	5%
Criterion 6	Coordination between Public Transportation Service Providers to reduce fragmentation in the provision of transportation services.	\$0	\$28,500	\$40,700	\$69,200	2%
Criterion 7	Implementation of programs to provide student transit service for students in grades 9-12.	\$32,500	\$111,500	\$116,000	\$260,000	8%
Total		\$542,000	\$1,329,000	\$1,438,000	\$3,309,000	100%

Each project also needs to be evaluated based on meeting one or more of the following Oregon Public Transportation Plan (OPTP) Goals. Draft ratings are provided, but are omitted from the draft STIF input tables below due to space limitations.

- **Goal 1 Mobility: Public Transportation User Experience** -- People of all ages, abilities, and income levels move reliably and conveniently between destinations using an affordable, well-coordinated public transportation system. People in Oregon routinely use public transportation to meet their daily needs.
- **Goal 2: Accessibility and Connectivity** -- Riders experience user-friendly and convenient public transportation connections to and between services and travel modes in urban, suburban, rural, regional, and interstate areas.
- Goal 3: Community Livability and Economic Vitality -- Public transportation promotes community livability and economic vitality by efficiently and effectively moving people of all ages to and from homes, jobs, businesses, schools and colleges, and other destinations in urban, suburban, and rural areas.
- **Goal 4: Equity** -- Public transportation provides affordable, safe, efficient, and equitable transportation to jobs, services, and key destinations, improving quality of life for all Oregonians.
- **Goal 5: Health** -- Public transportation fosters improved health of Oregonians by promoting clean air, enhancing connections between people, enabling access to services such as health care and goods such as groceries, and by giving people opportunities to integrate physical activity into everyday life through walking and bicycling to and from public transportation.
- **Goal 6: Safety and Security** -- Public transportation trips are safe; riders feel safe and secure during their travel. Public transportation contributes to the resilience of Oregon communities.
- **Goal 7: Environmental Sustainability** -- Public transportation contributes to a healthy environment and climate by moving more people with efficient, low-emission vehicles, reducing greenhouse gases and other pollutants.
- **Goal 8: Land Use** -- Public transportation is a tool that supports Oregon's state and local land use goals and policies. Agencies collaborate to ensure public transportation helps shape great Oregon communities providing efficient and effective travel options in urban, suburban, and rural areas.
- **Goal 9: Funding and Strategic Investment** -- Strategic investment in public transportation supports the overall transportation system, the economy, and Oregonians' quality of life. Sustainable and reliable funding enables public transportation services and infrastructure to meet public needs.
- **Goal 10: Communication, Collaboration, and Coordination** -- Public and private transportation providers and all levels of government within the state and across state boundaries work collaboratively and foster partnerships that make public transportation seamless regardless of jurisdiction.

FY 2019-2021 STIF Plan Inputs

Figure D-35 provides information for YCTA to use in completing the ODOT STIF formula funds application template. The table is spread across four pages (two across); some columns are not included below due to space limitations. Figure D-36 provides additional detail for rolling stock (bus) projects. The final submission may vary from these values.

_

ODOT, STIF Application Template. https://www.cognitoforms.com/ODOT2/STIFPlanTemplate

Figure D-35 FY 2019-2021 STIF Application Template Information, Near-Term/Short-Term Projects: Page 1/4

TDP Project ID	TDP Task	TDP Time Frame	Initial Impl. Year	Project Name	Service Area(s)	Project/Task Description	Plan Page #	STIF Plan Project & Task	100% or 130% List	ALCOHOL: UN	Project Rank within 100% or 130% List	One-Time Planning/ Admin Cost (10%)	Hold for Future STIF Plan Period	Description of the last of the	Service Type	STIF% of Funding	#of Years	Total Revenue Hours (STIF Plan Period)	Total Revenue Miles (STIF Plan Period)	Total Rides (STIF Plan Period) ³	Population with Access to Transit ¹	Low- income House- Holds Access to Transit ⁴	New Shared Stops with Other Providers (#)
CN1	2:	Near-Term to Short-Term	2019	Bus Local Match	System-wide	Replace end-of-life vehicles with low-floor vehicles branded for and matched to each service type; Acquire new vehicles to support SN1.3, SN 1.4, and SN6.1 [See STIF Bus Task Detail for task-level apputs]	7-5, 7-12	1	100%	*	1	12	No	100%	NA	100%	3	N/A	N/A	N/A	N/A	NA	NA
SN1	3	Near-Term	2019	McMinnville Local Service Capacity, Coverage, and Service Hours	McMinnvii le	Modify Route 3 to provide more service to Winco/Walmart area, two-way service on Evans and 27th St, and service on McDaniel Ln (Senior Center). Requires additional half bus,	6-28, D- 9, D-10	2.1	100%	2	21	Yes	No	100%	Fixed-Route	100%	3	4,290	101,244	67,800	9 207	1,828	No
SN1	4	Near-Term	2019	McMinnville Local Service Capacity, Coverage, and Service Hours	McMinnville	Modify Route 4 (current 2 West) to extend along 2 nd St west of Hill Rd, providing service for additional residents, and south to Booth Bend Rd to provide direct access to Roths, Bi-Mart, and Albertsons. Accomplished using the remaining half bus from the Route 3 modification.	6-28, D- 12	22	100%	2	22	Yes	No	100%	Fixed-Roule	100%	3	4,290	49,764	56,100	3,294	738	No
SN1	5	Near-Term	2019	McMinnville Local Service Capacity, Coverage, and Service Hours	McMinnviile	Morning Service: 1 additional hour for Route 2 and 4 (start at 7.00 AM)	6-28	23	100%	2	23	*	No	100%	Fixed-Route	100%	3	780	4,524	10,200	3,294	738	No
CN2	1	Near-Term to Short-Term	2019	Bus Stop Improvements	System-wide	Sign and Mark Bus Slope; communicates where vehicles stop and the presence of transit in the community. Stop improvement program (benches, shelters, pacs, and other amenities) provides comfortable, dignified places for passengers to catch the bus. Planning.	7-7,7-12	3.1	100%	3	3	Yes	No	100%	NA	100%	t	N/A	NA	N/A	NA	N/A:	N/A
CN2	2	Near-Term to Short-Term	2019	Bus Stop Improvements	System-wide	Sign and Mark Bus Stops, communicates where vehicles stop and the presence of transit in the community. Stop improvement program (benches, shelters, pads, and other amenities) provides comfortable, dignified places for passengers to catch the bus. Signing/Warking.	7-7, 7-12	32	100%	3	3	No	No	100%	NA	100%	3	N/A	NA	N/A	N/A	NVA	NVA
CN2	3	Near-Term to Short-Term	2019	Bus Stop Improvements	System-wide	Sign and Mark Bus Stops; communicates where vehicles stop and the presence of transit in the community. Stop improvement program (benches, shelters, pads, and other amenities) provides comfortable, dignified places for passengers to catch the bus. Shelters and other stop improvements	7-7, 7-12	33	100%	3	3	No	No	100%	NVA	100%	2	N/A	NA	N/A	N/A	NA	NA
CN3	1	Near-Term to Short-Term	2019	Technology Enhancements	System-wide	Technology Enhancements (1) Mobile surveillance solution for reliable, real time tracking for 33 buses to increase efficiency and camera coverage inside & out to promote passenger safety. (2) Automated Stop Announcements	9-11 to 9 12	4.1	100%	4	4	No	No	100%	N/A	100%	2	N/A	NA	N/A	N/A	NA	NVA
SN3	Ĭ	Near-Term	2019	McMinnville-Newberg Connector	McVinnville- Tigard	Phase 1 of project to add trips on Route 44 to provide more frequent, consistent service between McMinnville and Newberg, Added trips would not continue to Shenwood/Tigard. Uses existing buses serving Routes 44/45x.	6-28, D 24	5.1	100%	5	5	Yes	No	100%	Fixed-Route	100%	3	3,120	61,174	34,800	27,426	4,222	No
SN6	T.	Near-Term	2019	Implement Shopper Shuttles/Local Flax Roules	McVinnville, Newberg, Small Cifies	Implement shopper shuttle pilot projects in McMinnville, Newberg / Dundee, Yamhill / Cariton, Amity / Sheridan / Williamina, and Dayton / Lafayette (4 hours per day, 1 day per service area, 5 days per week, with up to two additional days in Yamhill/Cariton and Sheridan/Milamina to support medical trip needs such as dialysis where patients may have three appointments per week. Total of 9 days.)	6:29. D 45	6.1	100%	6	đ	Yes	No	100%	Demand- Response	100%	3	5,616	64,099	23,400	77,716	10,388	No
SM1	1	Mid-Term	2020	McMinnville Saturday Service	McMinnville	Additional service on Saturdays. Assumes 2 fixed-route vehicles for 10 hours, e.g., 8 AM-SPM.	6-29	7.1	100%	7	7	Yes	No	100%	Fixed-Route	100%	2	2,080	18,304	30,000	12,501	2,596	No
SIM	2	Mid-Term	2020	McMinnville Saturday Service	McMinnvii le	Additional service on Saturdaya, Assumes 1 Demand Response vehicles for 10 hours; e.g., 8 AM-6PM.	5-29	7.2	100%	8	8	Yes	No	100%	Demand- Response	100%	2	1,040	11,370	3,200	33,185	4,835	No
CN4	4	Near-Term	2019	CCC Access Gate	MoVinnvii le	Gate access and roadway improvements at Chemeketa Community College in McMinnville, Enables service to Virginia Garda dinic and other housing east of Notion Lane.	7-7, 7-12	8.1	100%	9	g	Yes	No	100%	NA	100%	1	N/A	NA	N/A	N/A	N/A	NA
CN5	3	Near-Term	2019	Marka: ing	System-wide	Support vehicle and other branding and marketing.	7-12, 9-8	9.1	100%	10	16	Yes	No	100%	N/A	100%	0	N/A	īVA.	N/A	N/A	NA	N/A
SS7	1	Short-Term	2021	Additional Grand Roride evening trip	McVinnviile- Grand Ronde	Add an additional evening trip, timed to serve work shifts at the Spirit Mountain Casino and improve connections toffrom TCTD 60X Coastal Connector route serving Lincoln City (at Spirit Mountain Casino or Grand Ronde Community Center). Timing should be determined in consultation with TCTD and Spirit Mountain. Improves regional coordination and job access.	6-29	10.1	100%	11	31	Yes	No	100%	Fixed-Route	100%	1	503	7,410	4,400	11,512	2,251	No
SS2	1	Shart-Term	2020	McMinnville Evening Service	McMinrville	Early Evening Service Add 1 add fonal hour of service in the evening (last trip leaves at 5:00 or 6:90 pm). Assumes 3 bases (at troutes).	6-29	11.1	100%	12	121	:	No	100%	Fixed-Route	100%	2	1,560	11,960	22,600	25 686	5,037	N/A

Figure D-35 FY 2019-2021 STIF Application Template Information, Near-Term/Short-Term Projects: Page 2/4

TDP Project ID	TDP Task	TDP Time Frame	Initial Impl. Year	Project Name	Service Area(s)	Project/Task Description	Plan Page #	STIF Plan Project & Task	100% or 130% List 2	Committee Rank (10/16/18)	Project Rank within 100% or 130% List	One-Time Planning/ Admin Cost (10%) ¹	Hold for Future STIF Plan Period	Share to Improve/ Expand Service	Service Type	STIF % of Funding	#of Years	Total Revenue Hours (STIF Plan Period)	Total Revenue Miles (STIF Plan Period)	Total Rides (STIF Plan Period)	Population with Access to Transit ⁴	Low- Income House- Holds Access to Transit ^d	New Shared Stops with Other Providers (#)
SS2	2	Short-Term	2020	McMnnville Evening Service	McMinnville	Early Evening Service: Add 1 additional hour of service in the evening (last trip leaves at 6 00 or 6:30 pm). Assumes 3 buses (all routes)	6-29	11.2	100%	12	122	œ	Nb	100%	Demand- Response	100%	2	1,040	5,935	3 200	33,185	4,835	N/A-
\$55	1	Short-Term	2020	McMinnville-Newberg Connector	McMinnville- Tigard	Phase 2 of near-term project to add trips on Route 44 to provide more frequent, consistent service between McMinnville and Newberg. Added trips would not continue to Sherwood/Tigard. Uses existing buses serving Routes 44/45x.	8-29, D- 24	12.1	100%	13	13	ti.	No	100%	Fixed-Route	100%	2	2,000	34,116	23,200	27.426	4,222	N/A
SS3	1	Short-Term	2020	Newberg Early Evening Service	Newberg	Add 1/2 hour of service in the evening (last trip leaves at 6.00 or 6.30 pm). Assumes 2 buses (all routes)	6-29	13.1	100%	14	14.1	3	No	100%	Fixed-Roule	100%	2	520	2,340	3 200	19.571	2,695	N/A
\$53	2	Short-Term	2020	Newberg Early Evening Service	Newberg	Add 1/2 hour of demand response service in the evening, this includes complementary ADA Paratransit. Assumes 1 vehicles:	6-29	13.2	100%	14	142	*	No	100%	Demand- Response	100%	2	260	2,968	800	22.566	2,744	NVA
SS8	1	Short-Term	2020	Implement Shopper Shuttles/Local Flex Routes	Yamhill / Carlton	Expand shopper shuttle pilot to three days per week, 8 to 10 hour per day operation. Either Yamhill/Carlton or Sheridan/Willamina/Amity are recommended for the short-term. One area could be implemented in the first year of the short-term and the second could be implemented in the second or third year based on available resources in Year 1.	6-29, D- 45	14.1	100%	15	15	Yes	No	100%	Demand- Response	100%	2	1,040	59,351	12,400	3,001	271	No
\$SB	2	Short-Term	2021	Implement Shopper Shuttles/Local Flex Routes	Sheridan / Willamina	Expand shopper shuttle pilot to three days per week, 8 to 10 hour per day operation. Either Yamhill/Carlton or Sheridan/Willamina/Amity are recommended for the short-term. One area could be implemented in the first year of the short-term and the second could be implemented in the second or third year based on available resources in Year 1.	6-29, D- 45	15.1	100%	16	16	Yes	Nb	100%	Demand- Response	100%	1	1,352	20,179	5.200	9,417	1,316	No
SS6	1	Short-Term	2020	Extension to Downtown Salem	McMinnville- Salem	Extend Route 11 to Downtown Salem Transit Center. Route 11 would still stop along Wallace Rd in West Salem. In conjunction with this change, rename Route 11 (e.g., to 80x) to avoid confusion with Cherriots Route 11.	6-29, D- 31	16.1	100%	17	17	Yes	No	100%	Fixed-Route	100%	2	1,517	59,403	12,800	13,784	2,782	Yes (1)
SL1	3	Long-Term	2019	Additional intercity later evening service	McMinnville- Hilsboro	Add 1 additional early evening trip. This was deferred to the long-term given funding availability; however, Washington County and Geston are able to contribute towards the cost of adding this trip, which would serve Geston High School and students returning from after school activities. Cost represents the total cost to YCTA (before Washington County/Gaston contributions.	6-30, D- 41	17.1	130%	18	7	2	No	100%	Fixed-Route	100%	3	1,580	24,860	15,600	18,751	3,602	No
CS1	1	Short-Term	2021	Capital Reserve	System-wide	Establish and contribute to a capital reserve fund (e.g., to be used for local matching funds for vehicle grants)	7-7, 7-12	19.1	130%		2	No	Yes	100%	N/A		2	N/A					
SM3	1	Mid-Term	2021	Newberg Demand-Response Capacity	Newberg	Restore Newberg Dial-a-Ride to two vehicles, assuming that fixed-route ridership meets standards and additional paratransit capacity is required based on service standards.	6-29, D- 16	18.1	130%	19	3	No	No	100%	Demand- Response	100%	2	4,150	47,481	12,400	22,566	2,744	No
SL7	1	Long-Term	2021	McMinnville Early Morning Service	McMinnville	Start McMinnville local fixed-route service at 6 AM. Assumes 3 buses	6-30	20,1	13/2%		4	Yes	No	100%	Fixed-Route	100%	2	1,500	0	22,600	25,686	5,037	No
SL7	2	Long-Term	2021	McMinwille Early Morning Service	McMinnville	Start McMinnville demand-response service hours at 6 AM. Assumes 1 Dial-a- Ride vehicle	6:30	20.2	130%		5	Yes	No	100%	Demand- Response	100%	2	620	5,935	1,600	33,185	4,835	No
SL7	3	Long-Term	2021	McMinnville Evening Service	McMinnville	Extend McMinnville local fixed-route service hours to 9 PM (last trips leave transit center at 8.00 or 8.30 PM). Assumes 2 buses (reduced coverage or lower frequency than daytime operation).	6-30	21.1	130%		6	Yes	No	100%	Fixed-Route	100%	2	2,080	0	28,600	15, 479	3,209	No
SL7	4	Long-Term	2021	McMnnville Evening Service	McMinnville	Extend McMinnville demand-response service hours to 9 PM, assumes 1 Dial-a- Ride vehicle.	6.30	21.2	130%		7	Yes	No	100%	Demand- Response	100%	2	1,040	11,870	3 200	33,185	4,836	No

^[1] Phority tier is a TDP recommendation, which should be confirmed by the YCTA advisory committee for submission in YCTA's STIF Plan (see "Rank within 100% or 130% list).
[2] The STIF Plan requires that projects be ranked and allows projects to be submitted at 100% and 130% of projected funding, in order to help prioritize depending on actual funds available. The list and ranking is a YCTA STIF Advisory Committee decision.

^[3] Assumes productivity based on the ridecheck conducted in AprilMay 2017; ranges from 13.1 to 15.8 riders per hour on intercity routes. Productivity was assumed to be 3 riders per hour for Dial-A-Ride, 4 riders per hour for Rex-routes and 8.5 to 11.2 riders per hour for Dial-A-Ride, 4 riders per hour for Dial-A-Ride, 4 riders per hour for Rex-routes and 8.5 to 11.2 riders per hour for Dial-A-Ride, 4 riders per hour for Dial-A-Ride, 5 to 11.2 riders per hour for Dial-A-Ride, 4 riders per hour for Dial-A-Ride, 5 to 11.2 riders per hour for Dial-A-Ride, 5 to 11.2 riders per hour for Dial-A-Ride, 5 to 11.2 riders per hour for Dial-A-Ride, 6 to 11.2 riders per hour

^[4] Transit access within 1/2 mile of fixed-route stops, or within the service area (typically city or cities) for demand-response or flex-route services.

[5] 10% allowance for administration and planning are included where needed to implement the project.

Figure D-35 FY 2019-2021 STIF Application Template Information, Near-Term/Short-Term Projects: Page 3/4

TDP Project ID	TDP Task	TDP Time Frame	Initial impl. Year	Project Name	Service Area(s)	Project/Task Description	Plan Page #	STIF Plan Project & Task	Supports Grade 9-12 Student Transp.	# Students Served	Category	Category Description (Lookup)	Activity Type	Activity Type Description (Lookup)	Activity Detail	Activity Detail Description (Lookup)	Capital Cos	perating or 0 t (Escalated enditure doll	to year-of-	Planning & Admin (10% one-time) ⁵
		ı.				·											FY 2019	FY 2020	FY 2021	
CIV1	nan	Near-Tenn to Short-Term	2019	Bus Local Match	System-wide	Replace end-of-life vehicles with low-floor vehicles branded for and matched to each service type; Acquire new vehicles to support SN1.3, SN 1.4, and SN 6.1. [See STIF Bus Task Detail for task-lovel inputs]	7-5, 7-12	1	N/A	2	111-00	Bus Rolling Stock	See STIF Bus Task Detail	AV/#	See STIF Bus Task Detail	#N/A	\$128,451	\$136,699	\$110,115	so
SN1	3	Near-Term	2019	McMinnville Local Service Capacity, Coverage, and Service Hours	McMinnville	Modify Route 3 to provide more service to Winco/Walmart area, two-way service on Evans and 27th St, and service on McDaniel Ln (Senior Center). Requires additional half-bus.	6-28, D- 9, D-10	2.1	Yes	2,176	300-00	Operations	30.09	Operating Assistance	30,09,01	Operating Assistance	\$95,000	\$107,000	\$110,000	\$11,000
SN1	4	Near-Term	2019	McMinnville Local Service Capacity, Coverage, and Service Hours	McMinnville	Modify Route 4 (current 2 West) to extend along 2 nd St west of Hill Rd, providing service for additional residents, and south to Booth Bend Rd to provide direct access to Roths, B-Mart, and Albertsons. Accomplished using the remaining half bus from the Route 3 modification.	6-28, D- 12	22	No		300-00	Operations	30.09	Operating Assistance	30.09.01	Operating Assistance	\$95,000	\$107,000	\$110,000	\$11,000
SNM	5	Near-Term	2019	McMinnville Local Service Capacity, Coverage, and Service Hours	McMinnville	Morning Service: 1 additional hour for Route 2 and 4 (stert at 7:00 AM).	6-28	2.3	Yes	2,176	300-00	Operations	30.09	Operating Assistance	30.09.01	Operating Assistance	\$17,000	\$20,000	\$20,000	SO.
CN2	1	Near-Term to Short-Term	2019	Bus Stop Improvements	System-wide	Sign and Mark Bus Stops, communicates where vehicles stop and the presence of transit in the community. Stop improvement program (benches, shelters, pads, and other amerities) provides comfortable, dignified places for passengers to eatch the bus. Planning.	7-7, 7-12	3.1	N/A	33	442-00	Planning	44.22	Planning	44.22.00	Planning	\$10,000	\$0	so.	\$1,000
CN2	2	Near-Term to Short-Term	2019	Bus Stop Improvements	System wide	Sign and Mark Bus Stops; communicates where vehicles stop and the presence of transit in the community. Stop improvement program (benches, shelters, pads, and other amenities) provides comfortable, dignified places for passengers to catch the bus. Signing/Marking.	7-7, 7-12	32	N/A		113-00	Bus Stations/Stop s/Terminals	11.33	Construction of Bus Stations / Terminal	11,33.09	Bus Route Signing	\$20,000	\$10,000	\$10,000	SO
CM2	3	Near-Term to Short-Term	2019	Bus Stop Improvements	System-wide	Sign and Mark Bus Stops; communicates where vehicles stop and the presence of transit in the community. Stop improvement program (benches, shelters, pads, and other amerities) provides comfortable, dignified places for passengers to catch the bus. Shelters and other stop improvements	7-7, 7-12	3.3	N/A	(6)	113-00	Bus Stations/Stop s/Terminals	11.33	Construction of Bus Stations / Terminal	11.33 10	Bus Passenger Shelters	\$0	\$25,000	\$25,000	so
CNB	व	Near-Term to Short-Term	2019	Technology Enhancements	System-wide	Technology Enhancements (1) Mobile surveillance solution for reliable, real time tracking for 33 buses to increase efficiency and camera coverage inside & out to promote passenger safety. (2) Automated Stop Announcements.	9-11 to 9- 12	4.1	N/A	(6)	113-00	Bus Stations/Stop s/Terminals	11.42	Acquisition	11.42.09	Surveillance / Security (Bus)	\$100,000	\$50,000	80	\$0
SMB	1	Near-Term	2019	McMinnville-Newberg Connector	McMinnville- Tigard	Phase 1 of project to add trips on Route 44 to provide more frequent, consistent service between McMinnville and Newberg. Added trips would not continue to Sherwood/Tigard. Uses existing buses serving Routes 44/45x	6-28, D- 24	5.1	Yes	330	300-00	Operations	30.09	Operating Assistance	30.09.01	Operating Assistance	\$69,000	\$78,000	\$80,000	\$8,000
SN6	1	Near-Term	2019	Implement Shopper Shuttles/Local Flex Routes	McMinnville, Newberg, Small Cities	Implement shopper shuttle pilot projects in McMinnville, Newberg / Dundee, Yamhill / Carlton, Amily / Sheridan / Willamina, and Dayton / Lafayette (4 hours per day, 1 day per service area; 5 days per week, with up to two additional days in Yamhill/Carlton and Sheridan/Willamina to support medical trip needs such as dialysis where patients may have three appointments per week. Total of 9 days.).	6-29, D- 45	6.1	No	86	300-00	Operations	30.09	Operating Assistance	30.09.01	Operating Assistance	\$101,000	\$106,000	\$103,000	\$10,900
SM1	1	Mid-Term	2020	McMinnville Saturday Service	McMinnville	Add local service on Saturdays: Assumes 2 fixed-route vehicles for 10 hours, e.g. 8 AV-5PM.	6-29	7.1	No		300-00	Operations	30.09	Operating Assistance	30.09.01	Operating Assistance	\$0	\$84,000	\$84,000	\$8,400
SM1	2	Mid-Term	2020	McMinnville Saturday Service	McMinnvilla	Add local service on Saturdays: Assumes 1 Demand-Response vehicles for 10 hours, e.g., 8 AM-6PM.	6-29	72	No	2	300-00	Operations	30.09	Operating Assistance	30,09.01	Operating Assistance	\$0	\$36,000	\$36,000	\$3,600
CN4	4	Near-Term	2019	OCC Access Gate	McMinnville	Gate access and roadway improvements at Chemeketa Community College in McMinnville. Enables service to Virginia Garcia clinic and other housing east of Norton Lane.	7-7, 7-12	8.1	N/A	8	113-00	Bus Stations/Stop s/Terminals	11.33	Construction of Bus Stations / Terminal	11,33 07	Surveillance / Security Equipment	\$15,000	\$0	so	\$1,500
CN5	3	Near-Term	2019	Marketing	System-wide	Support vehicle and other branding and marketing.	7-12, 9-8	9.1	N/A	\$	300-00	Operations	30.09	Operating Assistance	44.26.14	Communication s	\$0	\$0	so	so
SS7	1	Short-Term	2021	Additional Grand Ronde evening trip	McMinnville Grand Ronde	Add an additional evening trip, timed to serve work shifts at the Spirit Mountain Casino and improve connections to/from TCTD 60X Coastal Connector route serving Lincoln City (at Spirit Mountain Casino or Grand Flonde Community Center). Timing should be determined in consultation with TCTD and Spirit Mountain. Improves regional coordination and job access.	6-29	10.1	No		300-00	Operations	30.09	Operating Assistance	30,09,01	Operating Assistance	so	\$0	\$39,000	\$3,900
SS2	1	Short-Term	2020	McMinnville Evening Service	McMinnville	Early Evening Service: Add 1 additional hour of service in the evening (last trip leaves at 6:00 or 6:30 pm). Assumes 3 buses (all routes).	6-29	11.1	Yes	2,176	300-00	Operations	30 09	Operating Assistance	30.09.01	Operating Assistance	\$0	\$60,000	\$60,000	80
						transar ar aras ar aras familia rassimas a sasas feminas aste								1100.0101100		a take age to a				_

Figure D-35 FY 2019-2021 STIF Application Template Information, Near-Term/Short-Term Projects: Page 4/4

TDP Project ID	TDP Task	TDP Time Frame	Initial Impl. Year	Project Name	Service Area(s)	Project/Task Description	Plan Page ≢	STIF Plan Project & Task	Supports Grade 9-12 Student Transp.	# Students Served	Calegory	Category Description (Lookup)	Activity Type	Activity Type Description (Lookup)	Activity Detail	Activity Detail Description (Lookup)	Capital Cos	perating or o t (Escalated enditure doli	to year-of-	Planning & Admin (10% one-time) ⁵
				A.													FY 2019	FY 2020	FY 2021	
SS2	2	Short-Term	2020	McMinnville Evening Service	McMinnville	Early Evening Service: Add 1 additional flour of service in the evening (last trp- leaves at 6.00 or 6.30 pm), Assumes 3 buses (all routes).	6-29	11.2	Yes	2,176	300-00	Operations	30.09	Operating Assistance	30.09.01	Operating Assistance	SO	\$30,000	\$34,000	SO.
SS5	1	Short-Term	2020	McMinnville-Newberg Connector	McMinnville- Tigard	Phase 2 of near-term project to add trips on Route 44 to provide more frequent, consistent service between McMinnwille and Newberg, Added trips would not continue to Sherwood/Tigard. Uses existing buses serving Routes 44/45x.	6-29, D- 24	12.1	Yes	330	300-00	Operations	30.09	Operating Assistance	30.09.01	Operating Assistance	S0	\$78,000	\$80,000	SØ
SS3	1	Short-Term	2020	Newberg Early Evening Service	Newberg	Add 1/2 hour of service in the evening (fast trip leaves at 6.00 or 6.30 pm). Assumes 2 buses (all routes).	6-29	13.1	Yes	1,619	300-00	Operations	30.09	Operating Assistance	30.09.01	Operating Assistance	\$0	\$20,000	\$20,000	S0
SS3	2	Short-Term	2020	Newberg Early Evening Service	Newberg	Add 1/2 hour of demand-response service in the evening, this includes complementary ADA Paratransit. Assumes 1 vehicles.	6-29	13.2	Yes	1,619	300-00	Operations	30.09	Operating Assistance	30.09.01	Operating Assistance	s0	\$8,000	\$9,000	\$0
SS8	1	Short-Term	2020	Implement Shopper Shuttles/Local Flex Routes	Yamhill / Carlton	Expand shopper shuffle pilot to three days per week, 8 to 10 hour per day operation. Either Yamhill/Carlton or Sheridan/Willamina/Amily are recommended for the short-term. One area could be implemented in the first year of the short-term and the second could be implemented in the second or third year based on available resources in Year 1. Expand shopper shuffle pilot to three days per week, 8 to 10 hour per day.	6-29, D- 45	14.1	No		300-00	Operations	30.09	Operating Assistance	30.09.01	Operating Assistance	SO	\$88,000	\$90,000	\$9,000
SS8	2	Short-Term	2021	Implement Shopper Shuttles/Local Flex Routes	Sheridan / Willamina	operation. Either Yamhill/Carlton or Sheriotan/Willamina/Amity are recommended for the short-term. One area could be implemented in the first year of the short-term and the second could be implemented in the second or third year based on available resources in Year 1.	6-29, D- 45	15.1	No	٠	300-00	Operations	30.09	Operating Assistance	30.09.01	Operating Assistance	S0	\$60	\$90,000	\$9,000
SS6	1	Short-Term	2020	Extension to Downtown Salem	McMinrville- Salem	Extend Route 11 to Downtown Salem Transit Center. Route 11 would still stop along Wallace Rd in West Salem. In conjunction with this change, rename Route 11 (e.g., to 80x) to avoid confusion with Charnots Route 11.	6-29, D- 31	16.1	No	190	300-00	Operations	30.09	Operating Assistance	30.09.01	Operating Assistance	\$0	\$57,000	\$58,000	\$5,800
SL1	3	Long-Term	2019	Additional intercity later evening service	McMinnville- Hilisboro	Add 1 additional early evening trip. This was deferred to the long-term given funding availability; however, Washington County and Gaston are able to contribute towards the cost of adding this trip, which would serve Gaston High School and students returning from after school activities. Cost represents the total cost to YCTA (before Washington County/Gaston contributions.	6-30, D- 41	17.1	Yes	1,171	300-00	Operations	30.09	Operating Assistance	30.09.01	Operating Assistance	\$35,000	\$39,000	\$40,000	S0
CS1	195	Short-Term	2021	Capital Reserve	System-wide	Establish and contribute to a capital reserve fund (e.g., to be used for local matching funds for vehicle grants)	7-7, 7-12	19 1		-	111-00	Bus Rolling Stock	N/A	#N/A	NA	#N/A	SO	\$0	\$50,000	50
SM3	1	Mid-Term	2021	Newberg Demand-Response Capacity	Newberg	Restore Newberg Dial-a-Ride to two vehicles, assuming that fixed-route ridership meets standards and additional paratransit capacity is required based on service standards.	6-29, D- 16	18.1	No		300-00	Operations	30.09	Operating Assistance	30.09.01	Operating Assistance	\$0	\$144,000	\$144,000	30
SL7	f	Long-Term	2021	McMinnville Early Morning Service	McMinnville	Start McMinnville local fixed-route service at 6 AM. Assumes 3 buses	6-30	20.1	Yes	2,176	300-00	Operations	30.09	Operating Assistance	30.09 01	Operating Assistance	\$0	\$59,000	\$60,000	\$6,000
SL7	2	Long-Term	2021	McMinnville Early Morning Service	McMinnville	Start McMinnville demand-response service hours at 6 AM, Assumes 1 Dial-a- Ride vehicle.	6-30	20.2	Yes	2,176	300-00	Operations	30.09	Operating Assistance	30 09 01	Operating Assistance	Sil	\$15,0XX	\$17,000	\$1,700
SL7	3	Long-Term	2021	McMinnville Evening Service	McMinnville	Extend McMinnville local fixed-route service hours to 9 PM (last trips leave transit center at 8:00 or 8:30 PM). Assumes 2 buses (reduced coverage or lower frequency than daytime operation).	6-30	21.1	Yes	2,176	300-00	Operations	30.09	Operating Assistance	30.09.01	Operating Assistance	S 0	\$78,000	\$80,000	\$8,000
SL?	4	Long-Term	2021	McMinnville Evening Service	McMinnville	Extend MdMinnville demand-response service hours to 9 PM; assumes 1 Dial-a- Ride vehicle	6-30	21.2	Yes	2,176	300-00	Operations	30.09	Operating Assistance	30.09.01	Operating Assistance	\$0	\$30,000	\$34,000	\$3,400

Notes

^[1] Priority tier is a TDP recommendation, which should be confirmed by the YCTA advisory committee for submission in YCTA's STIF Plan [see "Rank within 100% or 130% list).

^[2] The STIF Plan requires that projects be ranked and allows projects to be submitted at 100% and 130% of projected funding, in order to help prioritize depending on actual funds available. The list and re-

^[3] Assumes productivity based on the ridecheck conducted in April/May 2017; ranges from 13.1 to 15.8 riders per hour on McMinnville local routes and 8.5 to 11.2 riders per hour on intercity routes. Produ

^[4] Transit access within 1/2 mile of fixed-route stops, or within the service area (typically city or cities) for demand-response or flex-route services.

^{[5] 10%} allowance for administration and planning are included where needed to implement the project.

Figure D-36 FY 2019-2021 STIF Application Template Information, Bus Detail

STIF Plan Project & Task		Category Description (Lookup)	Activity Type	Activity Type Description (Lookup)	Activity Detail	Activity Detail Description (Lookup)	Quantity	STIF Funds				ederal Fun Ired Grants			Other Fund	ds	Total (Check)
								2019	2020	2021	2019	2020	2021	2019	2020	2021	
1.1	111-00	Bus Rolling Stock	11.12	Buy Replacements - Capital Bus	11.12.03	Bus 30 FT	5	\$0	\$80,928	\$110,115	\$0	\$707,072	\$960,000	\$0	\$0	\$0	\$1,858,114
1.2	111-00	Bus Rolling Stock	11.13	Buy Expansion - Capital Bus	11.12.03	Bus 30 FT	1	\$0	\$35,809	\$0	\$0	\$0	\$0	\$0	\$312,191	\$0	\$35,809
1.3	111-00	Bus Rolling Stock	11.12	Buy Replacements - Capital Bus	11.12.04	Bus < 30 FT	5	\$68,628	\$14,715	\$0	\$486,317	\$0	\$0	\$0	\$128,285	\$0	\$569,660
1.4	111-00	Bus Rolling Stock	11.12	Buy Replacements - Capital Bus	11.12.04	Bus < 30 FT	2	\$17,493	\$0	\$0	\$0	\$0	\$0	\$152,507	\$0	\$0	\$17,493
1.5	111-00	Bus Rolling Stock	11.13	Buy Expansion - Capital Bus	11.12.04	Bus < 30 FT	2	\$17,493	\$0	\$0	\$0	\$0	\$0	\$152,507	\$0	\$0	\$17,493
1.6	111-00	Bus Rolling Stock	11.12	Buy Replacements - Capital Bus	11.12.15	Vans	3	\$14,547	\$5,248	\$0	\$85,453	\$0	\$0	\$0	\$45,752	\$0	\$105,248
Total							18	\$118,161	\$136,699	\$110,115	\$571,770	\$707,072	\$960,000	\$305,014	\$486,228	\$0	
								\$364,975							\$791,242]
							\$3,395,059										

Rolling Stock Make and Model Detail

STIF Plan Project & Task	Activity Detail	Activity Detail Description (Lookup)	Activity Type	Activity Type Description (Lookup)	TDP Bus Category	Quantity	Make	Model	Length	Seats	Total ADA	Fuel Type
1.1	11.12.03	Bus 30 FT	11.12	Buy Replacements - Capital Bus	Bus - Medium	5	El Dorado	EZ Rider II, Low-Floor	30	23	2	Diesel
1.2	11.12.03	Bus 30 FT	11.13	Buy Expansion - Capital Bus	Bus - Medium	1	El Dorado	EZ Rider II, Low-Floor	30	23	2	Diesel
1.3	11.12.04	Bus < 30 FT	11.12	Buy Replacements - Capital Bus	Cutaway - Large	5	Champion	LF, Low-Floor	21	17	2	Gas
1.4	11.12.04	Bus < 30 FT	11.12	Buy Replacements - Capital Bus	Cutaway - Small	2	Arboc	Spirit of Independence, Low-Floor	24	10	2	Gas
1.5	11.12.04	Bus < 30 FT	11.13	Buy Expansion - Capital Bus	Cutaway - Small	2	Arboc	Spirit of Independence, Low-Floor	24	10	2	Gas
1.6	11.12.15	Vans	11.12	Buy Replacements - Capital Bus	Van	3	TBD	Van, Accessible	< 20	5	2	Gas

CONCEPTUAL SCHEDULES

McMinnville Local Routes

Newberg Local Routes

Route 80x (Current Route 11): Salem

Route 22: Grand Ronde

Route 33: Hillsboro

Route 44/45x: Tigard

APPENDIX E

Public Transportation Funding Sources

APPENDIX E PUBLIC TRANSPORTATION FUNDING SOURCES

Figure E-1 summarizes potential funding options that could be used to support public transportation in Yamhill County. The information is limited to resources YCTA is eligible for either directly or with local partners and describes solicitation schedules, eligible activities, local match, and how the source applies to YCTA. Funds may be available at the local and state levels with or without formal grant solicitation processes, and YCTA can check directly with funding partners on an as-needed basis.

Figure E-1 Public Transportation Funding Options

Program Name	Description	Eligible Agencies	Eligible Activities	Applicability/Assessment/Comments
Federal Grants				
FTA 5310 Enhanced Mobility of Seniors & Individuals with Disabilities ⁸	 Grants for public transit agencies that provide transportation services specifically for older adults and people with disabilities. ODOT allocates funds every two years by formula based on population. ODOT may offer discretionary grants through this program, currently on an irregular schedule. Local match is 20% capital (including purchased service) and 50% operating (limited eligibility). 	Designated STF agencies receive funds and manage local award process	 Capital Operations (limited) Nontraditional programs (e.g., travel training, mobility management) 	 This is a long-time source of operating funding for YCTA through the FTA's "purchased service" rules allowing YCTA to pay third-party vendor costs at a capital match rate. Local agencies are eligible to apply for FTA 5310 funding via YCTA as the regional Special Transportation Fund (STF) agency. Though considered a stable funding source, program could be subject to changes in state highway funding. Over 80% of Oregon's §5310 program is Federal Highway funds the state moves to this FTA program.
FTA §5311 Formula Grants for Rural Areas ⁹	 Capital, planning, and operations assistance that supports public transportation in rural communities with populations less than 50,000 Training and technical assistance through the Rural Transportation Assistance Program (RTAP) ODOT allocates funds every two years by formula based on ridership, population and miles. Local match is 20% capital and 50% operating 	 Recipients States Native tribes or villages Subrecipients: Local government authorities (including Yamhill County) Nonprofit organizations Public transportation operators (including YCTA) 	PlanningCapitalOperations	■ This is a long-time source of operating funding for YCTA.

⁸ Federal Transit Administration, Fact Sheet: Enhanced Mobility of Seniors and Individuals With Disabilities, Chapter 53 Section 5310, U.S. Department of Transportation, 2015. https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/funding/grants/37971/5310-enhanced-mobility-seniors-disabled-fact-sheet_0.pdf

⁹ Federal Transit Administration, Fact Sheet: Formula Grants for Rural Areas, Chapter 53 Section 5311, U.S. Department of Transportation, 2015. https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/5311%20Rural%20Program%20Fact%20Sheet%20FAST.pdf

Program Name	Description	Eligible Agencies	Eligible Activities	Applicability/Assessment/Comments
FTA §5311(f) Rural Intercity Bus	 ODOT uses these funds for state-supported intercity transit service (i.e., POINT routes) and for a statewide discretionary grant program. Discretionary program funds are generally very limited (i.e. < \$2 million) Rural intercity bus routes are those serving multiple jurisdictions with stops generally 5 miles apart or more. Local match is 20% capital and 50% operating 	 State Nonprofit organizations Public transportation operators (i.e., YCTA) Intercity bus service companies 	CapitalOperationsPlanning	 YCTA has not received §5311(f) funds. YCTA routes to Hillsboro, Tigard, Salem, Grand Ronde and between Newberg and McMinnville would be eligible for §5311(f) funding. This program may change as ODOT implements STIF programs. This program is not likely to be a significant or sustainable source of ongoing funding for YCTA.
FTA 5339 Buses and Bus Facilities Grants Program ¹⁰	 Replace, rehabilitate, and purchase transit vehicles and related equipment Construct transit-related facilities ODOT awards funds through a statewide discretionary program every 1 to 3 years. Local match is 20% capital. 	 Public transportation operators State and local government entities Tribes that are eligible to receive 5307 or 5311 	■ Capital	 YCTA has received funds through this program. Though discretionary and competitive, YCTA can expect some funding through this program to replace aging vehicles, particularly those exceeding both age and miles useful life thresholds.
USDOT TIGER Grants Program ¹¹	 Competitive grant program for capital projects that will have a significant impact on a region, metropolitan area, or the nation. Local agencies and ODOT typically propose projects independently directly to the USDOT. TIGER program is available every 2-5 years. Local match may vary. 	 State Local government authorities (including Yamhill County) Public transportation operators Tribal governments Metropolitan planning organizations Can be multi-jurisdictional 	■ Capital	 Could be used for major projects such as a transit center. Chances of award to YCTA are low.

¹⁰ Federal Transit Administration, Fact Sheet: Grants for Bus and Bus Facilities, Chapter 53 Section 5339, U.S. Department of Transportation, 2015. https://www.transit.dot.gov/sites/fta.dot.gov/files/5339%20Bus%20and%20Bus%20Facilities%20Fact%20Sheet.pdf

¹¹ U.S. Department of Transportation, TIGER Grants Overview, 2015. https://www.transportation.gov/sites/dot.gov/files/docs/TIGER%20Fact%20Sheet 2015.pdf

Program Name	Description	Eligible Agencies	Eligible Activities	Applicability/Assessment/Comments
USDOT TIFIA Program ¹²	 Federal credit assistance program for surface transportation projects for: Secured loans, loan guarantees, and lines of credit. Local agencies and ODOT typically propose projects independently directly to the USDOT. 	 States US Territories Local government authorities (including Yamhill County) Public transportation operators Private entities undertaking projects sponsored by public authorities 	■ Capital	 Could be used for major projects such as a transit center. YCTA may be more competitive and face fewer compliance hurdles through the Oregon Transportation Infrastructure Bank.
State	,			
State Transportation Investment Fund (STIF) ¹³	■ HB2017 passed in 2017 by the Oregon Legislature created a dedicated funding source for public transportation from a payroll tax of one-tenth of one percent on wages paid to employees. 90% will be distributed by formula to eligible agencies, 5% through a discretionary program, and 4% through a discretionary program for intercity transit. ODOT will use 1% for a transit technical resource center.	Mass transit districts, transportation districts, counties without a mass transit district or transportation district, and federally-recognized Indian tribes in Oregon (same as STF Agencies).	To improve or expand public transportation service in Oregon.	 This will be a significant source of public transportation funding for YCTA by January 1, 2019. YCTA will need to manage the local project solicitation and evaluation process, as with Oregon's STF and FTA 5310 programs. The program is effective as of July 1, 2018.
Oregon Special Transportation Fund (STF) - Formula ¹⁴	ODOT awards funds every two years to STF agencies by formula based on population.	Designated STF agencies receive funds and manage local award process to any public or non-profit transit providers.	CapitalOperationsPlanning	 This is a long-time source of operating funds in Yamhill County. Funds may be used to match Federal funding programs. This is considered a stable funding source, though funds declined 10% between 2015-2017 and 2017-2019 funding cycles.

¹² Federal Highway Administration, Transportation Infrastructure Finance and Innovation Act (TIFIA), U.S. Department of Transportation, 2015. https://www.fhwa.dot.gov/fastact/factsheets/tifiafs.cfm

¹³ Statewide Transportation Improvement Fund, OAR 732-040-0030. https://tinyurl.com/y928h4ay

 $[\]frac{14}{O} Oregon \ Department \ of \ Transportation, \ Public \ Transportation \ Funding \ in \ Oregon, \ 2017. \ \underline{http://www.oregon.gov/ODOT/RPTD/RPTD%20Document%20Library/Transit-funding-in-Oregon.pdf}$

Program Name	Description	Eligible Agencies	Eligible Activities	Applicability/Assessment/Comments
Oregon Special Transportation Fund (STF) - Discretionary ¹⁵	 Grants for transit agencies providing service to older adults and people with disabilities. ODOT awards funds at irregular intervals based on available funding. Funding criteria target innovative capital, start up and pilot programs, though subject to change. 	Public and non-profit local transit providers apply through the local STF agency.	CapitalOperationsPlanning	 YCTA received a significant award for public information and technology activities in 2016. This is not considered a sustainable funding source, though a good resource for one-time, irregular funding needs.
State Transportation Improvement Program (STIP) ¹⁶ Enhance Program	 The Enhance program provides funding to projects that enhance, expand, or improve the transportation system. This has included public transportation capital needs. ODOT Area Commissions on Transportation prioritize and recommend Enhance projects. ODOT offers the Enhance program every 1-2 years as funding allows. The program is related to ODOT's maintenance (Fix-It) program, which includes ODOT-selected projects to maintain the roadway system statewide, including bicycle and pedestrian infrastructure. Local match is typically 20% but may vary. 	Local government authorities (including Yamhill County)	Capital Sidewalk infrastructure	 YCTA received a significant award for 40-foot replacement buses in 2016. This program is primarily used for roadway infrastructure projects, including pedestrian infrastructure. This is not considered a sustainable funding source, though a possible resource for vehicles.
ConnectOregon	 Lottery-backed bonds to support multimodal transportation, including rail, marine, aviation and bicycle and pedestrian capital infrastructure. Local match is 30% and may vary. 	Local government authorities (including Yamhill County)	 Multimodal transportation projects Previously included transit centers 	 Public transportation is not expected to be a directly eligible use after ODOT implements the STIF program. YCTA bus stop access could benefit from local bicycle and pedestrian infrastructure projects.

¹⁵ Oregon Department of Transportation, Public Transportation Funding in Oregon, 2017. http://www.oregon.gov/ODOT/RPTD/RPTD%20Document%20Library/Transit-funding-in-Oregon.pdf

¹⁶ Oregon Department of Transportation, About the STIP. http://www.oregon.gov/ODOT/STIP/Pages/About.aspx

Program Name	Description	Eligible Agencies	Eligible Activities	Applicability/Assessment/Comments
Planning Grant Program (from ODOT via FTA 5303, 5304, and 5305) ¹⁷	 Discretionary ODOT grant program for transit plans that lead to improved public transportation systems. ODOT awards funds through irregularly-scheduled solicitations depending on available funds, or on an as-needed basis. Local match is 20% 	 Rural, and small urban public transportation providers 	 Planning 	This offers a flexible, but one-time resource to create and maintain local public transportation plans.
Oregon Transportation Infrastructure Bank (OTIB) ¹⁸	 Statewide revolving loan fund "designed to promote innovative financing solutions for transportation needs." Cities as well as transit districts are eligible to borrow from the bank. There is a funding pool set-aside for public transportation projects. Rates are typically very low and more favorable to local agencies than other loan programs. 	 Cities Counties Transit districts Port authorities Special service districts Tribal governments State agencies Private for-profit and not-for-profit entities 	 Transit capital projects (facilities, vehicles) Active transportation access projects on highway rights-of-way 	 This has been resource for public transportation providers to cost-effectively secure a loan for major capital purposes. A sustainable, regular local funding source is required to demonstrate the provider can support ongoing interest costs.
ODOT Transportation Growth Management (TGM) Program	 TGM Grants help local communities plan for streets and land use to foster more livable, economically vital, and sustainable communities and increase opportunities for transit, walking and bicycling. ODOT solicits proposals and awards funds annually. Local match is 20%. 	CountiesCitiesPublic transportation providers	Planning	YCTA received an award in 2016 to develop a consultant-led Transit Development Plan (TDP). Awards are needs-based (e.g., time since last planning process), and YCTA is unlikely to require or receive an award in the near future.

¹⁷ Oregon Department of Transportation, Public Transportation Funding Options, 2017. http://www.oregon.gov/ODOT/RPTD/Pages/Funding-Opportunities.aspx#2f96a75c-e0ff-4504-aae5-ec14cee35125

¹⁸ Oregon Department of Transportation, Financial Services: Oregon Transportation Infrastructure Bank, 2017. http://www.oregon.gov/odot/about/pages/financial-information.aspx

Program Name	Description	Eligible Agencies	Eligible Activities	Applicability/Assessment/Comments
Local				
Transit Access (Utility) Fee	A transit access (utility) fee is paid by households and businesses within a service district, and is designed to support a transit service provider over time. A transit access fee could be assessed for all households within the transit service district, or a subset. Transit access fees are typically a monthly charge of between \$1 to \$5 per household.	CountyCities	OperationsCapitalAdministration	 There are approximately 34,000 households in Yamhill County as of 2015.¹⁹ A monthly utility fee of \$1 to \$1.50 per household could generate between \$400,000 and \$600,000 in annual revenue. The City of Corvallis assesses a transit operations fee of \$2.75 for single-family residential customers and \$1.90 for multi-family residential units. The fee for industrial and commercial customers varies by the type of business. The fee generated \$1,100,000 in fiscal year 2015-2016; approximately \$400,000 replaced property tax revenue that is now used for other services (police, fire, library, etc.).²⁰
Employer Payroll Tax	An employer payroll tax is a progressive tax imposed directly on the employer. The tax is based on payroll for services performed within a transit district, including traveling sales representatives and employees working from home. This tax applies to covered employees and selfemployed workers.	 Mass Transit Districts formed under Oregon Revised Statute 267. 	OperationsCapitalAdministrationEquity	 Several transit districts or providers in Oregon use a payroll tax as their primary local funding source, including TriMet, the City of Wilsonville, the City of Sandy, the South Clackamas Transportation District, the City of Canby, and Lane Transit District. YCTA is currently a Service District, and it would need to be confirmed whether it is authorized to implement a payroll tax. A payroll tax of 1/10th of a percent of annual payroll would yield about \$400,000 in 2017 dollars, costing employees about \$3.90 each year.

¹⁹ U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates, Table S1101.

²⁰ City of Corvallis, https://www.corvallisoregon.gov/modules/showdocument.aspx?documentid=4248

Program Name	Description	Eligible Agencies	Eligible Activities	Applicability/Assessment/Comments
Gasoline Tax	A gas tax is a tax on the sale of gasoline for use in motor vehicles. Motorists already pay federal, state, and local taxes on motor fuel so the levy would not impose a new type of tax.	 State Local government authorities (including Yamhill County) 	OperationsCapitalAdministrationEquity	 Various cities and counties in Oregon have local gas taxes, ranging from \$0.01 to \$0.05 per gallon, including neighboring Washington and Multnomah counties.²¹ Dundee is currently the only local jurisdiction in Yamhill County assessing a gas tax; Dundee's gas tax is \$0.02 per gallon. Based on an average 1,226 gallons of gasoline consumed per US household per year, and approximately 34,000 households in Yamhill County as of 2015,^{22, 23} a \$0.01 gas tax could generate approximately \$400,000 in annual revenue. However, gas tax revenues are currently on a declining trend, due to factors such as increasing vehicle fuel efficiency, and adoption of alternative vehicle fuel sources. This long-term trend is expected to continue.²⁴
Property Tax	A property tax dedicated to funding public transportation is usually assessed at a rate per \$1,000 of property value. Property taxes may be permanent, or temporary and need to be re-approved by voters.	 State Local government authorities (including Yamhill County) 	 Operations Administration Capital Equity 	 There are several examples of dedicated property taxes for transit in Oregon. Tillamook County has a tax of \$0.20 per \$1,000 in property value to fund operation of its transit system. Basin Transit (Klamath Falls) has a levy of \$0.38 per \$1,000 in property value. A 2001 report identified seven districts in Oregon that used property taxes to fund transit, with average annual per-capita revenues of \$14.25 With countywide assessed property values of approximately \$8.3 billion, ²⁶ a county property tax of \$0.05 or \$0.10 per \$1,000 of property value could raise between \$410,000 and \$830,000 in annual revenue. Property taxes in Oregon are subject to "compression," which limits the amount of property taxes that can be collected (based on state Measures 5, 47, and 50) and can reduce the amount of revenue collected.

²¹ State of Oregon, Fuels Tax Group, http://cms.oregon.gov/ODOT/CS/FTG/pages/current_ft_rates.aspx#bm3

²² U.S. Energy Information Administration, Frequently Asked Questions: How Much Gasoline Does the United States Consume, 2017. https://www.eia.gov/tools/faqs/faq.php?id=23&t=10

²³ U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates, Table S1101.

²⁴ Oregon Department of Transportation, Oregon State Fuel Taxes, 2017. http://www.oregon.gov/ODOT/FTG/Pages/Current%20Fuel%20Tax%20Rates.aspx

²⁵ Goldman, Corbett, and Wachs. Local Option Transportation Taxes in the United States, Research Report UCB-ITS-RR-2001-3, March 2001. http://www.its.berkeley.edu/publications/UCB/2001/RR/UCB-ITS-RR-2001-3.pdf

²⁶ Yamhill County, Summary of 2016-2017 Assessment & Tax Roll. http://www.co.yamhill.or.us/sites/default/files/2016%20Assessment%20Summary.pdf

Program Name	Description	Eligible Agencies	Eligible Activities	Applicability/Assessment/Comments
Local Option Sales Tax	A tax assessed on the purchase of goods or services within the jurisdiction of a taxing authority.	StateLocal government authorities (including Yamhill County)	OperationsAdministrationCapitalEquity	Sales taxes are widely used to fund transit in other states, despite not currently being used in Oregon. A specific local option sales tax can apply to tourism, collecting revenue from outside visitors. For example, Ashland collects a 9% transient occupancy tax (hotel/motel). There is an existing state lodging and hotel tax of 1%, providing an existing collection mechanism.
Motor Vehicle Registration Fee	A tax assessed on the registration of private motor vehicles within the jurisdiction of a taxing authority.	CountiesSpecial districts	OperationsAdministrationCapitalEquity	As of 2016, over 113,000 private motor vehicles are registered in Yamhill County. ²⁷ A \$2 annual registration fee would generate approximately \$110,000, with the assumption that at least 50% of registrations are ineligible for the fee.
System Development Charges	Systems Development Charges (SDCs) are fees paid by land developers intended to reflect the increased capital costs incurred by a municipality or utility as a result of a development. Development charges are calculated to include the costs of impacts on adjacent areas or services, such as increased school enrollment, parks and recreation use, or transit use.	Local government authorities (including Yamhill County)	■ Capital	Cities in Yamhill County currently have transportation system development charges and other fees associated with new developments. These are not linked to public transportation.
Property Access Fee, Land Value Capture, or Benefit Assessment Districts	Property access fee, land value capture, and benefit assessment districts are mechanisms for sharing transit costs with owners of property located near a transit resource who benefit directly from the proximity to the transit resource. These mechanisms help finance transit through taxes on nearby private development, where the property value increased as a result of transit investments.	 Local government authorities (including Yamhill County) 	OperationsCapitalAdministration	

²⁷ Oregon Department Of Transportation, Driver And Motor Vehicle Services Division, Oregon Motor Vehicle Registrations By County (Note 1), 2016. http://www.oregon.gov/ODOT/DMV/docs/2016 Vehicle County Registration.pdf

Program Name	Description	Eligible Agencies	Eligible Activities	Applicability/Assessment/Comments
Tax Increment Financing Public and Private	Tax increment financing (TIF) is the primary finance tool used within urban renewal areas. TIF is generated when an urban renewal area (URA) is designated and the assessed value of all property in the area is 'frozen.' Over time, the total assessed value in the area increases above the 'frozen base' from appreciation and new development. The value in the area greater than the frozen base is called the incremental assessed value, and taxes generated on the incremental assessed value are received by the URA, rather than other taxing districts.	■ Urban Renewal Area	■ TIF could only be used on capital transit projects that directly benefit the URA. Projects that benefit the broader area can only receive TIF funding proportional to the benefits the URA receives.	Could be used to fund capital improvements in conjunction with an urban renewal district within a Yamhill County city, if established in the future.
Advertising	Advertisements: Transit providers can display paid advertisements on agency properties, including the inside and outside of fleet vehicles, bus shelters, benches, and at transit stations.		OperationsAdministrationCapital	Could be a supplementary funding source for YCTA.
Employer Transit Pass Program	Employer transit pass programs are partnerships between a transit agency and private employers, and offer employers the opportunity to purchase a transit pass for all employees, often at discounted rates. The company may be able to take a tax deduction on the cost of the transit pass. The benefit to the transit agency is an increase in ridership and in revenues.		OperationsAdministrationCapitalEquity	Could be a supplementary funding source for YCTA.
Transit Pass Program	Public school districts or colleges/ universities and transit agencies sometimes partner to provide students with a transit pass, as a way for students to get to school or school-affiliated activities.		OperationsAdministrationCapitalEquity	A transit pass program through direct agreement with the institutions such as the Willamette Valley Medical Center, Linfield College, and George Fox University could bring opportunities for steady funding streams while offering convenience to riders.

Program Name	Description	Eligible Agencies	Eligible Activities	Applicability/Assessment/Comments
Naming Rights / Sponsorships	Historically, the selling of naming rights to people or organizations that make a donation for a capital improvement was most common for large organizations, such as universities or hospitals. Selling naming rights has become more common among smaller organizations and some transit agencies sell naming rights to vehicles, stations, or transit corridors		OperationsAdministrationCapital	Selling naming rights may provide a small amount of revenue for transit.
Public-Private Partnerships and Joint Development	A public-private partnership is a mutually beneficial agreement between public and private entities that seek to improve the value of an asset. Transit funding from public-private partnerships are most likely to be for capital projects such as a mixed use development that combined a transit station or center.		OperationsAdministrationCapitalEquity	

APPENDIX F

Public Transportation Funding Sources

APPENDIX F SUPPORTING PROGRAMS DETAILS

ELECTRONIC FARE PAYMENT

Chapter 9 of the TDP includes an assessment of two representative electronic fare options that YCTA could pursue—Touchpass and HopThru. The sections below provide the assumptions behind the planning-level cost estimates for that is provided in Chapter 9 (see Fare Policies and Programs). Key inputs and assumptions include:

- Ridership, ranging from existing to higher future ridership
- Share of fares that would be provided through the e-fare system
- Average fares, based on the current YCTA fare with assumed gradual increases over time
- Share of fares paid with passes vs. one-way, cash fares (implications for transaction costs)
- Capital and startup costs spread over an assumed five-year equipment lifecycle for Touchpass (equivalent to the warranty period), with any potential integration costs spread over a 10-year period. There are no upfront costs with HopThru.

Figure F-1 Touchpass Budgetary Estimate and 10-Year Lifecycle Cost Analysis

Upfront Capital Costs

			Qua	ntities and Costs	s by Time Frame			
Capital Line Items	Unit Cost	Near-T	erm	+Shor	t-Term	+Mid-	-Term	Notes
		Qty w/Spares	Total Cost	Qty w/Spares	Total Cost	Qty w/Spares	Total Cost	
TouchPass Readers	\$2,000	20	\$40,000	2	\$4,000		\$0	For 16 buses (including spare vehicles), plus 4 spares; does not include Dial-A-Ride
Reader Installation Kits	\$150	16	\$2,400	2	\$300		\$0	Installed readers only; not required for spare units
Modem (Cradlepoint IBR1100)								Not included, assuming data capabilities through AVL system or other
Antenna (MobileMark LTM401)								Not included, assuming data capabilities through AVL system or other
								Adapter for tablet device on Dial-A-Ride and Shuttle services (provided separately).
Bluetooth NFC Reader	\$100	10	\$1,000	2	\$200	2	\$200	Android MDTs will be able to run the TouchPass Mobile Reader application, with the
								NFC Reader (assuming the MDTs don't have an NFC interface).
TouchPass Cards	\$2	1,595	\$3,190		\$0		\$0	Min = 1,000. 5-year life
Paper Tokens (10% of cash fares)	\$0.02	6,380	\$128		\$0		\$0	Min = 5,000
Reader Warranty Extension (5 years)	\$600	13	\$7,800	2	\$1,200	2	\$1,200	
Total Initial Capital Costs:			\$55,000		\$5,700		\$1,400	
Total Initial Capital Costs (without media)			\$52,000					
Contingency for Integration Costs:			\$30,000					May or may not be required; further investigation would be needed
Initial Costs with Contingency			\$85,000		\$5,700		\$1,400	-

Ongoing Annual Costs

Item	Unit Cost	% of Transactions	Existing I	Ridership	Future Ri	idership	Notes
Reili	Ullit Cost	or # of Units	Low	High	Low (+25%)	High (+33%)	Notes
# of Riders			275,000	300,000	350,000	400,000	
% Fares through Touchpass			50%	75%	50%	75%	
Touchpass Transactions			137,500	225,000	175,000	300,000	
Data Plan							Not included, assuming data capabilities through AVL system or other
Reader Loan Fee							This would be for a lease option
Transaction Fees							Touchpass budgetary lump-sum estimate of \$813 / month, or \$9,756 annually (for existing ridership)
Tier 1 - 0-15% of total ridership	\$0.10	15%	\$2,063	\$3,375	\$2,625	\$4,500	
Tier 2 - 16-60% of total ridership	\$0.06	45%	\$3,713	\$6,075	\$4,725	\$8,100	
Tier 3 - 61-100% of total ridership	\$0.03	40%	\$1,650	\$2,700	\$2,100	\$3,600	
TouchPass Cards	\$2.00	500	\$1,000	\$1,000	\$1,000	\$1,000	5 year life, but also accounts for new riders
Paper Tokens	\$0.02	10%	\$275	\$450	\$350	\$600	Assumes 10% of fares
Total Ongoing Costs			\$8,700	\$13,600	\$10,800	\$17,800	
Cost per rider (each ride assumed to be 1 transaction)			\$0.03	\$0.05	\$0.03	\$0.04	

Lifecycle Cost

Operating + Annualized Capital Cost % of avg fare

Average Fare \$1.08 \$1.08 \$1.30 \$1.34 \$1.38 \$1.43 \$1.47 \$1.51 \$1.56 \$1.60 \$1.64	Year	0	1	2	3	4	5	6	7	8	9	10
Touchpass Transactions	Ridership	275,000	287,500	300,000	312,500	325,000	337,500	350,000	362,500	375,000	387,500	400,000
One-Way Fare	% Fares through Touchpass	50%	53%	55%	58%	60%	63%	65%	68%	70%	73%	75%
Average Fare \$1.08 \$1.08 \$1.30 \$1.34 \$1.38 \$1.43 \$1.47 \$1.51 \$1.56 \$1.60 \$1.64	Touchpass Transactions	137,500	150,938	165,000	179,688	195,000	210,938	227,500	244,688	262,500	280,938	300,000
Initial cost for fare media (included in operating costs in future) \$3,318	One-Way Fare	\$1.25	\$1.50	\$1.55	\$1.60	\$1.65	\$1.70	\$1.75	\$1.80	\$1.85	\$1.90	\$1.95
Annualized Capital Costs - Initial w/near-term (5 year life) \$10,400 \$	Average Fare	\$1.08	\$1.30	\$1.34	\$1.38	\$1.43	\$1.47	\$1.51	\$1.56	\$1.60	\$1.64	\$1.68
Annualized Capital Costs - Short-Term (5 year life) \$1,140	Initial cost for fare media (included in operating costs in future)	\$3,318										
Annualized Capital Costs - Mid-Term (5 year life) Annualized Capital Cost \$13,718 \$11,540 \$11,540 \$11,540 \$11,540 \$11,540 \$11,540 \$11,820 \$1	Annualized Capital Costs - Initial w/near-term (5 year life)	\$10,400	\$10,400	\$10,400	\$10,400	\$10,400	\$10,400	\$10,400	\$10,400	\$10,400	\$10,400	\$10,400
Annualized Capital Cost \$13,718 \$11,540 \$11,540 \$11,540 \$11,540 \$11,540 \$11,82	Annualized Capital Costs - Short-Term (5 year life)		\$1,140	\$1,140	\$1,140	\$1,140	\$1,140	\$1,140	\$1,140	\$1,140	\$1,140	\$1,140
Annual Transaction Cost \$7,425 \$8,151 \$8,910 \$9,703 \$10,530 \$11,391 \$12,285 \$13,213 \$14,175 \$15,171 \$16,20 \$1,300 \$1,330 \$1,359 \$1,390 \$1,422 \$1,455 \$1,489 \$1,525 \$1,562 \$1,562 \$1,600 \$1,000	Annualized Capital Costs - Mid-Term (5 year life)						\$280	\$280	\$280	\$280	\$280	\$280
Annual Fare Media Cost \$1,275 \$1,302 \$1,330 \$1,359 \$1,390 \$1,422 \$1,455 \$1,489 \$1,525 \$1,562 \$1,662 Annualized Capital + Operating Cost (rounded) \$23,000 \$21,000 \$22,000 \$23,000 \$24,000 \$25,000 \$26,000 \$27,000 \$28,000 \$29,000 \$30,000 Average Operating Cost per Transaction \$0.06 \$0.	Annualized Capital Cost	\$13,718	\$11,540	\$11,540	\$11,540	\$11,540	\$11,820	\$11,820	\$11,820	\$11,820	\$11,820	\$11,820
Annualized Capital + Operating Cost (rounded) \$23,000 \$21,000 \$22,000 \$23,000 \$24,000 \$25,000 \$26,000 \$27,000 \$28,000 \$29,000 \$30,000 \$20,000	Annual Transaction Cost	\$7,425	\$8,151	\$8,910	\$9,703	\$10,530	\$11,391	\$12,285	\$13,213	\$14,175	\$15,171	\$16,200
Average Operating Cost per Transaction \$0.06 \$0.00 \$0.11	Annual Fare Media Cost	\$1,275	\$1,302	\$1,330	\$1,359	\$1,390	\$1,422	\$1,455	\$1,489	\$1,525	\$1,562	\$1,600
Avg Operating + Annualized Capital Cost per Transaction \$0.17 \$0.14 \$0.13 \$0.12 \$0.12 \$0.11 \$0.11 \$0.11 \$0.10 \$0.10 \$0.11	Annualized Capital + Operating Cost (rounded)	\$23,000	\$21,000	\$22,000	\$23,000	\$24,000	\$25,000	\$26,000	\$27,000	\$28,000	\$29,000	\$30,000
Operating + Annualized Capital Cost % of 1-way fare 13% 9% 9% 8% 7% 7% 7% 6% 6% 5% 5% Operating + Annualized Capital Cost % of avg fare 15% 11% 10% 9% 9% 8% 8% 7% 7% 6% 6% 6% Assuming Integration Contingency 4 <td>Average Operating Cost per Transaction</td> <td>\$0.06</td>	Average Operating Cost per Transaction	\$0.06	\$0.06	\$0.06	\$0.06	\$0.06	\$0.06	\$0.06	\$0.06	\$0.06	\$0.06	\$0.06
Operating + Annualized Capital Cost % of avg fare 15% 11% 10% 9% 9% 8% 8% 7% 7% 6% 6% Assuming Integration Contingency	Avg Operating + Annualized Capital Cost per Transaction	\$0.17	\$0.14	\$0.13	\$0.13	\$0.12	\$0.12	\$0.11	\$0.11	\$0.11	\$0.10	\$0.10
Assuming Integration Contingency	Operating + Annualized Capital Cost % of 1-way fare	13%	9%	9%	8%	7%	7%	7%	6%	6%	5%	5%
	Operating + Annualized Capital Cost % of avg fare	15%	11%	10%	9%	9%	8%	8%	7%	7%	6%	6%
Annualized Cost (over 10 years) \$3,000 \$3,00												
												\$3,000
												\$14,820
												\$33,000
	• • • • • • • • • • • • • • • • • • • •						-					\$0.11
Operating + Annualized Capital Cost % of 1-way fare 15% 11% 10% 9% 8% 7% 7% 6% 6% 6%			11%	10%	9%	8%	8%	7%	7%	6%	6%	

10%

10%

7%

7%

7%

Source: Lifecycle cost analysis by Nelson\Nygaard. Cost inputs for budgetary estimates provided by and reviewed with Delerrok, the Touchpass vendor.

12%

11%

Figure F-2 HopThru Budgetary Estimate and 10-Year Lifecycle Cost Analysis

Ridership & Fare Inputs	Value
# of Rides (2016)	277,355
Fare Revenue (2016)	\$300,000
Average Fare	\$1.08
Fare Revenue (2018 Budget)	\$314,968
% Existing Day, Monthly Passes and 10 Day Pass Books	28%

	Existing	Ridership	Future I	Ridership
	Low	High	Low (+25%)	High (+33%)
Assumptions				
Ridership, annual	275,000	300,000	350000	400000
% of mobile fares	40%	65%	40%	65%
% of day, monthly passes and multi-ride books	28%	75%	35%	75%
One-way fare	\$1.25	\$1.25	\$1.75	\$1.75
Average fare	\$1.08	\$1.08	\$1.51	\$1.51
Hopthru Cost Estimates				
# of Mobile Transactions	110,000	195,000	140,000	260,000
# Mobile Transactions < \$2 (8% + 10 cents) - one-way fares	79,129	48,750	91,000	65,000
Transaction Costs	\$15,826	\$9,750	\$21,840	\$15,600
# Mobile Transactions >= \$2 (10%) - all passes	30,871	146,250	49,000	195,000
Transaction Costs	\$3,334	\$15,795	\$7,409	\$29,484
Total Annual Transaction Costs (Rounded)	\$20,000	\$26,000	\$30,000	\$46,000
Average Cost per Transaction	\$0.18	\$0.13	\$0.21	\$0.18
% of 1-way fare	15%	11%	12%	10%
% of avg fare	17%	12%	14%	12%

Lifecycle Cost

LifeCycle Cost											
Year	0	1	2	3	4	5	6	7	8	9	10
# of Annual Riders	275,000	287,500	300,000	312,500	325,000	337,500	350,000	362,500	375,000	387,500	400,000
% of mobile fares	40%	43%	45%	48%	50%	53%	55%	58%	60%	63%	65%
% of day, monthly passes and multi-ride books	28%	33%	37%	42%	47%	52%	56%	61%	66%	70%	75%
One-Way Fare	\$1.25	\$1.30	\$1.35	\$1.40	\$1.45	\$1.50	\$1.55	\$1.60	\$1.65	\$1.70	\$1.75
Average Fare	\$1.08	\$1.12	\$1.17	\$1.21	\$1.25	\$1.30	\$1.34	\$1.38	\$1.43	\$1.47	\$1.51
# of Mobile Transactions	110,000	122,188	135,000	148,438	162,500	177,188	192,500	208,438	225,000	242,188	260,000
Mobile Transaction Cost < \$2 (8% + 10 cents) - one-way fares	\$15,826	\$16,761	\$17,564	\$18,206	\$18,660	\$18,893	\$18,875	\$18,573	\$17,950	\$16,972	\$15,600
Mobile Transaction Cost >= \$2 (10%) - all passes	\$3,334	\$4,496	\$5,897	\$7,567	\$9,535	\$11,834	\$14,495	\$17,554	\$21,046	\$25,010	\$29,484
Total Transaction Costs (Rounded)	\$20,000	\$22,000	\$24,000	\$26,000	\$29,000	\$31,000	\$34,000	\$37,000	\$39,000	\$42,000	\$46,000
Average Cost per Transaction	\$0.18	\$0.18	\$0.18	\$0.18	\$0.18	\$0.17	\$0.18	\$0.18	\$0.17	\$0.17	\$0.18
% of 1-way fare	15%	14%	13%	13%	12%	12%	11%	11%	11%	10%	10%
% of avg fare	17%	16%	15%	14%	14%	13%	13%	13%	12%	12%	12%

Notes/Source: Monthly passes fall into >= \$2 category; can purchase multiple tickets at once in single transaction. Lifecycle cost analysis by Nelson\Nygaard. Cost inputs for budgetary estimates provided by and reviewed with HopThru.

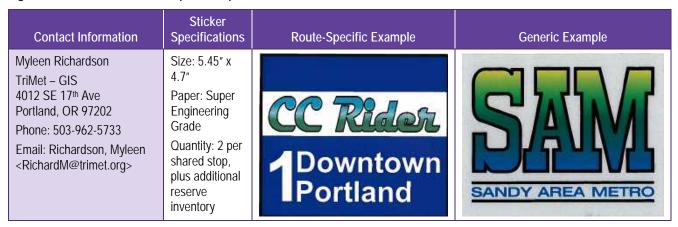
REGIONAL COORDINATION

TriMet Sign Decal Specifications for Shared Stops

Sign Decal Specification

TriMet can include YCTA on its stop poles at shared stop locations. Preferably, YCTA would provide stickers (generic or route-specific) for TriMet to include on its route sign blades. Stickers can be sent to TriMet using the contact information provided below along with a list of stops at which they should be applied. The presence of YCTA at those stops would be recorded in TriMet's database, so that YCTA can be notified if the sign needs to be replaced in the future or the stop needs to be closed.

Figure F-3 TriMet Shared Stop Decal Specifications and Coordination Details



TriMet Shared Stops

Figure F-4 identifies TriMet stops that YCTA serves. As noted above, YCTA can communicate these stop locations to TriMet and coordinate to have a YCTA route sticker placed on the stop pole and the stop noted as a shared stop in the TriMet bus stop database for coordination purposes.

Figure F-4 TriMet Shared Stops

Service Status	YCTA Route	YCTA Route Direction	Stop Type	YCTA Stop ID	TriMet Stop ID	Stop Description	Notes		
Existing	33	Northbound (Eastbound)	Bus Stop	784336	4272	FOREST GROVE - TV Hwy & Hwy 47 (TriMet stop @ Ace Hardware)			
Existing	33	Northbound	Transit Center	784359	N/A	HILLSBORO - Central Station Transit Center (Washington St & 3rd Ave.)	Adjacent to Transit Center but not currently a shared stop; YCTA is coordinating with City of Hillsboro on pole placement		
Existing	33	Southbound	Transit Center	784359	N/A	HILLSBORO - Central Station Transit Center (Washington St & 3rd Ave.)	Adjacent to Transit Center but not currently a shared stop; YCTA is coordinating with City of Hillsboro on pole placement		
Existing	33	Southbound (Westbound)	Bus Stop	784366	4307	FOREST GROVE - TV Hwy & Hwy 47 (TriMet stop @ Grand Lodge)	Proposed to close in the future and replace with TriMet stop 4289		
Future	33	Southbound (Westbound)	Bus Stop	TBD	4289	FOREST GROVE - WB TV Hwy between 2nd Ave & Hwy 47 (TriMet Bus Stop)	Proposed stop, replacement for Trimet stop 4307		
Future	33	Northbound (Eastbound)	Bus Stop	TBD	303	CORNELIUS - EB TV Hwy & 4th Ave (Walmart) (TriMet Bus Stop)	Proposed stop		
Future	33	Southbound (Westbound)	Bus Stop	TBD	35	CORNELIUS - WB TV Hwy & 4th Ave (Walmart) (TriMet Bus Stop)	Proposed stop		
Existing	44 / 45x / 46s	Northbound	Bus Stop	784297	12849	SHERWOOD - Langer Dr - Shari's			
Existing	44 / 45x / 46s	Northbound	Bus Stop	784362	4316	SHERWOOD – NB Hwy 99 @ 124th			
Existing	44 / 45x / 46s	Northbound	Transit Center	784334	N/A	TIGARD - Tigard Transit Center (Ballroom Studio)	Adjacent to Transit Center but not currently a shared stop		
Existing	44 / 45x / 46s	Southbound	Transit Center	784334	N/A	TIGARD - Tigard Transit Center (Ballroom Studio)	Adjacent to Transit Center but not currently a shared stop		
Existing	44 / 45x / 46s	Southbound	Bus Stop	784363	4260	SHERWOOD – SB Hwy 99 @ 124th			
Existing	44 / 45x / 46s	Southbound	Bus Stop	784297	12849	SHERWOOD – Langer Dr - Sherwood Shari's	Currently same as northbound stop; proposed to move to 9189 for southbound direction		
Future	44 / 45x / 46s	Southbound	Bus Stop	784297	9189	SHERWOOD – Langer Dr - Sherwood Shari's	Proposed new southbound stop (currently same as northbound stop)		
Future	44 / 45x / 46s	Northbound	Bus Stop	TBD	8644	TIGARD - NB Hwy 99 & Durham Rd			
Future	44 / 45x / 46s	Southbound	Bus Stop	TBD	9792	TIGARD - SB Hwy 99 & Durham Rd			
Future	44 / 45x / 46s	Northbound	Bus Stop	TBD	4308	TIGARD - SB Hwy 99 & Fischer Rd			
Future	44 / 45x / 46s	Southbound	Bus Stop	TBD	4258	TIGARD - SB Hwy 99 & Fischer Rd			

APPENDIX G

Detailed Land Use Policy Assessment

APPENDIX G DETAILED LAND USE POLICY ASSESSMENT

This section supplements Chapter 10 in the TDP. It provides an assessment of local jurisdiction's Comprehensive Plan policies and development codes for consistency with TDP objectives and recommendations.

TRANSIT-SUPPORTIVE POLICY AND CODE LANGUAGE

Recommended Comprehensive Plan Policies

Chapter 10 of the TDP provides comprehensive plan recommendations.

Recommended Development Code Language

This section presents sample development code language that reflects the TDP objectives and the recommendations, is supported by the Comprehensive Plan policies recommended above, and is consistent with the TPR. The recommended code language includes the following topic areas:

- Coordination with transit agencies
- Access to transit
- Transit-supportive improvements
- Other transit-related development requirements (vehicle parking, bicycle parking, and urban form)

The recommended development code language is intended to be a reference for code updates in all of the jurisdictions in the YCTA service area. Source material includes the State of Oregon Transportation and Growth Management Model Development Code for Small Cities, 3rd Edition ("Model Code") as well as exemplary language from other locally adopted code and ordinances in Oregon. While all of the recommended language should be reviewed for local applicability and modified as needed, language shown [in brackets] is text that must be customized to the jurisdiction.

An evaluation of existing development code language in YCTA service area jurisdictions revealed the need for strengthened language related to transit. The evaluation is summarized in Figure G-2. While the evaluation targets the two largest cities in the YCTA service area, the following sets of model development code language are intended for consideration by all the jurisdictions in the service area, as code update opportunities arise.

Coordination with Transit Agencies

Improving coordination with transit agencies is a key part of implementing the TDP and improving transit service and facilities in Yamhill County. Therefore, it is recommended that YCTA, or transportation

facility and service providers generally, be included in the development application process when applications may affect an existing or planned facility or service.

1. Pre-Application Conference

The following language would ensure that YCTA and other transportation service providers have the opportunity to be involved in development review early in the project evaluation process.

The [City/County Community Development/Planning Director/City Manager or designee] shall invite [City/County] staff from other departments to the pre-application conference to provide technical expertise applicable to the proposal, as necessary.

Other staff from public agencies whose facilities or services may be affected by the proposal, including transportation and transit agency staff, shall also be invited to participate in the pre-application conference.

2. Application Review

Cities have discretion in involving other agencies in application review. Notification of transit service providers, or transportation facility providers more generally, is typically not explicitly required. The lack of requirements that would allow providers to participate in application review does not reflect the need for stronger coordination between agencies — particularly local jurisdictions, ODOT, and YCTA — that have been identified during the TDP process.

For applications that involve administrative review with notice (e.g., Type II procedures) and quasi-judicial review (e.g., Type III procedures), the following language is recommended:

Referrals [requests to review and comment on the application] shall be sent to interested and affected agencies. Interested agencies include but are not limited to [City/County] departments, police department, fire district, school district, utility companies, and applicable City, County, and State agencies. Affected agencies include but are not limited to the Oregon Department of Transportation and Yamhill County Transit Area.

3. Hearing Notice

Another opportunity for involving transit and transportation agencies in the development review process occurs at the time of public hearing, including the time soon before the hearing when the staff report is being completed. It is recommended that hearing notice provisions be clearly differentiated from application notice provisions, and that they require that notice be sent to agencies such as YCTA, whose facilities or services may be affected by the proposed land use action.

Notice of a pending quasi-judicial public hearing shall be given by the [City/County Community Development/Planning Department] in the following manner:

A. At least [twenty] days prior to the scheduled hearing date, notice shall be sent by mail to:

Any governmental agency or utility whose property, services, or facilities may be affected by the decision. Agencies include and are not limited to: [list of agencies appropriate to jurisdiction, e.g., counterpart County or City Planning/Community Development, ODOT, ODOT Rail, ODOT Transit, railroad, Port, school district, Yamhill County Transit Area, and other transit/transportation service providers].

Access to Transit and Transit-Supportive Improvements

A fundamental set of development requirements to support transit includes provisions that ensure that community members can easily get to transit stops and that the stops are appropriately furnished with transit-supportive facilities and features. The following recommended language addresses active transportation access to transit facilities.

Site Access

4. Access between the Site and the Street

One element of providing access to transit is establishing connections between the site and the street where there is existing or planned transit service. In particular, development plans should show how pedestrians safely and conveniently travel through the site and to facilities such as sidewalks and transit stops that are adjacent to or near the proposed development. Existing development code provisions in the two cities require connections between the building entrances and street and sidewalk for at least some forms of development.

The following recommended language should be established for all development and zones that may be served with transit.

Pedestrian Access and Circulation

Standards. Developments shall conform to the following standards for pedestrian access and circulation:

<u>A. Continuous Walkway System.</u> A pedestrian walkway system shall extend throughout the development site and connect to adjacent sidewalks, if any, and to all future phases of the development, as applicable.

5. Access to the Transit Stop and Supportive Improvements

Requiring safe and convenient connections between buildings and transit stops can also benefit transit riders. As suggested below, pedestrian access to transit can be part of a larger section of transit-specific development code provisions addressing building orientation, as well as the features and improvements that are needed as part of the transit stop itself. Requirements could be specified to be applicable only to existing or planned transit stops with higher-frequency service (e.g., headways of 30 minutes or less).

Transit Access and Supportive Improvements

Proposed development that includes or is adjacent to an existing or planned transit stop shall provide or plan for access to the transit stop and, where determined necessary in consultation with [applicable transit service providers], provide transit-supportive improvements consistent with adopted or approved transportation and/or transit plans. Requirements apply where the subject parcel(s) or portions thereof are within [200] feet of a transit stop. Required transit-supportive improvements may include, but are not limited to, the following:

- A. Intersection of mid-block traffic management improvements to allow for pedestrian crossings at transit stops.
- B. Reasonably direct pedestrian connections between building entrances on the site and adjacent streets with planned or existing transit stops. For the purpose of this Section, "reasonably direct" means a route that does not deviate

unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for users.

- C. Building placement within [20] feet of one of the following:
 - 1. the existing or planned transit stop;
 - 2. a pedestrian plaza adjacent to the transit stop;
 - 3. a street with an existing or planned transit stop;
 - 4. a street that intersects the street with an existing or planned transit stop; or
 - 5. a pedestrian plaza at the intersection of streets where one street has an existing or planned transit stop.
- D. Transit passenger landing pads that are ADA accessible and built to transit agency standards.
- E. An easement or dedication for transit stop improvements and an underground utility connection if improvements are identified in an adopted or approved plan.
- F. Lighting at the transit stop, to transit agency standards.
- G. Other improvements for the transit stop adjacent to the site identified in an adopted or approved plan and coordinated with the transit agency.

Area Access

6. Off-Site Access to Transit Stops

Access to transit may require improvements that extend off-site, beyond the site adjacent to the stop. Off-site access is provided through a combination of:

- 1. A connected roadway system (with pedestrian and bicycle facilities), which is primarily addressed in the transportation system planning process; and
- 2. Pedestrian and bicycle access ways between roadways, which can be addressed in the development code.

The following recommended language addresses access ways.

Pedestrian and Bicycle Access Ways

The [decision body] in approving a land use application with conditions may require a developer to provide an access way where the creation of a street consistent with street spacing standards is infeasible and the creation of a cul-de-sac or dead-end street is unavoidable. An access way provides a connection through a block that is longer than established standards or connects the end of the street to another right-of-way or a public access easement. An access way shall be contained within a public right-of-way or public access easement, as required by the [City/County]. An access way shall be a minimum of [10]-feet-wide and shall provide a minimum [6]-foot-wide paved surface or other all-weather surface approved by the [City/County decision body]. Design features should be considered that allow access to emergency vehicles but that restrict access to non-emergency motorized vehicles.

Other Transit-Related Development Requirements

Other development code provisions that can implement the TDP and policies recommended in this memorandum include requirements related to vehicle parking, bicycle parking, and urban form. These provisions may appear less directly related to transit than the previous recommendations regarding coordination with transit agencies, access to transit stops, and transit stop improvements. However, they contribute to creating safe and inviting pedestrian and bicycling environments; a successful transit system relies on safe and convenient access to transit by multiple modes. Therefore, the following suggested code requirements are part of a comprehensive set of strategies to support and promote transit in the YCTA service area.

Vehicle Parking

7. Transit-Related Uses/Facilities in Parking Areas

Bus stops and designated park-and-ride areas in parking lots may informally exist in parking areas in the YCTA service area. To codify these uses and to comply with a subsection of the TPR specifically addressing these uses²⁸, the language below is recommended for integration into code sections regarding off-street parking.

Parking spaces and parking areas may be used for transit-related uses such as transit stops and park-and-ride/rideshare areas, provided minimum parking space requirements can still be met.

8. Carpool/Vanpool Parking

As recommended in the TDP, ridesharing can complement transit and may be more accessible to parts of communities within the YCTA service area that are less dense and more distant from fixed route service. Accordingly, it is important to support ridesharing, and providing preferential parking is one way of supporting ridesharing through development requirements. The following recommended language targets commuting and reflects TPR language specific to this topic.²⁹

Parking areas that have designated employee parking and more than 20 automobile parking spaces shall provide at least 10% of the employee parking spaces (minimum two spaces) as preferential carpool and vanpool parking spaces. Preferential carpool and vanpool parking spaces shall be closer to the employee entrance of the building than other parking spaces, with the exception of ADA accessible parking spaces.

9. Maximum Parking Requirements

Maximum off-street parking requirements help manage parking and encourage the use of transit, typically in denser, urban areas. While these requirements are recommended in the YCTA service area, their applicability can be specified for sites adjacent to transit stops and transit routes and/or for more urban-oriented zones where transit stops may be most likely to be located (e.g., central or general commercial zones).

Maximum Number of Off-Street Automobile Parking Spaces. The maximum number of off-street automobile parking spaces allowed per site equals the minimum number of required spaces, pursuant to Table [], multiplied by a factor of:

-

²⁸ OAR 660-012-0045(4)(e)

²⁹ OAR 660-012-0045(4)(d)

- A. [1.2] spaces for uses fronting a street with adjacent on-street parking spaces; or
- B. [1.5] spaces, for uses fronting no street with adjacent on-street parking; or
- C. A factor determined according to a parking analysis.

10. Reduced Parking Requirements

Similar to maximum parking requirements, allowing reductions in off-street parking requirements – where, for example, a site is adjacent or close to a transit stop – helps manage parking and supports the use of transit.

Modification of Off-Street Parking Requirements

The applicant may propose a parking space standard that is different than the standard in Section [], for review and action by the [Community Development Director] through a [variance procedure], pursuant to []. The applicant's proposal shall consist of a written request and a parking analysis prepared by a qualified professional. The parking analysis, at a minimum, shall assess the average parking demand and available supply for existing and proposed uses on the subject site; opportunities for shared parking with other uses in the vicinity; existing public parking in the vicinity; transportation options existing or planned near the site, such as frequent transit service, carpools, or private shuttles; and other relevant factors.

<u>The [Community Development Director/Planning Director] may reduce the off-street parking standards without a [variance procedure] for sites with one or more of the following features:</u>

- A. Site has a transit stop with existing or planned frequent transit service (30-minute headway or less) located adjacent to it, and the site's frontage is improved with a transit stop shelter, consistent with the standards of the applicable transit service provider: Allow up to a 20 percent reduction to the standard number of automobile parking spaces;
- B. Site has dedicated parking spaces for carpool/vanpool vehicles: Allow up to a 10 percent reduction to the standard number of automobile parking spaces;
- C. Site has dedicated parking spaces for motorcycle and/or scooter or electric carts: Allow reductions to the standard dimensions for parking spaces and the ratio of standard to compact parking spaces;
- D. Site has more than the minimum number of required bicycle parking spaces: Allow up to a 10 percent reduction to the number of automobile parking spaces.
- E. On-street parking spaces are adjacent to the subject site in amounts equal to the proposed reductions to the standard number of parking spaces.

11. Parking Area Landscaping

Parking area landscaping is a significant, yetoften underestimated, element in creating an attractive environment for walking, rolling, and taking transit. Requirements for landscaping around the perimeter of parking areas help to screen and soften the effect of large areas of pavement and create an inviting active transportation environment. Internal parking area landscaping breaks up large areas of pavement and, along with walkways, provides an inviting and less intimidating experience of crossing a parking area to access a sidewalk and a transit stop.

The following recommended language addresses both perimeter and internal parking area landscaping.

Parking Lot Landscaping. All of the following standards shall be met for each parking lot or each parking bay where a development contains multiple parking areas:

- A minimum of [10] percent of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of canopy trees distributed throughout the parking area. A combination of deciduous and evergreen trees, shrubs, and ground cover plants is required. The trees shall be planned so that they provide [a partial / # percent] canopy cover over the parking lot within [#] years. At a minimum, one tree per [12] parking spaces on average shall be planted over and around the parking area.
- B. All parking areas with more than [20] spaces shall provide landscape islands with trees that break up the parking area into rows of not more than [10-12] contiguous parking spaces. Landscape islands and planters shall have dimensions of not less than [48] square feet of area and no dimension of less than [6] feet, to ensure adequate soil, water, and space for healthy plant growth;
- C. All required parking lot landscape areas not otherwise planted with trees must contain a combination of shrubs and groundcover plants so that, within [2] years of planting, not less than [50-75] percent of that area is covered with living plants; and
- **D.** Wheel stops, curbs, bollards or other physical barriers are required along the edges of all vehicle-maneuvering areas to protect landscaping from being damaged by vehicles. Trees shall be planted not less than [2] feet from any such barrier.
- **E.** Trees planted in tree wells within sidewalks or other paved areas shall be installed with root barriers, consistent with applicable nursery standards.

Screening Requirements. Screening is required for outdoor storage areas, unenclosed uses, and parking lots, and may be required in other situations as determined by the [City/County decision body]. Landscaping shall be provided pursuant with the standards of subsections [-], below:

A. Parking Lots. The edges of parking lots shall be screened to minimize vehicle headlights shining into adjacent rights-of-way and residential yards. Parking lots abutting sidewalk or walkway shall be screened using a low-growing hedge or low garden wall to a height of between [3] feet and [4] feet.

Maintenance. All landscaping shall be maintained in good condition, or otherwise replaced by the property owner.

Bicycle Parking

12. Minimum Bicycle Parking Requirements

In addition to generally encouraging active transportation and addressing TPR provisions, ³⁰ establishing minimum bicycle parking requirements also supports the use of transit, accommodating customers bicycling to a transit stop. To this end, it is recommended that requirements for the minimum number of bicycle parking spaces at transit stops and transit centers be established.

³⁰ OAR 660-012-0045(3)(a)

Bicycle Parking

Min	Long- and Short-Term Bicycle Parking	
Use Minimum Number of Spaces		As % of Minimum Required Bicycle Parking Spaces
Transit Stops	2 spaces	100% short-term ^a
Transit Centers	4 spaces or 1 per 10 vehicle spaces, whichever is greater	50% long-term ^b 50% short-term ^a

a. Short-term bicycle parking is parking intended to be used for durations less than two hours. Short-term bicycle parking shall consist of a stationary rack or other approved structure to which the bicycle can be locked securely and shall be located within 50 feet of the main building entrance or one of several main entrances, and no further from an entrance than the closest automobile parking space. Shelter or cover may be required for a specified percentage of short-term parking.

Urban Form

13. Maximum Building Setbacks

Buildings that are built to the front property line, or close to it, are recognized as a key urban design element in creating pedestrian-friendly, walkable environments. One mechanism for achieving building presence on the street frontage is establishing maximum front yard setbacks, requiring buildings to be located no more than a certain distance from the right-of-way. Maximum setbacks in urban commercial areas typically vary from 0 to 10 feet. A related but slightly less powerful mechanism is establishing no minimum front yard setbacks, allowing buildings to be located up to the right-of-way but also allowing them to be set further back, without a limit on that distance.

This development code concept is reinforced by questions raised during the TDP process about buildings along OR 99W being set far back, making transit stops along the highway less accessible and viable. To that end, front yard setback requirements in zones that front OR 99W in Newberg and McMinnville – the Community Commercial (C-2) and Central Business District (C-3) zones in Newberg and General Commercial (C-3) zone in McMinnville – were evaluated against the recommended language presented below. While maximum setback requirements or no minimum setback requirements are established in two of these three zones, the requirements should be further strengthened specifically for development along OR 99W.

As a note, maximum setback requirements can be refined to allow for a front yard setback, or a greater setback, when a plaza or other pedestrian amenity is provided.

Development Standards.

Setback Requirements.

- 1. Minimum front yard setback: none
- 2. Maximum front yard setback: [0-10] feet

b. Long-term bicycle parking is parking intended to be used for durations over two hours. Long-term parking shall consist of a lockable enclosure, a secure room in a building on-site, monitored parking, or another form of fully sheltered and secure parking.

EVALUATION OF LOCAL JURISDICTION POLICIES AND DEVELOPMENT CODE

Policy Consistency

This section supplements the Summary of Local Policy Assessment section in Chapter 10 of the TDP. It describes an assessment of existing transportation policies found in the Comprehensive Plans and Transportation System Plans (TSPs) of each jurisdiction in the YCTA service area. These policies were reviewed for consistency with the recommended policies. Findings of consistency are summarized in Figure G-1.

In general, the evaluation checked to see whether existing policies address topics covered in the recommended policies. In the larger jurisdictions where more robust transit service is expected, the evaluation sought to find each of the recommended policies represented in existing policies in some way. In smaller jurisdictions, the evaluation determined whether the four categories of recommended policies were more generally represented in existing policies. To this end, findings of "consistent," "mostly consistent," "partially consistent," "minimally consistent," and "inconsistent" were made, and are supported by brief explanations in Figure G-1.

Figure G-1 Evaluation of Policy Consistency

	Planning for Transit-Dependent Populations	Establishing the YCTA TDP as a Guidance Document	Coordinating with YCTA	Implementing Transit-Supportive Improvements
		Larger Jurisdict	tions	
Yamhill County	CONSISTENT Existing policy addresses transit accessibility for transportation- disadvantaged groups.	PARTIALLY CONSISTENT Existing policy addresses service improvements but in a very general way and without a connection to a transit agency plan. (The Yamhill County Coordinated Human Services Public Transportation Plan is referred to in existing policy.)	PARTIALLY CONSISTENT Existing policy calls for implementing transit stops/centers and park-and-rides identified in the Coordinated Human Services Public Transportation Plan and generally for provision of basic improvements (shelters and benches).	MINIMALLY CONSISTENT An existing goal generally calls for working with transit agencies to provide transit service and improvements, but more detailed policy is not provided beyond this goal.
Newberg	CONSISTENT Existing policy commits the City to supporting a regional transit service that addresses the needs of disadvantaged residents, as well as ensuring that transit services and transportation facilities are ADA accessible.	PARTIALLY CONSISTENT Existing policy identifies a number of potential service improvements (e.g., commuter service to the Portland area) and commits to higher density development near transit corridors but does not establish that these transit-supportive actions and improvements are based on a transit plan	MINIMALLY CONSISTENT Existing policy commits the City to providing transit options for area residents, supporting the formation of a regional transit service district, and coordinating between local transit service providers and TriMet, but does not refer to land use planning and development coordination with YCTA, nor coordination of transit-related improvements or transportation demand management (TDM).	PARTIALLY CONSISTENT Existing policy establishes the City's support for planning and developing park-and-rides, enhancing commuter transit services, and instituting ridesharing and other TDM programs, but does not get down to the level of transit stop improvements. Existing policy addresses prioritization of pedestrian and bicycle improvements, but does not link them to transit corridors.

	Planning for Transit-Dependent Populations	Establishing the YCTA TDP as a Guidance Document	Coordinating with YCTA	Implementing Transit-Supportive Improvements
McMinnville	MOSTLY CONSISTENT Existing policy addresses City support for ensuring transportation services and facilities meet the needs of the transportation-disadvantaged (transit not singled out). Existing policy regarding complete streets focuses on the safety of children, seniors, and people with disabilities in all phases of transportation and development project implementation.	PARTIALLY CONSISTENT Existing policy establishes City support for transit service improvements that meet residents' needs and are consistent with City goals, policies, and plans. Existing policy commits the City to street design and development requirements consistent with the "Transit System Plan" (which may only be a reference to the City's TSP and not to transit agency-specific planning), and does not address transit-supportive density.	MOSTLY CONSISTENT Existing policy directs the City to study the feasibility of forming a transportation district in collaboration with Yamhill County. Existing policy calls for coordination with YCTA in providing multimodal access to transit stops, streets and sidewalks that can accommodate transit stops and improvements, and support for TDM programs, but does not does not refer to land use planning and development coordination.	MOSTLY CONSISTENT Existing policy expresses support for hosting an intercity/intracity transit terminal in the city. Existing policy commits the City to transit-supportive development requirements with a focus on pedestrian connectivity; requirements for transit stop improvements and other transit-supportive improvements (e.g., park-and-rides) are not called out. Ways that the City can support TDM (development requirements) are also not specified.
Dundee	MOSTLY CONSISTENT Existing policy generally addresses City support for developing a transportation system that is safe, accessible, and efficient for all users including the transportation- disadvantaged (transit not singled out).	MINIMALLY CONSISTENT Existing policy addresses service improvements but does not tie those improvements to a long-range transit plan.	INCONSISTENT Coordination of land use planning, development, TDM, transit stop improvements, and/or other transit-supportive improvements with transit service providers is not addressed. 31	MINIMALLY CONSISTENT Existing policy establishes the goal of a safe, continuous, and direct network of streets, access ways, and other facilities (including crossings) and commits to providing bike and pedestrian facility connections to local and regional travel routes, but does not specify or prioritize connecting to transit. Improvements related to transit stops, the pedestrian environment, and TDM are not addressed.

³¹ Policy proposed during the Dundee TSP update process in 2015 addressed coordination of transit stop access and improvements with transit service providers. However, the policy amendments have not been adopted.

	Planning for Transit-Dependent Populations	Establishing the YCTA TDP as a Guidance Document	Coordinating with YCTA	Implementing Transit-Supportive Improvements	
	Smaller Jurisdictions				
Dayton	MOSTLY CONSISTENT Existing policy commits the City to promoting transportation actions and improvements that address the needs of low-income, disabled, and senior populations (transit not specified).	MINIMALLY CONSISTENT Existing policy states that the City will support public transportation but does not refer to long-range transit planning guidance.	INCONSISTENT Existing policy states that the City will support public transportation programs but does not address coordination with transit service providers.	PARTIALLY CONSISTENT Existing policy prioritizes sidewalk maintenance and improvements on arterials, collectors, and where they improve connectivity, but does not address access to transit or other transit-supportive improvements and programs.	
Lafayette	CONSISTENT Existing policy commits to a street network that is safe, accessible, and efficient for the transportation-disadvantaged, as well as a convenient, safe, and economical public transportation system for the transportation-disadvantaged.	PARTIALLY CONSISTENT Existing policy generally addresses service improvements but does not tie those improvements to a long-range transit plan. (Public transportation policy commits to implementation of the 1998 Regional Transportation Enhancement Plan.)	INCONSISTENT Coordination of land use planning, development, and/or transit- supportive improvements with transit service providers is not addressed.	PARTIALLY CONSISTENT Existing policy establishes the goal of a safe, continuous, and direct network of streets, access ways, and other facilities (including crossings) and addresses pedestrian environment improvements in the Central Business District, but does not address access to transit or other transit-supportive improvements and programs.	
Yamhill	MOSTLY CONSISTENT Existing policy commits the City to promoting transportation actions and improvements that address the needs of low-income, disabled, and senior populations (transit not specified).	MINIMALLY CONSISTENT Existing policy states that the City will encourage carpooling and alternative forms of transit, but does not refer to long-range transit planning guidance.	INCONSISTENT Existing policy states that the City will encourage carpooling and alternative forms of transit, but does not address coordination with transit service providers.	MINIMALLY CONSISTENT Sidewalk improvements are prioritized for Main Street and Maple Street, but access to transit or other transit-supportive improvements and programs are not addressed.	
Carlton	CONSISTENT Existing policy commits the City to providing increased access, safety, and service related to walking, biking, transit, and ridesharing particularly for the transportation-disadvantaged.	PARTIALLY CONSISTENT Existing policy expresses strong support for transit service and improvements, including coordination with other agencies, but does not tie improvements or requirements to long-range transit planning.	MOSTLY CONSISTENT Existing policy refers to coordination with other agencies regarding transit opportunities, including studying the needs for park-and-ride facilities, but does not specifically address coordination of land use planning and development.	MOSTLY CONSISTENT Existing policy addresses transit- supportive improvements including safe crossings, park-and-ride, and TDM/ridesharing programs, but not transit-related development requirements or pedestrian facility improvements that are prioritized related to transit.	

	Planning for Transit-Dependent Populations	Establishing the YCTA TDP as a Guidance Document	Coordinating with YCTA	Implementing Transit-Supportive Improvements
Amity	MOSTLY CONSISTENT Existing policy commits the City to transportation improvements that address the needs of low-income, disabled, and senior populations (transit not specified).	PARTIALLY CONSISTENT Existing policy commits the City to support and promote transit and related coordination, but does not tie these efforts to a long-range transit plan.	MOSTLY CONSISTENT Existing policy refers to coordination with YCTA regarding service changes, but does not address coordination related to other transit-supportive improvements.	PARTIALLY CONSISTENT Existing policy addresses opportunities to improve the transit system very generally, but does not provide more specific guidance related to access to transit and other transit-supportive improvements and programs.
Sheridan	MOSTLY CONSISTENT Existing policy commits the City to transportation improvements that address the needs of low-income, disabled, and senior populations (transit not specified).	MINIMALLY CONSISTENT Existing policy commits the City to support and promote transit, but does not tie these efforts to a long-range transit plan.	PARTIALLY CONSISTENT Existing policy states support for transit and commits the City to coordinating transportation planning and implementation with transportation facility and service providers, but does not address land use and development coordination nor specify transit agencies.	PARTIALLY CONSISTENT Existing policy address improvements very generally for the transportation-disadvantaged, for promoting transit, and for promoting walking and biking, but does not provide more specific guidance related to access to transit and other transit-supportive improvements and programs.
Willamina	CONSISTENT Existing policy commits the City to work with Yamhill and Polk Counties to address the transit needs of the disadvantaged.	MOSTLY CONSISTENT Existing policy commits the City to make transportation planning and improvements consistent with transportation plans, although the plans are not specified as transit plans.	MOSTLY CONSISTENT Existing policy states support for transit and commits the City to coordinating transit service and meeting the needs of the disadvantaged with Yamhill and Polk Counties, but does not address land use and development coordination.	PARTIALLY CONSISTENT Existing policy addresses improvements very generally for the transportation-disadvantaged, promoting transit, and safe and intermodal pedestrian and bicycle facilities, but does not provide more specific guidance related to access to transit and other transit-supportive improvements and programs.

Development Code Consistency

This section supplements the Summary of Local Development Code Assessment section in Chapter 10 of the TDP.

Figure G-2 Evaluation of Development Code Consistency

		Newberg	McMinnville		
Coordination with Transit Agencies					
1.	Pre-application	INCONSISTENT	INCONSISTENT		
	conference	A pre-application form is available on the City's website, but there are not code provisions regarding a pre-application conference, let alone specifying that transit agencies need to be invited to participate.	A pre-application form is available on the City's website, but there are not code provisions regarding a pre-application conference, let alone specifying that transit agencies need to be invited to participate.		
2.	Application review	MINIMALLY CONSISTENT	MINIMALLY CONSISTENT		
		The Community Development Director has discretion to require that notice be mailed to parties that the Director believes may be affected by the application, which could include transit agencies, but notice is not required. (Section 15.100.210(C))	Notice of a Director Review proposal must be sent to property owners and notice of a Public Hearing Review proposal must be sent to agencies that the Planning Director determines to have an interest in the proposal, neither of which requires notice to be sent to transit agencies or other transportation providers. (Section 17.72.110 and Section 17.72.120)		
3.	Hearing notice	(Notice of the hearing is not addressed separately from notice of the proposal. See #2 above.)	(Notice of the hearing is not addressed separately from notice of the proposal. See #2 above.)		
Ac	cess to Transit and Supp	ortive Improvements			
Sit	e Access				
4.	Access between the	CONSISTENT	MOSTLY CONSISTENT		
	site and the street	On-site walkways are required to connect from the building entrance(s) to the street and may be required to connect to adjoining development. (Section 15.440.140)	Pedestrian walkways are required to connect between building entrances and the street/sidewalk for large format commercial development; there are no requirements related to connecting to adjoining development. (Section 17.56.050(C)(2)) Buildings are required to have a zero setback and primary entrances are required to open onto the public right-of-way in downtown. (Section 17.59.050) A similar level of connection is not required for development that is not downtown or is not large format commercial.		

		Newberg	McMinnville
5.	Access to transit stop and supportive improvements	CONSISTENT Existing code includes access requirements (addressed in #4 above) and requirements for transit stop improvements including reasonably direct access, a landing pad, an easement, and lighting, consistent with the TSP or an adopted transit plan. (Section 15.505.030(V))	INCONSISTENT Other than basic requirements regarding access (addressed in #4 above), code provisions do not address transit-specific access or improvements.
Are	ea Access		
6.	Access to transit stops from beyond the site	MINIMALLY CONSISTENT Existing requirements establish maximum block lengths of 800-1,200' in residential and institutional zones, with allowances for longer blocks where there is a mid-block public walkway, but code does not require or encourage this type of access way for long blocks or other situations where a street connection is not practical. (Section 15.505.030(O))	CONSISTENT Land division standards limit block length to 400' and perimeter to 1,600'. "Pedestrian ways" (access ways) are allowed to be provided in the cases of long blocks, dead-end streets, and other sub-standard situations. (Section 17.53.103)
Oth	ner Transit-Supportive Re	equirements	
Vel	hicle Parking		
7.	Transit-related uses/facilities in parking areas	CONSISTENT Transit-related uses permitted in parking areas. (Section 15.440.060(J))	INCONSISENT Parking spaces are permitted to be used only for car parking; transit-related uses are not addressed. (Section 17.06.040)
8.	Preferential parking for employee ridesharing	CONSISTENT Preferential carpool/ vanpool parking is established in existing code. (Section 15.440.010(D))	INCONSISTENT Existing code does not address carpool/vanpool parking.
9.	Maximum parking requirements	MOSTLY CONSISTENT Off-street parking is not required in the Central Business District and 50 percent parking requirement reductions are permitted for non-residential uses in the Riverfront District and for commercial uses within 200 feet of a public parking lot. (Sections 15.440.010(B) and (C) and Section 15.440.050(C))	MOSTLY CONSISTENT Off-street parking is not required and 50 percent parking requirement reductions are allowed in designated parts of downtown. (Sections 17.60.060 and 17.60.100)

	Newberg	McMinnville		
10. Reduced parking requirements	PARTIALLY CONSISTENT See #9 above for parking requirement reductions. Residential development is permitted to credit on-street parking when 10 spaces or more are required, and reductions are allowed for affordable housing sites with pedestrian connections or routes to a transit stop. (Section 15.440.030)	PARTIALLY CONSISTENT See #9 above for parking requirement reductions. A reduction of one vehicle parking space for each 15 required vehicle spaces is permitted for five bicycle parking spaces provided (all zones). (Section 17.60.140(A)(3))		
11. Parking area landscaping	MOSTLY CONSISTENT Parking areas with 10 or more spaces must provide at least 25 square feet of landscaping per parking space. Perimeter landscaping and landscaped islands are required. (Section 15.420.010(B)(3))	PARTIALLY CONSISTENT Perimeter landscaping around surface parking lots is required in downtown. Otherwise, reduced or no landscaping is required in downtown. Five to seven percent of parking lot gross area is required to be landscaped (all zones), and islands are required to break up parking areas. (Section 17.59.060 and Section 17.57.070)		
Bicycle Parking				
12. Minimum requirements for transit stops and centers	MOSTLY CONSISTENT Existing code requires bicycle parking based on required vehicle parking for transit transfer stations and park-and-ride lots. (Section 15.440.100) Bicycle parking for transit centers that do not require vehicle parking and bicycle parking for standard transit stops are not addressed.	INCONSISTENT Existing code only requires bicycle parking in commercial and office/residential zones and is based on the amount of required vehicle parking. (Section 17.60.140) The Planning Director is authorized to determine parking requirements for uses not listed. (Section 17.60.090) However, it is not clear whether these provisions apply to bicycle parking (they are grouped with other vehicle parking requirements), and without bicycle parking requirements explicitly established for transit stops and transit centers, bicycle parking is not guaranteed to be provided for these uses.		
Urban Form				
13. Maximum setbacks	PARTIALLY CONSISTENT Existing front yard setback requirements for the C-2 zone and C-3 zone – the zones that predominantly front OR 99W – require at least a 10-foot setback in the C-2 zone and no minimum setback plus a 20-foot maximum setback in the C-3 zone. (Section 15.410.020) Removing minimum setback requirements in the C-2 zone where adjacent to OR 99W and a maximum setback of 0-10 feet (with allowances for pedestrian amenities) in both zones where adjacent to OR 99W are not addressed.	MOSTLY CONSISTENT Existing front yard setback provisions do not require front yards in the C-3 zone, which is the predominant zoning fronting OR 99W. (Section 17.33.030) Except when providing pedestrian amenities, buildings are required to have no setback in downtown. (Section 17.59.050) Maximum setbacks in the C-3 zone outside of downtown and adjacent to OR 99W are not addressed.		



Transportation System Plan

Proposed amendments to Chapter 7 of the McMinnville Transportation System Plan are found on page 7-2. 7-3, 7-4, 7-5, 7-6 and 7-7.

All text after "Existing Transit and Public Transportation is deleted and replaced with the text provided in this document on page 7-2, and pages 7-3, 7-4, 7-5, 7-6 and 7-7 are deleted.



Chapter 7 Transit System and TDM Plan

7 Transit System and Transportation Demand Management Plans

As the costs of fuel and street projects increase, there will be greater demand and emphasis on public transportation services to address the mobility needs of McMinnville's residents. Furthermore, as a member of the Western Climate Initiative, Oregon is considering statewide policies to reduce greenhouse gas emissions. Local planning efforts will likely be encouraged and perhaps required to further emphasize transportation and land use plans, programs and policies that help reduce (single-occupant) vehicle miles traveled (VMT) and lower vehicle emissions per capita.

Through the Transit System and Transportation Demand Management (TDM) Plans, the City can simultaneously help relieve future traffic congestion and improve its environment by reducing drive-alone travel and their emissions.

As discussed in Chapter 3, future traffic congestion between the Highway 18 corridor and downtown and west McMinnville is generally attributed to peak hour commuting from new jobsites in and around the Airport area. Greater use of transit service and deployment of TDM measures offer viable alternatives to drive-alone travel in these corridors.

Pedestrian, bicycle and transit travel are key modal elements of McMinnville's TSP, and will become increasingly more important mobility options for McMinnville residents as the costs of transportation increase. Transportation demand management (TDM) measures, combined with the growing role for transit in McMinnville will also help to reduce VMT and carbon emissions. Both the public transit and TDM elements of the TSP are described below.

Transit System Plan

Transit service in McMinnville and the surrounding Yamhill County area comes in several forms: fixed-route bus services, dial-a-ride and commuter link bus service to other Willamette Valley cities. Yamhill Community Transit Area (YCTA) operates the local fixed-route, dial-a-ride and inter-city bus services in McMinnville. While the City does not directly own and operate public transit, there are many ways in which it supports transit through multi-modal system operations and project and program development. McMinnville's goal to support transit is:

Transit System Goal

To support YCTA in their goal to provide a city-wide street and sidewalk system that result in efficient transit operations (current and future) as well as safe and convenient pedestrian and bicycle access to public transportation services and facilities.



Transit Policies

Additional policies are identified to help guide the Transit System Plan, supplementing policies already included in the McMinnville Comprehensive Plan and summarized in Chapter 2 of the TSP.

- Transit-supportive Street System Design the City will include the consideration of transit operations in the design and operation of street infrastructure.
- Transit-supportive Urban Design through its zoning and development regulations, the City will facilitate accessibility to transit services through transit-supportive streetscape, subdivision, and site design requirements that promote pedestrian connectivity, convenience, and safety.
- Transit Facilities the City will continue to work with YCTA to identify and help develop supportive capital facilities for utilization by transit services, including pedestrian and bicycle access to bus stop and bus shelter facilities where need is determined and right-of-way is available.
- Pedestrian Facilities the City will ensure that arterial and collector streets' sidewalk standards are able to accommodate transit amenities as necessary along arterial and collector street bus routes. The City will coordinate with YCTA on appropriate locations.
- Intermodal Connectivity the City of McMinnville will encourage connectivity between different travel modes. Transit transfer facilities should be pedestrian and cyclist accessible.

1997 McMinnville Transit Feasibility Study

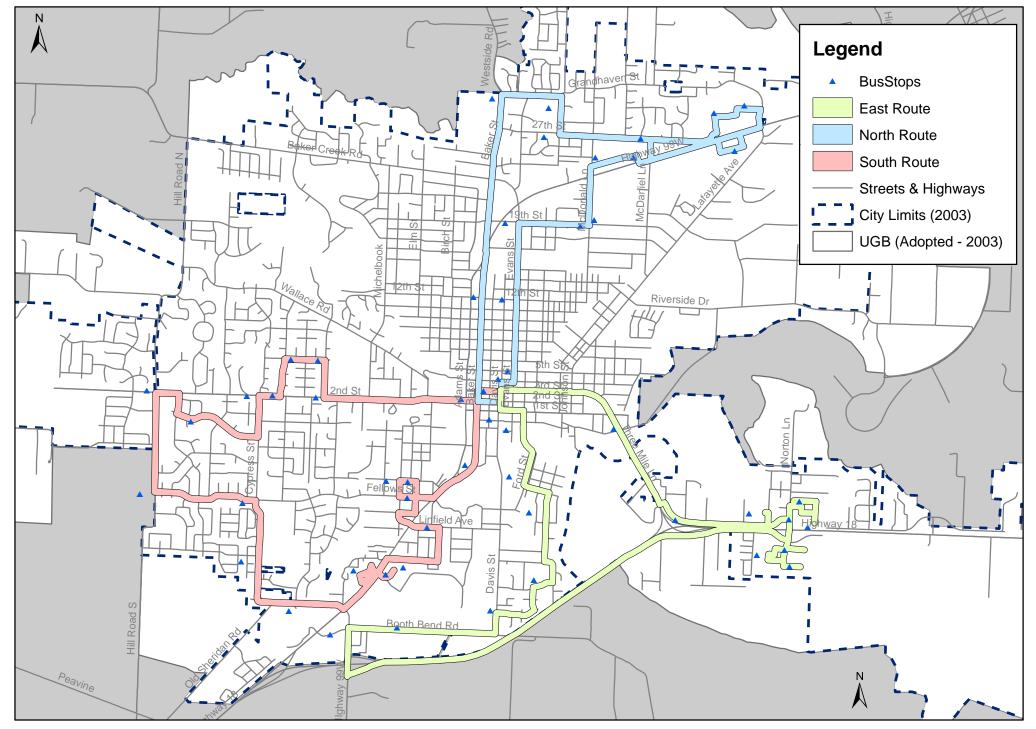
In 1997 McMinnville completed its Transit Feasibility Study¹. The Study assessed local travel and land use patterns, from which it identified and recommended a phased-plan to increase fixed-route

transit service hours and expand geographic coverage. In 1997 YAMCO (predecessor to YCTA) operated only two local routes within McMinnville, with limited service hours, and only two inter-city link routes (one each to Newberg and Sheridan/Willamina). The Plan recommended adding a third route in McMinnville, linking west McMinnville and the Willamette Valley Medical Center near Highway 18.

Existing Transit and Public Transportation

In 2018, the YCTA adopted the *2018 Yamhill County Transit Area Transit Development Plan*. All portions of that plan that are applicable to the City of McMinnville are now hereby adopted into the McMinnville Transportation System Plan.

Please see attached supplemental document, 2018 Yamhill County Transit Area Transit Development Plan and Appendices.

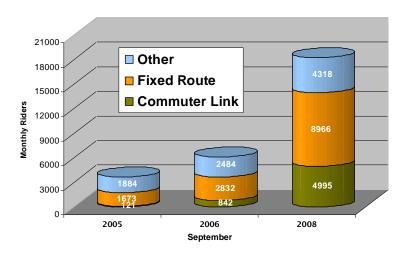




YCTA Current Transit Routes (2008)

Exhibit 7-2 summarizes and compares YCTA's ridership for September in 2005, 2006 and 2008. In 2006, YCTA increased its operating hours significantly, the results were a near doubling of fixed-route ridership in McMinnville. As a result of additional service improvements, and to some degree the impact of higher gasoline prices, ridership across YCTA's system increased dramatically (again) in 2008.

Exhibit 7-2 YCTA Transit Ridership



Commuter Linking Transit

YCTA's commuter linking service is provided on four major routes, three linking to other transit systems in Hillsboro, Salem and Newberg. The commuter linking services also provide transit access to other Yamhill county communities: Amity, Carlton, Dayton, Sheridan, Willamina and Yamhill.

Fares for commuter linking service are also \$1 each way, \$2 for a day-pass, or \$30 for a monthly pass.

Transit Center

YCTA currently converges its three-route and commuter linking route service on 5th Street at the Yamhill County Courthouse. Yamhill County, in support of YCTA, is currently conducting a feasibility study to locate and develop a long-term site for local and regional transit center operations In addition, Yamhill County received a large allocation of federal funding through the American Recovery and Reinvestment Act (ARRA) to include the purchase of larger buses and develop the transit mall.

Dial-A-Ride

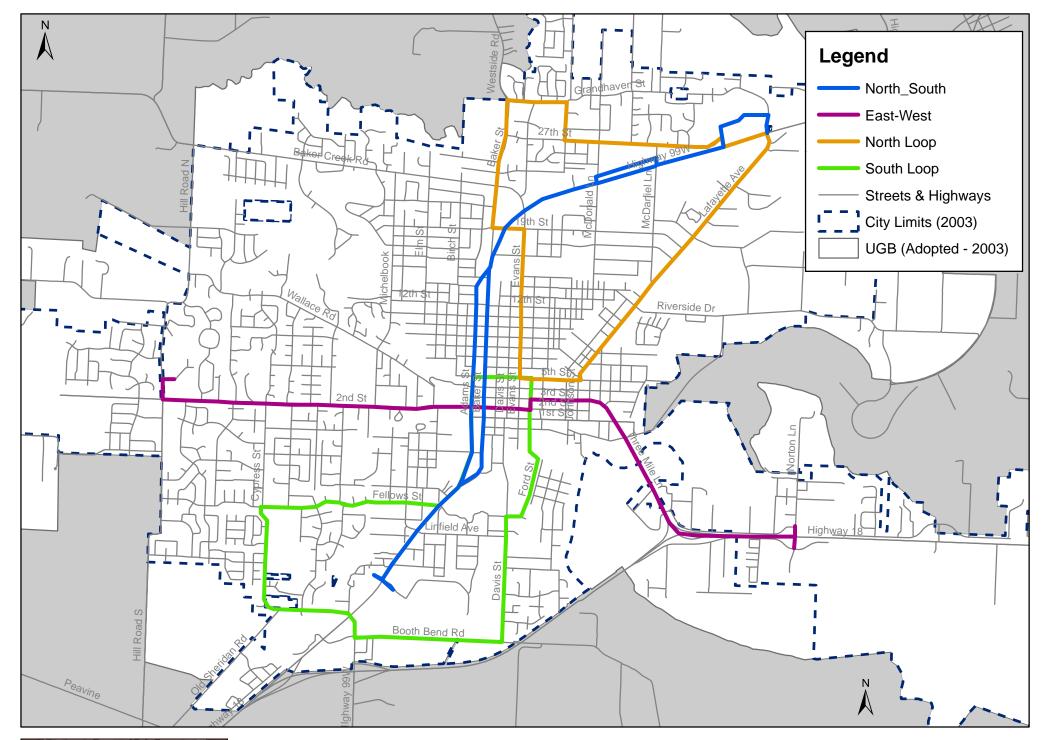
6 of 14

YCTA also operates dial-a-ride service for curb-to-curb, pick-up and drop-off service throughout Yamhill County. Dial-a-ride fares are \$1.50 general public and \$1.00 senior/disabled. Dial-a-Ride operates from 8am to 4:30pm, Monday through Friday. Dial-a-ride scheduling requires a 24-hour notice and request.

Future Transit Service

In April/May 2009 YCTA revised its fixed-route bus service in McMinnville, modifying two of its three looping routes to bi-directional, direct service. **Exhibit 7-3** maps the proposed YCTA fixed-route service plan. Compared to the current "loop" routes, the bi-directional routing along 2nd Street and Highway 99W will significantly reduce transit trip travel times, and should help to attract additional commuter travel in the future.

Along the new bi-directional routes YCTA and the City can begin an assessment of the type and location of designated bus stops and other important pedestrian and bicycle access features.





Transit System Plan: Fixed Route Bus Service

Bus Stops & Related Amenities

Within a transit system, additional factors that users consider in their travel decisions are curb-side factors. These factors affect transit users' comfort, safety, and convenience. Bus shelter design and placement are important examples of curb-side factors.

In order to implement the City's transportation policies from the Comprehensive Plan and TSP, McMinnville should consider increasing the City's curb-side factors in collaboration with YCTA. The locations at which the City may consider these factors are along the two new, bi-

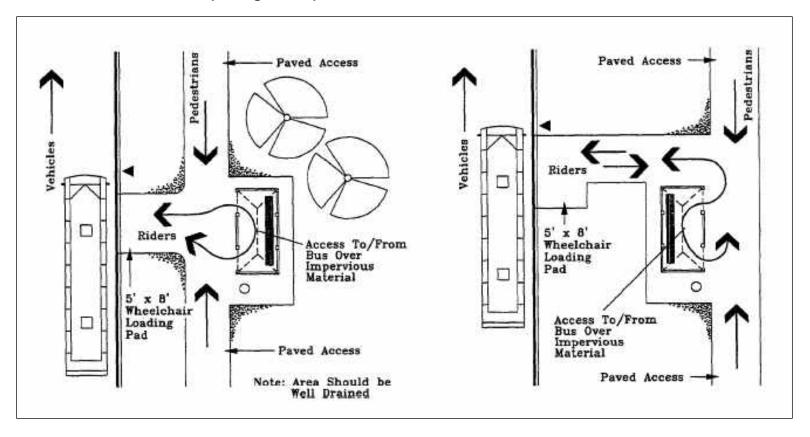


directional routes: Second Street and Highway 99W.

Amenities that would make transit a more attractive travel option include: shelters, benches, shade trees, and adequate sidewalks (see Chapter 5). All of these amenities should comply with the Americans with Disabilities Act (ADA). The federal Transit Cooperative Research Program (TCRP) outlines several of these design options in its report, *Guidelines for the Location and Design of Bus Stops.*² Exhibit 7-4 displays options from this report that have accessibility for all users between the bus shelter and the curb.

While there is a possible new role for the City in support of these bus stop amenities, the installation and maintenance of these facilities should be administered by YCTA.

Exhibit 7-4 Bus Stop Design Examples



Transportation Demand Management Plan

Transportation Demand Management (TDM) is a general term for various strategies that increase transportation system efficiency. TDM treats mobility as a means to an end, rather than an end in itself. It emphasizes the movement of people and goods, rather than motor vehicles, and so gives priority to more energy and cost efficient modes (such as walking, cycling, ridesharing, public transit and telecommuting), particularly when the major street system will be heavily congested in the future.

As noted earlier in the TSP, the option to build more arterial streets and lanes are simply not available or desirable from a capital cost and environmental impact perspective. As McMinnville continues to grow, like other larger cities it will need to look more toward travel management programs and measures to help alleviate traffic congestion. In addition to the goals and policies identified the Comprehensive Plan, McMinnville should adopt a specific goal in support of TDM:

Transportation Demand Management Goal

To help educe single-occupant vehicle demand in McMinnville through a variety of transportation demand management strategies.

TDM Policies

As McMinnville's population has reached 30,000, the need to consider, develop and implement more specific TDM measures or programs arise. Consistent with the Street, Pedestrian and Bicycle System Plan elements, for the City to achieve its overall

transportation goals it will have to seek additional ways to abate future traffic congestion in ways it hasn't had to in the past. New policies are included here as the basis for McMinnville to consider and implement effective TDM measures.

The City of McMinnville can establish several strategies to reduce transportation demand, and thereby address the city's transportation congestion. The objectives of the TDM program are to reduce the number of vehicles on the area's roads, which reduces the demand on the existing transportation network.

Coordination with Yamhill County

- The City should coordinate with Yamhill County to promote and support Transportation Demand Management investments that may include, but are not limited to, the following strategies:
 - Ride-sharing coordination with regional partners,
 - o Parking management, and
 - o Transit-oriented and pedestrian-friendly design.
- The City should support Yamhill County who provides assistance to employers in designing and implementing trip reduction plans at their work sites. Trip reduction plans will include strategies to encourage employees to use alternative transportation modes and discourage them from commuting in SOVs. Alternative work hours and tele-commuting will also be recommended as a way of reducing peak hour congestion.

Assisting Yamhill Community Transit Area (YCTA)

 The City should coordinate with YCTA to promote the use of transit and vanpools, in support of vehicle trip reduction strategies.

- The City of McMinnville should coordinate with and encourage YCTA to administer its county-wide TDM Program where it affects McMinnville. The Program may include, but is not limited to, the provision of:
 - 1. 24-hour rideshare matching hotline;
 - 2. carpool and vanpool match lists;
 - 3. information and referrals to the public on McMinnville and intercity transit service, vanpools, bicycle routes, tele-commuting, park-and-ride lots, other ridesharing agencies, and transportation services for special needs;
 - 4. assistance in the formation of vanpools;
 - 5. public outreach;
 - 6. school outreach;
 - 7. services to employers, including commuting surveys and individualized trip-reduction plans;
 - 8. coordination with other agencies and organizations with similar goals; and
 - 9. marketing of alternative transportation modes.
- Support YCTA in the application for adequate and consistent funding of the Regional TDM Program.

TDM Plan

Effective TDM programs are typically focused on reducing drivealone commuter travel. Two available sources of data are useful in examining McMinnville work commuting travel behavior: (1) the U.S. Census³ and (2) local transit ridership data.

Exhibit 7-5 summarizes the year 2000 mode-share of McMinnville resident commuters, compared to other Oregon cities in the Willamette valley or outside of the Portland metropolitan area. These data reflect only the mode of travel to work. For McMinnville, this is a summary of all working McMinnville residents who work either in McMinnville, Salem, Portland or other cities and locations outside the McMinnville urban area.

By comparison, McMinnville is generally in the middle of the pack in terms of the percentage of workers who drive-alone on their trip to work. Bend and Canby have a larger proportion of tele-commuters (work from home). Newberg has a larger portion of workforce that walk to work. Bike, walk and transit mode-share in Corvallis makes up a significantly larger portion of travel than other cities.



McMinnville has a significant portion of commuters carpooling and an average portion who bike and tele-commute. However, the portion of McMinnville workers who ride transit and walk to work is very small.

Exhibit 7-5 Work Commute Comparative - Mode Share
2000 US Census - Journey to Work

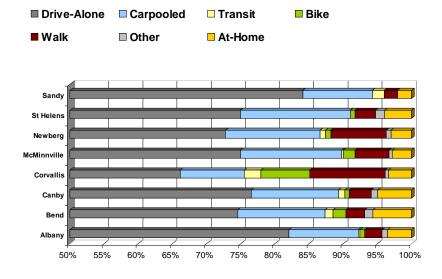


Exhibit 7-6 summarizes YCTA's historic ridership on their fixed-route and commuter link services, and a comparison to the historical price of gasoline. Two significant points are to be made in review of this historical data:

- (1) commuter transit ridership rises and falls dramatically, commensurate with the cost of gasoline (or more generalized, the cost of drive-alone travel) – indicating that many commuters will chose transit if and when the cost of drive-alone travel becomes too great; a common characteristic found in many other U.S. cities.
- (2) current, fixed-route ridership is much less affected by gasoline price, as the predominant share of local bus riders are non-commuters.

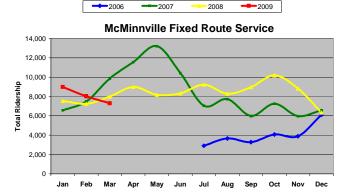
[Note: The dramatic increase in fixed-route service between February and May 2007 was the result of fare-free test program, which has since been terminated.]

Gasoline prices have declined dramatically since the summer of 2008, as has intercity transit ridership. Fixed route service in McMinnville has not been directly impacted by gasoline price; an indication that commuters are not yet a large portion of the fixed-route passenger profile.

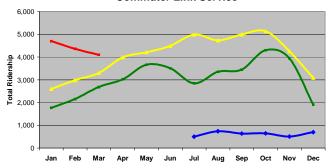
Other elements of McMinnville's TSP supplement the City's support of public transportation, mainly:

- Complete Street improvements (see Chapter 4) with space to incorporate transit stops and amenities, and
- Enhance non-motorized modes travel systems with improved linkages to transit⁴ by walking (see Chapter 5) and bicycle (see Chapter 6).

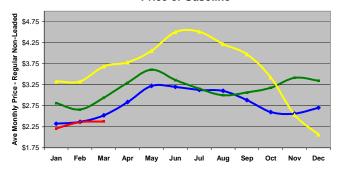
Exhibit 7-6 Transit Ridership vs. Gas Prices



Commuter Link Service



Price of Gasoline



13 of 14

The City of McMinnville has a strong basis for transit growth in the coming years. The City's coordination with Yamhill County regarding future improvements will be instrumental in serving a growing community. With the appropriate TDM strategies in place, McMinnville could significantly reduce the number of single-occupant vehicles on the transportation network and in turn reduce VMT per capita and emissions.

Transit and TDM program and plan improvements can have a significant affect on McMinnville's congested corridors, especially the links to the planned employment center near the McMinnville Airport (see Chapter 3).

¹ McMinnville Transit Feasibility Study, 1997, David Evans & Associates.

 ² TCRP, Report 19- Guidelines for the Location and Design of Bus Stops. Washington, DC: National Academy Press, 1996. See online copy at: http://www.trb.org/news/blurb_detail.asp?id=2597
 ³ U.S. Census Bureau, 2000 Journey-To-Work patterns for Willamette Valley Cities, U.S. Census website.

⁴ City of McMinnville Comprehensive Plan.