



City of Tualatin

www.ci.tualatin.or.us

Approved By Tualatin City Council

Date 11-10-08

Recording Secretary M. Smith

SPECIAL CITY COUNCIL/DEVELOPMENT COMMISSION MEETING MINUTES OF OCTOBER 16, 2008

PRESENT: Mayor Lou Ogden; Councilors Chris Barhyte, Monique Beikman [arrived at 6:01 p.m.], Bob Boryska, Jay Harris, Donna Maddux, and Ed Truax

STAFF

PRESENT: Sherilyn Lombos, City Manager, Doug Rux, Community Development Director, Mike McKillip, City Engineer; Brenda Braden, City Attorney; Don Hudson, Finance Director; Dan Boss, Operations Director; Eric Underwood, Development Coordinator; Dayna Webb, Project Engineer; Carina Christensen, Assistant to the City Manager; Maureen Smith, Recording Secretary

OTHERS

PRESENT: City Council Candidate Joelle Davis, Jennifer Clampet, Tualatin Times

ABSENT: None.

The special work session was called to order at 5:50 p.m. at the Operations Department Training Room.

1. ANNOUNCEMENTS – None.
2. ITEMS DISCUSSED

A. Central Urban Renewal District Maximum Indebtedness Discussion

Community Development Director Doug Rux began the discussion noting the City Council and Development Commission have held previous discussions on whether the maximum indebtedness of the Central Urban Renewal District (CURD) should be increased. The current indebtedness would bring closure to the CURD by June 2010. A list of projects evaluated by the Commission in April shortened the list of projects, to then move into the cost estimating phase. The Urban Renewal Advisory Committee (URAC) also held meetings to review the shortened list of projects to shorten the project list costs. A decision to be made by the Council and Commission is whether the maximum indebtedness should be increased, and what potential projects could be done.

The Commission broke into groups and spent a portion of time using “colored dots” to rank each of the projects they considered most important to least important. The projects displayed ranged from art/gateways/landscaping, housing, building/structures, parking, transportation, parks/natural areas, including greenways, pedestrian trails, pedestrian bridges, wetlands, and land acquisition.

After ranking the projects, discussion followed on the ranking results. Under each grouping category, the Commission was unanimous on certain projects in each category. The top rankings of the projects came to \$54.2 million. Discussion continued on which projects could be partnered with in terms of sources of funding, as the projects are not assuming other sources of funding.

Administrator Lombos suggested not focusing on funding sources, but rather the projects that can move forward. Discussion followed and the Commission discussed the projects that were ranked lower and at which ones should stay on the listing, even though not ranked higher by Commission members. The Eastside downtown project was mentioned, and although it was ranked lower, the Commission discussed other types of incentives and partnering of funding that could be done for that project.

Parks and Natural Areas projects were discussed. Commissioner Maddux asked about the No. 9 bike path connectivity assessment and how we got to the funding number. Mr. Rux explained the background of the project and costs.

Chairman Ogden commented the ratio of dots to projects is not consistent. Mr. Rux said the number of dots were approximately half of the number of projects listed under each category grouping..

Land category was then reviewed. Building/Structures category was reviewed. What projects should be included was again discussed, and parking projects, such as parking garages were mentioned. Also discussed were what small projects could be done that are not as expensive.

The Commission suggested No. 11, "Re-landscape Core Area Parking Lots" be included in the overall parking. They wanted to have anything ranked 3 and above to be included. The Commons Landmark project was also discussed and Mr. Rux explained about that project.

In conclusion, staff said they will take the information back to consultants, do cost modifications, come back to the Commission at the end of January, and arrive at a final project list. With those numbers the Commission will need to determine what can then be affordable, whether it is viable, and move into discussions with other taxing authorities.

A BREAK WAS TAKEN FROM 7:39 P.M. TO 7:42 P.M.

[Councilor Boryska left at 7:40 p.m.]

B. Commuter Rail Train Noise Mitigation Update

City Engineer Mike McKillip and Project Engineer Dayna Webb presented a PowerPoint reviewing options to implement train noise mitigation. The Federal Railroad Administration (FRA) calculator has been fully updated, which is used to analyze quiet zone options. The FRA calculator is set up to use predetermined Supplemental Safety Measures (SSM) in its evaluation of proposed quiet zones. Various FRA calculator methods were reviewed.

Ms. Webb then reviewed the quiet zone calculator of the various crossings and performed calculations to arrive at an acceptable risk index. Using the calculator Ms. Webb modified the various SSM's (Supplementary Safety Measures) calculations to determine the best combination of what could be placed at the various intersections to meet the quiet zone risk index.

Safety factor concerns were discussed and Councilor Truax' concern was the safety factor, and said he wanted to see the calculations at all the intersections all fall below the index, not just the average of the intersections, and implement everything possible to do that. Mayor Ogden surmised that the assumption is the FRA is going to err on the side of safety and he would be surprised if the FRA accepted such a huge risk.

Council continued review of the risk index with horns versus the quiet zone risk index. Also discussed was what the risk would be without horns at the intersections. Discussion followed on the various intersections and what could be done and at what cost. Mr. McKillip said the assumptions that were done at the private crossings, made them as close to a public crossing as possible. Upgrades would also need to be done. Preliminary cost estimates were reviewed of the crossings, proposed improvements and the cost of each, coming to a grand total of \$4,070,000. Wayside horns can be placed in the calculator, and could be used as warning devices. It was questioned whether a wayside horn would even be heard as loud as the regular train horn. Wayside horn costs was also mentioned and Mr. McKillip said for this exercise, staff backed away from the wayside horn. Aerials of each proposed intersection were reviewed. The crossings that are in the urban renewal district were reviewed and what cost savings could be possible, however funding would not be available for a few years out. Councilor Maddux asked if staff had looked at least cost scenarios, and Ms. Webb said the improvement listed for each crossing is the least cost improvement. Also, the consultant, Railroad Controls Inc. (RCI) hired by TriMet that did the original report, recommended a supplemental safety measure at each crossing.

Mayor Ogden suggested to move the issue along, how do the high numbers relate to the overall risk, does the FRA calculator allow some calculations and still leave the City highly exposed on the crossings that are unabated. He questioned whether the FRA would allow the City to do that. Councilor Truax said he is not prepared to save money at the risk of safety factors.

It was asked and answered about whether the pedestrian crossing at Tualatin-Sherwood Road could be closed and go around. Councilor Maddux said there is a large amount of track where there is pedestrian traffic which creates the safety issues.

The process and what would come next were reviewed. After selection of crossings to be included, a consultant would be obtained, begin crossing order of modification applications, determine details of improvements at each crossing, and verify preliminary cost estimates. Then submit Notice of Intent (NOI) to create a new quiet zone, and list each crossing within the quiet zone, with an explanation of the plans for implement improvements within the proposed quiet zone, and pay a quiet zone administrative handling fee.

There was a brief discussion of having quiet zones along with wayside horns in certain areas of town. Councilor Maddux said this is looking to be a discussion for an entire work session as there are more issues to work through. Councilor Maddux also said she would like to know what the statistics are on pedestrian fatalities by a train, or commuter rail type of transportation.

City Manager Lombos summarized concerns mentioned by Council. There are risk number questions, and does the FRA even allow the City to "play" the numbers game. If leave Tualatin-Sherwood Road alone and expose it to a high risk, will the FRA let the City leave it at that number, or would there eventually have to be some sort of supplemental safety measure to lower the risk. Also need to explore further with the FRA why does it allow to have unprotected intersections.

It was asked and answered that it would be likely be two years out from this point in time if Council chose to proceed with some crossings now. Councilor Barhyte said Council is sending staff back to answer questions when Council has not decided on how and where the funding would come from.

Project partners and outside sources for funding options were reviewed. The gas tax fund was mentioned as a source of funding and staff explained what the fund is used for, however revenues are down this fiscal year. The estimated projected boarding of WES in Tualatin was also discussed.

Councilor Harris asked about leveraging partners and Mr. McKillip said the best hope and the most viable would be with Washington County. Other possible viable options were also discussed. Council reviewed Local Improvement Districts (LID), urban renewal, Washington County funding, a gas tax as a possibility, although not sure enough funds could be raised (Tualatin has a limited amount of gas stations). Various funding options continued to be discussed. A general obligation (GO) bond measure was mentioned as a possibility. Mr. McKillip reviewed some of the road development funds. A gas tax in Tualatin was mentioned again, and what estimates could be gathered on an annual basis to see if it is a viable option for funding.

Mayor Ogden asked Council about interest in pursuing a Local Improvement District (LID) funding method, with mixed response. Council Candidate Davis when asked, suggested various possible funding methods, such as looking at MTIP funding, contacting Rep. David Wu's office to pursue funding, and also contact other legislators, pursue funding from Washington County, also an LID, although she questioned whether an LID is even a viable option.

Mayor Ogden asked which councilors would be interested in pursuing a gas tax, only on north/south line. Councilors Harris and Maddux were in favor and Candidate Davis did not want to pursue. Councilor Truax was in favor of exploring a G.O. bond for the north/south line only.

It was suggested \$85,000 in General Fund money could be used to leverage a Certificate of Participation, or mortgage type payment. Including urban renewal was also mentioned.

After further discussion Council did not arrive at any viable funding options. Council asked staff for further research options to make sure every stone is turned. City Manager Lombos said staff has already done that, but reiterated Council's mention of an LID as one possible funding option, although not necessarily pursue, and staff could gather more information on the gas tax option. Councilor Barhyte said Council is giving staff options that aren't viable and brought the discussion to an end. Councilor Harris said the Council is doing the public a disservice by not coming to a solution on this issue and no resolution.

3. OTHER ISSUES

None.

4. ADJOURNMENT

The special work session adjourned at 9:27 p.m.

Sherilyn Lombos, City Manager

Recording Secretary


