I. Call to Order

II. Roll Call

III. Organization of the 2020-21 Transportation Commission

IV. Approval of Minutes

V. Public Hour

VI. Discussion Items
   A. Parking on Marylyn Avenue Near Foxdale Village
   B. Report on Year 1 of the Highlands Parking Pilot Program
   C. Senate Bill 607
   D. Green Light - Go 2020 Grant Application
   E. 2020 Conflict of Interest Statement

VII. Liaison Reports

VIII. Upcoming Meeting(s)

IX. Adjournment

Documents:

Transportation Commission Complete Agenda 011420.pdf
Meeting Agenda
State College Borough Transportation Commission
January 14, 2020
Room 304 / 12:15 p.m.

I. Call to Order

II. Roll Call

Transportation Commission
Richard Garis
Rick Gilmore
Mieke Haeck
Paul Jovanis
Hugh Mose
William Roll
Susan Venegoni

III. Organization of the 2020-21 Transportation Commission

With the term expiration of the prior Chair and appointment of new members, the Commission needs to reorganize with a Chair and Vice Chair.

IV. Approval of Minutes – December 10, 2019 [Pages 4-8]

V. Public Hour – Hearing of Citizens

VI. Discussion Items

A. Parking on Marylyn Avenue Near Foxdale Village

A resident spoke to Borough Council regarding line-of-sight issues when pulling out of Foxdale Village onto Marylyn Avenue. Assistant Borough Manager, Tom King, and Parking Director, Rick Ward, met with the resident and representatives from Foxdale Village about the issue on site after the complaint. The parking regulations in the area would need to be changed to accommodate the valid concern of the resident. This change would require the Commission to make a recommendation to Borough Council to amend the Vehicle and Traffic Ordinance. Action was tabled at last month’s meeting to ensure all questions could be answered prior to action by someone with full knowledge on the topic. Staff would now ask the Commission take formal action in the form of a recommendation to Borough Council.

B. Report on Year 1 of the Highlands Parking Pilot Program.

Borough staff is reporting to the Transportation Commission on the first year
of the Highlands Parking Pilot Program. Included in this report is a historical summary of the overnight parking issue in the Highlands neighborhood and how the current parking pilot was developed. The report on the first year of the program includes information on the program’s implementation, the successes and challenges associated with the permitting system, the regulations of the pilot, vehicles counts for football weekends for the 2017, 2018, and 2019 season, parking on lawns, the availability of parking downtown on Penn State football weekends, costs and revenues from year 1 of the pilot and pedestrian and crash data [Pages 9-30]. Staff will provide this report along with any Transportation Commission comments to Borough Council at a future meeting.

C. Senate Bill 607

As discussed at the December meeting, Lt. Barrett Smith provided the Senate Bill 607 which discusses the use of radar for vehicle speed enforcement by law enforcement other than the Pennsylvania State Police. This is included in your agenda packet for informational purposes. [Pages 31-43]

D. Green Light - Go 2020 Grant Application

The Borough is preparing to submit a grant application for the initial phase of multi-modal signal network upgrades. This first phase of traffic signal improvements is to update and improve communication and detection at 22 signals in a busy network of multi-modal users. The existing system was installed in the mid-1990's and does not function as designed due to construction and redevelopment which have also increased and concentrated the population of pedestrians and bicyclists. The 22 signals are along portions of the four main corridors in the Borough – Atherton Street, and Beaver, College, and Park Avenues. This proposed project includes upgrading communication between the signals in the network and installing multi-modal video detection to permit the development and implementation of revised timing and timing plans for efficient movement of vehicles, pedestrians, bicycles and transit. This is preparing the infrastructure to improve safety and allow the system to be responsive, especially during special events, in the next phases of traffic signal network upgrades. This is included for informational purposes only as the Borough will be seeking other grant opportunities to support these multi-phase projects for signal upgrades.

E. 2020 Conflict of Interest Statement

The 2020 Conflict of Interest Statement, along with a memo from Ed LeClear to ABC Secretaries, explaining the purpose of the statement are attached for review. [Pages 44-48]
VII. Liaison Reports

A. MPO/CRPA/COG Transportation  
   Tom Zilla/Trish Meek
B. Centre Area Transportation Authority  
   Jackie Sheader
C. Penn State Transportation  
   Rob DeMayo
D. PennDOT  
   Albert Carlson
E. Borough Planning Commission  
   Ed LeClear
F. Borough Engineering  
   Ray Sassaman
G. Environmental Coordinator  
   Alan Sam
H. Parking Office  
   Patrick Ward
I. State College Police  
   Kevin Winkelblech

VIII. Upcoming Meeting Date

   Tuesday, February 11, 2020 at 12:15 p.m.

IX. Adjournment
Meeting Minutes
State College Borough Transportation Commission
December 10, 2019

The State College Borough Transportation Commission (TC) met on Tuesday, December 10, 2019, in Room 304 of the Municipal Building at 243 South Allen Street. Richard Garis, Vice-Chair, called the meeting to order at 12:19 p.m.

Members Present
Ray Najjar, Chair; Richard Garis, Vice-Chair; Paul Jovanis; Mieke Haeck; Diana Malcom and Hugh Mose

Members Absent
Rick Gilmore

Others Present
Deborah Hoag, Director of Public Works; Lt. Barrett Smith, State College Police; Rob DeMayo, Penn State University; Scott Fitzgerald, Parking Operations Supervisor; Alan Sam, Environmental Coordinator/Arborist; Jasmine Fields, AmeriCorps; Aaron Fayish, Stahl Sheaffer; Trish Meek, MPO, CRPA; Jackie Sheader, CATA Public Relations Manager and Stacy Hall, Administrative Assistant

Approval of Minutes
Ms. Hall said she received an e-mail from a resident stating the adjournment time on the November 5, 2019, minutes was incorrect as it was before the time the meeting was called to order. The adjournment time for the November 5, 2019, should have read 1:15 p.m.

Mr. Jovanis made a motion to approve the November 5, 2019 minutes with the above-mentioned change and Vice-Chairman Garis seconded the motion which was unanimously approved.

Public Hour – Hearing of Citizens
No one wished to speak during the public hour.

Discussion Items
Parking on Marilyn Avenue Near Foxdale Village

Ms. Hoag explained a resident of Foxdale Village spoke at a Borough Council meeting in October 2019 with concerns regarding line-of-sight issues when pulling out of Foxdale Village onto Marilyn Avenue. Assistant Borough Manager, Tom King, and Parking Director, Rick Ward, met with the resident and representatives from Foxdale Village about the issue on site after the complaint. She explained it was determined the parking regulations in the area would need to be changed to accommodate the valid concern of the resident. She added during his staff report at the November TC meeting, Mr. Ward brought up the issue. She said staff would now ask the Commission take action to make a recommendation to Borough Council. Mr. Ward was not in attendance at the meeting and Mr. Fitzgerald, Parking Operations Supervisor, had no comments on the matter.

TC’s Comments:

- Mr. Jovanis said he drove by the area in question and believed there was a problem which needed addressed. He noted drivers exiting Foxdale have no sight to the left due to the parked cars. He added there were three cars parked between the inlet and the outlet and if parking was banned there, the problem would be resolved. He said he was not in favor of moving all parking
to the other side of the street. Ms. Hoag suggested staff look at the situation and give a recommendation.

- Mr. Mose agreed there was a problem which needed to be solved and agreed with Mr. Jovanis’ idea but would like to give staff an opportunity to do an evaluation of the area.
- Ms. Malcom thought many of the parking issues stemmed from people coming to visit or attending events at Foxdale Village. She asked if TC should request staff come back to the TC for a continued conversation or should staff make the determination?
- Ms. Mose stated he would like staff to come back to the January meeting to discuss options and then make a recommendation to forward to Council.
- Ms. Hoag commented the Engineering Staff had not looked at that area yet.
- Chairman Najjar stated the TC recommended that parking between the inlet and outlet be removed, but to also have Engineering Staff look at the area.

Ms. Malcom made a motion to ask Engineering Staff to see if it would work to remove three (3) parking spots on the Foxdale side of the road between the inlet and outlet and bring recommendations back to the January meeting. Mr. Jovanis seconded the motion, and all were in favor.

2020 Work Plan

Chairman Najjar said the 2020 Work Plan had been discussed at previous TC meetings and the recommended changes have been incorporated into the attached Work Plan for the Commissions’ review and discussion.

Ms. Hoag explained staff was asking the TC to approve the 2020 Work Plan so it could be presented to Borough Council for approval in January. She reviewed the changes in the Work Plan in detail.

TC’s Comments:

- Mr. Mose asked where the dedicated right turn lane would be located at Fraser Centre. Mr. Fayish answered it would be on College Avenue at the intersection of Burrowes Street going into campus. Mr. Mose asked what businesses would front the newly dedicated lane, Mr. Fayish answered it would be whatever Penn State would develop adjacent to the Hammond Building. Mr. Mose asked if the present parking in front of the Hammond Building would be eliminated Mr. Fayish answered most of the parking between Burrowes and Fraser Streets unless some other agreement was reached.
- Ms. Haeck asked where bicycles would travel. Mr. Fayish answered it would continue to be a share-the-road scenario, the same it was currently on College Avenue.
- Mr. Mose expressed he was glad to see mitigation was being addressed because over the past five or six years the parking demand had increased. Mr. Fayish pointed out the loss of parking was negotiated between the Borough and the developer.
- Chairman Najjar commented biking on College and Beaver Avenues had not been discussed very little and seemed to be a big issue. Mr. Sam noted with the Downtown Master Plan, bicycle and pedestrian safety was discussed and a multi-use path had been suggested where the Hammond Building currently stands.
- Mr. Jovanis said under #12 Policy Issues of the Work Plan, TC should have some discussion regarding downtown bicycle safety.
- Ms. Malcom thought wording should be added in the Fraser Centre section regarding bicycle and pedestrian safety to ensure it was part of the planning.
- The TC Members wished to change the wording of #4 regarding the Fraser Centre Plan to start with the word “evaluate”.
- Ms. Malcom said regarding #12, Transportation Policy Issues, she thought the word “sustainability” should be included. She asked if there was anything related to extreme weather and transportation in the Plan. She asked if staff would be looking at any what-if scenarios. Mr. Sam answered the Centre Region would be looking at weather-related issues and there would be a task force investigating how the region would adapt to change in climate and severe weather
situations. Ms. Hoag commented staff kept inlets clean and ensured sinkholes were taken care of to handle the environmental side as well. She added staff was looking at the transportation aspects in order to be responsive in extreme weather situations. Ms. Malcom asked if there would be a plan for wind events. Mr. Sam explained discussions were happening regarding prioritizing roads so people could get to the hospital quickly. TC members ensued in a lengthy conversation regarding climate change.

Mr. Jovanis made a motion to make the following changes to the Transportation Commission section of the 2020 Work Plan:

- Add the word “evaluate” to the beginning of #4
- Add “2018 Sustainability Plan” to #12.

Vice-Chairman Garis seconded the motion, and all were in favor.

Liaison Reports

MPO/CRPA/COG Transportation – Ms. Meek announced work was continuing on the Centre County Long-Reach Transportation Plan and the TC would be made aware when a draft was ready for review. She also announced PennDOT had been working on a bike and pedestrian plan for the last two years and was now deemed PennDOT’s Active Transportation Plan as the draft plan was being turned into a public document. When in Harrisburg, she had the opportunity to talk to a senate staffer about e-bikes. She was informed there was no movement on the topic at this time. Conversations with legislators were focused around liability, such as who would pay for medical bills of an individual who was hit.

TC's Comments:

- Chairman Najjar asked how the Active Transportation Plan would affect the Borough. Ms. Meek answered hopefully it would be empowering and make things clearer so there could be a more specific design guideline. She added the Plan was much more progressive than had been seen in the past.

Centre Area Transportation Authority - Ms. Sheader reported staff was working on the 2020 schedule. She reminded TC of the updates coming in January which involved revamping the G-route and discontinuing service to Stormstown after January 11. She mentioned the new program with Microtransit that would be offered in Bellefonte for a six-month trial to determine if the service should be expanded. She will share materials with Ms. Hoag electronically.

TC's Comments:

- Mr. Mose asked if the process of taking a fare study policy had begun. Ms. Sheader said she had no information regarding the study. Mr. Mose asked for an update at the January meeting if there was an opportunity for public input.

Penn State Transportation - Mr. DeMayo reported classes ended this week and student move out would be next week. He said students would be back the second week of January with classes beginning on January 13. He noted he would have more information on Bikeshare once it was available. He said West End Campus work was beginning and parking lots would begin to close on January 16. He further explained parkers would be relocated to temporary lots. He said he would provide overviews of the project as they became available.

TC's Comments:

- Mr. Mose noted he read in the Centre Daily Times there was a meeting within the last couple weeks and inquired if anything came out of that meeting representing any changes to the overall plan. Mr. DeMayo answered no changes, but commitments were made to review the impact after
the build to mitigate any traffic that was unexpected or was more than what the Traffic Impact Study suggested.

PennDOT – No report given.

Borough Engineer - Mr. Sam reported on a couple of resolutions going before Council soon related to the South Atherton Street Reconstruction Project. The first one was regarding pedestrian safety and streetscape improvements on the 100 block of South Atherton Street. He said the Borough was awarded a PennDOT Transportation Set-Aside Grant to help with funding. He added the resolution would authorize the Manager to sign a contribution agreement. Mr. Sam reported the second resolution was concerning sanitary sewer replacements which needed done before construction would begin.

TC’s Comments:

- Mr. Jovanis asked when groundbreaking for the project would begin. Ms. Hoag answered it was a moving target at this time but looking at Spring 2020 with all the utility work being done up front.
- Mr. Mose asked if the project had a robust program of discouraging cut-through traffic or was the neighborhood going to suffer. Ms. Hoag answered she would speak to the design engineers on that side to see what they have to offer. Mr. Mose added it was a significant issue as it was going to be a lengthy project.
- Mr. Mose asked what the 100 block of South Atherton Street Project was intended to do. Mr. Sam answered the project was pursued for the pedestrians crossing mid-block and for doing streetscape improvements on both sides of the road.

Environmental Coordinator - No report given.

Parking Office – No report given.

State College Police – Lt. Smith reported proposed Senate Bill 607, which would expand the use of radar to local municipal police departments, would be of interest to the TC members. He informed members there was an interesting video from the City of Lancaster showing the main driving force behind the Bill was to increase pedestrian safety in urban areas. He noted it would be appreciated by the Police Department if TC would be in support of the proposed Bill as it progressed.

TC’s Comments:

- Chairman Najjar asked where TC could get the information regarding the Bill. Lt. Smith said he would forward the information to Ms. Hall, Administrative Assistant for TC, and she would forward it on to TC.
- Mr. Mose asked if Borough Council had taken a position on the Bill. Lt. Smith answered he had not been given any information. Ms. Hoag said TC could let Borough Council know they were in support of the Bill and ask for their support as well. Chairman Najjar said this would be a topic on the January meeting agenda after the materials were reviewed by TC.
- Mr. Mose asked if anything could be learned from the recent pedestrian crash on South Atherton Street. Lt. Smith answered the biggest factor moving forward was to have a more comprehensive means of evaluating intersections to create better pedestrian crossings.

Ms. Hoag thanked Chairman Najjar and Ms. Malcom for the time they had given to the TC since it was the final meeting of their terms.

Upcoming Meeting Date

Tuesday, January 14, 2020 at 12:15 p.m.

Adjournment
There being no further business to discuss, Chairman Najjar adjourned the meeting at 1:24 p.m.

Respectfully submitted,

Stacy Hall
Administrative Assistant
HIGHLANDS PILOT PARKING PROGRAM REPORT

2017

In April of 2017, the Highlands Civic Association (HCA) approached the Borough of State College with a recommendation for the Borough to discontinue the practice of lifting the enforcement of the 2AM-6AM parking restrictions as well as the lawn parking restrictions during Penn State home football weekends. The reason for suggesting this change is summarized in the HCA proposal with this statement:

“While there is no empirical data on the number of cars parked on streets, during these events, homeowners in residential neighborhoods have observed that on-street parking around these events has grown considerably over the years and that this has had an increasingly negative impact on safety and the quality of life for residential neighborhoods in the Borough, especially as Penn State increases fees for on-campus parking.”

Staff and the HCA met to discuss and review the proposal and any issues that may arise from this change. The proposal was presented to Borough Council at the July 10, 2017 regular meeting. At the time the proposal was made by the HCA, no data had been collected to use in the assessment of the impact of lifting overnight and lawn parking restrictions on these weekends. The proposal suggested a pilot outlined with the seven items listed below.

1. State College Borough will enforce the current on-street parking regulations on weekends of all home football games in 2017 and the spring 2018 Blue and White game.

2. No one will not be able to register permission to park overnight during these weekends on streets where overnight parking is restricted. Standard enforcement hours between 2AM and 6AM will be observed.

3. Ordinances prohibiting lawn parking will be enforced.

4. Vehicles who disobey the parking regulations will be subject to the standard fine as outlined in the fees and fine schedules approved by the Borough of State College.

5. The Borough will notify Penn State of this pilot so that the university can, if it wishes, make more on-campus parking available for these events.

6. This pilot will be evaluated following the 2018 Blue-White Game, after which the Borough will decide on whether to continue the practice or pursue other options.
7. This pilot will not affect Borough parking policies for the Central Pennsylvania Festival of the Arts, First Night, or other State College Borough-sponsored community events during the pilot period.

As a result, staff recommended that data be collected before a practice that had been in place for at least 40 years was changed. Council asked staff to collect this data during the 2017 Penn State football season in three categories that related to the impact the proposal may have. Data on garage occupancy, on street parking, and lawn parking were all collected using parking garage software, the Borough’s license plate recognition vehicle, and time from Parking Enforcement Officers. It took an average of 12 hours each weekend to get information.

2018

Included in the initial report were the 2017 Penn State Football schedule, the seven main objectives of the HCA Parking Proposal, and data collected from the 2017 football season by the Borough Parking Department. The first four games were used to identify and refine the best and most accurate practices to obtain information. Thus, data from these first four weeks should be considered as minimum numbers, but not taken as fully accurate.

Games five through seven is an accurate representation of the number of vehicles parked in the three categories. Community Engagement and police also researched traffic information from these weekends as safety was a primary concern of the HCA proposal.

As a result of the data analysis, staff did not determine that the lifting of on-street parking restrictions influenced safety or other traffic issues. Although data was only collected for Penn State home football game weekends, staff was not able to find evidence that there is a distinction between Penn State football weekends and other special event weekends that would warrant a policy of lifting restriction for some events, but not for other large events.

After reviewing the Highlands parking proposal and the data analysis from event weekend parking, staff concluded there were four feasible options to consider. Staff also discovered that the practice of lifting parking restrictions for any event or parking permission has never been codified by Borough ordinance and no matter what option is selected, the execution of lifting parking restrictions needs to be codified by Council.

1. Option 1 is to take no action and continue past practices. This would continue to allow free parking on street during home football weekends and on lawns. Meters, garages, and lots would also charge as they have in previous years.

2. Option 2 is to adopt the portion of the HCA proposal as it relates to lawn parking. The number of vehicles parked on the lawn would not have a large impact if they were forced to park on-street as the largest number of vehicles counted on the lawn during one football weekend was 165. This option would also continue the practice of lifting on-street parking restrictions during special event weekends.
3. Option 3 is to adopt the HCA proposal and enforce the 2AM-6AM parking violations as well as the lawn parking violations. The Borough would not grant parking permissions for on-street parking as it does throughout the year.

This option results in increased costs associated with the use of PEO’s at an overtime rate to work these high traffic weekends. It would take three to four officers to cover the residential neighborhoods of the Borough and write violations. This strategy would reduce the number of vehicles that park in the neighborhoods overnight, but it is difficult to estimate by how much. The impact of adopting this policy and issuing 2AM-6AM violations will increase revenue but will also have negative customer service implications as this is a large shift from past practices and many more violations will be issued on event weekends.

Finally, this option would have an impact on parking availability in downtown garages and meters. The current parking program’s rate is structured to encourage short term parking during the events and create turnover in the parking facilities. Even with this strategy, garages are close to or reach capacity most event weekends. By pricing to discourage long term parking in the garages, downtown businesses can rely on spaces being available throughout event weekends for their customers. The concern is that if you relocate overnight parkers, they are likely to park all weekend and the garages may not have the desired turnover of spaces.

4. Option 4 is to create a permitting system for on-street parking during event weekends and charge for the spaces. Such a system would have to be inclusive throughout the Borough as cars would likely relocate overnight to free parking areas or areas where restrictions have been lifted. There would be a significant effort to sign, promote, and enforce these on-street spaces each weekend from all borough staff including parking, police, public works, and community engagement. The Borough cannot have or enforce permit parking without appropriate signage and communication. Another issue may be that spaces will not be reserved, so, for example, a resident may purchase a general parking space thinking they may park on Foster Ave. and end up parking across Westerly Parkway. Extra staff and technology may be needed to sell and enforce these permits, depending on the adoption rate of purchase. Some may choose to relocate to garages as they are generally closer to campus than most neighborhood streets. There is a benefit of extra revenue from both the permits and citations in this scenario.

Staff had the following recommendations for council:

Staff recommends that Council approve Option 2 to continue to lift the overnight parking restrictions for on-street parking and not lift the lawn parking restrictions. Approval of this option will result in a minor increase in enforcement, but based on the data analysis, staff does not expect this additional enforcement to be unmanageable.

Staff recommends that the parking ordinance(s) be amended to authorize the long-term practice of lifting restrictions for on-street parking.

Finally, the charges of the State College Transportation Commission include the following:

“To Address neighborhood pedestrian and traffic mitigation issues, especially as requested by the Planning Commission or citizen groups.”
Staff also noted that during its review of this proposal, it was discovered that the parking ordinance did not specifically authorize temporarily not enforcing the 2AM-6AM parking restriction. Staff concluded that the practice of lifting parking restrictions has been a practice that had been informally approved for about 40 years. Staff recommended that Council approve Option 2 to enforce lawn parking during all special events, and adopt an ordinance to specifically provide the legislative authority to temporarily discontinue enforcement of the 2AM-6AM parking restriction and provide for granting permission to park between 2AM-6AM on a case by case basis.

At the February 5, 2018 Council meeting, Council reviewed the staff report and recommendations, and forwarded the report to the State College Transportation Commission for review and recommendation.

The Transportation Commission asked for additional information regarding the occupancy of Penn State University’s parking spaces during home football games. Borough staff from the police department also provided data on pedestrian and traffic crashes on the streets where 2AM-6AM parking restriction exists. The codification of temporarily not enforcing the 2AM-6AM parking restriction is recommended after council determines a course of action regarding this issue.

Following its review of the HCA proposal and the staff report, as well as its own review of the proposal, the Transportation Commission determined there was no basis for not enforcing the 2:00 a.m. – 6:00 a.m. parking restriction or lawn parking at any time. The Commission’s action is summarized in the attached memo from the Commission Chair.

Based on the HCA Proposal, the Transportation Commission recommendation and the staff report, Council was presented with three recommendations in April of 2018.

1. Adopt the HCA proposal. This would require amending the suggested ordinance to include authorization to grant permission to park between 2:00 a.m. – 6:00 a.m. by staff on a case by case basis as well as full enforcement of the 2:00 a.m. – 6:00 a.m. parking restriction on Penn State Football Weekends.
2. Adopt the recommendation of the Transportation Commission to enforce the 2:00 a.m. – 6:00 a.m. and lawn parking restrictions at all times, with no exceptions.
3. Adopt the staff recommendation to approve the proposed ordinance that includes exceptions for specific special events as well as granting temporary 2:00 a.m. – 6:00 a.m. parking on a case-by-case basis but enforce the lawn parking restriction during special events.

After reviewing the comments and recommendation of the Transportation Commission and the staff report from February, Borough Council asked staff to prepare an ordinance and develop a permitting system for the Highlands neighborhood that would regulate on-street parking during 2AM-6AM when parking was not enforcing this in other areas of the Borough.

On April 16, 2018, Council approved the policy proposal that staff prepared based on the direction from the April 9, 2018 work session, with modifications to continue past practice except for the Highlands neighborhood. Council approved a pilot program for the Highlands that provides a permitting system and fees for parking permits. The pilot program for the Highlands was approved as follows:
1. The 2:00 A.M. to 6:00 A.M. parking restriction will be enforced at all times, with limited exceptions for public safety or construction mitigation.

2. A permitting system will be developed to allow residents to obtain parking permits for their guests on those streets with overnight parking restrictions.

3. An additional fee will be charged for overnight parking permissions set forth in Number 2 above during Penn State Football Weekends and the Central Pennsylvania Festival of the Arts.

4. These changes will be in effect for an eighteen-month pilot period beginning October 1, 2018, with warning and information during the month of September 2018. 5. Measures will be identified to assess the pilot program.

In August of 2018, staff delivered an ordinance to establish a parking permit program in the Highlands Neighborhood that provides for enforcement of 2AM-6AM parking restrictions in the Highlands while allowing a permit system for residents to obtain permission for overnight parking. Council must enact an amendment to the Code of Ordinances to ratify the policy approved on April 16, 2018.

At a regular meeting held on August 20, 2018, Council adopted Ordinance #2115 with four members voting yes and three members voting no. Mayor Donald Hahn chose to veto the ordinance at this time. On Wednesday, August 22, 2018, Mayor Donald M. Hahn delivered in writing to Council his reasons for vetoing Ordinance #2115 He stated that the Transportation Commission did not have an adequate opportunity to review and comment on the ordinance. He also stated he felt the public should have another opportunity to be heard regarding the ordinance.

The Transportation Commission reviewed the ordinance at its meeting on September 11, 2018. The Commission’s recommendation was presented to council at their September 17th meeting. An ordinance incorporating the TC’s recommendations was presented to council at that meeting.

Council received public comment on the ordinance. Following the public comments, Council had the option to consider enactment of the ordinance as originally presented, enacting an amended ordinance as recommended by the Transportation Commission, enacting an amended ordinance as offered by a member of Council, or Council may take no action. Council chose to enact the ordinance that included the recommendation made by the Transportation Commission on September 11th, 2019.

Because of the timing of the vetoed ordinance and the start of the 2018 Penn State football season, the pilot was changed to a 24-month period that began on January 1st, 2019.
Staff has prepared a report on the first year of the pilot that provides information on the following categories.

- Program Implementation.
- Pilot Regulations
- Permit Software Functionality
- Football Weekends on-street data collection
- On-Street parking in residential areas when restrictions are lifted (Non-Football)
- Unauthorized parking on lawns.
- Parking availability in downtown State College on event weekends.
- Staff Resources
- Program Statistics, Costs, and Revenues
- Pedestrian and Crash data
REPORT ON HIGHLANDS PARKING PILOT YEAR 1

PROGRAM IMPLEMENTATION

The first step the parking department took after the adoption of the ordinance was putting together the resources needed for the pilot.

Communications- Staff developed a communication plan to ensure all residents of the Highlands were notified of the changes in parking before March 1st. This allowed two months for staff to get residents to become better informed about what the program entailed. The parking staff updated the parking website with a News Flash that appeared at the top of all of the parking pages on the Borough website as well as a specific section of the parking website dedicated to the pilot program. The mailer below was sent to all addresses that populated for the Highlands Neighborhood in January of 2019.

Vendor- Staff finalized an agreement with Parkmobile to develop a software that was specific to the pilot program in some respects but was overall a solution that was part of their reservation platform. This software was tested briefly as outlined prior to the vetoed ordinance to ensure that it met the minimum needs of the Borough.
Signage- A signage change occurred throughout the Highland's neighborhood in January of 2019 that posted the use of permits to park outside the 2AM-6AM times. Parking enforcement issued warnings for 2AM-6AM for a period of 60 days in the highlands after the new 2a-6a signage was placed throughout the mapped area of the pilot. Below is the picture of the signage.
Highlands Residential Parking Pilot Program Registration

Eligibility for the Residential temporary parking permits requires that residents live within the required boundary of the Highlands. Please see the map below that defines the area. Home owners that live at the residence that falls within the boundary can submit their address to parkingdept@statecollegepa.us to have it verified through tax records to qualify. Renters may qualify by providing a valid copy of their lease and a government issued picture ID to qualify for the program. Once a resident is approved or denied, an email will be sent with information regarding how to use the program.

You can also find more information on the program by visiting the program details webpage at statecollegepa.us/hrp.
Highlands Residential Parking Pilot Program Details

- Registration for the program will begin on January 1st, 2019. The pilot program will begin on March 1, 2019 and end late in 2020.
- Please allow up to two weeks for your permits to be processed. We expect a much shorter wait time than this, but there may be a large number of registrants at the beginning of the pilot.
- Below is the list of dates where restrictions will be lifted in the Borough outside of the mapped area of the Highlands in 2019. These dates are considered event times and permits will be required at a cost of $10 per permit for vehicles parking within the mapped area of the Highlands between 2 a.m. and 6 a.m. This parking area will only be available to residents approved for the Highlands Pilot Program.
  - Penn State University Dance Marathon beginning at 2:00 a.m. on Saturday and continuing through 6:00 a.m. on Sunday.
  - Penn State Commencement at the conclusion of the fall and spring academic semesters beginning at 2:00 a.m. on Friday and continuing through 6:00 a.m. on Sunday.
  - Memorial Day weekend beginning at 2:00 a.m. on Saturday and continuing through 6:00 a.m. on Monday.
  - July 4, beginning at 2:00 a.m. on July 4 and extending through 6:00 a.m. on July 5, provided that if the 4th of July falls on a Friday, Saturday, Sunday or Monday, the restrictions shall not be enforced beginning at 2:00 a.m. on Friday and ending at 6:00 a.m. on Monday.
  - Central Pennsylvania Festival of the Arts beginning at 2:00 a.m. on Wednesday, and ending at 6:00 a.m. on Sunday.
  - The full week prior to the first day of classes for the fall academic semester at Penn State University.
  - Labor Day weekend, beginning at 2:00 a.m. on Saturday and continuing through 6:00 a.m. on Monday.
  - Penn State University Home Football Game weekends, including the spring game weekend, beginning at 2:00 a.m. on Saturday and ending at 6:00 a.m. on Sunday.
  - Thanksgiving weekend beginning at 2:00 a.m. on Thursday and ending at 6:00 a.m. on Sunday.
  - The period beginning at 2:00 a.m. on December 23 and ending at 6:00 a.m. on January 2.
- During non event times, each registered resident will be eligible to use 36 permits per year at no charge.
- During event times, registered residents can purchase up to 20 permits at a cost of $10 per vehicle.
Highlands Residential Parking Pilot Program Details

- Permits will be sold using the vehicle that is going to be parked on the street license plate information. The license plate number will need to be entered correctly when purchasing the permit as well as the correct date and time.

- There is no physical permit to put on the vehicle. The license plate information is recorded in the Parkmobile database and enforcement officers will be able to see the permit in real time.

- The map (available on our website, in our office, or by emailing prakingdept@statecollegepa.us) outlines the area where residents will be eligible to purchase the permits. The map also shows what streets the vehicles who have permits can park on. Parking is only allowed on signed streets within the boundaries of the map.

- Once registered, resident will be emailed the following information: website link where permits will be purchased, access code that can be used for 36 permits during non-event times, and instructions on how to use the website.

- Event permit access codes will be emailed to the email address associated with the account three weeks in advance of the event.

- If you have any issues registering or purchasing permits, please stop by our office from 8a-5p Monday through Friday for assistance. A member of the parking staff will help you register or purchase these permits. You can also email us at parkingdept@statecollegepa.us or call us at 814-278-4769 for more information.

- If you have any feedback or wish to discuss the program at length, please email or call the Parking Director Rick Ward at pward@statecollegepa.us or 814-278-4700.
PERMIT SOFTWARE FUNCTIONALITY

Once a resident of the Highlands provided the parking department with proof of residency via a lease or through Borough tax records, they were provided an access code and a website to use for up to 36 nights a year at no cost. This access code would only work on days where the No Parking from 2AM-6AM restrictions were being enforced Borough wide. Below is step by step instructions on how the permit process works that is sent to registered users. The functionality of how this works is limited by the reservation platform of Parkmobile. If the program is continued past the pilot period, staff is recommending working with a software vendor to simplify the process of purchasing a permit. Some users worked well with this platform, and others had a fair amount of difficulty getting the system to work correctly.

There was also a three week period during the fall of 2019 where the integration between the permitting system and the enforcement technology of the Borough failed. Once staff identified the issue, they developed a work around and Parkmobile has since fixed the integration. With a developed work around in place, and a better understanding of how the system works by parking staff, there should be a better customer experience in year 2 of the pilot
This Document provides step by step instructions on how to use the parking permission reservation system. If at anytime you have an issue using this, please email our office at parkingdept@statecollegespa.us and we will reach out to you with guidance.

1. Visit [https://statecollege.pmreserve.com](https://statecollege.pmreserve.com)
2. Select the Date your visitor will be staying on street, then hit next. The permission will grant access for the vehicle to park for an entire calendar day. If it says a permit is not available on this day, then it is a period where permits will be sold for $10 each day. Access codes for these days will be emailed to the user three weeks in advance of the event. You can find a list of these dates at [https://www.statecollegespa.us/hrp](https://www.statecollegespa.us/hrp).

3. Enter your Access code provided in the email for your no charge permissions, then hit the update button. Your code will only work on dates that allow no charge permissions. Note that the day you have requested permission for appears in the gray area labeled My Order.
The next page is your confirmation page. It lists all the information about your permit. The final step is to click on the view/Print permit button. You do not need to display the permit in the vehicle.

Payment Information
Order #8804729

Billing Details
EXAMPLE EXAMPLE
243 S. ALLEN STREET
STATE COLLEGE, PA US 16801
814-278-4769
parkingdept@statecollegepa.us

Pricing Information
Item: $0.00
Total: $0.00

Payment Information
Charged to card ending in
February 23, 2019 1:31 PM EST
$0.00
Total: $0.00

Note about ePermit:
This option allows you to print your permit at home. You must have access to a printer to use this option. Keep this permit in a safe place as you would money. Parkmobile is not responsible for any inconvenience caused by unauthorized duplication. In the event that duplicate copies appear, the operator reserves the right to refuse entry to all permit holders and may credit the original purchaser the face value which will constitute full remuneration.

Order Details  Download All Permits (PDF)

Temporary Parking Permits - No Charge
Mar 02, 2019 (12:00 AM EST - 11:59 PM EST)
Highway Residential Area at State College

View/Print Permit  Download Permit (PDF)  Driving Directions

Vehicle Information
FORD F150
Color: BLACK
Plate: PA 6561212
Passengers: Not Provided
FOOTBALL WEEKEND ON STREET DATA COLLECTION

The parking department used license plate recognition technology to count the number of vehicles on the street during the 2017, 2018, and 2019 football seasons. This was accomplished by driving every street in the Borough three times during each football weekend and capturing license plates of parked vehicles, Saturday from 1AM-6AM, Saturday one hour after kickoff, and Sunday from 1AM-6AM.

There are some statistical issues with the data for the following reasons. During the 2017 Penn State football season games 1-4 were a learning process for our PEO’s on how to properly collect the data and determine the best manner in completing the task. There were neighborhoods that were undercounted or missed on several occasions. By game 5, these issues had been worked out and games 5-7 were properly counted. The parking enforcement jeep had mechanical issues during the first game of the 2018 season and counts were not completed for game 1 in 2018.

<table>
<thead>
<tr>
<th>Residential on Street Parking Saturday overnight 2017</th>
<th>Game 1</th>
<th>Game 2</th>
<th>Game 3</th>
<th>Game 4</th>
<th>Game 5</th>
<th>Game 6</th>
<th>Game 7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highlands</td>
<td>184</td>
<td>151</td>
<td>236</td>
<td>529</td>
<td>432</td>
<td>632</td>
<td>340</td>
</tr>
<tr>
<td>College Heights</td>
<td>16</td>
<td>30</td>
<td>N/A</td>
<td>71</td>
<td>95</td>
<td>75</td>
<td>37</td>
</tr>
<tr>
<td>Remaining Areas</td>
<td>14</td>
<td>3</td>
<td>65</td>
<td>164</td>
<td>94</td>
<td>93</td>
<td>55</td>
</tr>
<tr>
<td>Holmes-Foster</td>
<td>60</td>
<td>24</td>
<td>196</td>
<td>401</td>
<td>347</td>
<td>360</td>
<td>98</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Residential on Street Parking Gametime count 2017</th>
<th>Game 1</th>
<th>Game 2</th>
<th>Game 3</th>
<th>Game 4</th>
<th>Game 5</th>
<th>Game 6</th>
<th>Game 7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highlands</td>
<td>494</td>
<td>711</td>
<td>234</td>
<td>924</td>
<td>1,433</td>
<td>1,080</td>
<td>489</td>
</tr>
<tr>
<td>College Heights</td>
<td>31</td>
<td>101</td>
<td>142</td>
<td>37</td>
<td>184</td>
<td>102</td>
<td>62</td>
</tr>
<tr>
<td>Remaining Areas</td>
<td>76</td>
<td>63</td>
<td>185</td>
<td>N/A</td>
<td>149</td>
<td>33</td>
<td>54</td>
</tr>
<tr>
<td>Holmes-Foster</td>
<td>89</td>
<td>399</td>
<td>139</td>
<td>N.A</td>
<td>492</td>
<td>338</td>
<td>234</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Residential on Street Parking Sunday overnight 2017</th>
<th>Game 1</th>
<th>Game 2</th>
<th>Game 3</th>
<th>Game 4</th>
<th>Game 5</th>
<th>Game 6</th>
<th>Game 7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highlands</td>
<td>111</td>
<td>323</td>
<td>84</td>
<td>243</td>
<td>604</td>
<td>499</td>
<td>30</td>
</tr>
<tr>
<td>College Heights</td>
<td>4</td>
<td>65</td>
<td>N/A</td>
<td>58</td>
<td>80</td>
<td>37</td>
<td>18</td>
</tr>
<tr>
<td>Remaining Areas</td>
<td>5</td>
<td>40</td>
<td>104</td>
<td>192</td>
<td>118</td>
<td>251</td>
<td>68</td>
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<tr>
<td>Holmes-Foster</td>
<td>17</td>
<td>292</td>
<td>152</td>
<td>270</td>
<td>264</td>
<td>148</td>
<td>97</td>
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</tbody>
</table>
## Residential on Street Parking Saturday overnight 2018

<table>
<thead>
<tr>
<th></th>
<th>Game 1</th>
<th>Game 2</th>
<th>Game 3</th>
<th>Game 4</th>
<th>Game 5</th>
<th>Game 6</th>
<th>Game 7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highlands</td>
<td>N/A</td>
<td>182</td>
<td>543</td>
<td>512</td>
<td>381</td>
<td>585</td>
<td>216</td>
</tr>
<tr>
<td>College Heights</td>
<td>N/A</td>
<td>9</td>
<td>62</td>
<td>47</td>
<td>30</td>
<td>32</td>
<td>15</td>
</tr>
<tr>
<td>Remaining Areas</td>
<td>N/A</td>
<td>130</td>
<td>152</td>
<td>151</td>
<td>242</td>
<td>86</td>
<td>129</td>
</tr>
<tr>
<td>Holmes-Foster</td>
<td>N/A</td>
<td>91</td>
<td>476</td>
<td>395</td>
<td>488</td>
<td>521</td>
<td>118</td>
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</table>

## Residential on Street Parking Gametime count 2018

<table>
<thead>
<tr>
<th></th>
<th>Game 1</th>
<th>Game 2</th>
<th>Game 3</th>
<th>Game 4</th>
<th>Game 5</th>
<th>Game 6</th>
<th>Game 7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highlands</td>
<td>N/A</td>
<td>754</td>
<td>1,290</td>
<td>1,008</td>
<td>629</td>
<td>1,219</td>
<td>467</td>
</tr>
<tr>
<td>College Heights</td>
<td>N/A</td>
<td>98</td>
<td>102</td>
<td>142</td>
<td>52</td>
<td>144</td>
<td>38</td>
</tr>
<tr>
<td>Remaining Areas</td>
<td>N/A</td>
<td>220</td>
<td>177</td>
<td>207</td>
<td>131</td>
<td>223</td>
<td>191</td>
</tr>
<tr>
<td>Holmes-Foster</td>
<td>N/A</td>
<td>383</td>
<td>663</td>
<td>601</td>
<td>464</td>
<td>460</td>
<td>71</td>
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</tbody>
</table>

## Residential on Street Parking Sunday overnight 2018

<table>
<thead>
<tr>
<th></th>
<th>Game 1</th>
<th>Game 2</th>
<th>Game 3</th>
<th>Game 4</th>
<th>Game 5</th>
<th>Game 6</th>
<th>Game 7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highlands</td>
<td>N/A</td>
<td>145</td>
<td>611</td>
<td>541</td>
<td>346</td>
<td>512</td>
<td>116</td>
</tr>
<tr>
<td>College Heights</td>
<td>N/A</td>
<td>13</td>
<td>67</td>
<td>33</td>
<td>4</td>
<td>44</td>
<td>23</td>
</tr>
<tr>
<td>Remaining Areas</td>
<td>N/A</td>
<td>9</td>
<td>385</td>
<td>89</td>
<td>152</td>
<td>50</td>
<td>176</td>
</tr>
<tr>
<td>Holmes-Foster</td>
<td>N/A</td>
<td>165</td>
<td>585</td>
<td>213</td>
<td>312</td>
<td>350</td>
<td>60</td>
</tr>
</tbody>
</table>

## Residential on Street Parking Saturday overnight 2019

<table>
<thead>
<tr>
<th></th>
<th>Game 1</th>
<th>Game 2</th>
<th>Game 3</th>
<th>Game 4</th>
<th>Game 5</th>
<th>Game 6</th>
<th>Game 7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highlands</td>
<td>284</td>
<td>264</td>
<td>358</td>
<td>304</td>
<td>504</td>
<td>295</td>
<td>73</td>
</tr>
<tr>
<td>College Heights</td>
<td>18</td>
<td>20</td>
<td>54</td>
<td>44</td>
<td>65</td>
<td>28</td>
<td>19</td>
</tr>
<tr>
<td>Remaining Areas</td>
<td>210</td>
<td>188</td>
<td>351</td>
<td>274</td>
<td>341</td>
<td>247</td>
<td>116</td>
</tr>
<tr>
<td>Holmes-Foster</td>
<td>195</td>
<td>223</td>
<td>391</td>
<td>372</td>
<td>494</td>
<td>290</td>
<td>73</td>
</tr>
</tbody>
</table>

## Residential on Street Parking Gametime count 2019

<table>
<thead>
<tr>
<th></th>
<th>Game 1</th>
<th>Game 2</th>
<th>Game 3</th>
<th>Game 4</th>
<th>Game 5</th>
<th>Game 6</th>
<th>Game 7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highlands</td>
<td>564</td>
<td>511</td>
<td>980</td>
<td>561</td>
<td>1,110</td>
<td>592</td>
<td>324</td>
</tr>
<tr>
<td>College Heights</td>
<td>100</td>
<td>76</td>
<td>146</td>
<td>101</td>
<td>164</td>
<td>92</td>
<td>76</td>
</tr>
<tr>
<td>Remaining Areas</td>
<td>209</td>
<td>233</td>
<td>535</td>
<td>263</td>
<td>450</td>
<td>226</td>
<td>168</td>
</tr>
<tr>
<td>Holmes-Foster</td>
<td>322</td>
<td>310</td>
<td>323</td>
<td>324</td>
<td>568</td>
<td>430</td>
<td>124</td>
</tr>
</tbody>
</table>

## Residential on Street Parking Sunday overnight 2019

<table>
<thead>
<tr>
<th></th>
<th>Game 1</th>
<th>Game 2</th>
<th>Game 3</th>
<th>Game 4</th>
<th>Game 5</th>
<th>Game 6</th>
<th>Game 7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highlands</td>
<td>313</td>
<td>293</td>
<td>387</td>
<td>397</td>
<td>733</td>
<td>147</td>
<td>111</td>
</tr>
<tr>
<td>College Heights</td>
<td>27</td>
<td>67</td>
<td>30</td>
<td>46</td>
<td>75</td>
<td>36</td>
<td>18</td>
</tr>
<tr>
<td>Remaining Areas</td>
<td>179</td>
<td>155</td>
<td>242</td>
<td>324</td>
<td>266</td>
<td>224</td>
<td>153</td>
</tr>
<tr>
<td>Holmes-Foster</td>
<td>244</td>
<td>234</td>
<td>383</td>
<td>361</td>
<td>391</td>
<td>281</td>
<td>100</td>
</tr>
</tbody>
</table>
ON STREET PARKING IN RESIDENTIAL AREAS WHEN RESTRICTIONS ARE LIFTED (NON-FOOTBALL).

During the development of the pilot program, staff identified dates where the 2AM-6AM restrictions for parking had historically been lifted borough wide. In order to provide consistent regulations for the pilot in the Highlands Neighborhood, the permitting system was required to be in place during times when restrictions were lifted and times when they were not.

Any time the 2AM-6AM restriction is enforced, registered highlands residents are allowed 36 no charge overnight permissions a year for guest parking.

During times where restrictions are lifted in the rest of the Borough, registered Highlands residents paid a $10 fee per night, per vehicle. These dates are as follows:

- Penn State University Dance Marathon beginning at 2:00 a.m. on Saturday and continuing through 6:00 a.m. on Sunday.
- Penn State Commencement at the conclusion of the fall and spring academic semesters beginning at 2:00 a.m. on Friday and continuing through 6:00 a.m. on Sunday.
- Memorial Day weekend beginning at 2:00 a.m. on Saturday and continuing through 6:00 a.m. on Monday.
- July 4, beginning at 2:00 a.m. on July 4 and extending through 6:00 a.m. on July 5, provided that if the 4th of July falls on a Friday, Saturday, Sunday or Monday, the restrictions shall not be enforced beginning at 2:00 a.m. on Friday and ending at 6:00 a.m. on Monday.
- Central Pennsylvania Festival of the Arts beginning at 2:00 a.m. on Wednesday and ending at 6:00 a.m. on Sunday.
- The full week prior to the first day of classes for the fall academic semester at Penn State University.
- Labor Day weekend, beginning at 2:00 a.m. on Saturday and continuing through 6:00 a.m. on Monday.
- Penn State University Home Football Game weekends, including the spring game weekend, beginning at 2:00 a.m. on Saturday and ending at 6:00 a.m. on Sunday.
- Thanksgiving weekend beginning at 2:00 a.m. on Thursday and ending at 6:00 a.m. on Sunday.
- The period beginning at 2:00 a.m. on December 23 and ending at 6:00 a.m. on January 2.

The volume on some of these weekends varied greatly. The fee surrounding times when a large number of vehicles parking in the Highlands is necessary to manage the number of vehicles that are parking.

Times when restrictions are lifted such as Thon, Graduations, and holidays are lower volume times when a fee for the permits may not be necessary to manage the volume of cars.

Staff did conduct some vehicle counts during Artsfest in 2018 and 2019, as well as 2019 graduation numbers.
The parking department had two vacant positions for Artsfest in 2019 and could not enforce and get accurate counts for that specific event.

<table>
<thead>
<tr>
<th></th>
<th>Saturday 2a-6a</th>
<th>Sunday 2a-6a</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highlands</td>
<td>158</td>
<td>133</td>
</tr>
<tr>
<td>College Heights</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>Remaining Areas</td>
<td>190</td>
<td>188</td>
</tr>
<tr>
<td>Holmes-Foster</td>
<td>173</td>
<td>148</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Saturday 2a-6a</th>
<th>Saturday daytime count</th>
<th>Sunday 2a-6a</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highlands</td>
<td>86</td>
<td>691</td>
<td>280</td>
</tr>
<tr>
<td>College Heights</td>
<td>19</td>
<td>57</td>
<td>47</td>
</tr>
<tr>
<td>Remaining Areas</td>
<td>130</td>
<td>140</td>
<td>97</td>
</tr>
<tr>
<td>Holmes-Foster</td>
<td>214</td>
<td>269</td>
<td>248</td>
</tr>
</tbody>
</table>

*The parking department had two vacant positions for Artsfest in 2019 and could not enforce and get accurate counts for that specific event*

**UNAUTHORIZED PARKING ON LAWNS**

The Borough parking ordinance for parking on lawns had also had a longstanding practice of being lifted before the Highlands Parking Pilot Program took shape. Data collection from 2017 football season showed that only 374 cars were parking on lawns for the last five games of the season. When the issue of lawn parking was raised by the Highlands Civic Association, the Borough Council, Transportation Commission, and staff there was agreement that this issue could be addressed immediately and the Borough began enforcement of lawn parking during football weekends in 2018, one year before the beginning of the pilot. Warning citations for this offense were issued during the Blue White Game, Artsfest, and the first two Penn State football games of 2018. The last five games of the year, parking enforcement officers issued only 74 violations for lawn parking. In 2019, this number increased to 201 violations. 75% of those violations were written over a three game period, games 4, 5, and 6. When speaking with parking enforcement staff about this increase, they stated that several individuals had determined that the cost and convenience of parking on their lawn outweighed the benefits of registering for the Highlands Pilot Program or parking in a borough garage and paying the event rate.
PARKING AVAILABILITY IN DOWNTOWN PARKING FACILITIES ON FOOTBALL WEEKENDS

Borough Staff reported on parking availability during the 2017 season and recorded garage occupancy information. Occupancy for event weekends has been consistent through the pilot program. Garages have no parking availability prior to kickoff until the end of the game in most cases. This time period spans between 4 hours to 20 hours, depending on the time of kickoff and the opponent. Below is information in garages comparing the 2018 and 2019 football season.

*Average ticket Price includes parking for permit holders, hotel guests, and users of the merchant validation program that are either prepaid or a discounted rate.

<table>
<thead>
<tr>
<th>2018</th>
<th>Date</th>
<th>Time</th>
<th>Game</th>
<th>Volume</th>
<th>Revenue</th>
<th>ATP</th>
<th>Attendance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-Sep-16</td>
<td>3:30PM</td>
<td></td>
<td>Appalachian State</td>
<td>4,482</td>
<td>$44,558.50</td>
<td>$9.94</td>
<td>105,232</td>
</tr>
<tr>
<td>15-Sep-16</td>
<td>12:00</td>
<td></td>
<td>Kent State</td>
<td>4,225</td>
<td>$51,640.75</td>
<td>$12.22</td>
<td>106,528</td>
</tr>
<tr>
<td>29-Sep-16</td>
<td>7:30PM</td>
<td></td>
<td>Ohio State</td>
<td>4,723</td>
<td>$64,356.25</td>
<td>$13.63</td>
<td>110,889</td>
</tr>
<tr>
<td>13-Oct-16</td>
<td>3:30PM</td>
<td></td>
<td>Michigan State HOMECOMING</td>
<td>4,861</td>
<td>$56,025.00</td>
<td>$11.53</td>
<td>106,685</td>
</tr>
<tr>
<td>21-Oct-16</td>
<td>7:30PM</td>
<td></td>
<td>Iowa</td>
<td>4,782</td>
<td>$47,410.25</td>
<td>$9.91</td>
<td>105,244</td>
</tr>
<tr>
<td>27-Oct-16</td>
<td>4:00PM</td>
<td></td>
<td>Wisconsin</td>
<td>4,686</td>
<td>$49,499.75</td>
<td>$10.56</td>
<td>105,396</td>
</tr>
<tr>
<td>24-Nov-16</td>
<td>4:00PM</td>
<td></td>
<td>Maryland</td>
<td>2,594</td>
<td>$26,441.25</td>
<td>$10.19</td>
<td>98,422</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>30,353</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$339,931.75</strong></td>
<td></td>
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<th>Volume</th>
<th>Revenue</th>
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STAFF RESOURCES

Administration-The Parking Director and Parking Supervisors were responsible for scheduling event dates and responding to off hour and escalated situations. The Parking Event Supervisor provided detailed planning and instruction to collect data through the Jeep and worked and reworked schedules to better staff an already busy weekend.

Additional hours for pilot-Estimated 160 Hours

Parking Clerks- Parking clerks are primarily responsible for phone calls and departmental email responses. They worked directly with those wishing to register for the Highlands program, which included the registration process, explaining the rules and regulations of the program to both residents and nonresidents, and handling parking appeals and citation questions. Most of the extra hours were surrounding answering questions of what the regulations were on event weekends.

Additional hours for pilot-Estimated 500 hours

Parking Enforcement- Parking enforcement staff drove every street of the Borough and counted all vehicles through the LPR technology three times every football weekend. They also wrote many violations during the 2AM-6AM period and had to be trained on the pilot program’s regulations.

Additional hours for pilot- Estimated 350 hours

Staff recommends funding two part time positions and the purchase of a second LPR vehicle if the program continues past the pilot period

STATISTICS, COST, AND REVENUES

- Registered highlands residents 123
- Paid permits during event weekends 239
- Free permits during non-event times 622
- Permit revenue $2,390
- Permit cost $862
- No parking 2AM-6AM violations 1306 during football weekends
- Collected citation revenue from 2AM-6AM violations $29,600
PEDESTRIAN AND CRASH DATA
AN ACT

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, further providing for speed timing devices.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 3368(e), (e) and (f)(2) of Title 75 of the Pennsylvania Consolidated Statutes, amended or added October 19, 2018 (P.L.563, No.86), are amended and the section is amended by adding subsections to read:

§ 3368. Speed timing devices.

***

(e) Mechanical, electrical and electronic devices authorized.—

(1) Except as otherwise provided in this section, the rate of speed of any vehicle may be timed on any highway by a police officer using a mechanical or electrical speed timing...
(2) Except as otherwise provided in paragraph (3), electronic devices such as radio-microwave devices, commonly referred to as electronic speed meters or radar, may be used only as part of an automated speed enforcement system or by members of the Pennsylvania State Police. Electronic devices such as radio-microwave devices, commonly referred to as electronic speed meters or radar, may be used only as part of an automated speed enforcement system or by any police officer.

(3) Electronic devices which calculate speed by measuring elapsed time between measured road surface points by using two sensors and devices which measure and calculate the average speed of a vehicle between any two points may be used by any police officer.

(4) No person may be convicted upon evidence obtained through the use of devices authorized by paragraphs (2) and (3) unless the speed recorded is six or more miles per hour in excess of the legal speed limit. Furthermore, no person may be convicted upon evidence obtained through the use of devices authorized by paragraph (3) in an area where the legal speed limit is less than 55 miles per hour if the speed recorded is less than ten miles per hour in excess of the legal speed limit. This paragraph shall not apply to evidence obtained through the use of devices authorized by paragraph (2) or (3) within a school zone or an active work zone. A person may not be convicted upon evidence obtained through the use of devices authorized by paragraphs (1), (2), (3) and (5) unless the speed recorded is more than ten miles per hour in excess of the legal speed limit on a highway or six or
more miles per hour in excess of the legal speed limit on an
interstate highway or freeway with a posted speed limit of 70
miles per hour. This paragraph shall not apply to evidence
obtained through the use of devices authorized by paragraph
(1), (2), (3) or (5) within a school zone or an active work
zone.

(5) Light detection and ranging devices, commonly
referred to as LIDAR, may be used only as part of an
automated speed enforcement system or by any police officer.

(6) Except for a member of the Pennsylvania State
Police, prior to use of an electronic speed meter, radar or
light detection and ranging devices:

(i) A police officer must complete a training course
approved by the Pennsylvania State Police and the
Municipal Police Officers' Education and Training
Commission; and

(ii) In accordance with department regulations,
official traffic-control devices, including advanced
warning signs indicating the use of electronic speed
meters, radar or light detection and ranging devices,
must be erected within 500 feet of the border of the
political subdivision on the main arteries entering the
political subdivision.

(7) A police officer of the Delaware River Port
Authority or the Delaware River Joint Toll Bridge Commission
may, on a highway under the jurisdiction of the Delaware
River Port Authority or the Delaware River Joint Toll Bridge
Commission, use an electronic speed meter, radar or a light
detection and ranging device upon completion of a training
course approved by the Pennsylvania State Police and the Municipal Police Officers’ Education and Training Commission.

* * *

e) Distance requirements for use of mechanical, electrical and electronic devices. Mechanical, electrical or electronic devices or light detection and ranging devices may not be used to time the rate of speed of vehicles within 500 feet after a speed limit sign indicating a decrease of speed. This limitation on the use of speed timing devices shall not apply to speed limit signs indicating school zones, bridge and elevated structure speed limits, hazardous grade speed limits and work zone speed limits.

(f) LIDAR testing and calibration.

* * *

(2) LIDAR speed measuring devices and LIDAR systems shall be calibrated and tested every 365 days at a minimum before being utilized by [the Pennsylvania State Police] any police officer or as part of an automated speed enforcement system.

* * *

(g) Local ordinance required to enforce.

(1) Prior to the use of a device under subsection (e) (6), the political subdivision or each political subdivision of a regional police department must adopt an ordinance authorizing the local or regional police department to employ the device on highways within the boundaries of each political subdivision.

(2) During the initial 90 days of speed enforcement by a local or regional police department of a political subdivision, an individual may only be sanctioned for
violations with a written warning.

(h) Excess revenue.--

(1) The primary use of a device under this section shall
be for traffic safety purposes.

(2) If a political subdivision's share of revenue
generated from speed enforcement citations by a device under
this section exceeds 20% of the total political subdivision's
budget, the excess sum shall be remitted to the Department of
Revenue on a form and in a manner prescribed by the
Department of Revenue on or before the 60th day following the
end of the political subdivision's fiscal year for deposit
into a restricted receipts account in the Motor License Fund.

Section 2. This act shall take effect in 120 days.

SECTION 1. SECTION 3368(C), (D), (E) AND (F) OF TITLE 75 OF THE PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED AND THE SECTION IS AMENDED BY ADDING SUBSECTIONS TO READ:

§ 3368. SPEED TIMING DEVICES.

* * *

[(C) MECHANICAL, ELECTRICAL AND ELECTRONIC DEVICES AUTHORIZED.--

(1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE RATE OF SPEED OF ANY VEHICLE MAY BE TIMED ON ANY HIGHWAY BY A POLICE OFFICER USING A MECHANICAL OR ELECTRICAL SPEED TIMING DEVICE.

(2) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (3), ELECTRONIC DEVICES SUCH AS RADIO-MICROWAVE DEVICES, COMMONLY REFERRED TO AS ELECTRONIC SPEED METERS OR RADAR, MAY BE USED ONLY AS PART OF AN AUTOMATED SPEED ENFORCEMENT SYSTEM OR BY MEMBERS OF THE PENNSYLVANIA STATE POLICE.

(3) ELECTRONIC DEVICES WHICH CALCULATE SPEED BY
MEASURING ELAPSED TIME BETWEEN MEASURED ROAD SURFACE POINTS
BY USING TWO SENSORS AND DEVICES WHICH MEASURE AND CALCULATE
THE AVERAGE SPEED OF A VEHICLE BETWEEN ANY TWO POINTS MAY BE
USED BY ANY POLICE OFFICER.

(4) NO PERSON MAY BE CONVICTED UPON EVIDENCE OBTAINED
THROUGH THE USE OF DEVICES AUTHORIZED BY PARAGRAPHS (2) AND
(3) UNLESS THE SPEEDRecorded IS SIX OR MORE MILES PER HOUR
IN EXCESS OF THE LEGAL SPEED LIMIT. FURTHERMORE, NO PERSON
MAY BE CONVICTED UPON EVIDENCE OBTAINED THROUGH THE USE OF
DEVICES AUTHORIZED BY PARAGRAPH (3) IN AN AREA WHERE THE
LEGAL SPEED LIMIT IS LESS THAN 55 MILES PER HOUR IF THE SPEED
RECORDED IS LESS THAN TEN MILES PER HOUR IN EXCESS OF THE
LEGAL SPEED LIMIT. THIS PARAGRAPH SHALL NOT APPLY TO EVIDENCE
OBTAINED THROUGH THE USE OF DEVICES AUTHORIZED BY PARAGRAPH
(2) OR (3) WITHIN A SCHOOL ZONE OR AN ACTIVE WORK ZONE.

(5) LIGHT DETECTION AND RANGING DEVICES, COMMONLY
REFERRED TO AS LIDAR, MAY BE USED ONLY AS PART OF AN
AUTOMATED SPEED ENFORCEMENT SYSTEM OR BY MEMBERS OF THE
PENNSYLVANIA STATE POLICE.]

(C.1) SPEED ENFORCEMENT DEVICES AUTHORIZED.--SUBJECT TO THE
RESTRICTIONS CONTAINED IN SUBSECTION (C.2), THE RATE OF SPEED OF
A VEHICLE MAY BE TIMED ON A HIGHWAY BY:

(1) A MEMBER OF THE PENNSYLVANIA STATE POLICE OR A LOCAL
LAW ENFORCEMENT OFFICER USING A SPEED ENFORCEMENT DEVICE.

(2) AN AUTOMATED SPEED ENFORCEMENT SYSTEM USING AN
ELECTRONIC RANGING DEVICE.

(3) ANY POLICE OFFICER USING A SPEED TIMING DEVICE.

(C.2) SPEED ENFORCEMENT DEVICE RESTRICTIONS.--SPEED
ENFORCEMENT DEVICES AUTHORIZED UNDER SUBSECTION (C.1) SHALL BE
SUBJECT TO THE FOLLOWING RESTRICTIONS:
(1) No person may be convicted upon evidence obtained through the use of a speed enforcement device or a speedometer as permitted under subsection (a) unless the speed recorded is six or more miles per hour in excess of the legal speed limit.

(2) No person may be convicted upon evidence obtained through the use of a speed timing device in an area where the legal speed limit is less than 55 miles per hour if the speed recorded is less than 10 miles per hour in excess of the legal speed limit.

(3) Paragraphs (1) and (2) shall not apply to evidence obtained through the use of a speed enforcement device within a school zone or an active work zone.

(4) A speed enforcement device may not be used to time the rate of speed of vehicles within 500 feet after a speed limit sign indicating a decrease of speed. This limitation on the use of a speed enforcement device shall not apply to a speed limit sign indicating a school zone, bridge and elevated structure speed limit, hazardous grade speed limit and work zone speed limit.

(5) An electronic ranging device may only be used by a local law enforcement officer from a clearly marked vehicle in a location that is readily visible to the motoring public.

(6) A local law enforcement officer may not use an electronic ranging device unless the individual has completed the required training course under subsection (g).

(7) A local law enforcement officer may not use an electronic ranging device within the boundaries of a municipality that has not installed official traffic-control devices as required under subsection (h).
(8) A local law enforcement officer may not use an electronic ranging device within the boundaries of a municipality that has not adopted a local ordinance as required under subsection (i).

(D) Classification, approval and testing of mechanical, electrical and electronic speed enforcement devices.--[The department may, by regulation, classify specific devices as being mechanical, electrical or electronic. All mechanical, electrical or electronic speed enforcement devices shall be of a type approved by the department, which shall appoint stations for calibrating and testing the devices and may prescribe regulations as to the manner in which calibrations and tests shall be made. [The certification and calibration of electronic devices under subsection (c)(3) shall also include the certification and calibration of all equipment, timing strips and other devices which are actually used with the particular electronic device being certified and calibrated. Electronic devices commonly referred to as electronic speed meters or radar shall have been tested for accuracy within a period of one year prior to the alleged violation. Other devices shall have been tested for accuracy within a period of 60 days prior to the alleged violation.]

(1) Speed enforcement devices shall be calibrated and tested every 365 days at a minimum before being used as authorized by this section.

(2) A certificate from the station showing that the calibration and test were made within the required period and that the device was accurate shall be competent and prima facie evidence of those facts in every proceeding in which a
VIOLATION OF THIS TITLE IS CHARGED.

(4) A CERTIFICATE OF ACCURACY MAY BE COMPLETED, SIGNED
AND SUBMITTED ELECTRONICALLY BY THE CERTIFYING TECHNICIAN ON
A FORM PROVIDED BY THE DEPARTMENT.

(5) THE DEPARTMENT MAY PROMULGATE REGULATIONS FOR THE
CERTIFICATION AND THE USE OF SPEED ENFORCEMENT DEVICES. IN
ORDER TO FACILITATE THE PROMPT IMPLEMENTATION OF THIS
SUBSECTION, THE DEPARTMENT MAY PROMULGATE TEMPORARY
REGULATIONS, WHICH SHALL NOT BE SUBJECT TO:

(I) SECTIONS 201, 202, 203, 204 AND 205 OF THE ACT
OF JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE
COMMONWEALTH DOCUMENTS LAW.

(II) SECTION 204(B) OF THE ACT OF OCTOBER 15, 1980
(P.L.950, NO.164), KNOWN AS THE COMMONWEALTH ATTORNEYS
ACT.

(III) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181),
KNOWN AS THE REGULATORY REVIEW ACT.

ANY TEMPORARY REGULATIONS ADOPTED UNDER THIS PARAGRAPH SHALL
EXPIRE AFTER THREE YEARS, OR UPON PROMULGATION OF FINAL
REGULATIONS FOR THIS SUBSECTION, WHICHEVER IS SOONER.

(E) DISTANCE REQUIREMENTS FOR USE OF MECHANICAL, ELECTRICAL
AND ELECTRONIC DEVICES.—MECHANICAL, ELECTRICAL OR ELECTRONIC
DEVICES MAY NOT BE USED TO TIME THE RATE OF SPEED OF VEHICLES
WITHIN 500 FEET AFTER A SPEED LIMIT SIGN INDICATING A DECREASE
OF SPEED. THIS LIMITATION ON THE USE OF SPEED TIMING DEVICES
SHALL NOT APPLY TO SPEED LIMIT SIGNS INDICATING SCHOOL ZONES,
BRIDGE AND ELEVATED STRUCTURE SPEED LIMITS, HAZARDOUS GRADE
SPEED LIMITS AND WORK ZONE SPEED LIMITS.

(F) LIDAR TESTING AND CALIBRATION.—

(1) THE DEPARTMENT MAY, UPON PUBLICATION IN THE
PENNSYLVANIA BULLETIN, PROVIDE THAT LIDAR SPEED MEASURING DEVICES AND LIDAR SYSTEMS SHALL BE CALIBRATED AND TESTED USING THE TESTING PROCEDURES IN DEPARTMENT REGULATION.

(2) LIDAR SPEED MEASURING DEVICES AND LIDAR SYSTEMS SHALL BE CALIBRATED AND TESTED EVERY 365 DAYS AT A MINIMUM BEFORE BEING UTILIZED BY THE PENNSYLVANIA STATE POLICE OR AS PART OF AN AUTOMATED SPEED ENFORCEMENT SYSTEM.

(3) THE CERTIFICATION THAT THE LIDAR DEVICE AND SYSTEM, AS APPLICABLE, HAVE BEEN TESTED AND FOUND TO BE ACCURATE SHALL CREATE A PRESUMPTION THAT THE REQUIREMENTS OF THIS SUBSECTION HAVE BEEN FULFILLED.

(4) AS USED IN THIS SUBSECTION, THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS PARAGRAPH UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

"LIDAR." THE TECHNOLOGY OF MEASURING TARGET RANGE USING REFLECTED LIGHT TO DETERMINE TARGET RANGE AND SPEED FROM THE TIME-OF-FLIGHT OF LASER PULSES.

"LIDAR SPEED-MEASURING DEVICE." SPEED-MEASURING EQUIPMENT THAT DETERMINES TARGET RANGE AND SPEED BASED ON THE TIME-OF-FLIGHT OF LASER LIGHT PULSES REFLECTED OFF A TARGET.

"LIDAR SYSTEM." A LIDAR SPEED-MEASURING DEVICE THAT INCORPORATES ADDITIONAL EQUIPMENT THAT IS USED TO GATHER, PROCESS AND RECORD IMAGES, AS APPLICABLE, TO BE USED AS PART OF SPEED ENFORCEMENT EFFORTS.

(G) TRAINING REQUIRED.--A LOCAL LAW ENFORCEMENT OFFICER MUST COMPLETE AN ELECTRONIC RANGING DEVICE TRAINING COURSE APPROVED BY THE PENNSYLVANIA STATE POLICE AND THE MUNICIPAL POLICE OFFICER'S EDUCATION AND TRAINING COMMISSION PRIOR TO USING AN ELECTRONIC RANGING DEVICE.

(H) OFFICIAL TRAFFIC-CONTROL DEVICES.--IN ACCORDANCE WITH 20190SB0607PN1384
DEPARTMENT REGULATIONS, OFFICIAL TRAFFIC-CONTROL DEVICES,
INCLUDING ADVANCED WARNING SIGNS INDICATING THE USE OF
ELECTRONIC RANGING DEVICES, SHALL BE ERECTED WITHIN 500 FEET OF
THE BORDER OF A MUNICIPALITY ON THE MAIN ARTERIES ENTERING THE
SUBDIVISION PRIOR TO A LOCAL LAW ENFORCEMENT OFFICER USING AN
ELECTRONIC RANGING DEVICE WITHIN THE MUNICIPALITY'S BOUNDARIES.

(I) LOCAL ORDINANCE REQUIRED. --PRIOR TO THE USE OF AN
ELECTRONIC RANGING DEVICE BY A LOCAL LAW ENFORCEMENT OFFICER IN
A MUNICIPALITY, THE MUNICIPALITY OR EACH MUNICIPALITY OF A
REGIONAL POLICE DEPARTMENT MUST ADOPT AN ORDINANCE AUTHORIZING
THE USE OF ELECTRONIC RANGING DEVICES WITHIN THE BOUNDARIES OF
THE MUNICIPALITY.

(J) INITIAL PERIOD. --DURING THE INITIAL 90 DAYS OF SPEED
ENFORCEMENT USING ELECTRONIC RANGING DEVICES IN A MUNICIPALITY
BY A LOCAL LAW ENFORCEMENT OFFICER, AN INDIVIDUAL MAY ONLY BE
SANCTIONED FOR VIOLATIONS WITH A WRITTEN WARNING.

(K) REVENUE LIMIT. --

(1) THE MUNICIPAL SHARE OF REVENUE GENERATED FROM THE
USE OF AN ELECTRONIC RANGING DEVICE IN ANY YEAR MAY NOT
EXCEED 10% OF THE MUNICIPALITY'S BUDGET FOR THAT YEAR.

(2) ALL REVENUE COLLECTED IN EXCESS OF THE LIMITATION IN
PARAGRAPH (1) SHALL BE REMITTED TO THE DEPARTMENT FOR DEPOSIT
IN THE MOTOR LICENSE FUND.

(L) DEFENSE. --

(1) THE PRIMARY USE OF AN ELECTRONIC RANGING DEVICE BY A
LOCAL LAW ENFORCEMENT OFFICER SHALL BE FOR PURPOSES OF
TRAFFIC SAFETY.

(2) IT SHALL BE A DEFENSE TO A PROSECUTION ARISING FROM
THE USE OF AN ELECTRONIC RANGING DEVICE IN A MUNICIPALITY
THAT THE PRIMARY USE OF THE DEVICE IS TO GENERATE REVENUE FOR
THE MUNICIPALITY.

(M) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

"ELECTRONIC RANGING DEVICE." ANY OF THE FOLLOWING:

(1) LIDAR SPEED-MEASURING DEVICE.
(2) LIDAR SYSTEM.
(3) RADAR SPEED-MEASURING DEVICE.

"FULL-SERVICE POLICE DEPARTMENT." A MUNICIPAL OR REGIONAL POLICE DEPARTMENT THAT:

(1) IS AUTHORIZED BY ONE OR MORE MUNICIPALITIES;
(2) PROVIDES 24-HOUR-PER-DAY PATROL AND INVESTIGATIVE SERVICES; AND
(3) REPORTS ITS ACTIVITIES MONTHLY TO THE PENNSYLVANIA STATE POLICE IN ACCORDANCE WITH THE UNIFORM CRIME REPORTING SYSTEM.

"LIDAR SPEED-MEASURING DEVICE." SPEED-MEASURING EQUIPMENT THAT DETERMINES TARGET RANGE AND SPEED BASED ON THE TIME-OF-FLIGHT OF LASER LIGHT PULSES REFLECTED OFF A TARGET.

"LIDAR SYSTEM." A LIDAR SPEED-MEASURING DEVICE OTHER THAN AN AUTOMATED SPEED ENFORCEMENT SYSTEM THAT INCORPORATES ADDITIONAL EQUIPMENT USED TO GATHER, PROCESS AND RECORD IMAGES, AS APPLICABLE, FOR SPEED ENFORCEMENT EFFORTS.

"LOCAL LAW ENFORCEMENT OFFICER." AN EMPLOYEE OF A FULL-SERVICE POLICE DEPARTMENT WHO IS EMPOWERED TO ENFORCE 18 PA.C.S. (RELATING TO CRIMES AND OFFENSES) AND THIS TITLE. THE TERM DOES NOT INCLUDE A PENNSYLVANIA STATE POLICE OFFICER, PART-TIME OR AUXILIARY POLICE, CONSTABLES, SHERIFFS OR THEIR DEPUTIES, FIRE POLICE, TRANSIT POLICE, AIRPORT POLICE, PARK RANGERS, UNIVERSITY OR COLLEGE POLICE, GAME WARDENS, FISH COMMISSION OFFICERS OR...
RAILROAD POLICE OR ANY EMPLOYEE OF A POLICE AGENCY WHICH DOES NOT MAINTAIN CONTINUOUS PRIMARY POLICE COVERAGE OF ITS JURISDICTION 24 HOURS PER DAY EVERY DAY OF THE YEAR.

"RADAR SPEED-MEASURING DEVICE." SPEED-MEASURING EQUIPMENT USED FROM A STATIONARY POINT THAT DETERMINES TARGET RANGE AND SPEED BASED ON RADIO MICROWAVES REFLECTED OFF A TARGET.

"SPEED ENFORCEMENT DEVICE." ANY OF THE FOLLOWING:

(1) ELECTRONIC RANGING DEVICE.
(2) SPEED TIMING DEVICE.

"SPEED TIMING DEVICE." A DEVICE OR SYSTEM THAT CALCULATES SPEED BY MEASURING ELAPSED TIME BETWEEN MEASURED ROAD SURFACE POINTS BY USING TWO SENSORS OR A DEVICE, INCLUDING A STOPWATCH, THAT MEASURES AND CALCULATES THE AVERAGE SPEED OF A VEHICLE BETWEEN TWO POINTS.

SECTION 2. THIS ACT SHALL TAKE EFFECT IN 180 DAYS.
Borough of State College
MEMORANDUM

To: ABC Secretaries and Staff Assistants
From: Ed LeClear
Re: Conflict of Interest Policy and Code of Conduct with Regard to HUD Programs
Date: December 3, 2019

A Conflict of Interest Policy and Code of Conduct with regard to HUD Programs was adopted by the State College Borough Council in 2005. Elected and appointed officials are to receive a copy of the policy at a regular meeting of their respective council, authority, board or commission annually. Members who are absent should receive a copy by mail.

A copy of the policy is attached. Please include it as an agenda item or as an attachment to the agenda at the first meeting of the ABC in 2020. Also, please be sure to note distribution of the policy in the meeting minutes.
BOROUGH OF STATE COLLEGE
Conflict of Interest Policy and Code of Conduct
With Regard to HUD Programs

SECTION 1 NON-PROCUREMENT CONFLICTS OF INTEREST

A. COVERED INDIVIDUALS:
Any employee, agent, officer, elected official, appointed official or consultant of the Borough of State College (Participating Jurisdiction) or; any member of an employee’s, agent’s, officer’s, elected official’s or appointed official’s immediate family; an employee’s, agent’s, officer’s, elected official’s or appointed official’s partner; or an organization that employs or is about to employ any of the above.

CONFLICTS PROHIBITED:
No person(s) described in Paragraph 1 of section 1 who exercises or has exercised any functions or responsibilities with respect to activities assisted with HOME Investment Partnerships Program (HOME) or Community Development Block Grant (CDBG) or other U.S. Department of Housing and Urban Development (HUD) funds, or who is in a position to participate in a decision-making process or gain inside information with regard to these activities, may obtain a real or apparent financial interest or financial benefit from a HOME, CDBG, or other HUD-assisted activity, or has a real or apparent financial interest in any contract, subcontract, or agreement with respect to HOME, CDBG, or other HUD-assisted activity, or the proceeds from such activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. Immediate family ties include (whether by blood, marriage or adoption) the spouse, parent (including a stepparent), child (including stepchild), brother, sister (including a stepbrother or stepsister), grandparent, grandchild and in-laws of a covered person. Occupancy of a HOME-assisted unit by a covered person constitutes a financial interest.

EXCEPTIONS:
Threshold Requirements – Upon the written request of the participating jurisdiction, the U.S. Housing and Urban Development (HUD) or its successor, may grant an exception to the provisions of the CONFLICTS PROHIBITED of section 1 on a case-by-case basis when it determines that the exception will serve to further the purpose of the HOME, CDBG or other HUD program and the effective and efficient administration of the Borough’s program or project. An exception may be considered only after the participating jurisdiction has provided the following:

1. A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure* of the conflict and a description of how the public disclosure was made; and
2. An opinion from the Borough’s attorney that the interest for which the exception is sought would not violate state or local laws.

*The requirements for public disclosure include publication in a local newspaper or disclosure during an advertised public hearing.
Factors to be considered for Exceptions – In determining whether to grant a requested exception after the participating jurisdiction has satisfactorily met the requirements of paragraphs a. and b. above, HUD, or its successors, will consider the cumulative effect of the following factors, where applicable:

1. Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project which would otherwise not be available;
2. Whether the person affected is a member of a group or class of low-income persons intended to be the beneficiary of the assisted activity, and the exception will permit such person(s) to receive generally the same interests or benefits as are being made available or provided to the group or class;
3. Whether the affected person(s) has withdrawn from his/her functions or responsibilities or the decision-making process with respect to the specific assisted activity in question;
4. Whether the interest or benefit was present before the affected person was in a position as described in the COVERED PERSONS Paragraph of this section
5. Whether undue hardship will result either to the participating jurisdiction or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and
6. Any other relevant considerations.

B. OWNERS AND DEVELOPERS:

Any owner, developer or sponsor of a project assisted with HOME, CDBG or other HUD funds (or officer, employee, agent, elected or appointed official or consultant of the owner, developer or sponsor or immediate family member of an officer, employee, agent, elected or appointed official, or consultant of the owner, developer or sponsor) whether private, for-profit or non-profit (including a community development organization (CHDO) when acting as an owner, developer or sponsor)

CONFLICTS PROHIBITED:

No person(s) described in Paragraph 2.A of section 2 may occupy, or appear to occupy, a HOME, CDBG or other HUD-assisted affordable housing unit in a project during the required period of affordability specified in §92.252(e) or §92.254(a)(4). This provision does not apply to an individual who receives HOME, CDBG or other HUD funds to acquire or rehabilitate his or her principal residence or to an employee or agent to the owner or developer of a rental housing project who occupies a housing unit as the project manager or maintenance worker.

EXCEPTIONS:

Upon written request of a housing owner or developer, the Borough may grant an exception to the provisions of the above paragraph of this section on a case by case basis when it determines that the exception will serve to further the purposes of the HOME, CDBG or other HUD program and the effective and efficient administration of the owner’s or developer’s HOME, CDBG or other HUD-assisted project. In determining whether to grant a requested exception, the Borough shall consider the following factors:

1. Whether the person receiving the benefit is a member of a group or class of low-income persons intended to be the beneficiaries of the assisted housing, and the
exception will permit such person to receive generally the same interest or benefits as are being made available or provided to the group or class:

2. Whether the person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific assisted housing in question;

3. Whether the tenant protection requirements of Sec. 92.253 are being observed;

4. Whether the affirmative marketing requirements of Sec. 92.351 are being observed and followed; and

5. Any other factor relevant to the Borough’s determination, including the timing of the requested exception.

SECTION 2 PROCUREMENT CONFLICT OF INTEREST

COVERED INDIVIDUALS:

Any employee, officer, or agent of the Borough of State College (Participating Jurisdiction).

CONFLICTS PROHIBITED:

The CDBG, HOME and other HUD Programs follow the procurement policy of the Borough of State College located in the Borough of State College Code of Ordinances, Chapter 1, Part N. If any provisions of 2 CFR 200.318, 24 CFR 570.611, and 24 CFR 92.356 are not included or conflict with the Borough’s Procurement Policy, the provisions of 2 CFR 200.318, 24 CFR 570.611, and 24 CFR 92.356 shall supersede the Borough’s Procurement Policy.

No Covered Individuals in section 2 may participate in the selection, award or administration of a contract supported by HOME, CDBG or other HUD Program if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of the following parties has a financial or other interest in the firm selected for award:

- employee, agents, or officer of the Borough of State College;
- any member of an employee’s, agent’s or officer’s immediate family;
- an employee’s, agent’s or officer’s partner; or
- an organization that employs or is about to employ any of the above

No employee, officer, or agent of the Borough or subrecipient may solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors or parties to sub-agreements.

EXCEPTIONS:

There are no exceptions for real or apparent procurement conflicts of interest. A request for a regulatory waiver can be submitted pursuant to 24 C.F.R. § 5.110 Upon determination of good cause, the Secretary may, subject to statutory limitations, waive any provision of this title and delegate this authority in accordance with section 106 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3535(q)).
SECTION 3 CODE OF CONDUCT:

Persons covered in section 2, paragraph 1, are expressly forbidden from soliciting or accepting money, gifts, gratuities, services, favors, or anything of monetary value (excepting unsolicited calendars, pens, or other items of nominal value used as an advertising medium) from any person, company, firm, or corporation to which any purchase order or contract is, or might, be awarded or from a party to any potential subcontract.

The Borough shall also take disciplinary action in accordance with the Borough Personnel Rules and Regulations against any covered persons in section 2 paragraph 1 who violate this conflict of interest policy.

Employees will receive a copy of the conflict of interest policy on an annual basis as a mailer included in a paycheck. Elected and appointed officials will receive a copy of the policy at a regular meeting of their respective council, authority, board or commission. Distribution of the policy will be noted in the minutes of the meeting. Members who are absent will receive a copy by mail. Consultants and agents will be provided a copy of the policy as part of their contracts.

SECTION 4 SUB-RECIPIENTS:

Applicable Conflict of Interest and Procurement Policies for the Borough’s subrecipients are covered under CFR 200.318, 24 CFR 570.611 and 24 CFR 92.356. Each subrecipient has developed its own Conflict of Interest Policy and Procurement Policy in accordance with the applicable regulations.

Authorized Official: Ed LeClear, Director of Planning and Community Development
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Summary of Revisions:
Adopted by the State College Borough Council on April 18, 2005.
Revised by staff on April 30, 2015.
Revised policy adopted by the State College Borough Council on November 26, 2019.