



## AGENDA

### CANBY CITY COUNCIL REGULAR MEETING

March 6, 2013

7:30 PM

Council Chambers

155 NW 2<sup>nd</sup> Avenue

*Mayor Brian Hodson*

*Council President Tim Dale*

*Councilor Richard Ares*

*Councilor Clint Coleman*

*Councilor Traci Hensley*

*Councilor Greg Parker*

*Councilor Ken Rider*

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### WORK SESSION

6:00 PM

City Hall Conference Room

182 N Holly

This Work Session will be attended by the Mayor and City Council to hear a presentation on new Police Department technology.

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### CITY COUNCIL REGULAR MEETING

#### 1. CALL TO ORDER

A. Pledge of Allegiance and Moment of Silence

#### 2. COMMUNICATIONS

#### 3. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS

*(This is an opportunity for visitors to address the City Council on items not on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Each citizen will be given 3 minutes to give testimony. Citizens are first required to fill out a testimony/comment card prior to speaking and hand it to the City Recorder. These forms are available by the sign-in podium. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter.)*

#### 4. MAYOR'S BUSINESS

#### 5. COUNCILOR COMMENTS & LIAISON REPORTS

#### 6. CONSENT AGENDA

*(This section allows the City Council to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may be discussed if it is pulled from the consent agenda to New Business.)*

A. Approval of Minutes of the February 20, 2013 City Council Work Session and Regular Meeting

**7. RESOLUTIONS & ORDINANCES**

- A. Res. 1152, Adopting the 2013 Revised Version of a Document Entitle Canby Area Transit – City of Canby Americans with Disabilities (ADA) Plan Pg. 1
- B. Res. 1153, Approving a City of Canby Film and Video Production Policy Pg. 30
- C. Ord. 1370, Granting to LightSpeed Networks, Inc. a Nonexclusive Franchise to Construct, Operate and Maintain a Telecommunications Network and Provide Telecommunications Services within the City of Canby, Oregon (**2<sup>nd</sup> Reading**) Pg. 50
- D. Ord. 1371, Authorizing Contract with Advanced Public Safety, Inc. for the Purchase of E-Ticketing Hardware and Software as well as Maintenance and Support Services for the Canby Police Department Pg. 59
- E. Ord. 1372, Amending CMC Chapter 2.64 Regarding the Bicycle and Pedestrian Advisory Committee Pg. 72

**8. NEW BUSINESS**

**9. CITY ADMINISTRATOR’S BUSINESS & STAFF REPORTS**

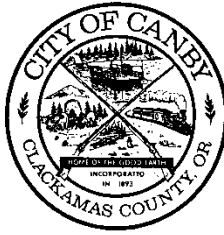
**10. CITIZEN INPUT**

**11. ACTION REVIEW**

**12. EXECUTIVE SESSION: ORS 192.660(2)(h) Pending Litigation**

**13. ADJOURN**

\*The meeting location 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 at least 48 hours before the meeting to Kim Scheafer, MMC, City Recorder at 503.266.0733. A copy of this Agenda can be found on the City’s web page at [www.ci.canby.or.us](http://www.ci.canby.or.us). City Council and Planning Commission Meetings are broadcast live and can be viewed on OCTS Channel 5. For a schedule of the playback times, please call 503.263.6287.



## MEMORANDUM

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**DATE:** FEBRUARY 25, 2013  
**TO:** BRIAN HODSON AND CANBY CITY COUNCIL  
**FROM:** JULIE WEHLING, TRANSIT DIRECTOR  
**THROUGH:** GREG ELLIS, CITY ADMINISTRATOR  
**RE:** RESOLUTION 1152 - CANBY AREA TRANSIT'S AMERICANS WITH DISABILITIES (ADA) PLAN - UPDATE

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**Issue:** Canby Area Transit (CAT) is required by federal regulations and the Public Transit Division of ODOT to maintain a current Americans with Disabilities (ADA) Plan for its public transportation services. All providers of public transportation are required by federal regulations to draft and maintain a current plan and update it annually.

**Background:** The updated version of Canby Area Transit's ADA Plan dated March 6, 2013 has been reviewed by staff and ODOT's Public Transit Division. The updated ADA Plan describes the transit services currently provided and the recent implementation of a \$1 fare for all CAT services.

**Recommendation:** Staff recommends the adoption of Resolution 1152 which adopts the updated *CANBY AREA TRANSIT – CITY OF CANBY AMERICANS WITH DISABILITIES (ADA) PLAN dated March 6, 2013*.

**Motion:** "I move to adopt Resolution 1152, A RESOLUTION ADOPTING THE DOCUMENT ENTITLED *CANBY AREA TRANSIT – CITY OF CANBY AMERICANS WITH DISABILITIES (ADA) PLAN*".

**Attached:** Resolution 1152 and Exhibit "A"

**RESOLUTION NO. 1152**

**A RESOLUTION ADOPTING THE 2013 REVISED VERSION OF A DOCUMENT ENTITLED CANBY AREA TRANSIT – CITY OF CANBY AMERICANS WITH DISABILITIES (ADA) PLAN**

**WHEREAS**, Canby Area Transit (CAT) is required by federal regulation and by Oregon Department of Transportation's (ODOT) Public Transit Division to draft and maintain an Americans with Disabilities (ADA) Plan for its public transportation services.

**WHEREAS**, the City previously adopted the document *Canby Area Transit – City of Canby Americans with Disabilities (ADA) Plan* (dated January 19, 2011) by Resolution 1081.

**IT IS HEREBY RESOLVED** that the document entitled *Canby Area Transit – City of Canby Americans with Disabilities (ADA) Plan* (dated March 6, 2013), attached hereto as Exhibit "A" and by this reference incorporated herein, is adopted by the Canby City Council.

This resolution is effective March 6, 2013.

**ADOPTED** by the Canby City Council on the 6<sup>th</sup> day of March 2013.

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Brian Hodson  
Mayor

ATTEST:

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Kimberly Scheafer, MMC  
City Recorder



## Canby Area Transit – City of Canby AMERICANS WITH DISABILITIES (ADA) PLAN March 6, 2013

### Introduction

Canby Area Transit (CAT) operates as a department of the City of Canby. The department's administrative offices are located at 123 NW 2<sup>nd</sup> Avenue in Canby. The Transit Director can be contacted by phone at 503.266.0751, by fax at 503.263.6284, or [cat@ci.canby.or.us](mailto:cat@ci.canby.or.us). Address written correspondence to Canby Area Transit, PO Box 930, Canby, OR 97013.

Canby Area Transit and the City of Canby are committed to providing equal opportunity for persons with disabilities. This commitment includes complying with the Americans with Disabilities Act of 1990 (ADA) and the Rehabilitation Act of 1993 including Section 37.173 of DOT's ADA regulations requiring transit operators to train their personnel to properly assist and treat individuals with disabilities with sensitivity and to operate vehicles and equipment safely. This includes training personnel to use the accessibility equipment and to accommodate the different types of common wheelchairs.

This Americans with Disabilities (ADA) Plan updates the ADA Plan dated January 19, 2011 and documents the policies developed during the course of providing public transportation. These policies and service delivery systems were developed in regular public meetings with the integral participation of the Transit Advisory Committee and the governing body, Canby City Council.

### Mission and Goals

City of Canby's stated mission is *to maintain and improve the quality of life and environment for all within the Canby Community.*

To accomplish this we will:

- Facilitate the provisions of needed services and infrastructure.
- Promote community-oriented decision making.
- Advocate accessibility and equity in process and service.
- Nurture a sense of community and responsibility between generations.

Canby Area Transit, a department of the City of Canby, has established the following mission statement: *To serve the citizens of Canby with accessible, dependable and efficient Public Transportation.*

During Canby Area Transit's planning process the following goal and objectives were identified to guide the development of the CAT Transit Master Plan.

**Goal** *Serve the transportation needs of residents, employees, and visitors with convenient, safe, affordable, and efficient transit service and other options that offer a viable alternative to the automobile and provide key connections to other regional options.*

The objectives identified to support the goal were to:

- Provide service that is coordinated, efficient and reliable.
- Enhance access to fixed-route transit and other alternative transportation options.
- Accommodate the growing demand for alternative transportation services in Canby.
- Promote land use patterns and local policies that support transit and alternative transportation use.
- Increase the awareness of and community involvement in transit and alternative transportation services.

Clearly, Canby Area Transit is committed to providing transportation services that will accommodate people of all abilities and provide quality service to as many members of the community as possible. Customer accessibility is a critical consideration in all aspects of CAT service from customer amenities to vehicle and route design. The following lists service elements designed specifically to assure the accessibility of CAT service.

- All CAT service is designed with accessibility as a priority.
- Paratransit Dial-A-Ride service is available for those who are not able to access the Fixed-Route service.
- A General Public Dial-A-Ride service is available for anyone traveling within the CAT service area.
- CAT personnel are trained to operate vehicles and equipment safely and to sensitively assist people with disabilities.
- Vehicles are equipped with wheelchair lifts or ramps as well as bike racks.
- Stops and service routes are announced on Commuter and Fixed-Route services.
- Schedules and program information are made available in alternative formats.
- Service animals trained to perform a task are accommodated on all vehicles.
- Personal Care Attendants (PCA) may accompany individuals with disabilities at no charge.
- Travel Training assistance and trip planning is provided upon request.
- Bus stops are evaluated for accessibility and are established in the safest, most accessible locations available.
- As needed, customers are interviewed via phone or in person to identify the appropriate level of service, provide information and answer any questions.
- Premium service exceeding ADA requirements is available to eligible customers traveling between Oregon City and Canby.

These practices contribute to the accessibility of the CAT system and improve its service to all customers including those with disabilities.

Transportation service is provided without discrimination against any person including any person with a disability. Discrimination by Canby Area Transit employees or representatives against any person on the basis of disability will not be condoned or tolerated. The Canby Area Transit Title VI Program Policy provides a comprehensive non-discrimination policy.

## **Description of service area**

Canby is a growing and thriving community with a population of 16,000 people. The rural environment and small town feel draw many to settle in Canby making it one of the most desirable bedroom communities – with Portland 25 miles north and Salem 30 miles to the south.

Bordered by the Molalla and Willamette rivers, Canby has historically been a natural hub for transportation which played a major role in the development of the City. The Willamette River served as the main source of transportation with steamboats taking produce to markets in Oregon City and Portland. Rails were laid in 1870 and the tracks were quickly lined with warehouses and the agriculture industry grew. In 1914, a ferry service was established across the Willamette River and today the Canby ferry is one of three ferries still operating in Oregon.

Canby is separated from Metro's Urban Growth Boundary by several miles of rural land. This separation is protected by a "Green Corridor" agreement between Canby, Clackamas County, Metro, and the Oregon Department of Transportation – which largely protects the 99E corridor from further development. This designation coupled with the Willamette River, the railroad lines, and the steep cliffs ensure that Canby will remain separate from the Portland Metropolitan Area for many decades, if not forever. The city's setting surrounded by rivers and fields, and its agricultural heritage, give it a unique character and a tradition of self-reliance. Canby's historic downtown, highway commercial area, schools, and churches are still very important local destinations.

Despite this physical separation and self-reliance, Canby has always had strong transportation and economic connections to its neighbors (Portland, Woodburn, Wilsonville and Salem) by rail and road.

Since 2000, Canby's population has grown by 25%, driven in large part by people seeking a small town, rural lifestyle within distance of the employment, recreational and retail opportunities of Oregon's two largest metropolitan areas.

Recent regional estimates indicate that as many as sixty five percent of Canby residents commute to work outside of Canby and those connections are expected to continue as population projections continue to indicate strong growth trends over the next 20 years.

### **Aging Population**

According to the 2010 U.S. Census of Population, 14.2 percent of the City's population was 65 or older. Baby Boomers are reaching retirement age and seniors will account for a growing proportion of the population. This will inevitably create an increased demand for Paratransit services over the next twenty years. Elderly residents who are less confident in their driving abilities may also add to the increased demand for fixed-route transit service as well. Between Fiscal Years 2004 and 2010 the percentage of CAT ridership comprised of the elderly or persons with disabilities increased from 8.7 percent to 10.4 percent of the total CAT ridership.

### **Other Demographics**

Although the demographic profile of transit riders varies somewhat from one place to another, there are particular groups that are more likely to commute by transit than others. According to one study, the groups that are more likely to use transit include:

- Workers with no household car
- Workers with work or mobility limitations
- Women
- Hispanics
- Asians
- Immigrants (regardless of the number of years they have been in the United States)
- Workers with household incomes below \$20,000
- Workers age 17-29, and
- Workers age 60 and over.

With the exception of low-income households, the study indicated that all of the other groups still had higher than average transit use to access jobs, even in higher-income groups. Of these groups Hispanics, in particular, represent a growing sector of the community in Canby. The 2010 census reports 21.3 percent of Canby residents are Hispanic, 8.5 percent of Canby households make less than \$15,000 annually and 11.7 percent make \$15,000 - \$24,999 annually.

## Fixed-Route Service

Canby Area Transit provides commuter and fixed-route service along 99E. Commuter service is provided to Oregon City and Woodburn and a local fixed route operates along 99E between Canby Market Center (Fred Meyer) and Canby Square (Safeway) within Canby. A current schedule is posted at [www.canbyareatransit.org](http://www.canbyareatransit.org). See Appendix F for current maps and route schedules.

Route	Service	Location	Days	Hours	Frequency
99E	Fixed Route	Between Canby Transit Center and Canby Market Center	Monday - Friday	7:30 am to 7:35 pm	Varies from 30 – 120 min
99E	Fixed Route	Between Canby Square and Canby Transit Center or Canby Market Center	Monday - Friday	7:24 am to 7:35 pm	Varies from 30 – 120 min

## Commuter (Inter-City) Service

Canby Area Transit operates commuter service on portions of the route along 99E between Oregon City and Woodburn. The intercity connections provide links between the rural communities and critical links to Portland and Salem. See Appendix F for current maps and route schedules.

North of Canby the route along 99E provides commuter service originating from the Canby Market Center (1401 SE 1<sup>st</sup> Avenue in Canby) or from the Canby Transit Center (100 NE 1<sup>st</sup> Avenue) to the Oregon City Transit Center (TriMet) at the intersection of 99E and 11<sup>th</sup> Street in Oregon City. The earliest morning trips and two afternoon trips originate from the Canby Transit Center and do not stop at Canby Market Center to best serve commuter demand.

South of Canby the route along 99E provides commuter service between Canby Square (1051 SW 1<sup>st</sup> Avenue in Canby) and a Woodburn Transit System (WTS) bus stop (#18) near BiMart (1600 Mt Hood Avenue) in Woodburn.

Route	Service	Location	Days	Hours	Frequency
99E	Commuter to Oregon City	From Canby Transit Center or (from Canby Market Center) to the Oregon City Transit Center	Monday - Friday	5:05 am to 8:10 pm	Varies from 30 – 120 minutes
99E	Commuter to Woodburn	Between Canby Square and BiMart in Woodburn	Monday - Friday	6:00 am to 6:36 pm only 6 trips daily	Roughly 150 minutes

Once outside the Canby Urban Growth Boundary each of these commuter services provide very limited stops along a highway or rural county road. CAT does not provide local service to the small communities along these commuter routes.



**Fares**

On October 1, 2012 CAT implemented a one dollar fare for all Fixed-Route and Commuter services. Children who have had their 7<sup>th</sup> birthday are required to pay the fare. CAT offers a 24 ride Punch Pass for \$20 and a \$40 Monthly Pass.

Until September 30, 2013 a ½ price (\$20) Monthly Pass will be offered to individuals who qualify for:

- Low Income (ID and evidence of SNAP or Medicaid eligibility required)
- Commuter (ID and evidence of the purchase of a monthly pass to a connecting transit system)

**Fleet**

CAT operates a mixed fleet of vehicles. Current schedules require a minimum of 5 buses in operation per service day. Three (3) 35'/35 passenger buses are utilized only on the fixed-route and commuter services. Two (2) 22'/17 passenger buses with four wheelchair stations are utilized on Dial-A-Ride only. The other vehicles are used on both fixed-route/commuter service and Dial-A-Ride (Paratransit) as appropriate. These vehicles include three (3) 24'-26'/20-21 passenger. Additionally, CAT has one (1) ramp accessible minivan and four (4) backup cutaway buses. All vehicles are accessible and can accommodate at least one wheelchair.

## **Complimentary Paratransit Service**

Canby Area Transit provides demand responsive Paratransit service through its Dial-a-Ride program to individuals whose disability prevents them from using or accessing the local fixed-route bus. Dial-a-Ride service is provided to all eligible individuals traveling within Canby Urban Growth Boundary or within ¾ mile of a fixed route. Dial-A-Ride customers traveling to and from destinations in the TriMet District make transfers to the TriMet LIFT service at the Oregon City Transit Center.

This service is provided during the hours of the local fixed-route service: 6:00 am to 8:00 pm Monday through Friday.

### **Eligibility**

See Appendix A for the certification process as part of the eligibility policy. The policy addresses the six required elements:

- Availability of application materials in accessible format
- Description of determination process, including method of notifying individuals about determinations
- System and timetable for processing applications and allowing presumptive eligibility
- Documentation provided to persons determined to be ADA Paratransit eligible
- Description of the administrative appeals process
- A policy for visitors

### **Scheduling a Ride**

When certification is complete, ride reservations are made by calling 503.266.4022 up to 14 days in advance and by 5:00 pm the day before any trip. Although the office is closed on weekends trip requests are taken by voice mail and honored for Mondays. There are no restrictions on trip purpose and it is the practice of Canby Area Transit that there are no capacity constraints.

### **Additional Information**

Subscription service (standing order) is available for riders who travel to and/or from the same location on a regular basis. Subscription service may be limited in order to ensure there are no capacity constraints for on-demand trip requests. A waiting list may be created for subscription service only.

Reservation times may be negotiated to within one hour of requested time. There is a pick-up window of 10 minutes before or after scheduled time. Passengers are requested to be ready for vehicle arrival, which may be up to 10 minutes early. Driver will allow up to five (5) minutes for passenger to board.

### **Cancellations, Missed Rides, and No Shows**

Cancelled and missed trips are costly and an inconvenience to other passengers. Customers are requested to contact the dispatch/scheduler as soon as possible when canceling a trip. Ridership privileges may be suspended due to a pattern of missed or no show appointments. Ridership privileges can also be suspended due to unruly behavior, which may or may not threaten safety on the vehicle.

**Service Delivery**

Complementary service is curb-to-curb however accommodations are made when door-to-door service is needed.

**Personal Care Attendant**

An ADA eligible rider may travel with one (1) Personal Care Attendant (PCA) and one (1) companion. Additional companions may ride as space allows. Companions are required to pay any applicable fares.

**Service Fares**

The fare for the Paratransit service may be twice (2x) the fixed route fare.

On October 1, 2012 CAT implemented a one dollar fare for all CAT services. Children who have had their 7<sup>th</sup> birthday are required to pay the fare.

Dial-A-Ride customers who schedule their shopping trips on the twice daily Shopping Shuttles ride for free.

CAT offers a 24 ride Punch Pass for \$20 and a \$40 Monthly Pass.

Until September 30, 2013 a ½ price (\$20) Monthly Pass will be offered to individuals who qualify for:

- Low Income (ID and evidence of SNAP or Medicaid eligibility required)
- Commuter (ID and evidence of the purchase of a monthly pass to a connecting transit system)

**Fleet**

As mentioned in the previous section, CAT operates a mixed fleet of vehicles. Two (2) 22’/17 passenger buses with four wheelchair stations are utilized on Dial-A-Ride only. The other vehicles are used on both fixed-route/commuter service and Dial-A-Ride (Paratransit) as appropriate. These vehicles include three (3) 24’-26’/20-21 passenger. Additionally, CAT has one (1) ramp accessible minivan and four (4) backup cutaway buses. All vehicles are accessible and can accommodate at least one wheelchair.

**Comparison of Fixed-Route to Complementary Paratransit**

This comparison table summarizes the above defined Complementary Paratransit service showing it provides equal service to that provided by the fixed route and meets the six required criteria.

Service Criteria	Consistent w/ Regulation	Comments
Service Area	Yes	See Service Area Map
Response Time	Yes	14 days in advance to 5:00 pm the day prior
Fares	Yes	\$1
Trip Purpose	Yes	No Restrictions
Service Hours	Yes	Same
Capacity Constraints	Yes	None

## **Other Transit Service**

CAT offers two demand response services in addition to the required Complementary Paratransit Services described above. CAT provides a Premium Dial-A-Ride service and a General Public Dial-A-Ride service as space allows.

### **Premium Dial-A-Ride**

CAT's Premium Dial-A-Ride service exceeds the American's with Disabilities Act (ADA) requirements for Paratransit riders. As a supplement to its Paratransit Dial-A-Ride connection to TriMet LIFT at the Oregon City Transit Center CAT provides a transferless service (origin-to-destination) to all eligible Paratransit customers. Transferless service is provided between addresses within the Canby Urban Growth Boundary and addresses inside the city limits of Oregon City. The service is curb-to-curb with reasonable accommodations made for trips requiring door-to-door assistance.

This service is provided during the hours of the local fixed-route and the complementary paratransit service hours. The Premium Dial-A-Ride service is provided for the following trip purposes: medical or social services appointments, education or employment. The service operates from 6:00 am to 8:00 pm Monday through Friday.

All other aspects of the service are the same as the Complementary Paratransit Service detailed above.

### **General Public Dial-A-Ride**

On June 27, 2011 CAT implemented a General Public Dial-A-Ride service. The service replaced two local Canby routes that were eliminated due to budget cuts. The General Public Dial-A-Ride service is offered to anyone traveling within the Canby Area Transit service area. Rides are provided on a space available basis as capacity on the Complementary Paratransit service allows.

This service is provided between 8:00 am and 6:00 pm Monday through Friday. See [www.canbyareatransit.org](http://www.canbyareatransit.org) for more detailed information including a map of the CAT service area.

### **Eligibility**

Anyone traveling to or from a destination within the CAT service area is eligible for service. Individuals register by calling 503.266.4022 and providing their name, address, and phone number and answering a few questions.

### **Scheduling a Ride**

Reservations may be scheduled as early as 14 days in advance or up to 24 hours prior to the trip. Reservations for Mondays or the first day after a holiday must be made on the Friday before the date of the ride request.

Reservations may be placed by calling the dispatcher/scheduler during office hours (Monday through Friday, 8:00am to 5:00pm) or on weekends and holidays by leaving a message on the office answering system.

### **Additional Information**

Subscription service (standing order) is not available for this service. It is provided on a space available basis.

Reservation times may be negotiated to within one hour of requested time. There is a pick-up window of 10 minutes before or after scheduled time. Passengers are requested to be ready for vehicle arrival, which may be up to 10 minutes early. Driver will allow up to five (5) minutes for passenger to board.

### **Cancellations, Missed Rides, and No Shows**

Cancelled and missed trips are costly and an inconvenience to other passengers. Customers are requested to contact the dispatch/scheduler as soon as possible when canceling a trip. Ridership privileges may be suspended due to a pattern of missed or no show appointments. Ridership privileges can also be suspended due to unruly behavior, which may or may not threaten safety on the vehicle.

### **Service Delivery**

Service is curb-to-curb.

### **Service Fares**

On October 1, 2012 CAT implemented a one dollar fare for all CAT services. Children who have had their 7<sup>th</sup> birthday are required to pay the fare.

Dial-A-Ride customers who schedule their shopping trips on the twice daily Shopping Shuttles ride for free.

CAT offers a 24 ride Punch Pass for \$20 and a \$40 Monthly Pass.

Until September 30, 2013 a ½ price (\$20) Monthly Pass will be offered to individuals who qualify for:

- Low Income (ID and evidence of SNAP or Medicaid eligibility required)
- Commuter (ID and evidence of the purchase of a monthly pass to a connecting transit system)

### **Fleet**

As mentioned in the previous sections, CAT operates a mixed fleet of vehicles. Two (2) 22' /17 passenger buses with four wheelchair stations are utilized on Dial-A-Ride only. The other vehicles are used on both fixed-route/commuter service and Dial-A-Ride (Paratransit) as appropriate. These vehicles include three (3) 24'-26' /20-21 passenger. Additionally, CAT has one (1) ramp accessible minivan and four (4) backup cutaway buses. All vehicles are accessible and can accommodate at least one wheelchair.

### **Coordination with Other Public Transit Service Providers**

Canby Area Transit's participation in regular coordinated planning with many public transit service providers includes the Clackamas County Transportation Consortium, the Regional Transportation Coordinating Committee, and the Special Transportation Funding Advisory Committee responsible for the development of the Coordinated Human Transportation Services Plan. Canby Area Transit makes every effort to coordinate with other agencies in the region and to provide the most effective and appropriate level of service. We use the Elderly and Disabled Transportation Plan (EDTP) as a road map and make every effort to implement as many strategies of the plan as are possible. Providing connections and mobility is one of CAT's highest priorities and we currently make connections with TriMet, South Metro Area Regional Transit (SMART), South Clackamas Transportation District (SCTD), Chemeketa Area Regional Transportation System (CARTS) and Woodburn Transit System (WTS).

Canby Area Transit loans a minivan from its fleet to the Canby Adult Center. We work with the Canby Adult Center to arrange transportation for customers who are outside the CAT service boundaries. As often as possible we work with the RideWise program staff to assist CAT customers and Canby education professionals with travel training.

## **Public Participation**

The January 19, 2011 ADA Plan became available for public review and comment on the City website at [www.canbyareatransit.org](http://www.canbyareatransit.org) on January 7, 2011. A public notice was posted on the website and in the local newspaper of the Transit Advisory Committee meeting on January 12, 2011 which included the discussion of this agenda item. Subject to public comment, the ADA Plan was submitted to City Council for discussion, comment and approval at the January 19, 2011 meeting.

The service changes including the elimination of the local Canby routes, implementation of the General Public Dial-A-Ride service included in the March 6, 2013 version of the plan were presented at the following public meetings:

Transit Advisory Committee – May 11, 2012  
Special - Transit Advisory Committee – August 10, 2011  
Special - Transit Advisory Committee – September 14, 2011

Rider surveys and public input brought forward ideas that resulted in the implementation of a \$1 fare and free Shopping Shuttles on October 1, 2012. These ideas were presented and discussed at public meetings on the following dates:

Transit Advisory Committee – October 12, 2011  
Transit Advisory Committee – November 9, 2011  
City Council Meeting – November 16, 2011  
Transit Advisory Committee – December 8, 2011  
Transit Advisory Committee – February 16, 2012  
Transit Advisory Committee – April 19, 2012  
Transit Advisory Committee – May 17, 2012  
Transit Advisory Committee – June 21, 2012  
Transit Advisory Committee – July 19, 2012  
Special Transit Advisory Committee – August 16, 2012

These changes are included in ADA Plan dated March 6, 2013. Subject to public comment the plan was submitted to City Council for discussion, comment and approval at the March 6, 2013 meeting.

## **Implementation Plan**

As Canby Area Transit meets the required service criteria for its Complementary Paratransit service, there are no planned changes to address ADA requirements.

# **Appendix A**

## **Canby Area Transit AMERICANS WITH DISABILITIES (ADA) Eligibility Policy**

Eligibility is the process whereby a rider can apply to receive ADA Complementary Paratransit or other special services for which they are determined eligible.

### **Application and Certification Process**

When a customer contacts Canby Area Transit (CAT) with a request for ADA eligible service they are asked to complete a paper application and are given a copy of a brochure (attached as Appendix B) that describes CAT's Dial-A-Ride service. An application form (attached as Appendix C) is provided to all customers requesting special services. All eligibility materials are available in accessible formats upon request.

Once a completed application is received, CAT may take up to 21 days from receipt to make an eligibility determination. No application for special services is accepted for review by CAT until all sections of the application are completed. All partially complete or illegible applications are returned to the applicant. The Transit Director or designee will review all completed applications to determine eligibility for special services including the category of service such as permanent, temporary, or conditional. Follow-up phone, in-person interviews, or functional assessments may be needed. If an initial determination is not made within 21 days of the individual's request for service, they will be provided temporary services on a presumption of eligibility until eligibility is determined.

All applicants receive notification of their eligibility or service denial in writing and in an accessible format if requested. Individuals who are certified as eligible are provided with an identification card.

### **Denial of Service**

If ADA Complementary service is denied, the individual has the right to appeal this decision. The service denial will be provided in writing, will detail the reasons for denial and provide information about the process of appealing the decision. The denial decision will be determined by the Transit Director or designee, who will sign the denial notification letter.

### **Appeal Process**

Any applicant who is denied ADA Paratransit eligibility or disagrees with any established conditions of eligibility has the right to appeal the determination. An appeal request must be submitted in writing and postmarked or delivered within 60 days of the applicant receiving written notification of the decision regarding eligibility as provided above. Appeal requests should be addressed to: Transit Director, City of Canby, PO Box 930, 123 NW 2<sup>nd</sup> Avenue, Canby OR 97013 for review. The appellant, at their request, has the right to meet with the Transit Director to present additional information and arguments. Anyone needing special accommodations may contact Canby Area Transit for assistance at 503.266.4022 or 123 NW 2<sup>nd</sup>, Canby OR 97013.

The decision of the Transit Director must be made within 30 days and provided in writing or in an accessible format, and include the reasons for the finding. If the decision of the Director is not satisfactory, a further appeal can be made within 30 days to the Transit Advisory Committee at an

open, public meeting. Determination at such a meeting will be forwarded as a recommendation to the Canby City Council for approval. Canby City Council determinations will be final. A record of action taken on each request or complaint must be maintained as part of the record or minutes at each level of the appeal process.

The right of the appellant to a prompt and equitable resolution of the complaint must not be impaired by the appellant's pursuit of other remedies, such as the filing of a complaint with the Department of Justice or other appropriate federal agency or the filing of a suit in state or federal court. Use of this procedure is not a prerequisite to the pursuit of other remedies.

### **Visitor Privilege**

Visitors will be allowed special services when traveling in Canby. The individual should have a certification from their home of record. If they do not and the disability is not obvious, the certification process will be used to determine eligibility. Visitor privilege will be provided by CAT for up to 30 days per year. Individuals certified by another transit agency in the region will have unlimited reciprocity.

### **Suspension of Services**

Canby Area Transit reserves the right to suspend from services any ADA qualified person, who establishes a pattern or practice of missing scheduled trips and/or for violating the passenger conduct rules posted in CAT vehicles. Repeated violations can result in services being revoked for up to a maximum of one year. All suspension decisions will be the responsibility of the Transit Director, subject by appeal to the City Council.

### **Personal Care Attendant**

An ADA eligible rider may travel with a Personal Care Attendant (PCA) who may ride free of charge. Other companions may ride as space allows and will be required to pay any applicable fares.

### **Eligibility Identification Cards**

Eligibility Identification Cards will include: Customer name, Customer number, and expiration date for eligibility.

### **Temporary or Conditional Certification**

If eligibility is determined temporary, the ADA qualified person will need to be re-certified at the end of the termed period, unless a longer time period is recommended by the physician and approved by the Transit Manager.

If eligibility is determined conditional, the ADA qualified person can request to have the status of eligibility reviewed should the conditions change.



### Title VI Non Discrimination Policy

Canby Area Transit (CAT) operates equal opportunity programs without regard to race, color, national origin, religion, age, marital status, equal orientation, or disability in accordance with Title VI of the Civil Rights Act, ORS Chapter 659A or other applicable law.

### Holidays

Canby Area Transit (CAT) does not operate on the following holidays:

- New Years Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas



***Dial-A-Ride Service***

***\$1.00 Fare***

***Fixed Route and Dial-A-Ride  
"Shopper Shuttle" is Free\****

\* visit website ([www.canbyareatransit.org](http://www.canbyareatransit.org)) or call office  
for details on Shopper Shuttle

### Canby Area Transit

PO BOX 930  
123 NW 2<sup>nd</sup> Ave  
Canby, OR 97013

**503.266.4022**

Oregon Relay Service 800.735.2900

Email: [cat@ci.canby.or.us](mailto:cat@ci.canby.or.us)

Website: [www.canbyareatransit.org](http://www.canbyareatransit.org)



**503.266.4022**

CAT is supported by  
Canby Businesses



## ABOUT CANBY AREA TRANSIT DIAL-A-RIDE SERVICE

Canby Area Transit Dial-A-Ride is a service provided in compliance with the 1990 Americans with Disabilities Act (ADA), providing complementary paratransit service within Canby and to and from Oregon City. The service operates the same hours as our fixed route service (6:00 am to 8:00 pm, Monday-Friday), providing for those with special needs who are unable to access fixed route service. Applications for Dial-A-Ride services are available through the CAT office located at 123 NW 2<sup>nd</sup> Avenue.

### RESERVATIONS, CANCELLATIONS AND NO SHOWS

- ▶ Reservations may be scheduled as early as 14 days in advance, and/or up to 5:00 pm the day before the trip is needed.
- ▶ Reservations may be placed by calling the dispatcher/scheduler during office hours (Monday through Friday, 8:00am to 5:00pm) or on weekends and holidays by leaving a message on the office answering system. **Please call with complete trip information (dates, times, addresses) and a phone number for trip confirmation.**
- ▶ Pick-up time may be negotiated and scheduled within an hour of the requested time.
- ▶ It is best to pre-schedule return trips with a specific pick-up time. When this is not possible, the return trip is scheduled as a “call back”. When you are ready for your return pick-up, please call Dispatch. At that time an **estimated** pick-up time will be given based on driver/vehicle availability. Although we will do our best to get to you promptly, during busy times it may take up to 60-minutes for a “call back” ride.
- ▶ To cancel a Dial-A-Ride reservation please call the office as soon as possible. A trip reservation cancelled with less than one (1) hour notice prior to pick-up time may be considered a no-show.
- ▶ When a rider is late by more than five (5) minutes past the scheduled pick-up time the trip will be considered a no-show.
- ▶ A pattern of no-shows could result in a suspension of ridership privileges. Suspended riders will be notified in writing.

## PLANNING TRIPS

- ▶ Please plan trips with these points in mind:
  - CAT may arrive 10 minutes before or after the scheduled pick-up time.
  - Depending on route/passenger needs, CAT may send a bus or mini-van for your pick-up. If possible, make allowances for bus access to the pick-up and delivery addresses.
- ▶ CAT vehicles are wheelchair accessible. Drivers are trained to assist persons with disabilities in boarding and de-boarding.
- ▶ Riders may travel with one (1) Personal Care Attendant (PCA) and one (1) companion. Additional companions may ride as space allows. Reservations are required for PCAs and companions.
- ▶ Carry-on items such as groceries must be limited to what you and/or your personal care provider can carry. Packages may not block the aisle. No hazardous materials are allowed on the vehicles.
- ▶ Trips to the Portland/Metro area are made with connections through TriMet and require an approved application from TriMet LIFT services.
- ▶ All items found on vehicles will be donated to charity if not claimed within 30 days.
- ▶ Severe weather may result in a suspension of service. Please call **503.266.4022** for more information or check our website at [www.canbyareatransit.org](http://www.canbyareatransit.org).

### CUSTOMER COMMENTS APPRECIATED

Customer Comment Cards are available on all vehicles. Completed Customer Comment Cards may be given to any CAT driver or representative or mailed to:

Canby Area Transit  
PO Box 930

Canby, OR 97013

**503.266.4022**

TTY/TDD Relay Service: 1.800.735.2900



Appendix C

# APPLICATION FOR

## Canby Area Transit Lift Services

### PART 1. PERSONAL INFORMATION

PLEASE PRINT CLEARLY

Name \_\_\_\_\_  
Last Name First Name Middle Name

Address \_\_\_\_\_  
(Please include St., Ave., Blvd., Lane, Circle, etc.)

Name of Apartment Complex \_\_\_\_\_ Apt. No. \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Social Security # (Optional) \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Date of Birth \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Month Day Year

Home Phone ( \_\_\_\_\_ ) \_\_\_\_\_ Work Phone ( \_\_\_\_\_ ) \_\_\_\_\_

Nearest Cross-Street \_\_\_\_\_

### PART 2. CONTACT PERSON

Provide the name of a person CAT can contact about your LIFT service in an emergency.

Name of Contact(s) \_\_\_\_\_

Relationship to Applicant \_\_\_\_\_

Phone Number(s) \_\_\_\_\_

1. Will you use any of these aids when riding LIFT? (Check all that apply)

- ☐ Cane, Walker, Crutches or White Cane  
☐ Communication Aid  
☐ Portable Oxygen

- ☐ Service Animal  
☐ Other \_\_\_\_\_  
☐ None of the Above

2. Will you use a wheelchair/electric scooter, when riding LIFT? ☐ No ☐ Yes ☐ Sometimes

a. If you will use a wheelchair or electric scooter, which device will you use?

- ☐ Manual wheelchair ☐ Motorized Wheelchair ☐ Electric Scooter

b. If you will use a wheelchair or electric scooter, can you transfer to a seat in a vehicle?

- ☐ No ☐ Yes

3. Will you be accompanied by a Personal Care Attendant (PCA) when riding LIFT?  
(A person who may provide assistance during the ride or at the destination.)

- ☐ No ☐ Yes

## Appendix C

4. When you (or the applicant) arrive at the destination, does someone else need to be there to take responsibility for you (or the applicant) before the driver leaves? ☐ No ☐ Yes  
If yes, the contact person listed in Part 2 will be called if no one is available to receive applicant at the destination.
5. What is your disability or health condition? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. Explain HOW your disability or health condition limits or prevents you from using CAT buses.  
\_\_\_\_\_  
\_\_\_\_\_
7. Do you expect your need for LIFT service will be permanent or temporary?  
☐ Permanent  
☐ Temporary (Provide your best estimate in months) \_\_\_\_\_
8. How far can you walk, or travel (with your wheelchair or scooter), on level ground by yourself?  
☐ Any distance, I am not limited in my walking or traveling ability.  
☐ Only within my home.  
☐ I can walk or travel only 1 city block or less.  
☐ I can walk or travel \_\_\_\_\_ city blocks. (Write in the number of blocks you can walk or travel)
9. Indicate your ability to do each of the following on your own.
- a. Can you get on or off a bus by using the steps?
  - b. Can you get to or from the bus stop nearest to your home?
  - c. Can you wait up to 15 minutes at a bus stop?
  - d. Can you get to a seat or (wheelchair/scooter position) once you've boarded the bus?  
☐ No ☐ Yes ☐ Sometimes ☐ I'm not sure

### PART 5. SOME TRIPS MAY BE COVERED UNDER OHP OR MEDICAID

Applicant's Oregon Health Plan or Medicaid ID # \_\_\_\_\_

Case Manager's Name \_\_\_\_\_ Phone # \_\_\_\_\_

### PART 6. APPLICANT'S CERTIFICATION

I certify that the information in this application is true and correct. I understand that providing false information may result in denial of service as well as a penalty under the law. I understand all information will be kept confidential and disclosed only as needed in order to provide LIFT services.

## Appendix C

I understand that it may be necessary for me to participate in an in-person evaluation, at CAT expense, to determine my eligibility for LIFT service.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

If someone completed or assisted with this application, please provide the following information:

Name of Person(s) \_\_\_\_\_

Relationship to Applicant \_\_\_\_\_

Phone Number(s) \_\_\_\_\_

(Include area codes for all numbers and you may include home, work, cellular and pager numbers)

### PART 7. PROFESSIONAL CONTACT (OPTIONAL)

It may be helpful for us to contact a professional who is familiar with your disability or health condition and your abilities or limitations. Please list a professional we can contact. (Examples: Physician, case manager, therapist or social worker.)

Name of Professional(s) \_\_\_\_\_

Phone Number(s) \_\_\_\_\_

(Include area codes for all numbers)

I authorize the professional listed above to release to CAT information about my disability or health condition and its effect on my ability to use CAT services.

I understand that I may revoke this authorization at any time.

Applicant's Signature: \_\_\_\_\_

(Signature of Applicant or Responsible Party)

(Date)

### PART 8. INFORMATION AND ASSISTANCE

CAT offers information and assistance to persons in becoming familiar with using CAT services. Yes, I would be interested in (check all that apply):

☐

☐ More information about accessibility of bus

☐ Help with planning trips on

☐ Finding out about personal orientation and travel instruction programs

Other, please describe:

# Appendix C

----- *Please fold, tape and mail.* -----

Place  
One  
Stamp  
Here

RETURN ADDRESS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CITY OF CANBY  
P. O. BOX 930  
CANBY, OR 97013

## Appendix D

### Canby Area Transit – City of Canby Transit Commuter Route Design Compliance

Commuter Service to Woodburn	
SERVICE DESIGN CHARACTERISTICS OF COMMUTER ROUTE	COMMENTS
No attempt to comprehensively cover service area	Commute portion of the route operates between Canby Square and Woodburn Transit System (WTS) bus stop (#18) near BiMart (1600 Mt Hood Avenue) in Woodburn.
Limited route structure	Commute portion of the route is linear along 99E
Limited number of stops	Commute portion of the route makes limited stops along 99E
Routes of extended length, usually between central business and outlying areas	Commute portion of the route is about 10 miles from Canby Square in Canby to the WTS bus stop (#18) in Woodburn.
Service predominately in one direction during peak times	Commute portion of the route is bidirectional throughout day as commutes serve both communities (reverse commute) and many shifts
Coordinated relationship to other modes	Commute portion of the route connects Canby commuters to WTS and CARTS
Use of multi-ride tickets	Both 24 ride Punch Passes and Monthly Passes are available for this service

## Appendix D

Commuter Service to Oregon City	
SERVICE DESIGN CHARACTERISTICS OF COMMUTER ROUTE	COMMENTS
No attempt to comprehensively cover service area	Commute portion of the route operates between either Canby Transit Center or Canby Market Center and the Oregon City Transit Center in Oregon City
Limited route structure	Commute portion of the route is linear along 99E
Limited number of stops	Commute portion of the route makes limited stops along 99E
Routes of extended length, usually between central business and outlying areas	Commute portion of the route is 8.4 miles between Canby Market Center and the Oregon City Transit Center and 9.1 miles between the Canby Transit Center and the Oregon City Transit Center.
Service predominately in one direction during peak times	Commute portion of the route is bidirectional throughout day as commutes serve both communities (reverse commute) and many shifts
Coordinated relationship to other modes	Commute portion of the route connects Canby commuters to TriMet services in Oregon City.
Use of multi-ride tickets	Both 24 ride Punch Passes and Monthly Passes are available for this service



# Appendix E

## Canby Area Transit (CAT) – City of Canby

### COMPLAINT AND APPEALS PROCESS

STEPS	CONSIDERATIONS
<p><b>1. Notice of Decision</b></p> <p>Applicant or rider is notified of eligibility or suspension status. Those who receive suspension notices or notice of less than full eligibility will be notified of their option to request a review of the decision and their right to appeal.</p> <p>The applicant/rider has a predetermined number of days from receipt of a decision to request a review or an appeal: 14 days for suspension notices, 60 days for eligibility determinations and other decisions.</p> <p>At this point, the rider/applicant may either request a review (go to Step 2) or appeal the decision (go to Step 3).</p>	<p>The entity shall establish an administrative appeal process through which individuals denied eligibility or notified of an impending service suspension can obtain review of the decision. SS37.125 (g) and SS37.125 (h)(3).</p> <p>For Eligibility Decisions: Provider may require that an appeal be filed within 60 days of denial of an individual's application. SS37.125(g)(1).</p> <p>For Suspensions: Canby Area Transit policy establishes that a suspension will take effect 30 days after the rider is notified therefore appeals should be made within 14 days</p>
<p><b>2. Manager's Review</b></p> <p>Applicant/rider contacts the Transit Director to request a review of the decision. The Director will review the case and work with the applicant/rider to obtain additional information in a timely manner.</p> <p>This may involve an in-person interview or an evaluation by a physical therapist.</p> <p>After all necessary information has been gathered. Transit Director will render a review decision within 14 days and will notify the applicant/rider in writing. The applicant/rider will again be notified of their right to appeal. An appeal must be initiated within 14 days (suspension) or 60 days (eligibility) of receipt of the review decision.</p>	<p>Applicants/riders are encouraged to request a manager's review rather than jumping right to an appeal. A manager's review supports the process goal of "keeping the complaints close to the source" and may be successful at resolving some conflicts.</p> <p>There is no ADA specified time limit for the information gathering step. The duration of this period is largely defined by the amount of time needed by the applicants, physicians or other professionals to complete assessments and/or submit information.</p>
<p><b>3. Formally Initiating an Appeal</b></p> <p>The applicant/rider will submit their request to appeal to the Transit Director for review by the Transit Advisory Committee (TAC)</p> <p>The TAC will determine if the appeal is appropriate for mediation. The City will contact a mediator from the roster for case development and mediation. The mediator will initiate contact with the applicant/rider within 30 days of Canby Area Transit's receipt of the request to appeal.</p> <p>If Canby Area Transit determines the case is not appropriate for mediation the case will proceed directly to administrative appeal (Step 5).</p>	<p>Because mediation is an additional step in the required appeals process, Canby Area Transit retains the right to choose <u>not</u> to mediate certain cases. Such cases may involve intractable disputes or situations where one of the parties is unwilling or unable to participate in a productive manner. These cases will be forwarded directly to Step 5 for an administrative decision.</p>

**4. Mediation**

If mediation is successful at resolving the dispute, the appellant will be asked to withdraw their appeal. The mediated agreement will become final unless the Transit Director at Canby Area Transit identifies a concern.

Canby Area Transit will have up to 14 days following approval of the agreement to issue a decision in writing that reflects the mediated agreement.

If the mediation is not successful, the case will be reviewed by City Attorney and the Transit Advisory Committee and forwarded with recommendations to the Canby City Council for an administrative decision.

Approval by the City Attorney is necessary to ensure that the agreement adequately upholds legal requirements and does not hold the Canby Area Transit or the City of Canby to liability. Because legal and liability issues will be addressed in the mediation, review by the City Attorney is expected to be a perfunctory sign-off.

**5. Administrative Appeal**

Administrative appeal will be processed by Transit Advisory Committee. This process involves a review of the file and an opportunity for the applicant/rider to be heard in-person.

Following the TAC review and recommendation the City Council will make a final determination.

The Canby City Council will issue a decision within 30 days of that hearing, or within 30 days of the applicant's/rider's waiver of the opportunity to be heard.

This is the final step in an appeal.

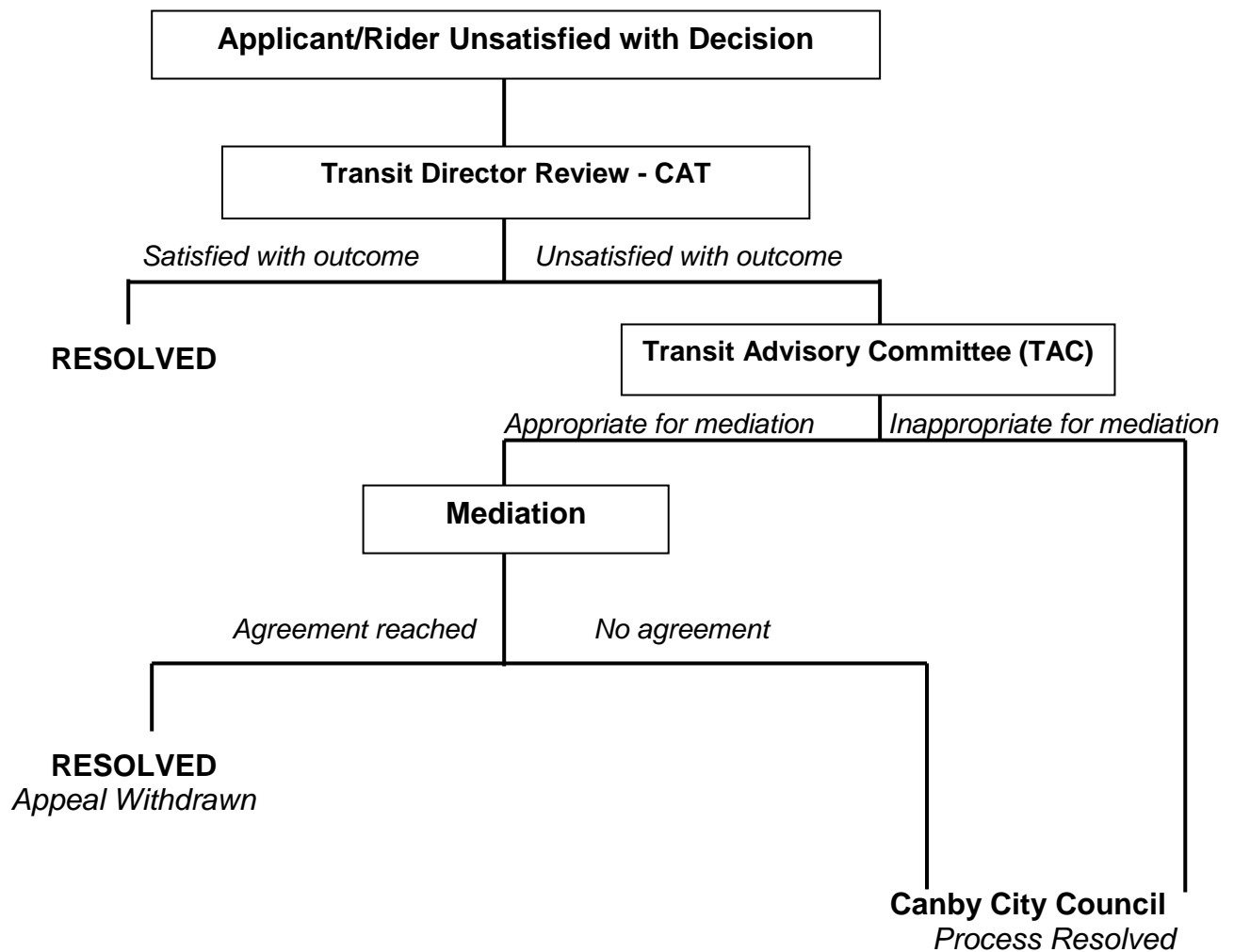
The ADA requires that administrative appeals be heard by someone with "separation of functions". This requirement is met by having the Transit Advisory Committee conduct administrative reviews and forward for approval to the City Council. SS37.125 (g)(2).

The ADA requires that the administrative appeal process include an opportunity for the applicant/rider to be heard and to present information and arguments. SS37.125 (g)(2).

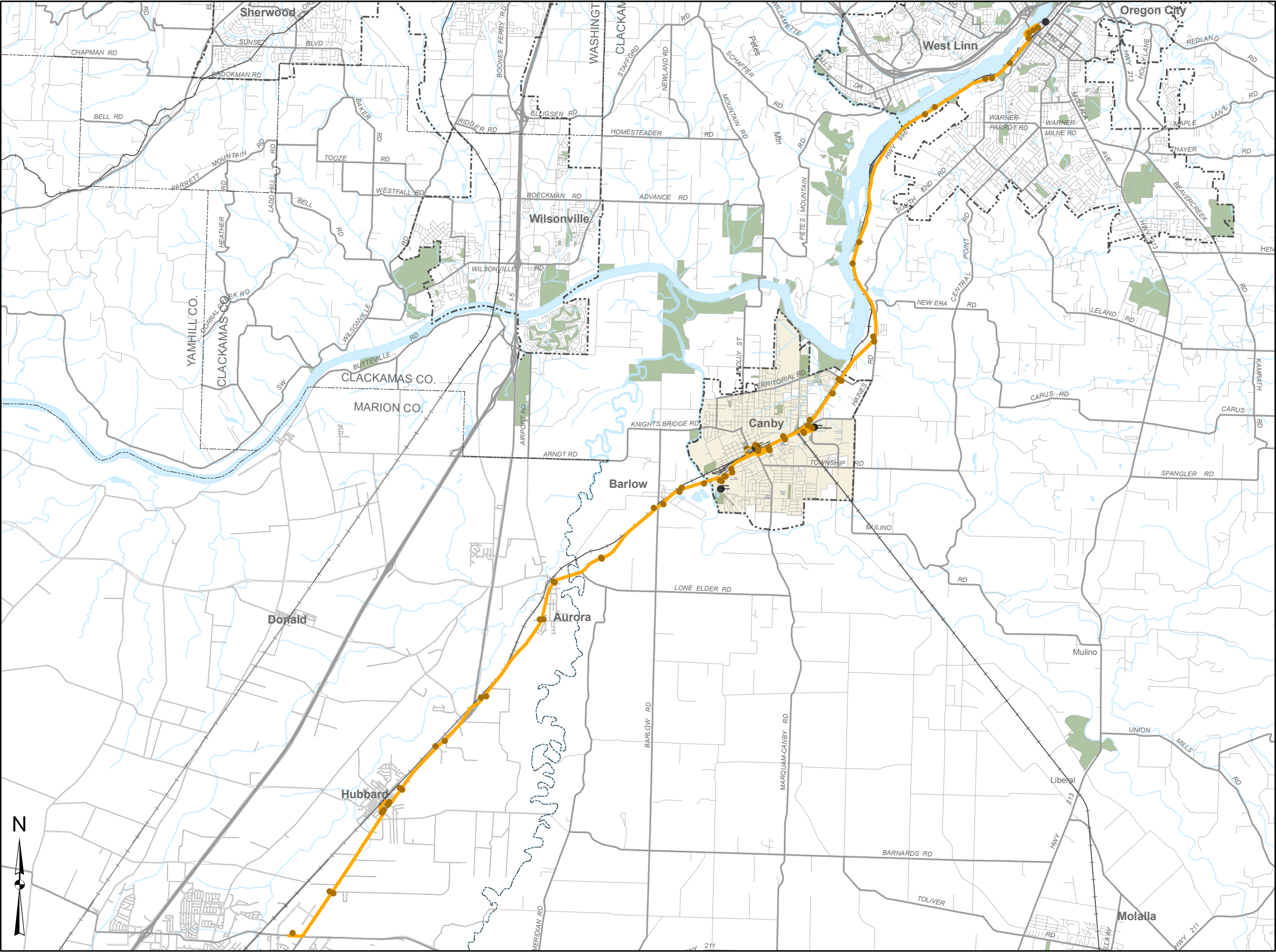
The Appendix to SS37.125 (g)(2) states that after the appeals process has been completed, the entity should make a decision within 30 days, and that service must be provided starting on the 31<sup>st</sup> day until and unless a decision is rendered.

**CANBY AREA TRANSIT COMPLAINT AND APPEALS PROCESS**

For Eligibility Determinations and Service Suspensions



1. Canby Area Transit Director will review all complaints and appeals. This review may involve an in-person interview, evaluation by a medical professional or consultation with the individual's case manager.
2. If the Transit Advisory Committee (TAC) determines appeal is not suited for mediation, appeal will proceed with a TAC recommendation directly to the Canby City Council
3. For decisions made by the Canby City Council or TAC the appellant will have the opportunity to be heard in-person.



**Legend**

*CAT Bus Routes*

- Orange Line
- Bus Stops (provisional)
- Arterial or Collector Roadway
- Streets
- Railroads
- Urban Growth Boundary
- Canby City Limits
- Parks
- Streams
- Transit Center



**CITY OF CANBY**

**CANBY AREA TRANSIT SYSTEM  
ORANGE LINE**

Orange Line (99E) - to Canby or Oregon City										
Northbound on 99E										
Días Laborales Dirección Norte										
	Woodburn <i>Bi-Mart</i>	Hubbard <i>99E &amp; D Street</i>	Aurora <i>99E &amp; Liberty</i>	Canby Square <i>Safeway</i>	Canby Transit Center <i>Thriftway</i>	SE 2nd & S Locust	Canby Market Center <i>Fred Meyer</i>	Oregon City TC <i>Main Street</i>		
X					5:05	-	-	5:25	X	
X					5:58	-	-	6:18	X	
X					6:30	-	-	6:50	X	
X	6:24	6:34	6:43	6:48	6:54	-	-	7:14	X	
				7:24	7:30	7:34	7:38	7:54		
				7:54	8:00	8:04	8:08	8:24		
	9:00	9:10	9:19	9:24	9:30	9:34	9:38	9:54		
				9:54	10:00	10:04	10:08	10:24		
	11:30	11:40	11:49	11:54	12:00	12:04	12:08	12:24		
					12:30	12:34	12:38	12:54		
	2:00	2:10	2:19	2:24	2:30	2:34	2:38	2:54		
					3:00	3:04	3:08	3:24		
				3:39	3:45	3:49	3:53	4:09		
					4:30	4:34	4:38	4:54		
	4:30	4:40	4:49	4:54	5:00	5:04	5:08	5:24		
					5:30	5:34	5:38	5:54		
				6:24	6:30	6:34	6:38	6:54		
	7:05	7:15	7:24	7:29	7:35	7:39	7:43	7:59		
Service available Monday - Friday										
¡SERVICIO LOS DÍAS LABORALES SOLMENTE!										

How to read this schedule

- Find the stop where you will board the bus.
- Read top to bottom to find scheduled arrival times at the listed stops.
- Read from left to right to find how long it takes to travel between stops.
- Schedules are subject to change without notice. For the most current schedule check the CAT website [www.canbyareatransit.org](http://www.canbyareatransit.org).

Appendix F

Effective 6-30-2012

Fecha de Entrada en Vigor 6-30-12

Updated June 29, 2012

Actualizado el 29 de junio de 2012

Effective October 1, 2012

one-way bus fare will be \$1

Apartir del 1 de octubre de 2012 la tarifa será de \$1

X = Express no stop at SE 2nd & Locust or Canby Market Center  
— = no service  
AM in regular print  
PM in bold print

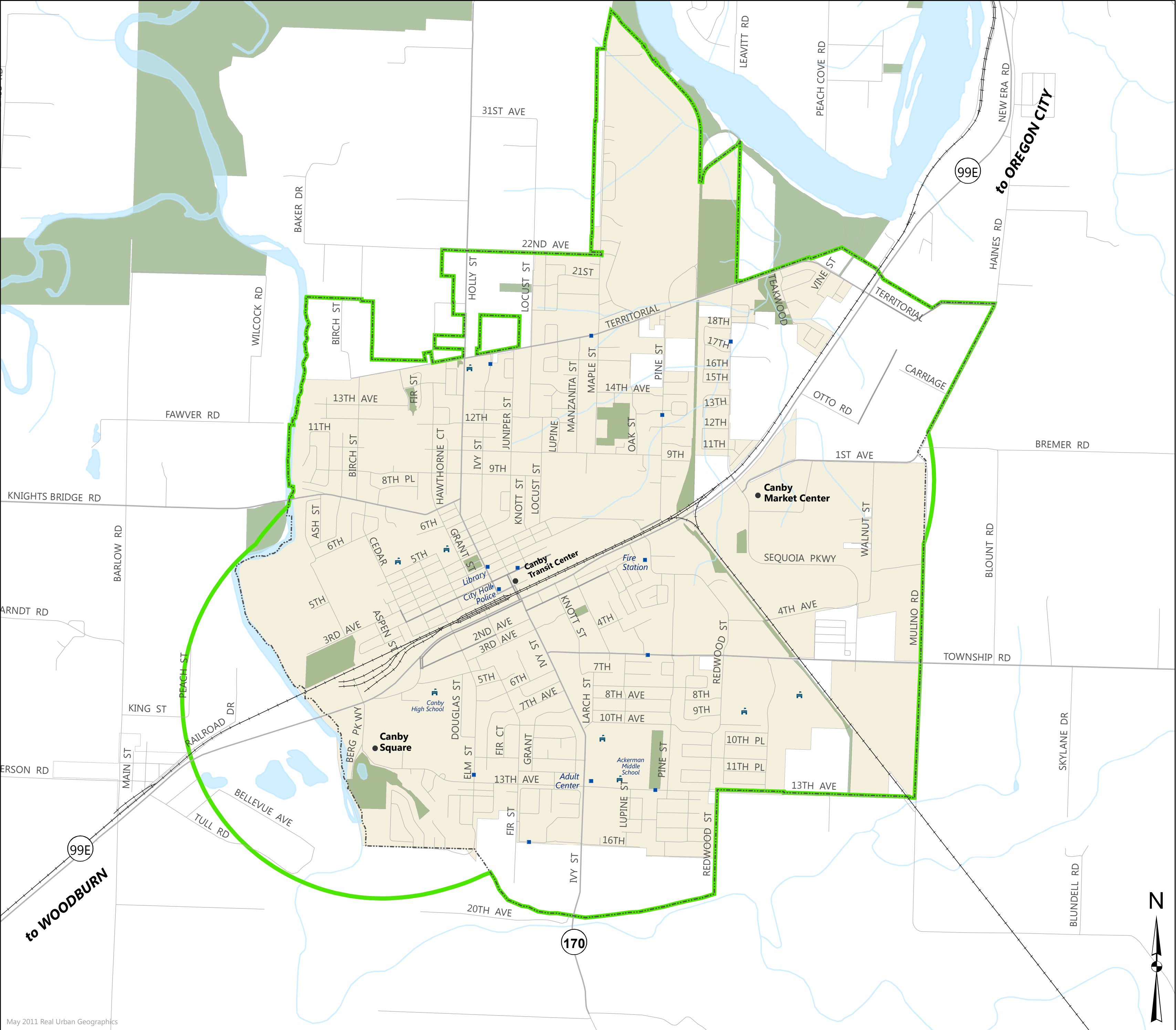
X = Directo sin efectuar parada en SE 2nd y Locust o en el Canby Market Center  
\_\_ = ningún servicio  
AM en fuente normal  
PM en negrita

Cómo leer este horario:

- Busque la parada donde va a subir al autobús.
- Lea de arriba hacia abajo para encontrar las horas de llegada programadas para las paradas indicadas.
- Lea de la izquierda a la derecha para encontrar el tiempo de tránsito entre paradas.
- Los horarios están sujetos a modificación sin previo aviso. Para el ultimo horario visite el sitio web de CAT <sup>25</sup>que se encuentra en [www.canbyareatransit.org](http://www.canbyareatransit.org).

Orange Line (99E) - to Canby or Woodburn										
Southbound on 99E										
Días Laborales Dirección Sur										
	Oregon City TC <i>Main Street</i>	Canby Market Center <i>Fred Meyer</i>	SE 2nd & S Locust	Canby Transit Center <i>Thriftway</i>	Canby Square <i>Safeway</i>	Aurora <i>99E &amp; Liberty</i>	Hubbard <i>99E &amp; D Street</i>	Woodburn <i>Bi-Mart</i>		
	5:28	5:44	5:49	5:55	6:00	6:06	6:13	6:22		
	6:30	6:46	6:51	6:57	7:02					
	6:55	7:11	7:15	7:19	7:24					
	7:25	7:41	7:45	7:49	7:54					
	8:04	8:20	8:25	8:31	8:36	8:42	8:49	8:58		
	8:34	8:50	8:55	9:01	9:06					
	10:04	10:20	10:25	10:31	10:36					
	10:34	10:50	10:55	11:01	11:06	11:12	11:19	11:28		
	12:34	12:50	12:55	1:01	1:06					
	1:04	1:20	1:25	1:31	1:36	1:42	1:49	1:58		
	3:04	3:20	3:25	3:31	3:36					
	3:34	3:50	3:55	4:01	4:06	4:12	4:19	4:28		
X	4:19	-	-	4:39	4:40					X
	5:04	5:20	5:25	5:31						
X	5:38	-	-	5:58	6:03					X
	6:04	6:20	6:25	6:31	6:36	6:42	6:49	6:58		
	7:04	7:20	7:25	7:31						
	8:10	8:26	8:31	8:35	8:40					
Service available Monday - Friday										
¡SERVICIO LOS DÍAS LABORALES SOLMENTE!										





Legend

- CAT Service Area
- Arterial or Collector Roadway
- Other Major Roadway
- Railroad
- Urban Growth Boundary
- City Limit
- Park
- Stream
- School
- Transit Center
- Landmark



CITY OF CANBY

CANBY AREA TRANSIT SERVICE AREA

Accessibility Features

- Buses are **wheelchair lift** equipped.
- **Priority seating** is available on all buses for senior citizens and people with disabilities.
- Controlled **service animals** are permitted on buses (on a leash or in a pet container) .
- Buses are equipped with **bike racks**.
- **Complementary Paratransit service** is provided to qualified individuals who are unable to use shuttles or fixed route buses. Call 503.266.4022 for more information.

Holidays

CAT does not operate on the following holidays:

- New Years Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas

Title VI Non Discrimination Policy

Canby Area Transit (CAT) operates equal opportunity programs without regard to race, color, national origin, religion, age, marital status, sexual orientation, or disability in accordance with Title VI of the Civil Rights Act, ORS Chapter 659A or other applicable law.

Canby Area Transit

PO BOX 930

123 NW 2nd Ave

Canby, OR 97013

**503.266.4022**

Oregon Relay Service 800-735-2900

email: [cat@ci.canby.or.us](mailto:cat@ci.canby.or.us)

website: [www.canbyareatransit.org](http://www.canbyareatransit.org)

CAT is supported by Canby Area Businesses

*Alternative formats available upon request.*



Dial-A-Ride

services for the general public



Appendix F

Dial-A-Ride

Canby Area Transit offers a Dial-A-Ride service for the general public. Anyone traveling to or from destinations within the Canby Urban Growth Boundary is eligible for this service. The service operates from 8:00 am—6:00 pm Monday through Friday. Reservations are accepted between 8:00 am and 5:00 pm.

How do I register?

- Register by calling us and answering a few questions. Registration only happens one time. After that just let us know if you change your name, address, or phone number.

**It’s that easy! We will pick you up and take you anywhere you need to go in Canby.**

Reservations

Reservations may be scheduled as early as 14 days in advance or up to 24 hours prior to the trip. Reservations for Mondays or the first day after a holiday must be made on the Friday before the date of the ride request.

Reservations may be placed by calling the dispatcher/scheduler during office hours (Monday through Friday, 8:00am to 5:00pm) or on weekends and holidays by leaving a message on the office answering system. Please call with complete trip information (dates, times, addresses) and a phone number for trip confirmation.

Pick-up time may be negotiated and scheduled within an hour of the requested time.

It is best to pre-schedule return trips with a specific pick-up time. When this is not possible, the return trip is scheduled as a “call back”. When you are ready for your return pick-up, please call Dispatch. At that time an estimated pick-up time will be given based on driver/vehicle availability. Although we will do our best to get to you promptly, during busy times it may take up to 60-minutes for a “call back” ride.

To cancel a Dial-A-Ride reservation please call the office as soon as possible. A trip reservation cancelled with less than one (1) hour notice prior to pick-up time may be considered a no-show.

When a rider is late by more than five (5) minutes past the scheduled pick-up time the trip will be considered a no-show.

A pattern of no-shows could result in a suspension of ridership privileges. Suspended riders will be notified in writing.

Trip Planning

Please plan trips with these points in mind:

- CAT may arrive 10 minutes before or after the scheduled pick-up time.
- Depending on route/passenger needs, CAT may send a bus or mini-van for your pick-up. If possible, make allowances for bus access to the pick-up and delivery addresses.

CAT vehicles are wheelchair accessible. Drivers are trained to assist persons with disabilities in boarding and de-boarding.

Carry-on items such as groceries must be limited to what you can carry. Packages may not block the aisle. No hazardous materials are allowed on the vehicles.

All items found on vehicles will be donated to charity if not claimed within 30 days.

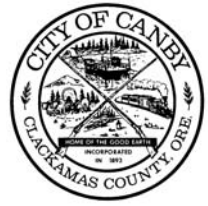
Severe weather may result in a suspension of service.

Children under the age of 5 must be accompanied by a person over the age of 16. Children aged 5-8 may travel alone if adult supervision is arranged at the pick-up and drop-off points. Children aged 9 and older may travel alone. Children under the age of 7 traveling alone pay the fare.

All General Public Dial-A-Ride reservations are made on a space available basis. So make your reservation early.

Fare: \$1 per trip

Accompanied Children 6 years old and younger ride free.



## **M E M O R A N D U M**

**TO:** *Mayor Hodson and Council Members*  
**FROM:** *Renate Mengelberg, Economic Development Director*  
**THROUGH:** *Greg Ellis, City Administrator*  
**DATE:** *February 25, 2013 for Council Meeting March 6, 2013*

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**Issue:** **Proposed City of Canby Film and Video Policy**

**Summary:**

The Clackamas County Film and Media Production Program is a new initiative by the Business and Economic Development Team to advance jobs and business in the film and media industry. The 2012 Clackamas County Economic Landscape Study identified Film and Media Production as an emerging cluster generating 4,791 direct jobs and \$212M in GDP. Canby's recent industry cluster analysis also identified this industry as an emerging opportunity with \$2,780,000 in annual GDP, 11 companies, 32 estimated employees, at an average pay of \$21,337 in 2011. This industry brings business opportunities for restaurants, caterers and support services, possible investment in property enhancement, promotes Canby and raises its tourism profile.

The Clackamas County Economic Development Team conducted outreach and developed strategies for growth of the film and video production industry cluster. Industry representatives reported that the lack of uniform filming permitting discourages production companies from filming in certain locations. An online permitting process with unified fees and guidelines will help to build film and media opportunities in Clackamas County and its cities as well as to take the frustration and "red tape" out of the permitting process countywide.

The county team is developing this online process, and is reaching out to all cities in the County to partner on a county wide Film and Video permitting program. Recently, City leaders from the police, fire, public works, parks, main street and planning departments worked together to develop a proposed Film and Video Policy for the City of Canby.

In general, all agreed that a business friendly, streamlined approach is the best. They recommended that businesses apply for a Canby business license. They do not want to require user or application fees park reservations, etc. In some cases, road closure and Fire Department permits may be needed. The police department can provide security on a cost recovery basis. Departments will need advance notice of the type, location and impacts of filming. They may request compensation for unusual impacts on public property or staff support. The city will develop a film and video webpage that outlines city policies, lists local film and video resources, and provides key contacts. Staff will encourage owners of property with strong film potential to list them for this program. The economic development department will take the lead in developing the program details.

The resolution attached outlines a policy for the City to partner with Clackamas County and video production companies. It proposes streamlined approvals and connection to city processes and resources. Clackamas County has led the effort by creating a model ordinance, guidelines and best practices that cities are encouraged to adopt (attached).





# ***M E M O R A N D U M***

## **Attachments:**

- Resolution 1153 - Film and Video Policy
- Clackamas County Best Practices
- Clackamas County Film and Video Handbook

## **Recommendation**

- Staff respectfully recommends that the Council approve the resolution attached and direct staff to implement business friendly film and video policies. Recommended motion: *“I move that the City Council adopt Resolution 1153 and direct staff to work begin implementing the program in partnership with Clackamas County”*.

## **RESOLUTION NO. 1153**

### **A RESOLUTION APPROVING A CITY OF CANBY FILM AND VIDEO PRODUCTION POLICY**

**WHEREAS**, attracting this industry is a major initiative by Clackamas County and provides a promising partnership to expand this growing industry cluster in Canby; and

**WHEREAS**, having Canby featured in film and video productions raises the communities profile, generates revenue from production company spending, promotes tourism and can bring upgrades to public and private property; and

**WHEREAS**, these companies may need security support, parking access, barricades around production areas, and other accommodations from the City on a case by case basis to make their filming a good experience for our citizens and City staff; and

**WHEREAS**, this new City policy is intended to provide an efficient and uniform permit and approval process in Canby in partnership with Clackamas County for the motion picture, television, and commercial photography industries throughout the City; and

**WHEREAS**, definitions of this industry provide clarity for the Canby Film and Video Production Policy as follows:

- A. CHARITABLE FILMS, shall mean commercials, motion pictures, television, videotapes, digital recording or photography produced by a nonprofit organization, which qualifies under Section 501(c)(3) of the Internal Revenue Code as a charitable organization. No person, directly or indirectly, shall receive a profit from the marketing and production of the film or from showing the films, tapes or photos.
- B. COMMERCIAL PHOTOGRAPHY shall mean a moving image or photography production created to advertise or sell a product or service.
- C. MOTION PICTURE, TELEVISION, shall mean and include all activity attendant to staging or shooting motion pictures, television shows or programs, commercials, and student films produced to satisfy a post-secondary school course requirement at an educational institution in any medium including film, tape, or digital format.
- D. NEWS MEDIA shall mean the photographing, filming, or videotaping for the purpose of spontaneous, unplanned television news broadcast or reporting for print media by reporters, photographers, or camerapersons.
- E. PUBLIC, EDUCATIONAL, AND GOVERNMENT ACCESS CENTERS shall mean photographing, filming, or videotaping:

1. For the purposes of:
  - a. Promoting communities within Clackamas County, including local organizations;
  - b. Making government more accessible and understandable by offering information about services, meetings, workshops, programs, projects, activities, the history of the region, and public meetings;
  - c. Creating documentaries and local productions; and
  - d. The teaching of film and media productions techniques such as camera work, editing, and studio productions;
2. By local community media centers supported by the municipalities, educational institutions, and cable subscribers within Clackamas County.

E. STUDIO shall mean a fixed place of business certified as such by local fire authority having jurisdiction where filming activities (motion or commercial photography) are regularly conducted upon the premises.

**WHEREAS,** Permits and Exemptions are defined as:

- A. Permits: Applicants must obtain a Business License Permit from the City of Canby, and a road closure permit if needed. The Canby Fire Department may require a permit if fireworks, pyrotechnics, live or contained fires are involved. Clackamas County will provide the City information from the County's application process that outlines the details of production company and the project. This information is found in Title 8 of the Clackamas County Code for Film and Media Production Section .040 A through F.
- B. Exemptions: The provisions of this chapter shall not apply to or affect the following:
  1. Reporters, photographers, or camerapersons in the employ of a newspaper, news service, or similar entity engaged in on-the-spot, spontaneous print media, publishing, or broadcasting of news events concerning those persons, scenes, or occurrences which are in the news and of general public interest.
  2. The recording of visual images whether motion or photography, solely for private personal use and not commercial use.
  3. Filming activities whether motion or commercial photography conducted at a studio.
  4. Charitable films.
  5. Public, educational, and government access centers.

**WHEREAS,** Liability and Insurance are required by the City as a named co-insured as follows;

- A. Before a permit is issued for the use of any public property for the purpose of taking motion pictures, television, or commercial photography a certificate of insurance will be required in the amount not less than \$1,000,000 naming the City of Canby as a co-insured for protection against claims of third persons for personal injuries, wrongful deaths, and property damage. The City, including its officers and employees, shall be named as additional insured. The certificate shall not be subject to cancellation or modification until after thirty (30) days' written notice to the County. A copy of the certificate shall remain on file with the City.
- B. An applicant shall conform to all applicable federal and state requirements for Worker's Compensation Insurance for all persons operating under a permit.

**WHEREAS,** violations will be addressed as follows;

If an applicant violates any provisions of this ordinance or a permit issued pursuant thereto, the City may provide the applicant with a verbal or written notice of such violation. If the applicant fails to correct the violation, the City may revoke the permit and all activity must cease.

**NOW THEREFORE, IT IS HEREBY RESOLVED** by the City Council of the City of Canby, as follows:

- The City of Canby is hereby authorized and directed to promulgate additional rules and regulations as needed, subject to approval by resolution of the City Council, governing the form, time and location of any activities.
- The City of Canby will partner with Clackamas County to make the process as business friendly and seamless as possible and will develop a Film and Video web page with information and resources for film and video production companies.
- Film and video companies will provide information and fees for a Canby Business License.
- The City will alert potentially affected departments and other agencies to coordinate efforts and allow each group to adequately prepare for and mitigate production impacts. They could include the Canby Fire Department, Police, Parks, Public Works, Planning, and Economic Development Departments, among others.
- City Departments will not charge user fees, but may request cost recovery for extraordinary film and video impacts on a case by case basis.

This resolution will take effect on March 6, 2013.

ADOPTED this 6<sup>th</sup> day of March 2013 by the Canby City Council

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Brian Hodson  
Mayor

ATTEST:

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Kimberly Scheafer, MMC  
City Recorder

## **Recommended Best Practices in Film Regulations and Policies**

Film and media production is an economic development opportunity for Clackamas County that can provide jobs within the region generate local revenue and bolster local businesses. Oregon's motion picture production is a significant source of economic activity, tax revenue, jobs and tourism. In Clackamas County, film and media production contributes more than \$360 million dollars annually to the county's GDP (direct and in-direct) while supporting nearly 4,800 well-paying jobs.

It is always important to balance the needs of a production company with the concerns of local government and the local community. Once a city or county has created a film ordinance (see model filming ordinance attached), they should consider establishing policies and regulations that are "film friendly" with the intent to increase or retain filming in a community.

### **"Best Practices" to Consider When Creating Film Policies:**

1. Rapid film permits issuance: 1 – 2 of the County's normal business days (Monday – Thursday) from application submission to permit issuance.
2. Establish standard hours for film activities: typically 7:00 a.m. – 10:00 p.m. for residential zones.
3. Establish reasonable permit fees: Clackamas County is proposing a unified permit fee schedule. In addition, If the production company enters into an MOU (*memorandum of understanding*) with the issuing authority to utilize local resources, services, suppliers and businesses, the production company will be eligible to receive a 20% reduction in permit fees.
4. Establish and post cost recovery fees for the reimbursement of city/county personnel (e.g., police, fire, traffic).
5. Establish a film permit requirement but waive any requirement for a business license as most film activities are temporary.
6. Appoint a key liaison for coordinating permits. Be sure to appoint a back-up liaison. The liaison will be required to make decisions as the community representative prior to and during filming, and should therefore have full endorsement and authority of the local jurisdiction. The liaison should be aware of any previous film production within the community and remain sensitive to local citizens' concerns.
7. Create a centralized filming section on your city/county website clearly listing all film regulations, permit and insurance requirements, fee schedules and liaison contact information.

## **Considerations to Encourage Filming in Your Community:**

A city or county that wishes to actively recruit filming as part of its economic development plan should also consider providing the following services or incentives to encourage filming.

1. Provide service and support to each production company from the initial contact to the close of the production, including problem solving on film related matters. Support should include coordination between the film company, local residents and businesses and the city/county.
2. Offer fee-free city/county owned properties for use as filming locations. Charge applicants for cost recovery only - review time, police, fire or security monitors.
3. Waive or reduce permit fees.
4. Provide free vacant office space and/or free parking lots.
5. Work with Clackamas County to maintain an on-line database by providing current photos and location information;

Additional resources for jurisdictions interested in recruiting film production can be found at: [www.oregonfilm.org](http://www.oregonfilm.org).

# A Guide to Filming in Clackamas County

## Permit Application, Guidelines and Procedures



### Clackamas County Film & Media Office

150 Beaver Creek Rd | Oregon City, OR 97045

Phone: **503-742-4BIZ (4249)** | Fax: 503-742-4349

Email: [clackamasfilm@clackamas.us](mailto:clackamasfilm@clackamas.us)

Website: [www.clackamas.us/business](http://www.clackamas.us/business)







**CATHERINE COMER**  
MANAGER

**BUSINESS AND ECONOMIC DEVELOPMENT**

**DEVELOPMENT SERVICES BUILDING**  
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

## Welcome to Clackamas County!

Thank you for your interest in filming in Clackamas County. We appreciate your business and hope the information contained in this Guide is helpful. Our goal is to make your filming experience in Clackamas County as convenient and efficient as possible.

Clackamas County requires a permit for all commercial photography, motion picture, or television production as prescribed in the enclosed Guidelines and Procedures.

As your liaison during the filming process, the Clackamas County Film & Media Office is here to ensure that your time here goes as smoothly as possible. If you or your crew has any questions or needs during the filming process, do not hesitate to contact our office at 503-742-4249.

Thank you for choosing Clackamas County, we hope to work with you soon.

Sincerely,

Catherine Comer, Manager

### Film & Media Contact Information:

Clackamas County Business & Economic Development

150 Beaver Creek Road • Oregon City, OR 97045

Phone: 503-742-4249 • Fax: 503-742-4349

Email: [clackamasfilm@clackamas.us](mailto:clackamasfilm@clackamas.us) | Website: [www.clackamas.us/business](http://www.clackamas.us/business)

Catherine Comer • Phone: 503-742-4304 • Email: [ccomer@clackamas.us](mailto:ccomer@clackamas.us)

Jamie Johnk • Phone: 503-742-4413 • Email: [jamiejoh@clackamas.us](mailto:jamiejoh@clackamas.us)



## Clackamas County Film & Media Production

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## Clackamas County Film & Media Production

### Film Permit Checklist

☐

**Complete Filming Permit Application**

☐

**Provide Liability Insurance Certificate**

☐

**Complete Hold Harmless Agreement**

☐

**Neighborhood/Business Notifications**

☐

**Submit Filming Site Plan**

☐

**Sidewalk or Road Closure Requests**

☐

**Acquire Relative Permits (by jurisdiction)**

☐

**Pay Respective Fees**



## Uniform Clackamas County Film & Media FILMING PERMIT APPLICATION

Date of Application:

In what location(s) are you interested in filming (*check all that apply*):

- ☐ Clackamas County Parks – Park Name(s): \_\_\_\_\_
- ☐ Clackamas County Facilities (offices, ball fields, etc.): \_\_\_\_\_
- ☐ Clackamas County Roads/Rights-of-Way: Location \_\_\_\_\_
- ☐ Clackamas County Unincorporated Areas (McLoughlin Blvd., Boring, Mulino, Government Camp, etc.)
- ☐ Canby ☐ Damascus ☐ Estacada ☐ Gladstone ☐ Happy Valley ☐ Lake Oswego ☐ Milwaukie ☐ Molalla
- ☐ Oregon City ☐ Sandy ☐ Tualatin ☐ West Linn ☐ Wilsonville ☐ Other: \_\_\_\_\_

**\*\*\*Note: Each jurisdiction will be responsible for issuing local permits and collection of the respective fees.**

Applicant Name: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Type of Film:

- ☐ Television ☐ Motion Picture/Feature ☐ Commercial Photography ☐ Music Video ☐ Documentary
- ☐ Educational ☐ Commercial ☐ Other: \_\_\_\_\_

Production Title: \_\_\_\_\_

Production Company: \_\_\_\_\_ Contact: \_\_\_\_\_

Address: \_\_\_\_\_ City \_\_\_\_\_ ST \_\_\_\_\_ Zip \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Location Manager: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Insurance Policy #: \_\_\_\_\_ Agency: \_\_\_\_\_

(Proof of insurance will be required along with approval of amounts, submit prior to first day of filming)

(Insurance will be required in the amount not less than \$1,000,000 naming the jurisdiction as a co-insured)

Agency Phone: \_\_\_\_\_ Agency Contact: \_\_\_\_\_

Dates(s) of Filming: \_\_\_\_\_ Time(s) of Day: \_\_\_\_\_

Location/Property Detail (*check all that apply*):

- ☐ Residential ☐ Commercial ☐ Government ☐ Public Right-of-Way ☐ On-Street Parking
- ☐ Address/Location: \_\_\_\_\_

Number of Cast Members:  Number of Crew:  Number of Security:

Staging Area/Location: \_\_\_\_\_

Site plan of area(s) filming attached: ☐ Yes ☐ No

**Number of Vehicles/Equipment:**

Cars/Vans: \_\_\_\_\_ Trucks: \_\_\_\_\_ Motorhomes: \_\_\_\_\_ Camera Cars: \_\_\_\_\_ Catering: \_\_\_\_\_  
Other: \_\_\_\_\_

**Public Services: Please indicate what public services you may need** (please note-additional fees may apply):

☐ Reserved Street Parking ☐ Water ☐ Electric ☐ Sewer Access ☐ Transit ☐ Police ☐ Parks  
☐ Reserved Public/Off-Street Parking ☐ Public Buildings ☐ Building Code Related Construction  
☐ Restrooms ☐ Shelters ☐ Other: \_\_\_\_\_

**Closure or Intermittent Traffic Control:** ☐ Street ☐ Sidewalk ☐ Other: \_\_\_\_\_

**Scene Requirements (check all that apply):**

☐ Excessive Noise ☐ Pyrotechnics ☐ Firearms ☐ Explosives ☐ Generators ☐ Bridges  
☐ Animals ☐ Stunts/FX ☐ Camera in Curb Lane ☐ Camera on Sidewalk ☐ scaffolding/Platforms  
☐ Other: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

***\*Permit fee and required deposits are due prior to issuing permit\****

Thank you for filming in Clackamas County.

***Office Use Only***

***\*\*\*Note: Each jurisdiction will be responsible for issuing local permits and collection of the respective fees.***

Permit # \_\_\_\_\_ Dated: \_\_\_\_\_ Issued By: \_\_\_\_\_

Received: ☐ Application Fee ☐ Permit Fee ☐ Insurance Information ☐ Bond Information

Payment Type: \_\_\_\_\_ (cash, check, visa/MasterCard, etc.)

Payment Amount: \$ \_\_\_\_\_

Credit Card Information: Number \_\_\_\_\_ Expiration Date \_\_\_\_\_

Date Payment Received: \_\_\_\_\_

Collected By: \_\_\_\_\_ Date: \_\_\_\_\_

**For More Information Contact:**

Clackamas County Film & Media Office

150 Beavercreek Road | Oregon City, OR 97045

Phone: 503-742-4BIZ (4249) | Email: [clackamasfilm@clackamas.us](mailto:clackamasfilm@clackamas.us) | [www.clackamasbusiness.us](http://www.clackamasbusiness.us)

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# Clackamas County Film & Media Program

## PERMIT APPLICATION GUIDELINES

1. Complete an on-line film permit application form at [www.clackamas.us/business](http://www.clackamas.us/business) or download the application from our website. *Please Note: Notification and a film permit is required whether filming occurs on public or private property.*
  - a. An applicant will be required to submit a permit request at least five (5) business days prior to the date on which such person desires to conduct an activity for which a permit is required. If such activity interferes with traffic or involves potential public safety hazards, an application may be required at least five (5) business days in advance.
2. Complete and sign Permit Application and submit along with payment to the City/County of local jurisdiction(s).
3. Provide certificate of liability insurance in the amount of not less than \$1,000,000 naming Clackamas County and the local jurisdiction(s) as an additionally insured party. The certificate of insured should remain in effect thirty (30) days beyond the length of the filming and must be submitted no later than at the time of permitting.
4. Submit *Hold Harmless* document (*a blank form is available on our website at: [www.clackamas.us/business](http://www.clackamas.us/business)*
5. The production company must notify impacted residents, occupants and businesses of the duration of filming in advance and as prescribed by Clackamas County.
  - a. Notification should include information about planned special effects, road and lane closures, changes in parking, and sidewalk usage (without obstructing pedestrians). If required by the City/County, draft neighborhood notification letter must be attached to the Film Permit application.
  - b. All residents and merchants within a 200 foot radius of the film location must receive notice of filming dates, times, location address and production company contact at least forty-eight (48) hours prior to the first film activity. When parking production vehicles on a public street, residents and merchants impacted by the parking must receive notice at least forty-eight (48) hours prior to the arrival of the vehicles.
6. If a road or sidewalk closure is requested, please attach a sketch and/or traffic control and pedestrian rerouting plan of the exact filming location, identifying which roads will be closed and a brief description of what will be filmed in each location, as well as the staging areas, crew parking, "no parking areas", etc. The City's/County's Public Works Departments and Police/Sheriff Departments will review the Plan, provide feedback and/or changes, and approve if necessary.
7. For filming that would impair traffic flow, an applicant must use Clackamas County Sheriff or local law enforcement personnel and comply with all traffic control requirements deemed necessary.
  - a. An applicant shall furnish and install advance warning signs and any other traffic control devices in conformance with the Oregon Department of Transportation. All appropriate safety precautions must be taken.

- b. For any lane closure or intermittent traffic control, the period of time that traffic may be restricted will be determined by the city/county, based on traffic volumes for location and time of day.
  - c. Traffic shall not be detoured across a double line without prior approval of the appropriate department representative. Detour routes must be clearly marked.
  - d. Unless authorized by the city/county, the camera cars must be driven in the direction of traffic and must observe all traffic laws.
  - e. Any emergency roadwork or construction by city or county crews and/or private contractors, under permit or contract to the appropriate department, shall have priority over filming activities.
8. If the applicant must park equipment, trucks, and/or cars in zones that will not permit it, temporary “No Parking” signs must be posted with approval of the local authority. The applicant must also obtain permission to lay and safely mat cable across sidewalks, or from generator to service point. However, production vehicles must not block public parking lot access/egress, fire hydrants or fire lanes, or access/egress to freeway, etc.
9. Production “base camp” cannot be on the street without first receiving approval from the location jurisdiction.
10. The permittee shall conduct operations in an orderly fashion with continuous attention to the storage of equipment not in use and the cleanup of trash and debris. The area used shall be cleaned of trash and debris upon completion of shooting at the scene and restored to the original condition before leaving the site.

# Clackamas County Film & Media Production

## RELEASE AND HOLD HARMLESS AGREEMENT

Production Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Title: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

**Production Title:** \_\_\_\_\_

The undersigned Production Company has requested a filming permit from Clackamas County for the limited purpose of:

- ☐ Television ☐ Motion Picture/Feature ☐ Commercial Photography ☐ Music Video  
☐ Documentary ☐ Educational ☐ Commercial ☐ Other: \_\_\_\_\_

The undersigned is required to provide a *Release and Hold Harmless Agreement* from and defend against any and all claims, lawsuits or other liability arising from as a result of the activity, event or use relating to the permitted activity. The undersigned acknowledges and affirms that the County has agreed to permit such activity subject to condition and requirements outlined in the permit application and guidelines and as follows:

Permittee shall agree to, and does hereby agree to indemnify, defend and hold harmless, the County, its Commission, agents, officials and employees from and against any and all claims, loss, liability, damages, costs and expenses, including, but not limited to, any and all liability for damage to property and/or any and all liability for personal injury or death as a result of the activity, event or use provided for in this Permit and/or as a result of participation in or attendance at the activity, event or use provided for in the Permit, caused by the negligent acts, errors, or omissions of the Permittee, its agents, subcontractors, or employees, or others, regardless of whether or not Permittee alleges such claim, loss liability, damage, cost or expense, is cause or contributed to, in part, by the County.

Signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_

Company: \_\_\_\_\_ Title: \_\_\_\_\_

Dates of Filming: From: \_\_\_\_\_ To: \_\_\_\_\_

Time of Day: From: \_\_\_\_\_ ☐ am ☐ pm To: \_\_\_\_\_ ☐ am ☐ pm



STATE OF OREGON

COUNTY OF CLACKAMAS

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by

\_\_\_\_\_ (name of person) as \_\_\_\_\_

(title) of \_\_\_\_\_ (company name).

\_\_\_\_\_

NOTARY PUBLIC

Print Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



# Clackamas County Film & Media Production

## Frequently Asked Questions (FAQs)

### ***What is the role of the Clackamas County Film & Media Production Office?***

Clackamas County serves as the primary liaison between film and media productions and county wide cities and agencies. The Office is responsible for marketing and attracting film and media related businesses to Clackamas County for the purpose of economic development; for assisting productions with the permitting process; and for connecting and facilitating communications between Clackamas County communities and productions.

### ***How can the Clackamas County Film & Media Production Office assist you to find locations?***

The Clackamas County Film & Media Production Office hosts a digital location database (Reel Scout) which allows us to customize a location package specific to your needs. Log onto [www.clackamas.us/business](http://www.clackamas.us/business) and click on “films and media locations” in order to access our Reel Scout database. This system is constantly being updated with images from the Clackamas County area.

When you decide that Clackamas County is viable location for your production, the Clackamas County Film & Media Production Office will assist in facilitating a preliminary scouting tour for your team.

For assistance in identifying locations or to arrange a scouting tour, contact the Clackamas County Film & Media Production Office at (503) 742-4249 or email at [Clackamasfilm@clackamas.us](mailto:Clackamasfilm@clackamas.us).

### ***What is Clackamas County’s permitting policy?***

Clackamas County Film & Media Production Office serves as a liaison for all film and video projects working in the county. Clackamas County has developed a unified film permit, guidelines and procedures. A film permit is required on all productions in Clackamas County and the unified process assists in acquiring additional permits through other city agencies. More information and permitting requirements can be found [on our website](http://www.clackamas.us/business) at [www.clackamas.us/business](http://www.clackamas.us/business).

It is strongly recommended that you contact the Clackamas County Film & Media Production Office as you begin planning your project. Staff is available to assist even in the initial stages of project development. Certain requests and activities such as pyrotechnic effects, street closures, parking requests, or filming in specific locations may require additional permitting or approvals through cities or other jurisdictions. The Office will serve as your project’s personal liaison and will provide one-on-one assistance to determine what permits and agencies you will need to make your project a success.

### ***What are the requirements for road closures and/or traffic assistance?***

All types of road closures and/or traffic restrictions require approval and assistance either from the jurisdictional authority governing the road or rights-of-way or to control and re-direct traffic adequately. This will be determined by the jurisdictional traffic engineering department or law enforcement agency.

### ***What are the requirements for use of special effects and explosives?***

A detailed description is required for the use of special effects or explosive including, but not limited to, fire effects, water effects, explosions, gunshots, car crashes, etc. as part of the permit application. The appropriate law enforcement authority must review and approve special effects and explosives prior to production. An additional certificate of insurance may be required depending upon the special effect(s) proposed.



## Clackamas County Film & Media Production

### Resources and Links

#### Clackamas County Film & Media Office

150 Beaver Creek Road | Oregon City, OR 97045

Phone: 503-742-4BIZ (4249) | Fax: 5403-742-4349

Email: [clackamasfilm@clackamas.us](mailto:clackamasfilm@clackamas.us)

Website: [www.clackamas.us/business](http://www.clackamas.us/business)



#### Oregon Governor's Office of Film & Television

1001 SE Water Avenue, Suite 430 | Portland, OR 97214

Phone: 503-229-5832 | Fax: 503-229-6869

Email: [shoot@oregonfilm.org](mailto:shoot@oregonfilm.org)

Website: [www.oregonfilm.org](http://www.oregonfilm.org)

#### Oregon Media Production Association (OMPA)

901 SE Oak Street, Suite 104 | Portland, OR 97214

Phone: 503-228-8822 | Fax: 503-228-099

Email: [info@ompa.org](mailto:info@ompa.org)

Website: [www.ompa.org](http://www.ompa.org)



Website: [www.sourceoregon.com](http://www.sourceoregon.com)

## ORDINANCE NO. 1370

### **AN ORDINANCE GRANTING TO LIGHTSPEED NETWORKS, INC., DBA “LS NETWORKS” AN OREGON CORPORATION, A NONEXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE & MAINTAIN A TELECOMMUNICATIONS NETWORK AND PROVIDE TELECOMMUNICATIONS SERVICES WITHIN THE CITY OF CANBY OREGON, AND DECLARING AN EMERGENCY**

WHEREAS: Lightspeed Networks, Inc. dba LS Networks, an Oregon Corporation provides Telecommunications services within the City of CANBY, Oregon; and

WHEREAS: the City believes it is in the best interests of the City to promote the offering of competitive telecommunications services, subject to the City’s lawful authority to regulate the use of Public Rights-of-Way; and

WHEREAS: Franchisee has applied for a Telecommunications Franchise pursuant to Canby Municipal Code (CMC) Chapter 12.36 relating to Telecommunications located in the public rights of way, and the City of CANBY “City” has reviewed said application and has determined that it meets the requirements of the City’s Ordinance subject to the terms and conditions of CMC Chapter 12.36 and stated herein:

NOW THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:

#### **Section 1: Definitions.**

**Gross Revenues:** Any and all revenue, of any kind, nature, or form, without deduction for expense in the City of CANBY and is further defined in Section 11. All such revenue remains subject to applicable FCC rules and regulations which exclude revenues from internet access services while prohibited by law.

Other definitions located in CMC Chapter 12.36

**Section 2: Grant of Franchise.** The City hereby grants to Franchisee, its successors and assigns as authorized herein, a nonexclusive right, privilege, authority and Franchise to erect, construct, operate, repair and maintain in, under, upon, along, and across the City’s Rights-of-Way, its lines, anchors, wires, cables, conduits, laterals and other necessary and convenient fixtures and equipment, for the purposes of constructing, operating and maintaining a competitive Telecommunications network within the City. Franchisee agrees to obtain and maintain a business license to conduct business in the City of Canby and keep it current during the life of this Franchise. Franchisee agrees to comply with all applicable federal, state, and local laws, ordinances, rules and regulations, including CMC Chapter 12.36, as amended from time to time.

**Section 3: Franchise Not Exclusive.** The Franchise granted herein (the “Franchise”) is not exclusive, and shall not be construed as any limitation upon the right of the City to grant to other persons or corporations, including itself, rights, privileges or authority the same as, similar to or different from the rights, privileges or authority herein set forth, in the same or other Rights-of-Way, by Franchise, permit or otherwise; provided, however, that any such grant shall be done in

a competitively neutral and non-discriminatory manner with respect to the rights, privileges and authorities afforded Franchisee.

**Section 4: Term and Termination.** The term of this Franchise shall be ten (10) years, commencing with the effective date of this Ordinance. Thereafter, this Franchise shall continue in full force and effect for an additional ten (10) years unless notice is given by either party ninety (90) days before expiration, of its intention to terminate or renegotiate the Franchise. Upon termination or expiration of the Franchise, Grantee shall, within one hundred and eighty days (180), remove all its facilities from the City's Rights-of-Way. Should the Grantee fail to remove its facilities within the one hundred and eighty day period (180), the City may remove.

**Section 5: No Limitation of City Authority.**

(a) Except as provided in Section 6 below, nothing in this Franchise shall in any way be construed or interpreted to prevent, or in any way limit, the City from modifying or performing any work in its Rights-of-Way, or granting other franchises for use of Rights-of-Way, or of adopting general ordinances regulating use of or activities in the Rights-of-Way, or of otherwise abrogating or limiting any rights, privileges or property interest the City now has in its Rights-of-Way, whether now owned or hereinafter acquired.

(b) In the event that any portion of the Franchisee's infrastructure interferes with any present or future use the City desires to make of its Rights-of-Way, Franchisee shall, upon request, and at its sole expense, promptly relocate such infrastructure, and restore the area where such relocation occurs to as good a condition as existed before the work was undertaken, unless otherwise directed by the City.

(c) Where the Franchisee had paid for the relocation costs of the same facilities at the request of the City within the past five (5) years, the Franchisee's share of the cost of relocation will be paid by the City if it requested the subsequent relocation.

(d) Except as otherwise provided by law, and subject to Section 6 herein, nothing in this Franchise shall be construed to give the Franchisee any credit or exemption from any nondiscriminatory, generally applicable business tax, or other tax now or hereafter levied upon Franchisee's taxable real or personal property, or against any permit fees or inspection fees required as a condition of construction of any improvements upon Franchisee's real property and imposed under a generally applicable ordinance or resolution.

**Section 6: Competitively Neutral Application.** The City shall impose, on a competitively neutral and nondiscriminatory basis, similar terms and conditions upon other similarly situated providers of Telecommunications services operating within the City. Any requirement imposed on Franchisee that is determined not in compliance with this Section 6 shall be unenforceable against Franchisee.

**Section 7: Construction, Maintenance and Repair of Infrastructure.** Franchisee may make all needful excavations in any Right-of-Way for the purpose of placing, erecting, laying, maintaining or repairing Franchisee's infrastructure, and shall repair, renew and replace the same in accordance with Canby Municipal Code.

*2nd Reading*

Franchisee shall obtain all necessary permits for such excavation and construction, and pay all applicable fees. Such work shall be done only in accordance with plans or designs submitted to, and approved by, the City, such plans to be evaluated by the standards applied to the construction of other similar Telecommunications systems in the City.

Such work shall be performed in a good and workmanlike manner and in compliance with all rules, regulations, or ordinances which may, during the term of this Franchise, be adopted from time to time by the City, or any other authority having jurisdiction over Rights-of-Way. Prior to commencing excavation or construction, Franchisee shall give appropriate notice to other franchisees, licensees or permittees of the City owning or maintaining facilities which may be affected by the proposed excavation or construction.

(b) In the event emergency repairs are necessary for Franchisee's facilities, Franchisee may after reasonable attempts to contact the City provided emergency contacts immediately initiate such emergency repairs. At least two emergency contacts will be provided and kept up to date. Franchisee shall give notice to the City's Department of Public Works by telephone, electronic data transmittal or other appropriate means before commencement of work performed under emergency conditions. Franchisee shall make such repairs in compliance with applicable ordinances and regulations, and shall apply for any necessary permits no later than the business day next following the discovery of the need for such repairs.

(c) Franchisee shall construct and maintain its Telecommunications system in such a manner so as to not interfere with City sewer or water systems, or other City facilities.

#### **Section 8: Insurance.**

(a) General. At all times during the term of this Franchise, Franchisee, at its own cost and expense, shall provide the insurance specified in this section.

(b) Evidence Required. Within 30 days of the effective date of this Franchise, Franchisee shall provide the City with a certificate of insurance executed by an authorized representative of the insurer or insurers, evidencing that Franchisee's insurance complies with this section.

(c) Notice of Cancellation, Reduction, or Material Change in Coverage. Policies shall include a provision requiring written notice by the insurer or insurers to the City in accordance with policy provisions prior to cancellation, reduction, or material change in coverage. If insurance coverage is canceled, reduced or materially changed, Franchisee shall, prior to the effective date of such cancellation, reduction or material change, obtain the coverage required under this section, and provide the City with documentation of such coverage. Franchisee shall be responsible, to the extent not caused by the City's negligence or intentional misconduct, for the costs of any damage, liability, or injury, which are not otherwise covered by insurance or because of a failure to comply with this section.

(d) Insurance Required. During the term of this contract, Franchisee shall maintain in force, at its own expense, the following insurance:

(1) Workers' compensation insurance for all subject workers; and

(2) General liability insurance with a combined single limit, or the equivalent, of not less than \$1,000,000 for each person, and \$3,000,000, for each occurrence of bodily injury and \$3,000,000 for property damage, which coverages shall include contractual liability coverage for the indemnity provided under this contract, and naming the City, its officials, officers, employees and agents as additional insureds with respect to Franchisee's activities pursuant to this Franchise.

The insurance policy limits required in section 8 may be satisfied by Provider through a combination of the underlying insurance policy and umbrella (excess) liability policy(ies) so long as said umbrella policies are, at a minimum, "follow form" and provide insurance equal to or greater than coverage afforded by the underlying liability policy(ies).

### **Section 9: Transfers and Change in Control.**

(a) Transfer. This Franchise shall not be sold, leased, assigned or otherwise transferred, nor shall any of the rights or privileges herein granted or authorized be leased, assigned, mortgaged, sold or transferred, either in whole or in part, nor shall title hereto, either legal or equitable, or any right, interest or property herein, pass to or vest in any person, except the Franchisee, either by act of the Franchisee or by operation of law, without the consent of the City, expressed in writing, such consent not to be unreasonably withheld. If the Franchisee wishes to transfer this Franchise, the Franchisee shall give City written notice of the proposed transfer, and shall request consent of the transfer by the City.

(b) Any transfer of ownership affected without the prior written consent of the City shall render this Franchise subject to revocation. The City shall have 60 days to act upon any request for approval of a transfer. If the City fails to render a final decision on the request within said 60 days, the request shall be deemed granted unless the Franchisee and the City agree to an extension of time.

(c) The Franchisee, upon any transfer, shall within 60 days thereafter file with the City a certified statement evidencing the transfer and an acknowledgment of the transferee that it agrees to be bound by the terms and conditions contained in this Franchise.

(d) The requirements of this section shall not be deemed to prohibit the use of the Franchisee's property as collateral for security in financing the construction or acquisition of all or part of a Telecommunications System of the Franchisee or any affiliate of the Franchisee. However, the Telecommunications System franchised hereunder, including portions thereof used as collateral, shall at all times continue to be subject to the provisions of this Franchise.

(e) The requirements of this section shall not be deemed to prohibit sale of tangible assets of the Franchisee in the ordinary conduct of the Franchisee's business without the consent of the City. The requirements of this section shall not be deemed to prohibit, without the consent of the City, a transfer to a transferee whose primary business is Telecommunications System operation and having a majority of its beneficial ownership held by the Franchisee, a parent of the Franchisee, or an affiliate, a majority of whose beneficial ownership is held by a parent of the Franchisee.

*2nd Reading*

**Section 10: Indemnification.** Franchisee shall indemnify and hold the City harmless for any losses, claims, damages, awards, penalties or injuries incurred by any third party, including reasonable attorney's fees, which arise from any alleged breach of representations and warranties made under this Agreement, provided that the Franchisee is promptly notified of any such claims. The Franchisee shall have the sole right to defend such claims at its own expense. The City shall provide, at the Franchisee's expense, such assistance in investigating and defending such claims as the Franchisee may reasonably request.

Such indemnification shall not extend to independent claims of City negligence for City acts outside the scope of this contractual agreement. This indemnity shall survive the termination of this Agreement.

**Section 11: Compensation.**

(a) Franchise Fee. In consideration of permission to use the streets and Rights-of-Way of the City for the construction, operation, and maintenance of a Telecommunications system within the Franchise area the Franchise shall pay to City during the term of this Franchise an amount equal to seven percent (7%) of the Franchisee's Gross Revenues ("Franchise Fee"). Any net uncollectibles, bad debts or other accrued amounts deducted from Gross Revenues shall be included in Gross Receipts at such time as they are actually collected. Revenue from point to point or multi-point services is based on the pro-rata share of the revenue from those services.

(b) Modification Resulting from Action by Law. Upon thirty days notice and in the event any law or valid rule or regulation applicable to this Franchise limits the Franchise Fee below the amount provided herein, or as subsequently modified, the Franchisee agrees to and shall pay the maximum permissible amount and, if such law or valid rule or regulation is later repealed or amended to allow a higher permissible amount, then Franchisee shall pay the higher amount commencing from the date of such repeal or amendment, up to the maximum allowable by law.

(c) Payment of Franchise Fees. Payments due under this provision shall be computed and paid quarterly for the preceding quarter, as of March 31, June 30, September 30, and December 31, each quarterly payment due and payable no later than 45 days after such dates. Not later than the date of each payment, the Franchisee shall file with the City a written statement, in a form satisfactory to the City and signed under penalty of perjury by an officer of the Franchisee, identifying in detail the amount of gross revenue received by the Franchisee, the computation basis and method, for the quarter for which payment is made.

(d) The Franchise Fee includes all compensation for the use of the City's Rights-of-Way. Franchisee may offset against the Franchise Fee the amount of any fee or charge paid to the City in connection with the Grantee's use of the Rights-of-Way when the fee or charge is not imposed under a generally applicable ordinance or resolution. The Franchise Fee shall not be deemed to be in lieu of or a waiver of any ad valorem property tax which the City may now or hereafter be entitled to, or to participate in, or to levy upon the property of Franchisee.

(e) Late franchise fee payments will be subject to late fees calculated on the basis of nine percent (9%) per annum of the amount past due. No acceptance of any payment shall be construed as accord that the amount paid is in fact the correct amount, nor shall such acceptance of payment



be construed as a release of any claim the City may have for further or additional sums payable under the provisions of this Franchise. All amounts paid shall be subject to audit and recomputation by the City.

**Section 12: Extension of City Limits.** Upon the annexation of any territory to the City, the rights granted herein shall extend to the annexed territory to the extent the City has such authority. All Facilities owned, maintained, or operated by Grantee located within any public Rights-of-Ways of the annexed territory shall be subject to all of the terms of this Ordinance.

**Section 13: Right to Inspect Records.** In order to manage the Franchisee's use of Rights-of-Way pursuant to this Franchise, and to determine and verify the amount of compensation due to the City under this Franchise, the Franchisee shall provide, upon request, the following information in such form as may be reasonably required by the City: maps of the Franchisee's Telecommunications System; the amount collected by the Franchisee from users of Telecommunications Service provided by Franchisee via its Telecommunications network; the character and extent of the Telecommunications Service rendered therefore to them; and any other related financial information required for the exercise of any other lawful right of Franchisee under this Franchise. The City agrees that such information is confidential and that the City will use such information only for the purpose of managing its Rights-of-Way, determining compliance with the terms of this Franchise, and verifying the adequacy of Franchisee's Fee payments. The City further agrees to protect such information from disclosure to third parties to the maximum extent allowed by Oregon law.

**Section 14: Right to Perform Franchise Fee Audit or Review; Default.** In addition to all rights granted under Section 13, the City shall have the right to have performed, a formal audit or a professional review of the Franchisee's books and records by an independent private auditor, for the sole purpose of determining the Gross Receipts of the Franchisee generated through the provision of Telecommunications Services under this Franchise and the accuracy of amounts paid as Franchise Fees to the City by the Franchisee; provided, however, that any audit or review must be commenced not later than 3 years after the date on which Franchise Fees for any period being audited or reviewed were due. The cost of any such audit or review shall be borne by the City. The City agrees to protect from disclosure to third parties, to the maximum extent allowed by State law, any information obtained as a result of its rights pursuant to this Section, or any compilation or other derivative works created using information obtained pursuant to the exercise of its rights hereunder.

**Section 15: Right to Inspect Construction.** The City or its representatives shall have the right to inspect all construction or installation work performed pursuant to this Franchise and to make such tests as it shall find necessary to ensure compliance with the terms of this Franchise and other pertinent provisions of law relating to management of the City's Rights-of-Way.

**Section 16: Venue.**

(b) Venue for any proceeding brought to enforce any term or condition of this Franchise shall be the local Circuit Court for the City; provided, however, that should any proceeding be brought in a federal forum, such proceeding shall be brought in the U.S. District Court of Oregon in Portland, Oregon, with the parties stipulating to trial in Portland, Oregon.

*2nd Reading*

**Section 17: Limitation of Liability.** The City and the Franchisee agree that neither shall be liable to the other for any indirect, special, or consequential damages, or any lost profits, arising out of any provision or requirement contained herein, or, in the event this Franchise, or any part hereof, is determined or declared to be invalid.

**Section 18: Compliance with Applicable Laws.** Franchisee shall comply with all applicable federal, state, and local laws, ordinances, and regulations, whether now in existence or hereinafter enacted. Nothing contained in this Franchise shall be construed as authorizing the Franchisee, its officers, employees or agents, to violate any federal, state or local law, whether now in existence or hereinafter enacted, including, by way of illustration but not of limitation, any provision of Oregon anti-trust law, ORS 646.750-646.836, or the Oregon Unlawful Trade Practices Act, ORS 646.650-646.652. Nothing contained in this section shall be construed as requiring Franchisee to comply with any federal, state or local law that is repealed or otherwise rendered unenforceable subsequent to the adoption of this Franchise.

**Section 19: Notice.** Any notice provided for under this Franchise shall be sufficient if in writing and (1) delivered personally to the other party or deposited in the U.S. Mail, postage prepaid, certified mail, return receipt requested; (2) sent overnight by commercial air courier; or (3) sent by facsimile transmission, provided receipt of such facsimile is confirmed, in writing, on the first business day following the date of transmission. Notice shall be sent to the following address, or such other address as each party may specify in writing:

Greg Ellis  
City Administrator  
PO Box 930  
Canby, OR 97013  
Phone: 503-266-0745  
Facsimile: 503-266-7961

Contracts Administration  
LS Networks  
921 SW Oregon St., STE 370  
Portland, OR 97205  
Phone: 503-294-5300  
Facsimile: 503- 227-8585

Notice shall be deemed effective upon the earliest date of actual delivery; three business days after deposit in the U.S. mail as provided herein; one business day after shipment by commercial air courier; or the same day as transmitted by facsimile, provided transmission of such facsimile is confirmed in writing as provided herein.

**Section 20: Captions.** The captions to sections of this Franchise are intended solely to facilitate reading and reference of the sections and provisions contained herein, and shall not affect the meaning or interpretation of any section or provision of this Franchise.

**Section 21: Severability.** If any part of this Franchise becomes or is held to be invalid for any reason, the determination will affect only the invalid portion of this Franchise. In all other respects this Franchise will stand and remain in full force and effect as if the invalid provision had not been part of this Franchise.

**Section 22: Waiver.**

(a) The City is vested with the power and authority to reasonably regulate, and manage, its Rights-of-Way in a competitively neutral and non-discriminatory manner, and in the public

interest. Franchisee shall not be relieved of its obligations to comply with any provision of this Franchise by reason of the failure of the City to enforce prompt compliance, nor does the City waive or limit any of its rights under this Franchise by reason of such failure or neglect.

(b) No provision of this Franchise will be deemed waived unless such waiver is in writing and signed by the party waiving its rights. However, if Franchisee gives written notice of a failure or inability to cure or comply with a provision of this Franchise, and the City fails to object within a reasonable time after receipt of such notice, such provision shall be deemed waived.

**Section 23: Emergency.** The City Council of CANBY finds the health, safety and welfare of the City requires this Ordinance to have immediate effect. Therefore, the City Council hereby declares the existence of an emergency and this ordinance shall be in full force and effect from the time of its passage and approval.

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting thereof on February 20, 2013 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on March 6 2013, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers located at 155 N.W. 2<sup>nd</sup> Avenue, Canby, Oregon.

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Kimberly Scheafer, MMC  
City Recorder

**PASSED** on the second and final reading by the Canby City Council at a regular meeting thereof on March 6, 2013 by the following vote:

YEAS\_\_\_\_\_ NAYS\_\_\_\_\_

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Brian Hodson  
Mayor

ATTEST:

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Kimberly Scheafer, MMC  
City Recorder

Approved as to form

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Joseph A. Lindsay  
City Attorney

Accepted \_\_\_\_\_(date)

LightSpeed Networks, Inc.

By \_\_\_\_\_  
Michael Weidman  
Title President and CEO

**ORDINANCE NO. 1371**

**AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH ADVANCED PUBLIC SAFETY, INCORPORATED FOR THE PURCHASE OF E-TICKETING HARDWARE AND SOFTWARE AS WELL AS MAINTENANCE AND SUPPORT SERVICES FOR THE CANBY POLICE DEPARTMENT; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Canby wishes to promote a more efficient and advanced method of electronic ticketing within the Canby Police Department; and

**WHEREAS**, Advanced Public Safety, Inc. provides a reliable and efficient e-ticketing system as well as maintenance and support services; and

**WHEREAS**, this procurement will be in large part reimbursed through a grant with the State of Oregon that has submitted and accepted; now therefore

**THE CITY OF CANBY ORDAINS AS FOLLOWS:**

**Section 1.** The Mayor and City Administrator are hereby authorized and directed to make, execute and declare in the name of the City of Canby and on its behalf, an appropriate contract with Advanced Public Safety, Inc. for the total purchase price of \$68,417.01.

**Section 2.** In so much as it is in the best interest of the citizens of the City of Canby, Oregon to provide the Police Department with these technologies and services without further delay, and to better serve the citizens of Canby, an emergency is hereby declared to exist and this ordinance shall therefore take effect immediately upon its enactment after final reading.

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting thereof on March 6, 2013, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on March 20, 2013, commencing at the hour of 7:30 PM in the City Council Chambers located at 155 NW 2<sup>nd</sup> Avenue, Canby, Oregon

**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on the 20<sup>th</sup> of March 2013, by the following vote:

YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

\_\_\_\_\_  
Brian Hodson  
Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Scheafer, MMC  
City Recorder  
Ordinance 1371



Proposal for:

## **Canby Police Department**

**Date: 1/24/2013**

Submitted by:

**Advanced Public Safety, Inc.**

## SECTION 1: INTRODUCTION

---

Advanced Public Safety, Inc. (APS) is pleased to submit the attached proposal. APS is focused on providing solutions that enable law enforcement agencies to increase safety, efficiency, and productivity. The APS quote includes all of the necessary software, hardware, and deployment services to implement the desired solution.

APS is the market leader in providing electronic Ticketing/Forms solutions, Reporting functionality, and Voice applications to law enforcement agencies. We currently work with over 700 agencies across North America. **Each day over 25,000 law enforcement professionals utilize the technology solutions provided by APS.** In addition, APS has established relationships with every major CAD, Mobile, and RMS vendor in the public safety industry – to assist with requisite integration efforts.

APS is a secure, financially-strong company owned by Trimble Navigation, Ltd (Trimble). Trimble is a public company – listed on the NASDAQ Exchange (TRMB) – with a market value of over \$3 billion. Trimble's solutions are deployed in over 100 countries around the world. APS is the head of Trimble's Public Safety Division, and continues to expand the breadth and depth of our solutions.

We appreciate your interest in the solutions offered by APS. We welcome the opportunity to discuss this proposal in further detail. Please contact me if you need additional information or have any questions.

## SECTION 2: OVERVIEW OF APS SOLUTIONS

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APS offers agencies five major technology solutions: 1) Voice Input and Voice Response applications for the mobile data computers, 2) Electronic Ticketing solutions for the mobile computers and handheld devices, 3) Electronic Data Transfer of forms information to back-end RMS and Court systems, 4) a comprehensive Field-Based Reporting (FBR) solution, and 5) cost-effective Automate Vehicle Location (AVL) application. The following sections provide a brief overview of these solutions:

### 1. Voice Input and Verbal Response

---

For agencies that have deployed a mobile data system in their patrol vehicles, APS offers agencies the following two voice applications to increase safety and productivity:



#### Voice Input for Mobile Computers – QuickCommand™

QuickCommand enables officers to use voice commands, such as “Run Tag” or “Clear Screen” to control their mobile data system. The QuickCommand application uses a patented technology to filter background noises and provide complete “command-and-control” capability of the mobile computer. Voice commands can be entered using A thru Z (with the applicable phonetic alphabet used by the agency), 0 thru 9, and an unlimited set of defined instructions.

The QuickCommand solution utilizes a special array microphone (installed on the sun-visor) in the patrol vehicles to enable the voice input functionality to operate properly. The four-port array microphone incorporates a patented noise reduction algorithm for eliminating background sounds.

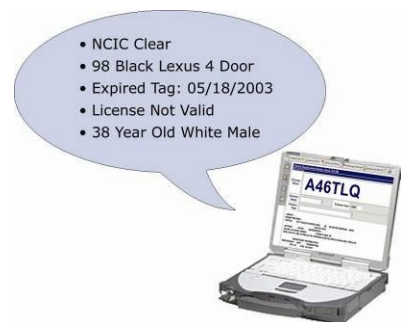
QuickCommand enables officers to enter vital information into their mobile data system without having to take their eyes off the road – or the violator.



#### Verbal Response of Mobile Data Query Information – QuickVoice™

QuickVoice is an application patented by APS and works in conjunction with your agency's mobile data system. The QuickVoice solution provides officers with an audio response of specific data elements that appear on the mobile computer screen – after an officer has initiated a mobile data query. QuickVoice is a customizable application that enables agencies to specify the exact information they want their officers to hear based upon the data provided within the mobile query files.

After running a mobile data query, the QuickVoice application automatically analyzes all of information within each mobile data query file and immediately vocalizes the requisite data elements. Each audio response is provided with a clear human voice (not a computerized/synthesized voice) – ensuring the officers can easily understand the information provided.





The QuickVoice software provides an audio response of any finite data set, such as: color, make, and model of vehicles; outstanding warrants; stolen vehicles; driver's license status; and terrorist information. In addition, the "on-board intelligence system" automatically calculates license plate expiration dates, length of outstanding violations, alerts officers of possible terrorist suspects, and conducts additional analysis. The application provides all the critical information officers need to know – without having to look at the mobile computer screen.

## 2. eTicketing for Mobile Computers & Handhelds Devices

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APS offers agencies the most comprehensive electronic ticketing solutions – that can be installed on both the mobile computers and handheld devices utilized by law enforcement agencies. APS is the only solution provider that offers the patented auto-population feature that enables an officer to complete an electronic ticketing form in under 30 seconds.



### Electronic Ticketing for the Mobile Computers – QuickTicket™

The APS QuickTicket solution is significantly less expensive than a handheld ticketing solution because it leverages the hardware (mobile computer) that agencies have already deployed in their vehicles. The only additional hardware required for this solution is the deployment of a mobile printer.

The QuickTicket application is installed on the mobile computer as an additional "layer" to the current mobile data system. Once an officer initiates a mobile query on an individual suspect or vehicle, he/she can click one key on the mobile computer, and the QuickTicket application automatically creates an electronic version of the citation on the screen. A majority of the citation is auto-populated using the data returned from the mobile query files (NCIC, motor vehicle, and other files). To complete the citation, an officer just selects the applicable violation(s) from a customized drop-down menu established by your agency – and the appropriate statute number, fine amount, and court information are automatically populated on the ticket.

This unique electronic ticketing solution is only offered by APS and was awarded a patent by the U.S. Patent and Trademark Office in 2003. No other vendor can provide the ability to complete a citation/ticket by importing information from the mobile query data files. Other vendors can only offer the time-consuming task of scanning the violator's driver's license – which only inputs a minimal amount of data into the ticket/citation form. Officers still have to type-in all of the other requisite data onto the ticketing form. The QuickTicket solution eliminates all of the manual data entry, and enables an officer to complete a ticket with just two keystrokes.

QuickTicket the most cost-effective and efficient method for law enforcement agencies to issue tickets/citations.





## Electronic Ticketing for Handheld Devices – PocketCitation™

The APS PocketCitation software enables agencies to issue accurate citations with a minimal number of “clicks” on a handheld device. Every screen within the PocketCitation solution is customizable and configurable to match the exact process flow desired by your agency. In addition, the auto-population and data validation features offered within the APS solution ensure the ticket is accurate and complete. All of the drop-down lists, default values, and check-boxes can be updated and/or modified by your agency – and/or by each officer that utilizes the device (if desired).

Officers initiate a ticket by: 1) swiping the magstripe on a violator’s driver’s license; 2) scanning the bar-code on a driver’s license, registration card, and/or vehicle ID; 3) auto-populating the violator and vehicle information from a mobile query (if available – see below); or 4) manually entering the violator/vehicle information on the handheld device.

After entering the vehicle information, officers select the applicable location and violation(s) from drop-down menus on the handheld device. The PocketCitation software automatically populates the appropriate statute number, fine amount, and court information (if applicable) – along with a unique ticket number.

Officers can also capture electronic signatures, digital photos, and text/voice/diagram notes – with the option to withhold or include these items when printing. In addition, APS provides an option for street location(s) to be auto-populated into the ticket utilizing GPS technologies and the unique APS reverse geo-coding feature.

PocketCitation is the easiest handheld e-ticketing system to learn and utilize because of the intuitive user interface and enormous amount of flexibility embedded into the application.

The screenshot displays the PocketCitation software interface on a handheld device. The interface features a menu bar at the top with options: File, Zoom, Tools, and Help. Below the menu bar is a tabbed interface with tabs labeled: Driv, Veh, Loc, Viol, Court, and Misc. The 'Veh' tab is currently selected. The form contains the following fields and values:

- First Name: JEFFREY
- Middle: DAVID
- Last Name: RUBENSTEIN
- Address: 14420 NW 2ND STREET
- City: MIAMI
- State: FL (dropdown)
- Zip: 33344
- DOB: 11/05/1965
- Race: W (dropdown)
- Sex: M (dropdown)
- Hgt: 5'11" (dropdown)
- DL#: R-152-424-65-432-0
- DL State: FL (dropdown)
- Expires: 2007 (dropdown)
- Phone #: (empty field)
- Class: E (dropdown)
- CDL Lic: (empty field)

At the bottom of the screen, there is a navigation bar with buttons: Exit, File, Notes, and Print.

Optional Mobile Data Query Functionality: As an add-on feature, APS offers agencies the option to initiate a mobile data query utilizing a handheld device. Our secure mobile data platform allows access to all law enforcement data repositories, including: NCIC, State, Local, and shared databases. Multiple data-sources can be searched from a single query. APS utilizes a unique deployment methodology that does not require a costly on-site server to be added to each agency's network. APS offers a flexible, cost-effective mobile data solution that provides agencies the ability to access mobile data query files on a handheld device.

### 3. Electronic Data Transfer of Forms Information

One of the most valuable functionalities of deploying an electronic ticketing/forms solution is the ability to upload the information from the form into requisite back-end database systems (RMS, Court, etc.) – without any manual data entry. APS has spent years establishing relationships with each of the major RMS and Court vendors to develop the requisite data transfer protocols to enable this electronic data transfer capability. No other electronic ticketing/forms provider has deployed data transfer solutions with each of the major RMS and Court vendors. Below is the summary of the APS data transfer solution:

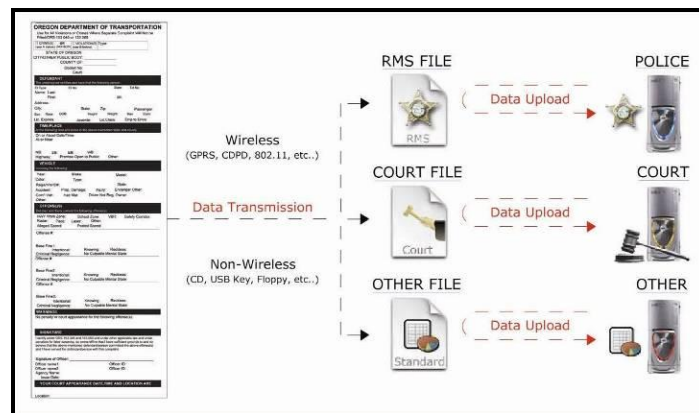


## Electronic Data Transfer to Back-End Systems – SmartExport™

Once an electronic ticket/form is printed and/or saved, the SmartExport application creates the requisite data files to electronically transfer the ticket/form information to the necessary back-end databases.

SmartExport utilizes the business rules provided by your agency and the requisite back-end database vendor(s) to create a data file for each ticket/form. The data file can be provided in a variety of formats, including: ASCII, CSV, XML, JXDM, etc. In addition, APS works with each database vendor to ensure the information within each data file is provided with the correct data schema/order (ie – Last Name then First Name, etc.). Typically, data files being transferred to different back-end databases have different file formats and data schemas – APS coordinates this effort of your agency.

Once the data file is created, APS transfers it to a location on your agency's I.T. network (usually an FTP Server or shared drive/folder). The back-end database vendor then provides your agency an "upload script" to retrieve the data file(s) from this location for import into their system. Data from different forms can be transferred to separate drives or folders (if required). The following is visual representation of the data transfer process:



SmartExport provides a 100% accurate and reliable method of importing ticket/forms data directly into the requisite back-end database systems. In addition, it eliminates the need for repetitive manual data entry – which increases efficiency and eliminates data entry errors.

## 4. Field-Based Reporting (FBR)

APS offers agencies a complete Field-Based Reporting solution that includes five modules: 1) Electronic Forms, 2) Workflow/Approval Processing, 3) Reporting, 4) Geospatial/Data-mapping Analysis, and 5) eCommerce.

### Field-Based Reporting – ReportBeam™



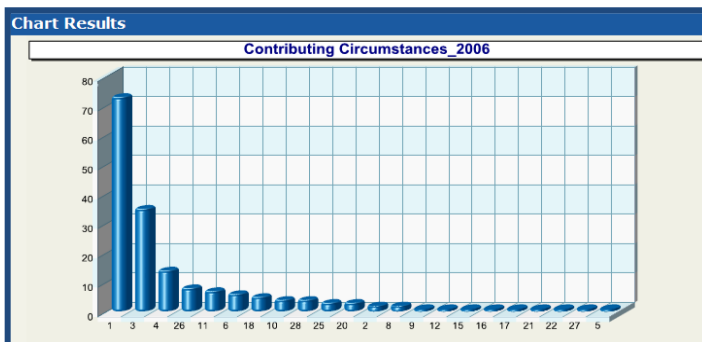
The APS ReportBeam solution provides agencies a wide-array of additional features/functionalities related to electronic forms solutions.

1. Electronic Forms – ReportBeam enables your agency to create an electronic version of any agency form. Each form is customized to the exact specifications of your agency with the requisite validation rules built into the application.

2. Workflow/Approval Processing – The ReportBeam Workflow/Approval functionality enables agency personnel to automate the process of monitoring, reviewing, approving, rejecting, and adding comments to any electronic form created within the system. This module utilizes customizable defined groups and reporting structures to ensure proper document accountability.

3. Reporting -- ReportBeam provides agencies unlimited standardized and ad-hoc reporting capabilities. Reports can be generated based upon any data field within any electronic form contained in the APS solution.

4. Geospatial/Data-mapping Analysis – The ReportBeam Geospatial Analysis provides data mapping capabilities that range from a basic data-point mapping functionality, to “bird’s-eye-view” maps with plotted data points, to detailed satellite imagery overlays showing images of specific locations and structures.



5. eCommerce – Finally, the ReportBeam solution allows your agency to enable the general public to purchase copies of completed agency forms utilizing a secure internet website.

The APS ReportBeam solution is the most comprehensive, customizable FBR solution available to public safety agencies.

## 5. Automatic Vehicle Location (AVL)

APS has developed a cost-effective AVL solution that can be deployed and implemented by any agency within just a few days.



### GPS/AVL Vehicle Tracking Application – SkyView™

The APS SkyView application is an internet-based AVL solution that provides detailed, accurate, real-time vehicle tracking, data collection, and storage of vehicle activities – requiring only a GPS receiver and a small client-side application. Using a secure web-based interface, GPS information can be viewed from any internet browser, utilizing appropriate security protocols. The SkyView user-interface provides location, direction, speed, vehicle tracking, satellite & standard maps, and variety of other data elements. SkyView is compatible with ESRI shape files, and allows for the flexibility to designate user restrictions, customize displays, and track single or multiple units.

SkyView is a completely encrypted and fully-secure web-based system, located in a secure, centralized monitoring location. The solution provides an easy-to-use interface that requires only minimal training.

Unlike expensive competitive solutions, the APS SkyView solution operates with a variety of GPS receivers, and can be deployed in a cost-effective manner in just several days.



## SECTION 3: APS TRAINING

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APS prides itself on the ease-of-use of our applications. Our solutions are highly intuitive and many officers can utilize them without any on-site training. However, APS does offer two main training sessions: one for End-Users and one for Technical Personnel. Below is brief summary of each training module:

### *End-User Training:*

End-user training typically consists of a half-day of classroom training on the software and the appropriate hardware device(s), and a half-day of “live” field usage. The training is very straightforward and includes a complete, step-by-step user manual. Trainees are provided hands-on use of the deployed solution, and the opportunity to address all questions.

### *Technical Training:*

Technical training is designed for the technical personnel who will interact with the system on a regular basis and perform basic system maintenance and administration. Agency personnel are only expected to handle basic “Level 1” type support issues, such as:

- Powering on the device
- Batteries needing to be recharged
- Operating system malfunction
- User rights (ie – permission to install or run software)
- User connectivity (ie – turning on the handheld unit and printer, battery replacement)

The training will address all of the potential “Level 1” technical issues. All “Level 2” and above support issues will be handled by APS Technical Support.

APS will work with your agency to customize these training courses to meet the specific requirements of your agency. The APS training ensures all requisite agency personnel fully understand the system and are confident in using the solution on a daily basis.

## **SECTION 4: APS MAINTENANCE/SUPPORT PLAN**

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APS works to provide the highest quality solutions and support services with each of our deployments. We ensure proactive contact with our customers during all phases of deployment and beyond. During the development phase, the APS Project Manager will be your agency's main of contact, ensuring an intimate knowledge of your agency's deployment plan – and any issues or adjustments that may be needed. Success is measured by the agency's sign-off and final approval. In addition, we send each agency a satisfaction survey and follow-up with periodic phone/email messages requesting customer feedback.

In addition to the customer/technical support offered during project implementation, APS offers an annual software Maintenance/Support plan that covers ALL updates, repairs, and modifications to the deployed solution. The following summarizes the features and benefits of this plan:

- Trained support staff available via telephone between 8:00am to 7:00pm (EST) Monday through Friday to assist your agency with any issues or questions.
- Access to the APS Knowledge Base system that contains trouble-shooting and FAQ customer support and product information.
- Periodic updates of the software that may include (but are not limited to): (A) enhancements to the software requested by the client; (B) modifications required by federal, state, and local governments; and (C) correction of any defects.
- 100% guarantee that the APS Technical Support team will continue its dedicated effort to ensure quick turnaround for any modifications and revisions to the agency's solution, as well as prompt support to correct any issues that may arise.

The APS support team will work with your agency to ensure each issue/question has been resolved and your agency is 100% satisfied.

## **SECTION 5: OVERVIEW OF APS**

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APS provides innovative technology solutions that improve the safety and effectiveness of law enforcement officers. Founded by Officer Jeff Rubenstein of the Delray Beach (FL) Police Department, APS focuses on developing solutions that operate on the mobile computers and handheld devices utilized by public safety agencies. The APS solutions are completely designed and developed by public safety officers.

The proprietary APS solutions are “open-system” applications that work in conjunction with your agency’s current technology infrastructure to enhance its overall functionality – your agency does not have to replace any of its current technology.

The “on-board intelligence” system built into APS applications ensures all of the information provided by our solutions is 100% correct. The patented APS voice response and auto-population features enable officers to complete their work 50-60% faster.

APS prides itself on utilizing the most reliable technologies with our solutions. Each of the proposed hardware components have undergone extensive field-testing, and provide the most cost-effective, durable solution available on the market. In addition, many of the hardware components can be modified, upgraded, or altered to meet the exact requirements of your agency.

As the needs of your agency change over time, the APS Maintenance/Support Plan ensures your agency receives necessary updates and modifications. Our personalized customer support is unmatched in the industry.

Through the continuing development of cutting-edge solutions for public safety and law enforcement agencies, APS has produced an impressive array of patented solutions. Our proven track record of staying ahead-of-the-curve in the development of vital public safety solutions, as-well-as partnering with other exceptional providers, has helped us deliver technology solutions that meet the needs of today’s agencies. By selecting APS as the solution provider for this initiative, your agency can be assured that they will receive the most effective technology solution available.





500 Fairway Drive, Suite 204  
Deerfield Beach, Florida 33441  
954-354-3000 (Main)  
954-354-3001 (Fax)  
[www.aps.us](http://www.aps.us)

# Proposal

Date: 1/24/2013

Agency		Details	
<b>Contact:</b>	Sergeant Tim Green	<b>Order No:</b>	0067000000SINp3
<b>Agency Name:</b>	Canby Police Department	<b>Contact Name:</b>	Lisa Swanson
<b>Address:</b>	122 N Holly St		425-405-4547
<b>City, State &amp; Zip:</b>	Canby, OR 97013-3730		lswanson@aps.us

QTY	PRODUCT NAME	PRODUCT DESCRIPTION	MISCELLANEOUS	UNIT PRICE	TOTAL PRICE
1	Virtual Partner Engine	Interface to mobile data system	Interface to mobile computer	\$5,000.00	\$5,000.00
1	Oregon ReportBeam Engine	Initial set-up and indexing of forms within the ReportBeam solution	Web Based Server - APS Hosted	\$0.00	\$0.00
14	Oregon Bundle - QuickTicket, QuickCrash with ReportBeam & SmartRoads	Auto-population of state citation, crash/accident form using existing mobile software w/ ReportBeam Workflow, Reporting, and Geo-spatial functionalities, and electronic diagramming	Electronic Ticket, Crash form, and Diagramming software	\$699.00	\$9,786.00
2	Oregon SmartExport with Image	Customized export of data fields from an APS form for import into back-end database systems (RMS, Court, etc.). May require upload script from the back-end vendor. Tiff or PDF image included.	Ticket data to 1 RMS and 1 Court System	\$7,500.00	\$15,000.00
14	Zebra RW420 Printer (110-volt Power Supply)	Zebra RW420 thermal printer w/ 110-volt Power Supply (cable sold separately). Requires APS SmartConnect application to operate properly with APS software.	12 Volt Power options also available - please confirm power supply choice at time of order.	\$690.00	\$9,660.00
14	Zebra RW220/420 Cable (USB - RJ45 Cable with lock, 6-Ft.)	Zebra RW220/420 Cable (USB - RJ45 Cable with lock, 6-Ft.)	optional item	\$20.00	\$280.00
14	Zebra RW420 Vehicle Cradle (Locking)	RW420 Locking Vehicle Cradle - 7.0"L x 6.0"W x 2.375" - black powder coated 14ga. steel with vinyl bumpers	optional item	\$85.00	\$1,190.00
14	Zebra RW420 Vehicle Cradle Arm (6")**	Zebra RW420 Vehicle Cradle Arm (6") is a swivel mount used for the RW420 vehicle cradle. Optional locking bracket is available.(aps001545)**2 Wk Lead Time	optional item	\$41.51	\$581.14
1	Zebra RW420 Cable	Zebra RW220/420 Cable	Required for printer	\$29.00	\$29.00



	(Serial, 6-Ft.)	(Serial, 6-Ft.)	set up		
14	Zebra RW420 Extended Warranty - 3 Year Care Advantage w/ Comprehensive	No Hassle Warranty covering all the labor and parts required to keep printer operating at high performance levels. All Zebra equipment returned for service under this agreement will receive a complete preventative maintenance procedure and will be returned at no additional cost.	_____	\$231.00	\$3,234.00
1	Thermal Paper Case (Zebra QL/RW420) 4" wide rolls	Case (36 rolls) of Top Coated Premium Paper Rolls (80')	_____	\$99.00	\$99.00
1	_Shipping & Handling	Shipping & Handling	_____	\$495.61	\$495.61
1	_ Remote Training	Provided prior to user testing.	User Acceptance Testing training (Different than end user training)	\$350.00	\$350.00
1	_Project Management	Dedicated Project Manager assigned from PO through Software Acceptance. Provides single point of contact.	_____	\$1,489.30	\$1,489.30
1	_Oregon Implementation Services	Implementation Services for Oregon Bundle Sales	_____	\$10,500.00	\$10,500.00
1	_Annual Maintenance	Annual Maintenance	Year 1 of Annual Maintenance no charge - requires pre-payment of year 2 and 3.	\$0.00	\$0.00
2	_Annual Maintenance	Annual Maintenance	Year 2 and 3 of Annual Maintenance	\$5,361.48	\$10,722.96

**NET TOTAL (USD) \$68,417.01**

**Pricing is guaranteed 90 days from date of proposal**

#### Notes

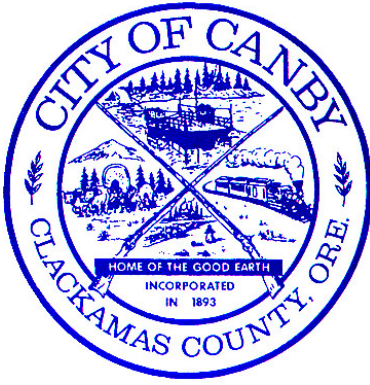
**Please Note:** Annual Maintenance is billed annually. The Annual Maintenance term begins at Final Project Acceptance. Annual Maintenance is required for access to ReportBeam Server and for the continued operation of SmartExport. Should your organization need to cancel Annual Maintenance, please notify your APS representative as early as possible for assistance.

Optional items are listed. Please review the quote with your APS Representative to confirm your organization requirements before placing an order.

#### Terms and Conditions

All Customer purchase orders for APS products and services are subject to APS' End User License Agreement and Terms and Conditions of Sale, which can be viewed at <http://www.aps.us/downloads/agreement.pdf>. Such terms, along with any additional terms and conditions agreed to and accepted by APS in Customer's purchase order or otherwise stipulated in writing, shall prevail over any differing or conflicting terms in this Proposal. Payment Terms:

50% due upon receipt of Customer's purchase order  
40% due upon initial software delivery (excluding SmartExport)  
10% or remainder due upon completion and final hardware delivery



# *City of Canby*

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## **MEMORANDUM**

**To:** Canby City Council  
**Date:** March 6, 2013  
**From:** Angie Lehnert, Associate Planner  
**RE:** Amendments to Chapter 2.64

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As the staff liaison to the City's Bicycle and Pedestrian committee, I advised the committee to read over Chapter 2.64 to become familiar with the ordinance that established the Bicycle and Pedestrian Committee and to ask the committee for input on its contents. Overall, the committee was satisfied with its contents but wished to move item 2.64.050(H) that states "Recommending policies and procedures conducive to efficient and effective operation of the bicycle and pedestrian transportation system" to the top of the list of the committee's "Powers and Duties" to emphasize its importance. In addition, the committee noticed that item 2.64.050(E) is erroneously repeated; therefore the omission of this item is also a proposed addition.

The committee thanks the Council for their support and looks forward to working together in the future.

**ORDINANCE NO. 1372**

**AN ORDINANCE AMENDING CANBY MUNICIPAL CODE CHAPTER 2.64  
REGARDING THE BICYCLE AND PEDESTRIAN ADVISORY  
COMMITTEE FOR THE CITY OF CANBY**

**WHEREAS**, Chapter 2.64 of the Canby Municipal Code created a Bicycle and Pedestrian Advisory Committee to advise the City Council about matters associated with bicycle and pedestrian safety issues within the City of Canby, and

**WHEREAS**, the Bicycle and Pedestrian Committee proposed re-ordering the list of Powers and Duties listed in Chapter 2.64.050 to better reflect the committee's priorities and to remove an erroneously repeated item in 2.646.050(E).

**THE CITY OF CANBY ORDAINS AS FOLLOWS:**

Chapter 2.64.050 of the Canby Municipal Code is amended to read as noted in Exhibit "A". All other sections, not amended in Exhibit "A", shall remain in full force and effect as they presently appear.

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, March 6, 2013 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on March 20, 2013 commencing at the hour of 7:30 PM in the Council Meeting Chambers located at 155 NW 2<sup>nd</sup> Avenue, Canby, Oregon.

---

Kimberly Scheafer, MMC  
City Recorder

**PASSED** on the second and final reading by the Canby City Council at a regular meeting thereof on March 20, 2013 by the following vote:

YEAS\_\_\_\_\_ NAYS\_\_\_\_\_

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Brian Hodson  
Mayor

ATTEST:

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Kimberly Scheafer, MMC  
City Recorder

**CHAPTER 2.64: BICYCLE AND PEDESTRIAN COMMITTEE**

Section

- 2.64.010 Established.
- 2.64.020 Bicycle and Pedestrian Committee.
- 2.64.030 Terms of office; vacancies.
- 2.64.040 Officers; procedures.
- 2.64.050 Duties and powers.
- 2.64.060 Location of meetings.

**§ 2.64.010 Established.**

A Bicycle and Pedestrian Advisory Committee shall be appointed to serve in an advisory role to the Council.

**§ 2.64.020 Bicycle and Pedestrian Committee.**

The Bicycle and Pedestrian Committee shall consist of 5 members appointed by the City Council upon recommendation of the Committee Chairperson and the City Council liaison to the Committee. The Mayor may vote only to break a tie, if necessary. No member of the Committee shall receive a salary or any payment for any services rendered by the Committee. Committee members may be reimbursed by the city for expenses incurred and pre-approved in the performance of their duties.  
(Am. Ord. 1136, passed 4-21-2004)

**§ 2.64.030 Terms of office; vacancies.**

Appointees shall hold office for 3-year terms from July 1 in the year of their appointment. At the expiration of the term of a Committee member, the City Council shall appoint a new member or may reappoint a member for a term of 3 years. If a vacancy occurs, the City Council shall appoint a new member to complete the unexpired term. Procedure for all appointments by the City Council shall follow § 2.64.020 above. Any Committee member failing to attend 3 consecutive Committee meetings without

approval of the Committee Chairperson may be removed by the City Council and a new member appointed to complete the unexpired term.  
Bicycle and Pedestrian Committee members

serve at the pleasure of the City Council and are subject to removal at any time by the Council with or without cause. (Am. Ord. 1136, passed 4-21-2004)

**§ 2.64.040 Officers; procedures.**

At the first meeting of each year, the Committee will elect a Chairperson and Vice-Chairperson who shall serve for a term of 1 year. Three members of the Committee shall comprise a quorum. The Committee shall have authority to make and alter rules, with approval of the City Council, for its own governance and procedures.

**§ 2.64.050 Duties and powers.**

The duties of the Committee shall include:

**A. Recommending policies and procedures conducive to efficient and effective operation of the bicycle and pedestrian transportation system;**

**B. ~~A.~~ Keeping informed about current trends in bicycle and pedestrian services and administration;**

**C. ~~B.~~ Studying growth and needs in the city and its vicinity for bicycle and pedestrian facilities;**

**D. ~~C.~~ Developing long-range plans for bicycle and pedestrian services and facilities, consistent with city priorities;**

**E. ~~D.~~ Investigating sources of funding for bicycle and pedestrian services and facilities;**

**~~E. Investigating sources of funding for bicycle and pedestrian services and facilities;~~**

**F. Recommending policies for the acceptance and use of gifts for bicycle and pedestrian purposes;**

**G. Participating in the annual budgetary process of the city as that process pertains to the bicycle and pedestrian facilities and services;**

**H. ~~Recommending policies and procedures~~**

§ 2.64.010

**Canby - Administration and Personnel**

~~conducive to efficient and effective operation of the bicycle and pedestrian transportation system;~~

~~H. I.~~ Reviewing and recommending terms of contracts and working relationships with other public agencies regarding bicycle and pedestrian facilities and services;

~~I. J.~~ Encouraging widespread public support and use of bicycle and pedestrian facilities and services; and

~~J. K.~~ Performing other duties as authorized by the City Council.

**§ 2.64.060 Location of meetings.**

Meetings shall be held at least once a quarter, and more if necessary, at a location open to the public within the city limits.

CITY COUNCIL / URA MEETING FOLLOW-UP ITEMS				
ORIG. CC / URA MTG. DATE	ITEM	STATUS	ASSIGNED TO	FOR CC OR URA MTG. OF
September 12, 2012	Industrial Property Sale	To be completed January	Renate Mengelberg	No presentation needed
Several Mtgs.	Economic Development Plan	Underway	Renate Mengelberg	March 20, 2013
Community Driven	Code Amendment Improvement Package	Underway	Bryan Brown/Angie Lehnert	February 20, 2013
	Clackamas County Coordinated Population Forecast	Underway	Bryan Brown	February 6, 2013
	Northwoods Park Playground Construction Contract	Ready for Bid in March	Matilda Deas	March, 2013
March 14, 2012	Urban Renewal Plan Annual Report	Not started	Renate Mengelberg	March 13, 2013
July 11, 2012	Retail Business Recruitment Update	Begun	Jamie Stickel	April 10, 2013
	Dog Park Construction Contract	Engineering underway	Matilda Deas	April, 2013
	New Tree Ordinance	Underway	Matilda Deas/Sol Jacobsen	May, 2013
July 11, 2012	Main Street Annual Report	Not started	Jamie Stickel	June 12, 2013
	Stormwater Master Plan Adoption	Consultant is working on plan	Darvin Tramel	June, 2013
	Buildable Land Needs Study	Analysis underway	Matilda Deas	August, 2013
	NE Canby Master Plan	1st meeting in March	Matilda Deas	December, 2013
	N Redwood Master Plan	Not started (Need Funding)	Matilda Deas	June, 2014

OTHER STAFF ITEMS				
DATE	ITEM	STATUS	ASSIGNED TO	TARGET DATE
	Maintain Police Accreditation - Police	On-Going	Melody Thompson & Lt. Jorge Tro	Next Assessment 2014
	Selling Property Partitioned Next to Maple Street Park (former location of Marshall House)	Waiting for better econmic times to sell property		
	Participate as member of NW Regional Computer Forensic Laboratory - Police	Underway	Bret J. Smith	TBD
	Develop Citizen's Academy - Police	Underway	Bret J. Smith	February - March 2013
	Develop Dept Website - Police	Underway	Melody Thompson & Lt. Jorge Tro	April, 2013
	Formalize Volunteer Program - Police	Underway	Melody Thompson & Lt. Jorge Tro	April, 2013