



22500 Salamo Road
West Linn, Oregon 97068
<http://westlinnoregon.gov>

CITY COUNCIL WORK SESSION

Monday, April 18, 2011

6:00 p.m. – Work Session - Council Chambers

1. Call to Order
2. Highway 43 Update
3. Aquatic Task Force Recommendation
4. Land Use Appeal Process
5. Adjourn

The Council Chambers is equipped with an induction loop and a limited number of neck loops for the hearing impaired. Please let the City know if you require any special assistance under the Americans with Disabilities Act, please call City Hall 48 hours prior to the meeting date, 503-657-0331.

Memorandum

Date: April 13, 2011

To: Chris Jordan, City Manager

From: Dennis Wright, City Engineer

Subject: Highway 43 Jurisdictional Transfer

Purpose:

To provide an update on the proposed jurisdictional transfer of Hwy 43 and report on a meeting held by Metro's Highway 43 Working Group on April 11th at Metro headquarters in Portland.

Update from the Metro Meeting:

A meeting was held at Metro from 2:30 – 3:30 PM on April 11th, 2011. In attendance were elected officials from Metro, counties of Clackamas and Multnomah, cities of West Linn and Lake Oswego, as well as representatives from ODOT and City of Portland. Some support staff personnel had been brought by the various agencies as well.

Jason Tell from ODOT indicated that he had initially issued a letter and prepared a draft jurisdiction transfer proposal in response to what he believed was a desire of the counties and cities to have local jurisdiction of the Hwy 43. ODOT's view of Hwy 43 is a transportation corridor while the local jurisdictions plans reveal a desire for Hwy 43 to have more of a boulevard concept, providing for not only vehicular traffic but also encouraging pedestrians and bike riders as well.

In discussing the benefits of the transfer to local jurisdictions, ODOT noted in particular that with the Sellwood Bridge under design and the Lake Oswego – Portland trolley project under consideration, the roadway requirements associated with both these projects could be significantly reduced at the interfaces with Hwy 43 if it was no longer a state-owned facility. ODOT recommended some urgency to the jurisdictional transfer consideration as the further these projects proceed through design and construction process, the less will be any savings realized from local ownership as it affects design criteria.

The city councils of both West Linn and Lake Oswego have conducted worksessions regarding the proposed transfer and have both submitted letters to ODOT opposing the transfer because the proposed compensation is insufficient. Clackamas County has done an independent review of the pavement and bridge conditions and prepared a cost estimate that far exceeds the offer from ODOT. Of particular concern is the ongoing maintenance that will be required once any initial maintenance/repair effort is partially funded in conjunction with the proposed transition.

All in attendance acknowledged that transfer of jurisdiction from ODOT to local control would be of benefit to all. While most seemed to say that it wasn't about the money, funding appeared to be the most difficult issue to overcome in everyone's view.

Metro ended the meeting by encouraging the engineers and accountants from the various agencies to meet, discuss their respective concerns, and see if an acceptable funding picture and transfer agreement could be worked out. City staff has contacted Clackamas County Transportation and Development Director, Cam Gilmore, about scheduling a meeting with ODOT engineering and financial staff.

Memorandum

Date: 04-14-11

To: Chris Jordan, City Manager

From: Ron Schwartz, Police Captain

Subject: City Council Questions for the proposed IGA Agreement with ODOT for Motor Carrier Safety Assistance Program FFY 2011

1. Please clarify the dollar amounts included in this item (specifically, indicate how the grant program works and the difference between the West Linn share and the received revenue).

ODOT contracts with local law enforcement agencies across the State of Oregon to conduct truck safety inspections. Officers from these agencies make traffic stops (based on the vehicle committing a traffic violation) on commercial motor vehicles and trucks for the purposes of conducting safety inspections on the vehicles. These inspections take an average of 28 minutes. The officer inspects the mechanical (brakes, lights, couplers, king-pins, etc.), and administrative (driver's log book, bill of lading, etc.) components of the vehicle for safety compliance.

The proposed ODOT Grant will reimburse the West Linn Police Department for 80% of the costs (up to \$10,000 during the grant period) for conducting truck safety inspections. The West Linn PD will submit reimbursement forms to ODOT every month to recover that 80%. This grant requires the West Linn Police Department to contribute 20% of the costs of doing the vehicle inspections. Here is an example of how this grant will work, based on the 80%-20% split in costs:

Officer Brad Moyle is our motor officer, and will be conducting the truck inspections. Once a month, Officer Moyle will come in and work 8 hours of overtime conducting truck inspections on I 205 or Highway 43 within/near West Linn. The costs for this overtime will be billed to ODOT once a month on a reimbursement form. The West Linn Police Department currently has three other active grants that are reimbursed this same way.

If Officer Moyle works 8 hours of overtime on the truck inspection grant, he will need to work 3 hours of straight time/duty time to meet the 20% contribution of the grant. I supervise Officer Moyle, and on one work day during the month, when staffing allows, I will assign Officer Moyle to work truck inspections in/near West Linn for 3 hours during his work day. Since Officer Moyle will be in/near the city, he will still be available to handle any calls for service if the citizens of West Linn need any assistance from a motor officer (i.e., motor vehicle accident).

Here is a look at how this grant works by using numbers. Under the above listed scenario, the math/dollars look like this:

Officer Moyle earns \$54.81 per hour on overtime. If he works 8 hours of OT for the grant it will cost \$438.48. This would be ODOT's part.

Officer Moyle earns \$36.54 per hour on straight time. If he works 3 hours of straight time on the grant it will cost \$109.62. This would be West Linn PD's part.

The total dollars for the 8 hours of OT (\$438.48) and 3 hours of straight time (\$109.62) is \$548.10.

ODOT's part: \$438.48 is 80% of the total, \$548.10. West Linn PD's part: \$109.62 is 20% of the total, \$548.10.

2. Item #6 under "Recitals" includes the date range of 2010-10-01 through 2011-09-30; will this IGA need to be renewed as soon as this September? Is this date incorrect?

This IGA will indeed need to be renewed this September. We got a late start on the process for the grant this year. But, we still have over 5 months left to establish this program and put systems and procedures into place to make it successful. Paul Kroll, ODOT's Grant Coordinator, strongly encourages us to pass this IGA so West Linn can start this program, learn what resources are needed, and develop a grant budget for fiscal year 2012 that is in line for what the department wants to do.

3. Who receives the fines when a violation occurs?

Officer Moyle will conduct traffic stops on commercial trucks based on whatever traffic violations (i.e., speed or equipment violations) the trucks commit in his presence. The purpose of this grant is to conduct truck safety inspections, not give out traffic citations. ODOT wants the truck safety inspection reports for their data bases, and citations will only be given for the most serious violations. If a citation is given, the citation will go to the appropriate court (most likely West Linn Municipal) and will be handled like any other traffic citation (all revenues from the fines will be handled the same as any other citation).

4. What is the projected number of trucks that will be cited daily? Monthly? Annually?

There are no citation quotas or goals for this grant. Citations will seldom be written. This grant is for Truck Safety Inspections. An officer working for this grant must meet a minimum standard of 32 truck safety inspections per year. Since we are in the last 5 plus months of the grant, 15 or 16 would be the minimum. Officer Moyle will easily meet this standard. I expect him to conduct between 40 and 50 inspections.

5. What are “accident corridors” and where are these corridors in West Linn?

ODOT defines Accident corridors as: “Safety Corridors are sections of State or local highway with an incidence of traffic crashes higher than expected for that type of roadway. These may be signed as “Safety Corridors” or “Traffic Safety Corridors”, in the case of “Truck Safety Corridors” the incidence of commercial vehicle involvement is high, due to high commercial vehicle traffic volumes or commercial or other vehicle error.”

The State of Oregon does not consider any part of I 205 as a Safety Corridor. However, Paul Kroll, ODOT’s Grant Coordinator, told me the Portland Metropolitan area (which includes I 205 in West Linn) has the highest concentration of commercial motor vehicles, and therefore has the highest need for truck safety inspections.

6. There were some concerns over a “minimum citation rate” (pg. 47, item 2a). Please describe this concept and allay any concerns related to overzealous policing.

The “minimum citation rate” referred to in the above question does not apply to what West Linn PD will be doing (Truck Safety Inspections). It only applies to officers working the TACT (Ticket Aggressive Cars and Trucks) details. TACT details are selective enforcement exercises that ODOT puts together once or twice a year to target specific trouble spots. ODOT has not contacted West Linn PD about participating in any of these exercises.



City Council Meeting Sign-In Sheet

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