

On April 29, 2024 the City Council held a Town Hall meeting to discuss street projects in Newport. During this meeting a number of questions were raised. The following are responses to questions received.

Question about arterial streets being City or ODOT responsibility.

The only arterial roadways in the City of Newport, per the functional classification maps in the Transportation System Plan (TSP), are US 20 and US 101. ODOT is responsible for the condition of the roadways from curb to curb in some areas, in others up the right of way line. The City is responsible for certain sidewalks and the Rectangular Rapid Flashing Beacons (RRFBs) as outlined in formal maintenance agreements.

Question about Meander Street, gravel area paving.

NW Meander Street is currently paved between NW 54th Street and NW 56th Street. A dead-end portion of NW Meander Street, north of NW 56th Street is not currently paved but is gravel. This portion of NW Meander will likely not get paved any time soon as it only serves 4 houses and doesn't receive much traffic. There may have been some confusion with the question, Staff spoke of NW 55th Street getting paved from Hwy. 101 to NW Meander Street. See question/answer below. Also, NW 56th Street paving will utilize funding from the Northside Urban Renewal Agency.

Question/concern about why 55th Street residents would not be paying into costs for paving, but Biggs Street residents had to pay

NW 55th Street handles significantly more traffic than is generated by the residential properties that abut the roadway. It is designated in the TSP as neighborhood collector, a type of roadway that serves multiple residential areas. Collector roads handle higher volumes of vehicle traffic than local roads like Biggs Street, and tend to degrade more rapidly because they are more heavily traveled.

Question/Concern about San-Bay-O circle.

The settling of the narrow section of San-Bay-O will be cut out, and new base rock and asphalt will be added. The adjacent property owner and the city must also address the ROW vegetation. This will take place after the new fiscal year.

Question/concern how do I make a complaint about road conditions

•All requests can either be submitted at City of Newport, OR :: Public Works (newportoregon.gov), or by calling the Operations Admin Assistant (541) 574-5874. All valid requests will be entered into our work order system and completed based on priority.

Question/Concern are gravel street given a PCI(Pavement Condition Index) rating/score

There is no PCI score for a gravel street, thus they are not given a PCI.

Question/concern about number of gallons of fuel sold in Newport.

Gallons sold in 2021-22 was 10,602,583 and in 2022-23 was 10,170,387

Question/concern about requirements to get a building permit, for improvements to a dead end road (NW Hurbert).

The short answer is that the undeveloped property Mr. Burt owns does not possess street access, building one or more dwellings on the property will place additional demands on NW Hurbert Street, such that it would have to be extended north to serve his property. Because he is creating the impact, he is responsible for extending the road. NW Hurbert Street is roughly 250-feet south of the undeveloped property that Mr. Burt owns. There are multiple driveways extending north from that point, all within undeveloped NW Hurbert Street right-of-way, serving Mr. Burts developed lot and four other residential properties. The City zoning ordinance will not allow any

additional driveways. It is at the cut-off point where the street needs to be extended if more homes are to be built. A non-remonstrance agreement is only an option in cases where the public improvement associated with a project, by itself, would not provide increased street safety or capacity or improved pedestrian circulation. Extending NW Hurbert would clearly improve safety and capacity for the five existing, and five or more additional homes that could potentially be built.

Question concern- what statute determines the restriction on TLT revenues, and where it can be used.

Oregon law relating to the Transient Lodging Taxes begins at ORS 320.300.

Also, a link to the Attorney General's opinion about the use of the tourism portion of Room Tax for roads is provided below. The opinion states that the legislative intent was not to include using this tax for roads, utilities etc. as eligible expenditures for the restricted portion of the tax. The only exception would be for a road built to serve a tourism attraction.

[Oregon Attorney General Opinion OP-2008-3, November 14, 2008; Oregon Tourism Commission \(state.or.us\)](https://www.oregon.gov/leg/attorney-general/opinions/2008-3.html)

Question/concern is there a way citizens can help prioritize streets for repair/inclusion?

Pothole and other street repairs can be reported through this website. <https://www.newportoregon.gov/dept/pwk/servicerequest.asp>

This can be found on the City's website under Public Works, then click on potholes to find this form.

The City Engineering Department utilizes a street condition report to consider possible projects each year when the capital outlay budget is established. In addition, citizens can submit requests for consideration at budget time. These requests should be submitted to the City Manager's office by January for the fiscal year budget which begins in July of that same year. Funding is very limiting and it will take a number of years before a project can be considered.

Question/concern what other options have been considered for funding roads?

Without additional funding, the amount of work the City can conduct will continue to result in a worsening of the overall condition of City Streets. The City Council could look a raising funds through a property tax proposal that would need to be approved by the voters or a fee on utility bills as alternate sources of revenue. The advantage of the gas tax is that all users of the streets both City residents, and non-residents help fund street improvements, while the other options have city property owners or rate payers paying 100% of the costs

Question/concern about what effort has been undertaken to change the TLT percentages to get funding for street repair.

At the April 4, 2022 work session, Council discussed opportunities to address increased flexibility in spending transient room taxes collected at the City level, in preparation for the regular legislative session that occurred in January, 2023. One of the first opportunities that the City will have to raise added attention on this issue is through the League of Oregon Cities for the 2025 legislative session.

The League of Oregon Cities identified Room Tax reform as one of their legislative priorities for the 2023 Legislative session. The Mayor and City Manager sent out letters to major tourism communities soliciting support for this effort. Unfortunately, legislation did not get introduced to make changes in how Room Tax could be spent at the local level.

Under current state law, 70% of taxes collected through a room tax must be used for tourism promotion, tourism related facilities, or to finance or refinance debt for tourism related facilities. The local government unit can allocate up to 30% of the room tax for general city or county

services. Room taxes implemented prior to July 1, 2003, are grandfathered in regarding the allocation funds between tourism services and general fund.

For the City of Newport, that means that 9.5% of the taxes collected are split based on our ordinance which provides 46% for tourism and tourism facilities and 54% for general government operations. Other Cities, like Depoe Bay, use 100% of their room taxes for general government services, except for any increase.

Like the City of Newport, they have to split the tax levy issued after 2003 on a 70% tourism and tourism-related facilities and 30% general governmental operations basis.

The City Council will make another effort with the next legislative session to have changes introduced to modify these provisions. This includes reaching out to local members of the Oregon Restaurant and Lodging Association (ORLA) to gain support for this change. ORLA has been vehemently opposed to any changes in the amount that is spent for tourism marketing.

Question/concern what efforts are being spent to prioritize events throughout the year, instead of during the busy season.

The Discover Newport Committee emphasizes marketing and events during the shoulder seasons due to the level of visitors during the summer months.

What does Chamber get \$360,000 for?

Staff believes this is in reference to the creative agency line item, which is the amount paid to Fox and Crown who is the City's creative/digital agency and not the Chamber of Commerce. The Chamber receives \$182,500 for operating the visitor center providing tourism fulfillment services for the City of Newport, including, but not limited to:

1. Visitor Center;
2. Visitor information;
3. Media information;
4. Visitor website and website maintenance;
5. Visitor kiosk;
6. Hospitality training;
7. Support group and research tours;
8. Support goals of the Destination Newport Committee;
9. Value season promotion;
10. Other projects and cooperative involvement with local, regional, and state tourism opportunities;
11. Statistical reporting, including lodging occupancy, and Dean Runyon Report.

In addition, the Chamber is provided Room Tax Funding and administers that funding to directly pay for advertising, marketing, billboards, sponsorships and other eligible expenses relating to advertising and promotion. The Chamber does not receive any additional compensation for serving as the City's agent for handling this funding, contracts and payments to these vendors on behalf of Discover Newport.

Question/concern about putting meeting information in water bills.

The City has been using our water bills primarily for utility related information. We are hiring a communication specialist to enhance the information that we can share about various efforts, initiatives and meetings to provide sufficient resources to improve the way we communicate with the public. General communications have become more challenging with the loss of local media

(Newspaper limitations, loss of local radio stations etc.) and the growth of multiple special forums for sharing information.

Question/concern about speed cameras on 101/20 especially stop lights.

The City does not have the ability to use cameras on state highways, so the requirements are not met for red light cameras.

Question/concern about paying for San-Bay-o Street, either in the past or current

Staff believes that the road was constructed with the original subdivision. If San-Bay-O needs improvements, then it might be a good candidate for an LID (local improvement district) as the abutting residential properties would be the principal beneficiaries of the improvements. An LID can be initiated by motion of the City Council or a petition by the owners of 75 percent of the property that would benefit from the improvement. A preliminary engineering report is then prepared to identify the probable cost of the project and identify a method of assessment. This is followed by a public hearing to consider the formation of an LID. This first hearing is an opportunity for impacted parties to seek refinements to the engineering report and method of assessment. They can also use the opportunity to remonstrate (i.e. oppose) the formation of the district. A second hearing would have to be held to establish the LID. The Council cannot proceed if the owners of more than 50 percent of the benefitting property remonstrate against the formation of the district (unless the City Council declares the LID to be needed because of an emergency or to remedy infrastructure in chronic disrepair).

Question/concern about why San Bay-o is not qualified for safe routes to schools.

The issue isn't whether or not San-Bay-O or any other residential street is qualified for "safe routes to schools." Rather, it is which routes are the most heavily travelled by school children and parents. Streets that are close to schools tend to be the most competitive when it comes to ODOT's Safe Routes to Schools funding, particularly if they are underdeveloped (i.e. lacking sidewalks, crosswalks, bike lanes, etc.) and are in areas where there are high volumes of vehicle traffic. That is why the NE Harney Street sidewalk and bike lane project was approved. It is proximate to three schools, is a high vehicle volume roadway, and includes a highway intersection at US 20 that is in need of safety improvements at the crossings. San-Bay-O is a dead-end local, residential street that handles much smaller traffic volumes and it is further away from schools. These factors make it less competitive for safe routes to schools funding.