




MEMORANDUM CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council
FROM: Sherilyn Lombos, City Manager 
DATE: August 3, 2009
SUBJECT: Work Session for August 10, 2009

Work Session will begin at 5:00 p.m.

5:00 p.m. (5 min) – Council / Commission Meeting Agenda Review.

Action requested: Council review the agenda for the August 10th City Council and Development Commission meetings.

5:05 p.m. (40 min) – Tigard-Tualatin Aquatic District Formation. On July 27th, representatives of a group working to form an aquatic district came before Council with information and requesting adoption of a resolution approving the formation of the district. The City Council asked a number of questions and asked that the item be placed on a work session for further discussion. The staff report and supporting information are in the Council agenda packet. Additional information and answers to questions that were asked on July 27th will be provided tonight by staff and the representatives of the aquatics group.

Action requested: The resolution requesting approval of the formation of the special district is on August 10th Council agenda.

5:45 p.m. (30 min) – Tualatin / Durham Services. During the 09/10 budget deliberations, the Police services contract with Durham was raised and questions were asked about the services provided, the amount of the contract, other models, etc. Tonight's discussion is designed to provide additional information to the Council about those questions.

Action requested: No direction is requested; this is an information-only item.

6:15 p.m. (15 min) – Legislative Session Wrap-Up. The 2009 Oregon legislative session recently wrapped up. Staff has prepared information regarding bills we were following. In addition, staff is requesting that the Council discuss the process for the next session. Attached is a memo from Carina with information for this discussion

Action requested: Council direction on legislative policy work.

6:30 p.m. (15 min) – ODOT Intercity passenger rail study. ODOT is currently conducting a study and is preparing to submit a request for federal funds to bring high speed rail from Eugene to Portland. One of the route options impacts Tualatin. Attached is the DRAFT study along with some additional emails and information.

Action requested: No direction is requested; this is an information-only item.

6:45 p.m. (10 min) – Council Communications & Roundtable. This time is the Council's opportunity to brief the rest of the Council on committee meetings, follow-up on items, and any other general Council information that needs to be discussed.

Action requested: This is an open Council discussion.

Upcoming Council Meetings & Work Sessions: Attached is a three-month look ahead for upcoming Council meetings and work sessions. If you have any questions, please let me know.

Dates to Note: Attached is the updated community calendar for the next three months.

As always, if you need anything from your staff, please feel free to let me know.



MEMORANDUM

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *[Signature]*

FROM: Carina Christensen, Assistant to the City Manager *Carina Christensen*

DATE: August 10, 2009

SUBJECT: LEGISLATIVE WRAP-UP

The 2009 Oregon Legislative Session recently ended. This memo provides updates on Tualatin's legislative priorities (attachment A). It also asks the Council to provide some feedback on actions for future legislative sessions.

2009 Process Debrief

During the 2009 session, we learned how the League provides information and how to best track bills. We attended the League's City Hall Day and provided letters of support or opposition to specific bills as the session progressed. We provided a mid-session update on bills of interest to Council.

Proposal and Policy Questions for Discussion

The Council previously discussed inviting Tualatin's legislators to an event of our choosing when the Legislature is not in session. Now that the 2009 session has come to a close, we can address the variety of options for Council to consider:

1. Invite Tualatin's legislators to a work session in the Fall and Spring to discuss upcoming issues of interest and council priorities.
2. Invite Tualatin's legislators to a breakfast or lunch with key staff and council members.
3. Council and key staff could attend regional legislative meetings with legislators.

Staff will then start the legislative priority process for Tualatin in late October/early November 2010 after the League of Oregon Cities has finalized its priority list. Council will hold a work session to discuss the broad priority areas that staff will present for Council's discussion and final vote. Staff will then monitor bills as the information becomes available and they will be added to the city's list as something to watch. The tracking sheet will be emailed to Council periodically and work session updates will be held throughout the session.

Tigard, Oregon has a new legislative priority process. It is detailed below and may help inform this discussion.

Tigard Model: Council Legislative Priorities

In Tigard, the Council approves a small number of broad legislative priorities each session. Staff begins before the session opens by choosing a number of broad categories that encompass focus areas important to the Council. Staff provides a recommendation in each category, such as supporting a state gas tax. Council reviews the memos with the broad priority areas and recommendations. They ask questions and then vote on which priority areas they want to focus on for the upcoming session. These priorities are kept minimal (4-5 at the most). Legislators are more inclined to respond positively when a City is focused on just a few areas of concern.

Staff then begins adding bills under each priority as they are introduced. Bills are selected based on relevancy to the Council, not necessarily staff. Each time a bill is added, usually every week, the list gets e-mailed to the full Council to review new bills and positions stated by staff. These positions are not allowed for public information until the Council has responded affirmatively about the list of bills and positions. Councilors typically call staff to ask for further information on certain bills as needed, and a link to the full bill is always included so councilors can read the details. Differences of opinion between councilors are dealt with via email, phone, or other meetings and even formal work sessions if a work session happens to occur at the opportune time. Council uses this list to advocate with legislators and respond to the media as needed.

Attachments: A. Updated Tualatin Priorities List
 B. LOC Legislative Review



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City of Tualatin 2009 Legislative Priorities

Based on **Council Strategic Focus Areas** from the **2009 Strategic Plan**, the following are Tualatin's Legislative Priorities for the 2009 session:

- ✓ **Preemption of Local Authority:** Protect all current city authority and revenues against reduction or preemption. Retaining, or enhancing, local authority allows the City to have more control over meeting its long-term goals and overall vision for the City.

SB 915 Restricts Municipal Enforcement of Building Code.

Support

Prohibits municipality that enforces state building code provision or building requirement by means of municipal ordinance from assessing criminal penalty for ordinance violation if violation of corresponding state building code provision or building requirement is subject to civil penalty. Prohibits municipality from imposing civil penalty for ordinance violation that exceeds maximum civil penalty for violation of corresponding of state building code provision or building requirement. Requires that rules provide appeal process for denial of certificate of occupancy if denial is based on violation of state building code specialty code.

Status:

FINAL UPDATE: Bill passed and signed by the Governor.

6-23 (S) Governor signed.

6-16 (H) Speaker signed.

6-8 (S) President signed.

6-2 (H) Third reading. Carried by Schaufler. Passed. Ayes, 57; Excused, 2—Edwards D., Roblan; Excused for Business of the House, 1—Speaker Hunt.

3-30 (S) Public Hearing held.

Has been re-written, just received amendment 4-13. Being amended to make the civil penalty process better and more consistent. Oregon Building Officials' Association, Legislative Committee is tracking this. Our Building Official is on this committee.

Opposed original bill, but support the final bill as amended.

Has no fiscal impact or real impact to Tualatin.

This bill creates a more uniform inspection policy for all cities and allows developers an avenue of appeal if a building official/inspector denies a certificate of occupancy based on violation of state building code specialty code. Violators of the code will now be sent to Municipal Court instead of Criminal Court. The bill requires that fees assessed for violation costs (investigation, etc. by a city) be approved by the Director of Department of Consumer and Business Services.

Sponsor: Sen. Morse



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Based on **Council Strategic Focus Areas** from the **2009 Strategic Plan**, the following are Tualatin's Legislative Priorities for the 2009 session:

HB 2961 Local Building Code Option.

Support

Allows municipality to impose local requirements for construction of new structures that are more stringent than state building code.

Status: 3-12 (H) Referred to Business and Labor.

Update as of 4-13: Bill is going nowhere (Oregon Building Officials' Association)

FINAL UPDATE: Bill did not pass out of committee.

Sponsor: House Consumer Protection Committee

HJR 42 Time, Place, Manner Restrictions on Adult Businesses.

Support

Proposes amendment to Oregon Constitution to provide that right of free expression may not be construed to limit or restrict local government from imposing reasonable time, place and manner regulation on operations of nude dancing businesses and establishments.

Status: 4-24 (H) Public Hearing scheduled. 1 p.m. room 357; Invitation only hearing. Space for Mayor Ogden, Rep Bruun and Senator Devlin.

FINAL UPDATE: Bill did not pass out of committee.

Sponsor: Sen. Devlin, Rep. Bruun

HB 3014 Expands Local Government Role in Liquor License Renewals

Support

Requires applicant for issuance or renewal of liquor license to seek written recommendation of county governing body or city council..

Status: 3/11 (H) Referred to Business and Labor.

FINAL UPDATE: Bill did not pass out of committee.

Sponsor: House Committee on Rules

SB 576 Local Govt Impact on OLCC License.

Support

Requires that, in charter required elections proposing island annexation, votes from the city and territory to be annexed be counted separately to determine separate majorities if acreage to be annexed is 20 acres or more.

Status: 2/26 (S) Referred to Business and transportation.

FINAL UPDATE: Bill did not pass out of committee.

Sponsor: Sen. Morrisette

HB 2405 Voice Over Protocol Recognition.

Oppose

Prohibits, department, agency, commission or political subdivision of state from regulating Voice Over Internet Protocol service and Internet Protocol-enabled service.



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Based on **Council Strategic Focus Areas** from the **2009 Strategic Plan**, the following are Tualatin's Legislative Priorities for the 2009 session:

Status: 4-9 (H) Recommendation: Do pass with amendments and be printed A-Engrossed. Tuesday, April 14th will be considered by the House.

4-3 (H) Public Hearing and Work Session held.

Sent a letter opposing this bill

FINAL UPDATE: Bill went back to work session and went nowhere.

Sponsor: Committee on Business and Labor

HB 2701 Prohibits Compensation to Photo Red Light Vendors

Oppose

Prohibits cities that use photo red light cameras from providing compensation to manufacturers and vendors of photo red light cameras based on number of citations issued or percentage of moneys collected from payment of fines.

Tualatin is currently installing Photo Red Light. It is something that will have positive impacts on traffic issues within our City. We oppose this bill, as it would make Photo Red Light installation cost prohibitive.

Status: 2-24 (H) Referred to Transportation.

FINAL UPDATE: Bill died in committee.

Sponsor: Rep. Barton

HB 2037 Recording and Reporting on Public Contracts.

Oppose

Requires Oregon Department of Administrative Services and local contracting agencies to maintain records concerning certain public contracts and to submit reports concerning that information to Governor and Legislative Assembly.

Status:

FINAL UPDATE: Bill died in work session.

4-10 (H) Referred to Rules by order of Speaker.

4-10 (H) Without recommendation as to passage and be referred to rules.

Sponsor: House Interim Committee on Government Accountability and Information Technology

HB 2867 Public Contracting Standards

Requires contracting agency to establish measurable standards to assess quality of contractor's performance under public contract and specify consequences for failing to meet standards.

Final Update:

This bill will apply to cities with a population of 15,000 or more and to contracts greater than \$250,000 in value. Specifically the bill:



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Based on **Council Strategic Focus Areas** from the **2009 Strategic Plan**, the following are Tualatin's Legislative Priorities for the 2009 session:

- Requires a contracting agency to determine the cost of providing a service with existing employees compared with the cost of contracting out that service by estimating what costs would be incurred by a contractor;
- Prohibits an agency from contracting out a service if it would be cheaper to perform the service with existing employees;
- Prohibits an agency from contracting out a service if the only reason the service would be cheaper was due to lower wages and benefits paid by the contractor;
- Proscribes performance standards and penalties for non-performance of a contracted service.

Status

7-13 (S) President signed.

7-13 (H) Speaker signed.

***HB 2408 Washington County Commuter Rail**

Creates Task Force on Extending Washington County Commuter Rail to Salem

(new addition to the list) Directs the Department of Transportation to make a report regarding capacity, availability and efficiency of rail transportation in Oregon. Directs the department to issue a report to certain people including boards and interim legislative committees.

Status

6-18 (H) Chapter 365, (2009 Laws): Effective date January 1, 2010.

6-18 (H) Governor signed.

6-11 (S) President signed.

6-10 (H) Speaker signed.

5-18 (S) Morse declared potential conflict of interest.

5-18 (S) Third reading. Carried by Bonamici. Passed. Ayes, 17; nays, 12--Atkinson, Boquist, Ferrioli, George, Girod, Kruse, Morse, Nelson, Starr, Telfer, Whitsett, Winters; excused, 1--Carter.

***HB 2052 Secure Facility Siting Consultation**

Final Update:

Before the Department of Corrections, Oregon Youth Authority, or Department of Human Services or any city, county, or other public agency establishes a halfway house, work release center or any other domiciliary facilities for people released from any penal



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or correctional facility...the agency, department, county, etc. shall fully inform the local public safety coordinating council of the following:

- The proposed location, estimated population size and use of the facility;
- The proposed number and qualifications of resident professional staff at the facility;
- The proposed rules of conduct for residents of the facility; and
- Other relevant information..

new addition to the list)

Status

5-26 (H) Chapter 121,
(2009 Laws): Effective
date January 1, 2010.

5-26 (H) Governor
signed.

5-20 (S) President
signed.

5-20 (H) Speaker
signed.

HB 3354 Traffic Fines Distribution to Cities

Requires that one-half of traffic fine be paid to city if traffic offense committed within city but prosecuted in circuit court as result of felony discovered during traffic stop.

Status:

FINAL UPDATE: Bill died in Judiciary.

3-18 (H) Referred to Judiciary.

Sponsor: Rep. Gilliam

SB 427 Drug -Free Workplace

Support

Allows employer to adopt comprehensive drug-free workplace program, including drug and alcohol testing policies.

Status:

FINAL UPDATE: Bill died

2-9 (S) Referred to Commerce and Workforce Development.

Sponsor: Sen. Girod



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Based on **Council Strategic Focus Areas** from the **2009 Strategic Plan**, the following are Tualatin's Legislative Priorities for the 2009 session:

SB 707 Employment Reference Immunity.

Support

Provides that employer who discloses information about current or former employee's job performance to prospective employer of employee is presumed to be acting in good faith and immune from civil liability unless presumption is rebutted by clear and convincing evidence.

Status:

FINAL UPDATE: Bill died after public hearing in April.

3-12 (S) Referred to Commerce and Workforce Development.

Sponsor: Sen. Starr

SB 30 Removes Family Members from Statement of Economic Interest.

Support

Removes requirement to list names of relatives and members of household on statement of economic interest.

Status:

FINAL UPDATE: Bill passed out of the Legislature.

4-15 (S) Governor signed bill into law.

1. Additional bill (HB 2518) immediately eliminates the requirement that public officials file quarterly expense statements with the Oregon Government Ethics Commission. Signed into law 7/7/09.
2. This bill retroactively eliminates the requirement that city leaders list the names of relatives on publically accessible ethics forms.
3. City leaders will be able to attend events while representing their city government without fear of violating ethics laws and will have protection from serious sanction for good faith reliance on advice from the Oregon Government Ethics Commission.

4-14 (H) Speaker signed.

4-14 (S) President signed.

4-14 (S) Rules suspended. Senate concurred in House amendments and repassed bill. Ayes, 29; nays, 1--Starr.

4-10 (H) Recommendation: Do pass with amendments and be printed B-Engrossed.

4-2 (H) First reading. Referred to Speaker's desk.

4-1 (S) Third reading. Carried by Devlin, Ferrioli. Passed. Ayes, 26; nays, 4--



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are Tualatin's Legislative Priorities for the 2009 session:

Boquist, Carter, Kruse, Starr.

4-1 (S) Made a Special Order of Business by voice vote.

See LOC's Legislative Review (p. 1) and the LOC Bulletin

Sponsor: Senate Interim Committee on Elections Ethics and Rules



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Based on **Council Strategic Focus Areas** from the **2009 Strategic Plan**, the following are Tualatin's Legislative Priorities for the 2009 session:

- ✓ **Transportation Funding:** Advocate for increased funding for transportation. Support a review of the allocation of state and federal transportation funds that is equitable and benefits the users of the system.

HB 2001: Jobs and Transportation Act of 2009 Previously HB 2120

Comprehensive transportation funding and policy bill. Funds road and highway maintenance and improvements through an increase in vehicle registration, title fees and the gas tax. Creates a Transportation Utility Commission to initially audit transportation funding mechanisms and report back to the 2011 Legislature. Authorizes pilot programs to test alternatives to the gas tax. Updates project selection criteria, including establishing environmental performance standards. Authorizes lottery-backed bonds for the purchase of passenger rail equipment and for other transit purposes. Streamlines co-location of state and local transportation facilities.

Support

Status:

FINAL UPDATE: Bill passed the legislature.

See p. 1 and 2 of the Legislative Review for final analysis: Will be fully implemented by 2012 and 2013. Cities will receive a 20% share or \$54.6 million annually—a 50% increase from current funding. Bill includes a 6-cent increase in the state gas tax, fee increases for automobile title and registration, and a bump in the weight-mile tax for truckers, resulting in a \$300 million boost to the State Highway Fund. Tualatin to receive \$545,000 annually.

6-26 (S) President signed.

6-25 (H) Speaker signed.

3/2 (H) Public hearing held

Sponsor: Rep. Hunt for Gov. Kulongoski

HB 2971 Footpath/Bicycle Trail Funding

Increases allocation of State Highway Fund moneys for footpaths and bicycle trails.

Support

Status:

FINAL UPDATE: Bill died after public hearing.

3/18 Public hearing held.

Sponsor: Reps. Bailey, Dembrow, Cannon, J Smith for the Bicycle Transportation Alliance



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Based on **Council Strategic Focus Areas** from the **2009 Strategic Plan**, the following are Tualatin's Legislative Priorities for the 2009 session:

- ✓ **Land Use & Development: Protect Urban Renewal.** Support legislation that promotes well-managed development and redevelopment as well as our community's economic vitality. Support continued funding for the "Big Look" project at the current level.
- ✓ Doug Rux is President of the Association of Oregon Redevelopment Agencies this year and is actively working on a number of pieces of legislation. We oppose all urban renewal bills except HB 2809, due to their negative impacts on our urban renewal districts.

HB 2229: "Big Look" Committee Recommendations

Support

Establishes four guiding principles as framework for land use system; amends regional land use planning regulations; allows counties to develop regional criteria for designating resource lands; authorizes annexation of land brought into UGB by a city; authorizes audit of program; recommends state strategic plan.

Status:

6-24 (S) President signed. The Big Look Task Force was created in 2005 to perform a broad review of Oregon's land use planning program. Because of the lack of available budgetary funding due to the recession, HB 2229 made incremental "tweaks" to the existing system rather than making wholesale changes. The most significant change in HB 2229 gives counties the authority to re-map/re-zone resource lands in conjunction with a review by the Oregon Department of Land Conservation and Development Commission (DLCD) and subsequent approval by the Oregon Land Conservation and Development Commission.

6-17 (H) House concurred in Senate amendments and repassed bill. Ayes, 45; Nays, 12--Berger, Cameron, Freeman, Gilman, Krieger, Maurer, Olson, Schaufler, Smith G., Sprenger, Thatcher, Whisnant; Excused, 2--Harker, Komp; Excused for Business of the House, 1--Speaker

2-12 (H) Work Session scheduled.

2-12 (H) Work Session held.

1-27 (H) Public Hearing scheduled.

1-27 (H) Public Hearing held.

1-22 (H) Referred to Land Use with subsequent referral to Ways and Means.

Sponsor: Gov. Kulongoski for Dept. Land Conservation and Development

HB 2615 County Approval of Urban Renewal Amending

Oppose

Requires majority approval by county governing body of urban renewal plan proposed, substantially amended or extended in area by city of 300,000 within county boundaries.



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Based on **Council Strategic Focus Areas** from the **2009 Strategic Plan**, the following are Tualatin's Legislative Priorities for the 2009 session:

Status:

FINAL UPDATE: Bill died.

2-17(H) Referred to Sustainability and Economic Development.

Sponsor: Rep. Kahl

HB 2642 Urban Renewal Indebtedness Limit

Oppose

Limits maximum indebtedness of urban renewal plan to amount based on estimated cost of completing urban renewal projects listed in report accompanying plan

Status:

Final Update: Bill died.

2-17 (H) Referred to Sustainability and Economic Development with subsequent referral to Revenue.

Sponsor: Rep. Holvey

HB 2699 Prevailing Wage for Tax Credit and Abatement Projects

Oppose

Modifies definition of "public works." Requires payment of prevailing rate of wage in connection with public works for which funds of public agency are used, including funds received in form of tax credit or tax abatement.

Status:

FINAL UPDATE: Died in rules.

5-13 (S) Referred to Rules.

3-25 Public hearing and possible work session scheduled

3-25 (H) Public Hearing held.

4-3 (H) Work Session scheduled.

Sponsor: Rep. Holvey

HB 2809 UR Plan Conversion - SR to RR

Support

Allows certain municipalities to irrevocably convert urban renewal plan from standard rate plan to reduced rate plan for consolidated billing tax rate purposes.

Status:

FINAL UPDATE: Bill passed, effective 9-28-09.

6-17 (H) Chapter 317, (2009 Laws): Effective date September 28, 2009.

6-17 (H) Governor signed.

4-2 Public hearing scheduled

3-24 (H) Referred to Revenue by prior reference.

3-24 (H) Recommendation: Do pass and be referred to Revenue by prior reference.



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Based on **Council Strategic Focus Areas** from the **2009 Strategic Plan**, the following are Tualatin's Legislative Priorities for the 2009 session:

3-19 (H) Work Session held.

3-17 (H) Public Hearing held.

3-17 (H) Public Hearing and Possible Work Session scheduled.

Sponsor: Rep. Huffman

HB 3056 UR 50% TAV Increment

Oppose

Requires 50 percent of increment to be added to total assessed value of property within urban renewal area whenever increment equals total assessed value. .

AORA, and the City, oppose this bill as it is currently drafted. A redraft is in process, but there are outstanding issues to resolve between the parties. As part of the negotiations with SDAO, AORA has indicated any compromise reached on HB 3056 would mean opposition to all other bills related to urban renewal except HB 2809.

Update: Supports bill as amended. Sets initial maximum indebtedness for specified urban renewal plans. Increases, on July 1 of each year, beginning in 2010, allowable amount of initial maximum indebtedness for plans that are not large metropolitan plans by use of specified index and for large metropolitan plans by use of change in average construction costs. Allows urban renewal agency to amend certain plans to increase maximum indebtedness. Allows urban renewal agency to limit collection of taxes under specified circumstances and according to specified procedures. Allows urban renewal agency to notify assessor to collect maximum division of taxes for newly approved urban renewal plans and substantially amended plans, including certain plans classifiable as large metropolitan plans. Creates exceptions.

Status:

Bill passed the Legislature.

6-26 (S) President signed.

6-25 (H) Speaker signed.

6-16 (H) House concurred in Senate amendments and repassed bill. Ayes, 59;

Excused, 1--Komp.

4-14 (H) Public Hearing and Possible Work Session scheduled.

3-9 (H) Referred to Sustainability and Economic Development

Sponsor: Rep. Hunt

SB 439 OECD & Airport SD Creation

Oppose

Directs Economic and Community Development Department to establish program to create airport tax increment financing districts, with approval of cities, counties and other local property taxing jurisdictions with taxable lands in district.

Status:

FINAL UPDATE: Bill did not pass out of work session.



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Based on **Council Strategic Focus Areas** from the **2009 Strategic Plan**, the following are Tualatin's Legislative Priorities for the 2009 session:

4-20 (S) Work Session held.

4-16 (S) Work Session scheduled.

4-2 (S) Public Hearing Scheduled

Sponsor: Senate Committee on Business and Transportation

SB 642 Schools/Urban Renewal

Oppose

Eliminates school district taxes from division of tax method of funding urban renewal projects.

Status:

FINAL UPDATE: Bill did not pass out of Finance & Revenue.

3-4 (S) Referred to Finance and Revenue.

Sponsor: Sen. Starr

SB 744 UR School Construction/Fire Apparatus

Oppose

Permits urban renewal plans to include school construction or reconstruction projects and funding for fire apparatus to serve urban renewal areas.

Status:

FINAL UPDATE: Bill did not pass out of Finance & Revenue.

3-11 (S) Referred to Finance and Revenue.

Sponsor: Sen. Monroe, Rep. Schaufler

LEGISLATIVE Review

July 2, 2009



League's Priority Issue – Ethics – Gains Legislative Approval

One of the first issues tackled by the 75th Oregon Legislative Assembly were the unintended consequences of ethics legislation passed in 2007. With near unprecedented alacrity, the Legislature passed and Governor Kulongoski signed Senate Bill 30, sponsored by the Senate Interim Committee on Rules and Executive Appointments. This bill addressed many of the concerns raised by city officials after the passage of ethics legislation during the last legislative session. SB 30 retroactively eliminates the requirement that city leaders list the names of relatives on publically accessible ethics forms. In addition, city leaders will be able to attend events while representing their city government without fear of violating ethics laws and will have protection from serious sanction for good faith reliance on advice from the Oregon Government Ethics Commission.

Contact: Scott Winkels, Intergovernmental Relations Associate, swinkels@orcities.org

2009 Session Addresses Transportation Issues

Passage of HB 2001, the Jobs and Transportation Act of 2009, was one of the major accomplishments of 75th Oregon Legislative Assembly. The bill is currently awaiting Governor Ted Kulongoski's expected signature. The product of an interim task force appointed by the governor, the bill (originally introduced as HB 2120) was the work product of the most diverse group of stakeholders ever assembled to deal with the state's transportation infrastructure needs. Once introduced, the "transportation package" as it came to be known, was shepherded through the process by a group of nine legislators, evenly balanced between parties and chambers. Key players were Representative Terry Beyer (D-Springfield), chair of the House Transportation Committee, and Senator Rick Metsger (D-Welches), chair of the Senate Business and Transportation Committee.

While the legislation was not perfect (nearly every organization, including the League, had to accept distasteful provisions), HB 2001 begins to address long-standing transportation issues that the Legislature had been unwilling to address until this year. Principal among those are a 6-cent increase in the state gas tax, fee increases for automobile title and registration, and a bump in the weight-mile tax for truckers, resulting in a \$300 million boost to the State Highway Fund. When fully implemented in fiscal

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years 2012 and 2013, cities will receive a 20 percent share (following a small off-the-top set-aside for the Oregon Department of Transportation), or \$54.6 million annually – a 50 percent increase from current funding. This 20 percent share is made permanent by the bill as part of a 50-30-20 (state, county, city) revenue split of all new State Highway Funds.

A troublesome portion of the bill for cities is the section declaring a moratorium of slightly more than four years on all new locally-leveled gasoline taxes, with a requirement coming out of the moratorium that all such taxes be referred to local voters for enactment. Another threat to local control, the creation of a Transportation Utility Commission, a new regulatory authority with comprehensive control over the sources and uses of state highway funds, was deleted from the bill.

An effort to expand state agency transportation and land use planning authority in order to reduce greenhouse gas emissions from the transportation sector became very controversial toward the end of deliberations on the bill. While proponents initially sought to apply more robust planning requirements on all six, and later the three largest metropolitan planning organizations (MPOs) in Oregon, the bill as passed applies only to the Portland-area MPO (Metro) with some modeling requirements for the Eugene-Springfield MPO. Separate greenhouse gas legislation, HB 2186, establishes a 16-member task force to study and report back to the Legislature by January 1, 2010, on transportation and land use planning scenarios to reduce emissions from motor vehicles. In addition to successfully seeking to limit the scope of expanded planning to a single pilot project (Portland), the League avoided an unfunded mandate on impacted cities with language providing state agency reimbursement for local planning costs, and an exemption from compliance requirements absent such funding.

HB 2001 also contained language creating a congestion pricing pilot program; funded multi-modal transport (OTIA II) to the tune of \$100 million; upgraded the selection criteria for the Statewide Transportation Improvement Program (STIP); eased restrictions on the ability of large counties to collect vehicle registration fee and mandating a 40 percent distribution to cities; and earmarked more than \$900 million in bonding to fund 37 highway projects throughout Oregon (the largest – \$192 million for the Newberg-Dundee Bypass, Phase I).

HB 3138, the League's effort to expand the Oregon Department of Transportation's small city allotment program from \$1 million to \$5 million received a hearing but died in committee. Efforts to expand funding for cities less than 5,000 in population and to increase the cap on grants from the current \$25,000 per project will continue.

Contact: Craig Honeyman, Legislative Director – choneyman@orcities.org

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Legislature Increases Funds for Municipal Infrastructure Projects

As part of broader economic development efforts, the Legislature authorized \$20 million in lottery bonds for the Special Public Works Fund (SPWF). When accounting for the cost of issuing bonds, debt service, and a shift of funds at the Oregon Economic and Community Development Department, the Legislature's action will result in a net increase of \$7.5 million available to finance revolving loans and grants for municipal infrastructure projects. As one of its top three legislative priorities, the League advocated for a substantially larger recapitalization of the SPWF. However, the recapitalization of the SPWF that did occur this session was in the context of limited state bonding capacity and signals increased legislative interest in investing in municipal infrastructure.

Contact: Daniel Eisenbeis, Intergovernmental Relations Associate – deisenbeis@orcities.org

Legislature Addresses Land Use and Housing Issues

Even though the long-awaited recommendations from the “Big Look” Committee (the Oregon Task Force on Land Use Planning) were unveiled this session, the land use debate remained largely focused on the impacts of destination resorts, local government siting authority, and the governor’s interest in setting aside a portion of Central Oregon’s Metolius River Basin as an “area of critical state concern.” At least a dozen bills were introduced surrounding these issues, with several passing.

Because of the lack of available budgetary funding due to the recession, the “Big Look” Committee’s legislation (HB 2229) made incremental “tweaks” to the existing system rather than making wholesale changes. The most significant change in HB 2229 gives counties the authority to re-map/re-zone resource lands in conjunction with a review by the Oregon Department of Land Conservation and Development (DLCD) and subsequent approval by the Oregon Land Conservation and Development Commission.

Measure 49 received what many hope to be the last technical changes in HB 3225, including an expedited timeline for the state to complete claim processing. Additional funding in DLCD’s budget for additional staff to complete Measure 49 claims was the only policy option package that was requested for adoption by DLCD. The Local Government Grants Program in DLCD’s budget was mostly unaffected, as \$2.3 million was appropriated for the 2009-2011 biennium.

Even with a lack of available state funds, significant efforts were made this session to address housing issues by two lobby interests – the Housing Alliance (HB 2436) and the Manufactured Housing Landlord Tenant Coalition (SB 772). The increase in the document recording fee dedicated for affordable housing programs (HB 2436) passed this session after two unsuccessful tries. The bill will provide an additional \$15 million in the 2009-2011 biennium for rental and emergency housing programs,

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projected to increase to \$29 million in 2013-2015. Additionally, Senator Suzanne Bonamici (D-Washington County/Portland) and Representative Chris Edwards (D-Eugene) passed priority bills addressing housing issues, including SB 929 (Senator Bonamici) and HB 3085 (Representative Edwards).

Contact: Linda Ludwig, Deputy Legislative Director – lludwig@orcities.org

Water Policy Discussion Shifts to Conservation and Environment

The legislative discussion on water policy during the 2009 session was highlighted by numerous conservation and environmental proposals. Lawmakers ultimately approved legislation that will allow the reuse of domestic gray water for onsite irrigation purposes. Moreover, legislators authorized funding for the Umatilla aquifer recharge project and non-municipal water development projects that meet strict environmental requirements. Lastly, legislators gave the nod to a plan to develop Oregon's first integrated water resources strategy to meet future water needs. Bills (each opposed by the League) that received consideration but did not become law included proposals to add eligibility requirements for water projects to receive any state funding; require establishment of restrictive water overlay zones; statutorily define and protect peak flows and ecological flows in streams; and require cities to reduce water consumption 20 percent by the year 2020.

The budget of the Oregon Water Resources Department (OWRD) also received considerable legislative attention, largely because of the state's budgetary challenges and the fact that the department's budget has been more dependent on the state general fund than other natural resource agencies. Legislators worked to gain approval from stakeholders, including the League, for minimal targeted budget cuts and a mix of new and increased fees to retain the capacity of OWRD to monitor and manage Oregon's water resources.

Contact: Daniel Eisenbeis, Intergovernmental Relations Associate – deisenbeis@orcities.org

Legislature Does Minimal Harm to City Finances

As finance and taxation issues were addressed during the legislative session, cities mostly avoided direct negative impacts. The state's dire economic condition presented a difficult challenge for the House and the Senate, but early assurances from legislative leadership that no raids were being contemplated on State Shared Revenue distributions were borne out. Instead, attention was paid to the much publicized personal (HB 2649) and corporate (HB 3405) tax increases that, in conjunction with spending cuts, filled the gaps and balanced the state budget.

Issues of note:

- Recognizing alternate sources of funding may have more traction in today's economy, a measure to lift the local government preemption on imposing tobacco taxes (HB 2616) had an 11th hour run through the House before being stymied in the Senate.
- A late push to resurrect an increase in the state beer tax (HB 2461) to fund alcohol and drug addiction treatment, prevention, and recovery programs was also attempted late in the session, but to no avail.
- Two bills introduced by counties, which would have offset their costs of property tax assessment and collection while taking monies away from cities, failed (HB 3214 / SB 563).
- Other measures which helped strengthen local government financial operations passed. One gives cities greater financial flexibility by allowing monies to be transferred between authorized funds (SB 916) and another bolsters the collateral pool to protect public funds (SB 832).
- The Legislature sent a measure to the voters primarily designed for school bonding, but an aspect of the measure would allow cities to utilize bond proceeds for capital costs (HJR 13). These are defined as assets with a useful life of greater than one year such as construction, remodeling, furnishings, and repairs as well as police cars and fire trucks.
- The amount cities can retain for the collection of school construction excise taxes was increased from 1 percent to 4 percent to better cover administrative costs (HB 2014).
- Months of negotiations that included the League produced an urban renewal bill (HB 3056) that ensures its use as an effective tool for city growth while taking steps to fairly return value to the tax roles. The negotiations also produced an agreement that no new urban renewal legislation would be brought forward by all parties until at least the 2017 legislative session.

Contact: Michael Novak, Intergovernmental Relations Associate – mnovak@orcities.org

Energy and Climate Change Agenda Tempered by Economy

The 2009 legislative session began with several ambitious proposals regarding climate change and energy policy. Economic concerns, however, led legislators to exercise caution in approving climate legislation. For example, a proposal to enable Oregon's entry into a regional system of cap and trade allowances for greenhouse gas emissions languished this session. However, legislators did pass bills to increase the energy efficiency of new commercial and residential buildings; enable loans for energy efficiency improvements in buildings; expand carbon reporting; establish an emissions performance standard for power plants; establish a low carbon fuel standard; and study additional ways to reduce greenhouse gas emissions. Lastly, legislators reduced the Business Energy Tax Credit for large renewable energy (primarily wind power) projects, while also making the credit available for manufacturing electric vehicles.

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Contact: Daniel Eisenbeis, Intergovernmental Relations Associate – deisenbeis@orcities.org

Legislators Raise Building Codes Standards, Revise Code Administration and Inspector Training

As part of a broader set of policies to address climate change (see summary on energy legislation), the Legislature moved this session to substantially increase the energy efficiency of new commercial and residential buildings, while also directing the creation of an optional “reach code” to allow builders to adopt efficiency standards that exceed those contained in the regular state building code. The reach code is meant to serve as model for future revisions to the state building code.

Legislators also established more uniform standards for building code administration and enforcement and created a pilot program to offer more flexibility in training and certifying building officials. New standards require that a monetary penalty for a building code violation be assessed as a civil penalty; that the penalty not exceed state penalties for violations; that a citation include notice of the code violation, proposed penalty, and opportunity to challenge the penalty; and that an administrative process be offered to hear challenges to citations.

Approved legislation also gives the Oregon Building Codes Division authority to train and certify building officials to enforce commonly encountered portions of codes, thus providing better service to remote rural areas of the state where certain building inspections currently require a building official to travel long distances from a larger population center.

Contact: Daniel Eisenbeis, Intergovernmental Relations Associate – deisenbeis@orcities.org

Collective Bargaining Bills of the 75th Oregon Legislature

The League weighed in on two collective bargaining bills this legislative session. HB 2633, sponsored by Representative Mike Schaufler (D-Happy Valley), applied only to public safety officers and would have required that an employee have the ability to impose economic discipline on other employees in order to be considered a supervisor for purposes of collective bargaining. The bill passed out of the House but was never voted on in the Senate.

House Bill 2831, also sponsored by Representative Schaufler, would have allowed temporary workers into a bargaining unit, redefined which employees are supervisors and prohibited the hiring of perma-

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ment strike replacements. The bill passed out of committee but was voted down on the Senate floor.

Contact: Scott Winkels, Intergovernmental Relations Associate, swinkels@orcities.org

Legislature Approves Public Contracting Bill

In the final hours of the legislative session, the Senate passed and the House concurred with legislation altering the way many contracting agencies will conduct procurement and personal service contracting. The bill now goes to the governor for his signature.

House Bill 2867, sponsored by the House Committee on Business and Labor, chaired by Representative Mike Schaufier (D-Happy Valley), will apply to cities with a population of 15,000 or more and to contracts greater than \$250,000 in value. Specifically the bill:

- Requires a contracting agency to determine the cost of providing a service with existing employees compared with the cost of contracting out that service by estimating what costs would be incurred by a contractor;
- Prohibits an agency from contracting out a service if it would be cheaper to perform the service with existing employees;
- Prohibits an agency from contracting out a service if the only reason the service would be cheaper was due to lower wages and benefits paid by the contractor;
- Proscribes performance standards and penalties for non-performance of a contracted service.

Additionally, another bill, HB 2037, sponsored by the Interim Committee on Information Technology and Government Accountability, would have required extensive reporting on contracts to the public, the Legislature and the governor. That legislation was never voted on.

Contact: Scott Winkels, Intergovernmental Relations Associate, swinkels@orcities.org

Cities Protect Franchise Fees and Rights-of-Way Authority

The legislative session started off quickly with two bills that would have preempted city rights-of-way authority and jeopardized franchise fees. HB 2405, brought forward by Verizon, was a battle fought well into the session. A very complex issue, local government telecom experts assessed that HB 2405 would have impacted franchise and tax revenues and local rights-of-way authority while threatening another round of costly telecom litigation. The bill would also have had implications for future Internet-enabled protocol services, an area yet to be defined by the Federal Communications Commission. A

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coalition of cities, counties, the Oregon Public Utility Commission, consumer groups and Attorney General John Kroger raised significant concerns that ultimately kept HB 2405 from moving forward.

SB 269, as originally drafted, would have interfered with city franchising and rights-of-way authority and potentially required local governments to pay the costs of utility relocations. Working with utilities, local governments and other stakeholders, the League secured amendments to focus SB 269 on coordination efforts. As passed, SB 269 does not threaten city authority or require cities to pay the costs of utility relocation. The bill now requires that utilities and local governments work together as early as possible in the planning process for utility relocations. The shared goal is to ensure that costs can be minimized to the extent possible. There will likely be additional work during the interim to address unresolved relocation issues.

A final bill of note on the telecom front this session is HB 3158. One of the core policies adopted by cities is to support a statewide broadband policy for Oregon. HB 3158 creates a forum for that policy development, the Oregon Broadband Advisory Council, which will replace the existing Oregon Telecommunications Coordinating Council (ORTCC). As with the ORTCC, cities will continue to have representation on the council. With the significant investment in federal stimulus dollars coming with the American Recovery and Reinvestment Act (ARRA), the council will play a critical role by ensuring that there is a road map for investing in the deployment of broadband to serve all Oregonians. HB 3158 provides the vehicle for that discussion to move forward.

Contact: Andrea Fogue, Senior Intergovernmental Relations Associate - afogue@orcities.org

Elections Issues Move to Interim Discussion

An attempt to reapportion elections costs was the most significant development for cities this session in the elections arena. Currently, county governments are responsible for administering elections as a core service. There was an effort this session to reapportion election costs so that cities pay a larger portion. Ultimately, the League defeated this attempt to shift costs to cities.

The League maintains that the apportionment of elections costs should be part of a larger discussion on the delivery of services among the state and local governments. Secretary of State Kate Brown has committed to convene a group of stakeholders to look specifically at elections issues. It is anticipated that this discussion will feed into a larger body of work established by HB 2920, which creates a Task Force on Effective and Cost-Efficient Service Provision. In addition to a city official, the task force will include representatives from counties, special districts, state agencies, the governor's office, and legislators. The task force will review opportunities to provide services in the most effective and cost-efficient manner and focus on the following:

- Assessment and taxation;
- Elections;

- Human services;
- Criminal justice;
- Intergovernmental agreements;
- Existing or new service districts;
- Technology to achieve cost savings; and
- Fiscal support and planning for counties.

Work is anticipated to begin soon as the task force is required to submit an interim report to the Legislature by November 30, 2009, and a final report no later than October 1, 2010.

Contact: Andrea Fogue, Senior Intergovernmental Relations Associate – afogue@orcities.org

Hometown Voices Heard Loud and Clear

The League would like to sincerely thank city officials for their essential contributions to Hometown Voices, the League's grassroots advocacy program. Their work was vital to success on city issues this legislative session. The League communicated through Hometown Action alerts in the weekly Bulletin, the Legislative Web page and through Action Alerts—and city officials responded en masse. Cities engaging in advocacy not only laid the foundation for passage of all three of the League's top priorities: Ethics Reform, Transportation Funding and Infrastructure Recapitalization, but also a host of critical issues such as defeating onerous collective bargaining legislation and attempts to preempt city franchising and rights-of-way authority.

The Hometown Voices Regional Teams also played an invaluable role this session. These teams are comprised of key city officials from across the state and are utilized to target specific issues with legislators. The regional teams are often the League's first line of defense, responsible for communicating how an issue will impact cities. They did an outstanding job that did not go unrecognized by legislators who commented regularly that they were hearing from their city officials.

Sine Die does not signal the end of advocacy efforts. It is important that city officials continue to work with legislators during the interim. Building and maintaining these relationships is the most significant part that members can play in the League's continued advocacy on behalf of cities. For more information about Hometown Voices visit the League's Legislative Web page at www.orcities.org.

Contact: Andrea Fogue, Senior Intergovernmental Relations Associate– afogue@orcities.org

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MEMORANDUM

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

FROM: Sherilyn Lombos, City Manager 

DATE: August 10, 2009

SUBJECT: ODOT INTERCITY PASSENGER RAIL STUDY

ODOT is currently conducting a study and preparing a submittal to the Federal Rail Administration associated with bringing high speed rail from Eugene to Portland. There are two options: one is on the current Union Pacific route (through Oregon City) and the other is to utilize the Oregon Electric alignment (which is the track that the commuter rail service uses), which goes through Tualatin.

The purpose of tonight's agenda item is to discuss the DRAFT report, the options ODOT is looking at, and decide how best Tualatin can be involved.

Attached is the DRAFT report along with several emails from the group conducting the study and the article that ran in the Oregonian several weeks ago.



Oregon
Department
of Transportation



ODOT Intercity Passenger Rail Study

Oregon Department of Transportation
Rail Division
13th Street NE, Suite 3
Salem, Oregon 97301-4179

Parsons Brinckerhoff
400 SW Sixth Ave, Suite 802
Portland, Oregon 97204

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EXECUTIVE SUMMARY

This study evaluates the feasibility of moving Portland-to-Eugene intercity passenger rail service from the current Union Pacific (UP) mainline railroad route to a parallel rail route known as the Oregon Electric (OE) alignment. Currently, the Oregon Department of Transportation (ODOT) sponsors two Amtrak trains and three intercity *Thruway* buses daily between Portland and Eugene. Passenger trains operate on the UP mainline track. Service integrity for these passenger train offerings has been a persistent challenge, in part due to the inherent difficulty of integrating passenger operations into a heavily-used, single-track freight mainline operation.

Significant population growth is expected in the Willamette Valley in the next 20 years. The Oregon Transportation Plan states that “by 2030, Oregon’s Transportation System needs to accommodate 41 percent more population and an 80 percent increase in freight tonnage.”¹ While regional and statewide transportation plans may include some additional transportation capacity in the Valley by 2030, there are no plans to build capacity into the highway and rail systems commensurate with the magnitude of growth in people, jobs and freight.

The increase in highway congestion is likely to spur public interest in energy-efficient alternatives to personal auto travel. Achieving increases in the frequency and quality of passenger rail service will require substantial public investment under any scenario. It is appropriate, therefore, to carefully assess routing alternatives for improved service as a foundation for any long-term investment program.

This study analyzes current and future conditions to determine the feasibility of a variety of alignment and passenger service scenarios for intercity passenger rail service between Portland and Eugene. Analysis of the potential to transfer passenger rail service to the OE line required meetings with rail stakeholders, computer modeling, engineering evaluation of the rail corridors and preliminary investigation into the environmental impacts and potential barriers.

The study concludes that with associated improvements and mitigation of environmental and land use impacts, it is feasible to shift Portland-to-Eugene intercity passenger rail service from the UP rail line to the OE rail line. This shift, along with the corresponding track improvements, would in turn benefit freight rail operations on both the OE and the UP routes.

Cost estimates were developed for the various alternatives based on conceptual design options and unit costs from similar passenger rail projects in Oregon and in the western United States. These estimates show that the OE alternative would cost less than the UP alternative. The study’s comparative evaluation of the two routes shows ridership to be slightly higher on the OE alternative.

¹ Oregon Transportation Plan, 2007.

INTRODUCTION

Travel demand for personal and business trips is projected to grow as population and employment in the Willamette Valley continues to increase. Planning agencies forecast population in the Willamette Valley will grow from nearly 2.4 million people in the year 2000 to 3.45 million people in 2030, a 44 percent increase,² along with a similar increase in employment. The Oregon Transportation Plan forecasts freight demand to grow by as much as 80 percent in the same time frame.³ These increases will result in travel demand that exceeds the available freight and passenger rail capacity in the Willamette Valley.

ODOT is examining alternatives to increase intercity passenger rail capacity in this corridor. ODOT currently sponsors two Amtrak trains and three intercity *Thruway* buses daily between Portland and Eugene.⁴ This service, known as the Amtrak *Cascades*, is part of a larger federally designated passenger rail corridor, the Pacific Northwest Rail Corridor (PNWRC) that operates between Eugene, Portland, Seattle, and Vancouver, BC.

Intercity passenger trains operate on the Union Pacific (UP) mainline track, and compete with UP freight trains for the limited track capacity of this line. As UP freight business grows, expanding the number of passenger trains to meet demand will be challenging and will require substantial additional rail capacity investment. Quality passenger service necessitates reliable, disciplined operations with consistent on-time performance. Past history on the UP route calls into question whether this is achievable between Portland and Eugene, even with new investment, given the inherent challenges and competition for the limited capacity of this high density freight mainline operation.

PURPOSE OF THIS REPORT

ODOT, UP and BNSF Railway Company (BNSF) own right-of-way on a rail corridor known as the Oregon Electric (OE) line, which runs parallel to the UP mainline. This report examines potential ways to offer expanded intercity passenger rail service between Portland and Eugene in the future by moving passenger service off the UP mainline onto the lesser-used OE line, both shown in Figure 1.

² Oregon Office of Economic Analysis. 2009. *Forecasts of Oregon's County Population and Components of Change, 2000 to 2040*. http://www.oregon.gov/DAS/OEA/docs/demographic/pop_components.xls. Accessed May 6, 2009.

³ Over 3.2 million people lived in Oregon in 2000, which is projected to increase to 4.8 million by 2030. Further, 71 percent of Oregonians lived in the Willamette Valley in 2000 and, statewide, 58 percent of Oregonians lived in metropolitan areas (Oregon Transportation Plan 2007). Also based on forecasts from Lane Council of Governments, Salem-Keizer Area Transportation Study (SKATS), and Metro.

⁴ A fourth roundtrip that begins and ends at the University of Oregon campus in Eugene operates on most Fridays and Sundays in addition to the three daily roundtrips.

This study examines the following for the two alternatives considered:

- Concerns about passenger and freight rail interaction identified by the railroads;
- Existing UP and OE characteristics, (e.g. line condition and nearby land uses);
- Operating plan assumptions such as stations, train equipment and schedule;
- Ridership, capacity, land use and environmental effects;
- Conceptual cost estimates for design options for both the OE and UP alternatives; and
- Other considerations including control over train priority.

BACKGROUND

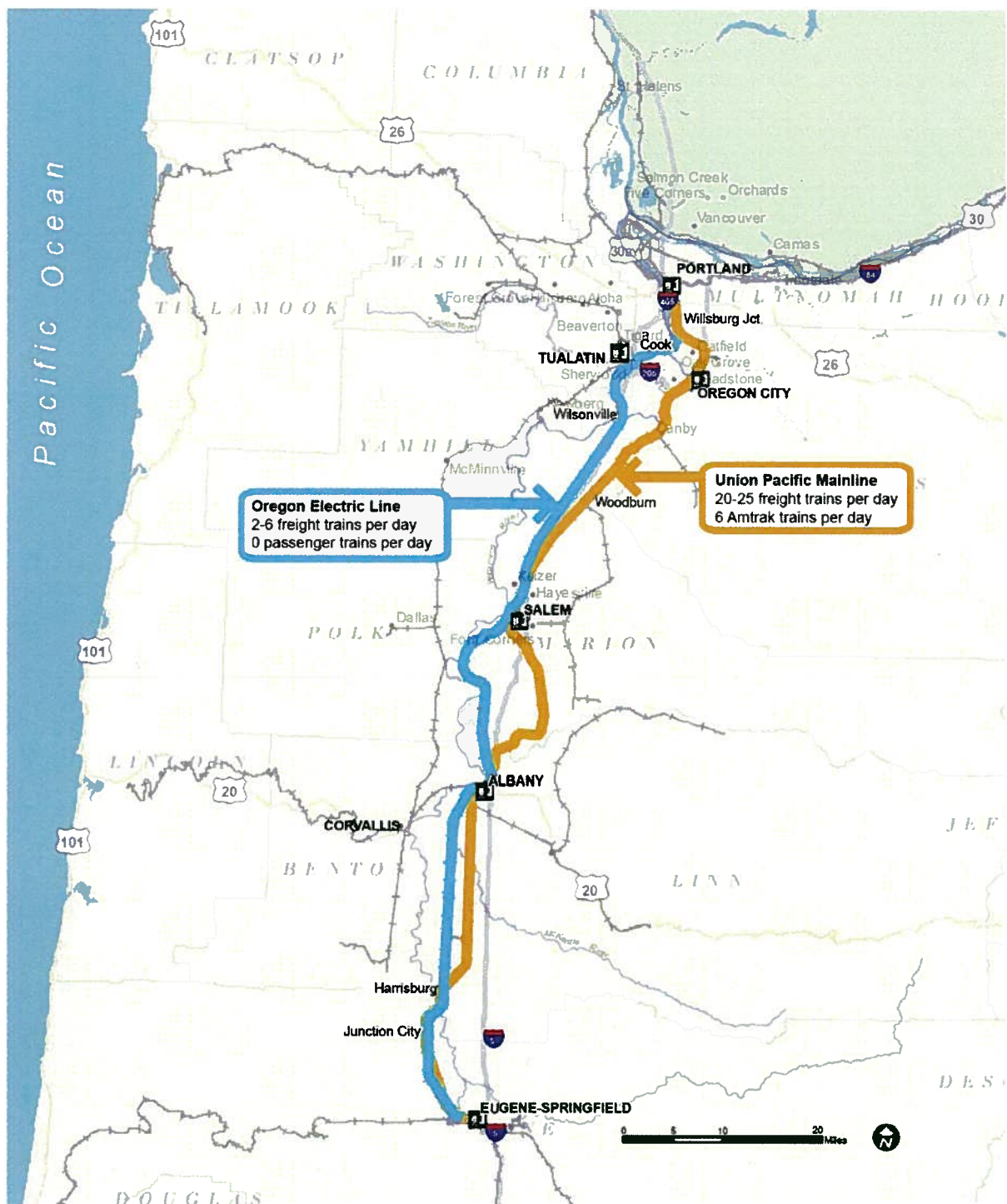
Amtrak routes around the country are, in general, a legacy of the final privately-operated passenger corridors in operation when Amtrak was created in 1971 by Congress to take over passenger rail operations. As part of this legislation, the federal government agreed to relieve freight carriers of their obligation to provide passenger service in exchange for perpetual rights of access for Amtrak to operate on the freight carriers' lines.

Oregon is fortunate to have two active rail alignments serving the major population centers in the Willamette Valley. Each alignment was engineered with passenger rail service in mind. The original companies, now owned by UP and BNSF,⁵ actually competed vigorously for passengers in the early 1900s between Portland, Salem and Eugene. Passenger service on the OE ended in 1933. Southern Pacific (SP), the predecessor to UP, was still operating a thrice weekly Oakland, California-to-Portland *Cascade* train over the present *Cascades* route at the time of the 1971 Amtrak assumption of passenger service.

The Amtrak *Cascades* service on the UP line is a legacy of the 1971 Amtrak agreement and may not present the best long-term alternative for providing and investing in passenger rail expansion for the future.

⁵ Formerly, the Burlington Northern and Santa Fe Railway Company.

Figure 1. Intercity Passenger Rail Assessment Study Corridors



CORRIDOR HISTORY AND CURRENT USE

Passenger Service

The Amtrak *Cascades* service between Portland and Eugene began in 1995 under the sponsorship of the Oregon Department of Transportation (ODOT) with one daily roundtrip train. A second roundtrip train was added in October 2000. Currently, there are two Amtrak *Cascades* trains and three intercity *Thruway* buses daily between Portland and Eugene.⁶ There are two northbound trains in the morning and two southbound trains in the evening. The three roundtrip *Thruway* buses run at other times of the day to Portland's Union Station where they provide connections to two additional Amtrak *Cascades* trains into Washington state⁷ (and to Vancouver, British Columbia) as well as *Empire Builder* trains traveling to and from points east, including Chicago. Amtrak's *Coast Starlight* also provides interstate passenger rail service with one southbound and one northbound trip per day between Los Angeles and Seattle that includes stops in Eugene, Albany, Salem, and Portland. This service carries a substantial number of local passengers between Portland and Eugene.

Union Pacific (UP) Mainline

The original north-south interstate rail line through the Willamette Valley and into California was built by a succession of entrepreneurs and business rivals between 1868 and 1887. Early competition featured near-simultaneous ground-breakings in Portland for construction of alternatives including a "west side" route via McMinnville and Corvallis to Eugene and an alternative "east side" alignment through Oregon City and Salem. By 1870 Ben Holladay, promoter of the easterly alignment, came to control both routes and, with the support of German financiers, incorporated the Oregon and California Railroad (O&C). O&C's aim from the outset was to complete a route that would connect with SP's track in northern California. The route reached Eugene by October 1871 and Roseburg by the close of the following year. While the westerly alignment was eventually extended through Corvallis to Eugene⁸ as per the original plan, the easterly Oregon City-to-Salem track evolved to become the principal route for north south trains in the state and continues in that role to the present day.

Passenger operations were the principal driver for construction of most rail lines in the late 1800's; the O&C/SP lines in Oregon were no exception. Long-distance trains continued to operate over the Oregon City-to-Salem-to-Eugene route to and from California. The heyday of modern long-distance passenger services occurred before World War II, prior to development of the Interstate highways and modern air travel. During that period, five long distance passenger trains ran over the Portland-to-Eugene alignment each day: three to the Bay Area, one to Los Angeles, and a single Portland-

⁶ A fourth roundtrip that begins and ends at the University of Oregon campus in Eugene operates on most Fridays and Sundays in addition to the three daily roundtrips.

⁷ These trains are sponsored by the Washington State Department of Transportation.

⁸ In 1913.

to-Ashland roundtrip. Only a thrice weekly Oakland, California-to-Portland *Cascade* train carried passengers over the route when Amtrak assumed control of the nation's long-distance trains in 1971. Under Amtrak, this train evolved to become the daily Los Angeles-to-Seattle *Coast Starlight*. Except for a state-supported experiment in 1980-81 when Amtrak operated two roundtrip *Willamette Valley Express* passenger trains between Eugene and Portland, the *Coast Starlight* remained as the only passenger rail service in the valley until Oregon began support of the *Cascades* service in 1994.

In 1996, UP acquired SP in its entirety and thus took ownership and control of train operations along this corridor, which included all Amtrak trains. The current Amtrak *Cascades* intercity passenger trains operate on this UP mainline track, competing with UP freight trains for the same limited rail capacity. The scheduled trip time between Eugene and Portland is two hours and 35 minutes. However, sometimes trains arrive at their final destination as much as 20 minutes ahead of schedule, indicating that the 2008-2009 line conditions are conducive to running times of 2 ¼ to 2 ½ hours. On average, passenger trains run on-time approximately 68 percent of the time, but on-time rates over the past ten years have been as low as 45 to 50 percent.⁹

The UP north-south mainline carries as many as 20 to 25 freight trains per day along the Willamette Valley. Based on current UP system capacity and projected freight growth, this could increase to as many as 30 to 35 trains per day before 2030. The growth in freight traffic emphasizes the need for investment to support additional passenger train frequencies while, at the same time, achieving a standard of on-time performance that can be competitive with highway travel.

Since the mid-1990s, Oregon has funded a variety of rail improvements on the UP mainline to mitigate for the impact of increased passenger service on freight operations. Improvements have included installation of Centralized Traffic Control (CTC), at-grade crossing signal upgrades, and track upgrades. ODOT's 2001 Rail Plan provides background for future rail improvements to be undertaken in concert with future additional passenger train service. With regard to track condition, the UP mainline existing track and bridges are in good condition, and the line's centralized train control and communications systems will support passenger trains operating at the maximum speed of 79 miles per hour (mph) for many miles of the UP line. However, only six percent of the Portland-to-Eugene route is currently posted for 79 mph.

Oregon Electric (OE) Line

Parallel to the I-5 corridor, also extending between Portland and Eugene, is a secondary rail corridor dubbed the "Oregon Electric" (OE) line. The OE line was first developed as an independent passenger-oriented operation (the Oregon Electric Railway Company), and at its zenith it was the largest electrified railroad operation in Oregon. The OE transitioned to a freight emphasis with the demise of electric interurban trains on this line in the early 1930s. Corporately, OE was absorbed into the Spokane, Portland and Seattle (SP&S) Railroad in 1910, one of the Hill-affiliated rail companies that together

⁹ Historical on-time performance reports for Amtrak *Cascades* from Amtrak.com.

with Northern Pacific and Great Northern later formed the Burlington Northern (BN) Railroad. BN later merged with Atchison Topeka & Santa Fe Railway to become BNSF in 1995. Both BN and BNSF sold and leased many branch line properties in the 1980s and 90s to short line operators, trimming costs, consolidating capital spending and retaining local business through agreements with the more flexible, locally based short line operators.

Today, Portland & Western Railroad (PNWR), a large regional short line owned by Genesee & Wyoming Inc., operates the OE line from Willsburg Junction to Eugene. There are three separate right-of-way owners along the line: UP owns a segment from Willsburg Junction to Tualatin (10 miles); ODOT owns the right-of-way between Tualatin to just North of Keizer (28 miles); and BNSF Railway (BNSF) owns the stretch from North of Keizer to Eugene (76 miles). The operating rights of the ODOT-owned right-of-way are owned by the PNWR. The sections owned by the BNSF and UP are leased to PNWR.

Current track condition on the OE line is suitable for short line operations and generally supports freight train speeds of up to 25 mph. However, significant upgrades are needed for the line to meet federal standards for passenger service. Continued local service to freight rail clients must be considered along with slow-speed operations where track runs within or closely adjacent to streets in Salem, Albany, Junction City, and Harrisburg. Several bridges along the corridor likely will need rehabilitation or reconstruction in the next 10 to 15 years in order to keep train speeds at their current levels.

Freight traffic dominates the OE corridor and, until this year, freight was the only train activity on the OE alignment. PNWR operates approximately two to six trains per day between Portland and Eugene. Freight service demand on PNWR is the product of traffic moving to and from local Oregon business clients for delivery to further locations by both UP and BNSF, along with some modest but growing short-haul local traffic.

Since February 2009, PNWR began sharing a portion of the OE line with Trimet's commuter rail service (WES), from Tualatin to Wilsonville, overlapping where intercity passenger trains might run in the future.

ALTERNATIVES CONSIDERED

Two alternative routes were considered for intercity passenger rail service between Portland and Eugene: 1) using the current UP mainline, and 2) using the parallel OE rail line.

The term "scenario" applies to levels of train service (in terms of frequency and travel time) analyzed with each alternative. For each alternative, a variety of passenger train service scenarios were analyzed to estimate passenger ridership for the future year of 2030. These scenarios range from maintaining the current service (referenced as the "baseline" scenario with two train and three bus roundtrips per day) up to increased

service of six train roundtrips per day. Table 1 summarizes the assumptions of the scenarios considered for each alternative.

The two and six daily roundtrip scenarios assumed track and crossing improvements as well as train control improvements would be made to achieve an increase in maximum running speed from the current 79 mph to 90 mph under either alternative.¹⁰

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¹⁰ Federal "Rail Safety Improvement Act of 2008".

Table 1. Assumptions for Alternatives and Scenarios Examined

<i>Year, Alternative, Scenario</i>	<i>Assumptions</i>
1998 UP Actual	Actual counts used to calibrate the statewide travel model. Travel time between Portland and Eugene was approximately 2¼ hours each way. Note: the Oregon City station was not in operation in 1998.
1998 UP As Modeled	Annual ridership calculated by the model, and used for comparisons to the 2030 scenarios. Travel time between Portland and Eugene modeled as approximately 2¼ hours each way. Note: the Oregon City station was not in operation in 1998.
2008 UP Actual	Two train and three <i>Thruway</i> bus roundtrips per day. Estimated counts are based on the September 2008 <i>Cascades Ridership Report</i> . Travel time between Portland and Eugene averages approximately 2¼ to 2½ hours each way.
2030 UP "Baseline"	Trains still on UP line, no further track improvements between now and 2030 beyond what are already funded to be in place between 2008 and 2010. Service includes two train and three <i>Thruway</i> bus roundtrips per day. A higher Portland-to-Eugene travel time of 3 to 3¼ hours is assumed and modeled to reflect an increase in delays due to freight train traffic.
2030 UP, 2 Train Roundtrips per Day	Two train and three <i>Thruway</i> bus roundtrips per day, running on travel time schedules similar to today along with track improvements to accommodate running speeds of up to 90 mph that would reduce estimated travel times to 2 to 2¼ hours each way. Requires significant capital investment to offset growth of freight volumes and to reach acceptable level of on time performance.
2030 OE, 2 Train Roundtrips per Day	Two train and three <i>Thruway</i> bus roundtrips per day, running on travel time schedules similar to today along with track improvements to accommodate running speeds of up to 90 mph that would reduce estimated travel times to 2 to 2¼ hours each way. Requires significant capital investment to provide passenger rail service at an acceptable level of on time performance and to mitigate impact to freight business.
2030 UP, 6 Train Roundtrips per Day	Six train roundtrips per day and track improvements to accommodate running speeds of up to 90 mph that would reduce estimated travel times to 2 to 2¼ hours each way. Requires significant capital investment, similar to UP two train scenario.
2030 OE, 6 Train Roundtrips per Day	Six train roundtrips per day and track improvements to accommodate running speeds of up to 90 mph that would reduce estimated travel times to 2 to 2¼ hours each way. Requires similar capital investment as the OE two train scenario.

UP Alternative

The UP alternative, shown in Figure 2, is based on the same track alignment as the existing UP mainline. For this alternative, it is assumed that projects on the UP mainline already underway or programmed and funded for completion in the next two to three years will be in place. Additionally, it is assumed that a complete second mainline track between Eugene and Portland will be necessary to reach acceptable levels of on time performance under either a two or six train roundtrip-per-day scenario. All intercity passenger rail stations (Portland, Oregon City, Salem, Albany, and Eugene) would remain in their existing location. For cost estimating and evaluation purposes, the UP alternative is treated as one segment between Eugene and Willsburg Junction, which is located south of Portland, instead of to Union Station. Both the OE and UP alternatives would operate over the UP mainline from Willsburg Junction to Union Station in Portland.

OE Alternative

The OE alternative was developed with the intent of shifting service as much as possible onto the existing OE line. There are locations where trains cross over and use UP right-of-way for select segments of the route. There are others where more than one alignment option was developed due to offset issues with cost, freight train operations, and potential environmental impacts. The OE alternative is shown in Figure 3.

The OE alternative is analyzed in five segments between the south end of Portland, where it deviates from the UP mainline at Willsburg Junction, and Eugene. A sixth segment is the UP mainline between Willsburg Junction and Portland's Union Station, on which passenger trains currently operate. No changes to this segment are examined in this study.

The following OE alternative segments are:

- Segment 1, between Willsburg Junction and Tualatin. The OE alignment travels south on the UP Tillamook branch to a junction in Lake Oswego known as "Cook Junction", then continues south on the Newberg branch. Both the Tillamook and Newberg branch lines are owned by UP, and leased and operated by the PNWR.
- Segment 2, in Tualatin. At Tualatin, a connection is needed to transition from the roughly east-west Newberg branch to the north-south OE route to continue to Salem and eventually to Eugene. Options for Segment 2 in the Tualatin area are shown in Figure 4. There are alignment options for the connection in Tualatin:
 - Segment 2A: A new rail viaduct likely raising the north-south track so freight and commuter rail service can continue toward Beaverton, while enabling the intercity passenger trains to connect to the east-west route. The rail line would be grade separated over Tualatin-Sherwood Road near the Tualatin passenger station.

- Segment 2B: A new rail route that connects the north-south OE corridor with the Newberg route in the Tualatin area is also an option.

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Figure 2. UP Alternative between Portland and Eugene.

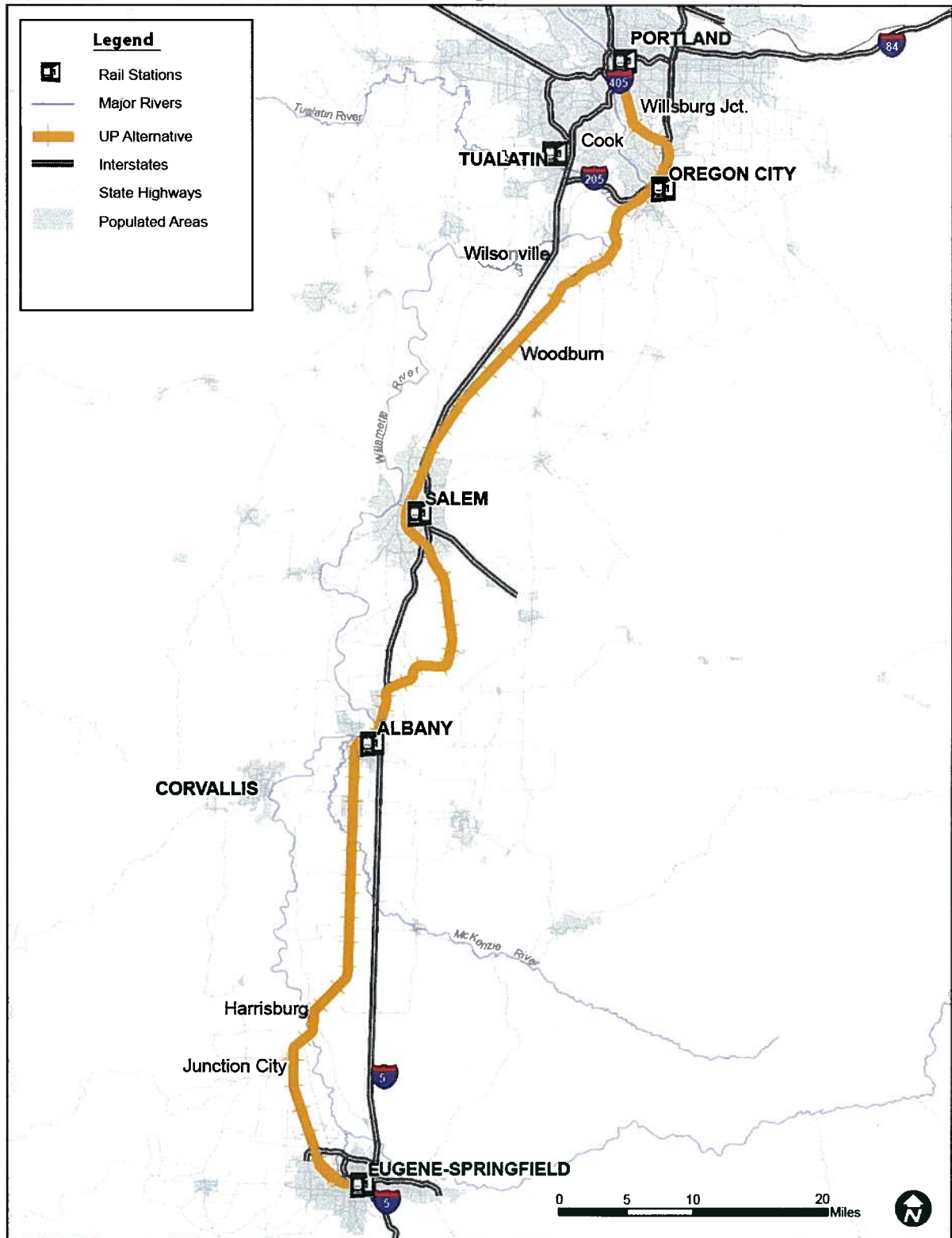


Figure 3. OE Alternative Segments between Portland and Eugene

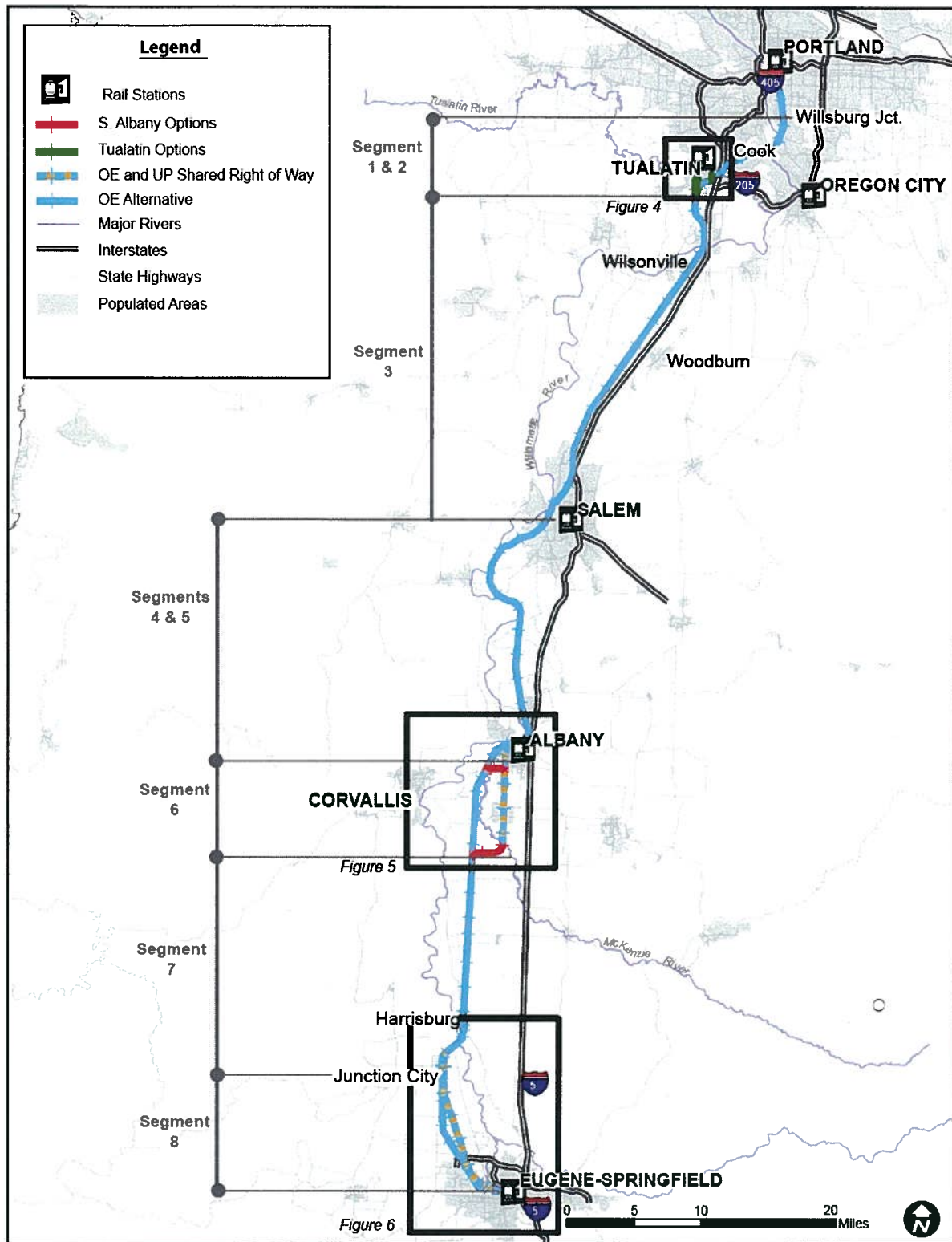
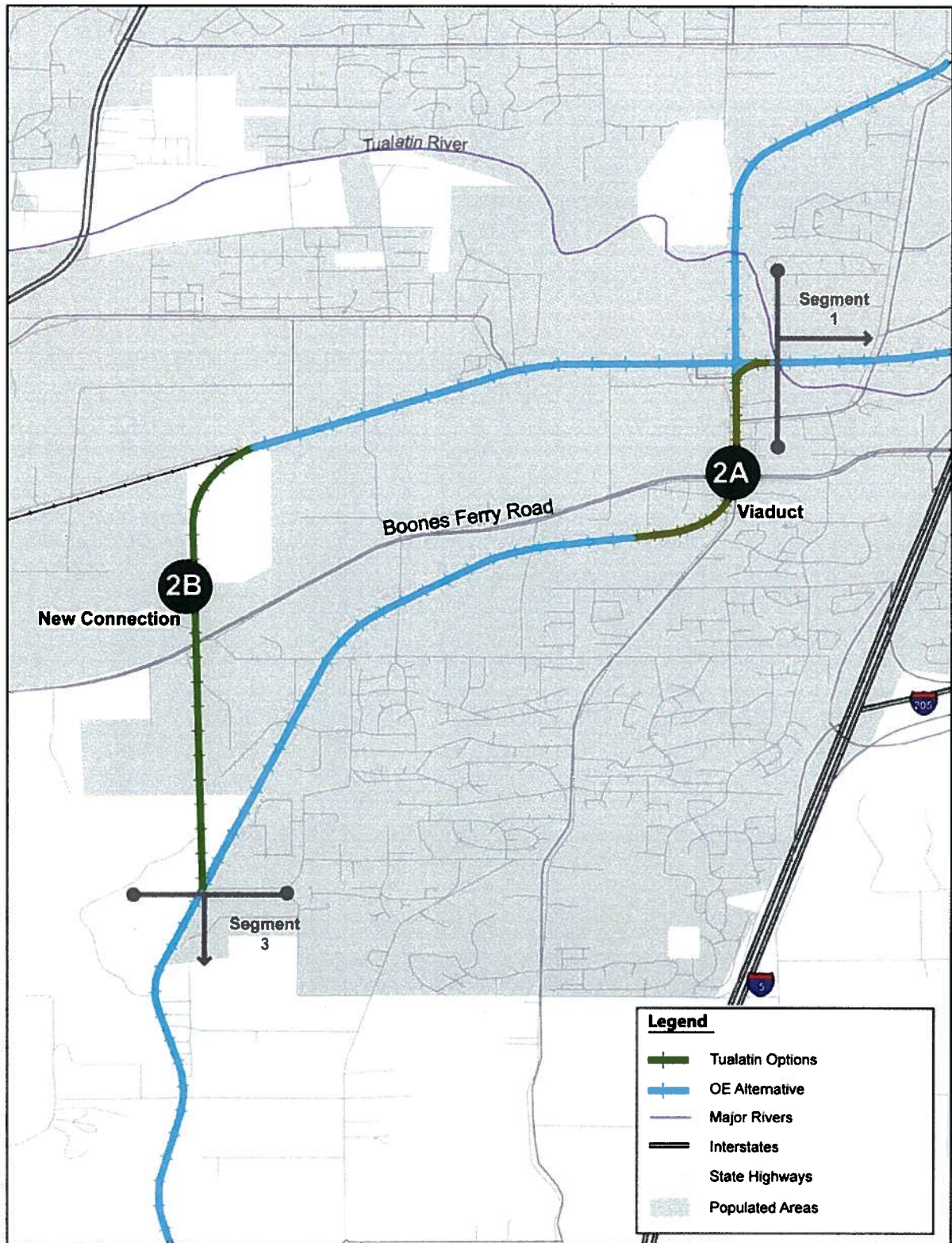


Figure 4. Options for Segment 2 (Tualatin Area) of the OE Alternative



Segment 3, Tualatin to Salem. Both options use the OE line, and passenger trains share track with PNWR freight trains. This segment includes two to three 7,000-foot long sidings to allow passenger trains to pass freight trains operating at locations near industrial sites where freight operations are more frequent. These sidings also alleviate the impact of passenger trains on freight train operations by allowing for approximately 1.3 miles of two-track operations at each location.

- Segment 4, Salem to Albany. Segment 4 of the OE alternative continues to use the OE line. A new Amtrak *Cascades* passenger rail station would need to be located along the OE line near downtown Salem.
- Segment 5, through Albany: In Albany, the alternative moves from the existing OE line over to the UP right-of-way and remains adjacent to but separate from the UP mainline track past the Albany Amtrak station, as shown in Figure 5.
- Segment 6, south of Albany. South of Albany, two options were developed to provide a connection between the OE and UP corridors. The options south of Albany include:
 - Segment 6A: Provides a new bridge crossing over the Calapooia River on the south side of Albany.
 - Segment 6B: Uses an existing UP bridge crossing over the Calapooia River south of Albany
- Segment 7, between the reconnection point south of Albany and Junction City. From the reconnection point, the OE alternative remains on the OE line to Junction City.
- Segment 8, between Junction City and Eugene. Two options were developed, as shown in Figure 6, both of which continue to use the existing Eugene Amtrak station:
 - Segment 8A: Reconnect back to and remain on the UP mainline down to Eugene.
 - Segment 8B: Use the OE track to north Eugene, then construct a new track skirting the Eugene freight yard in the UP right-of-way, to the Eugene passenger station.

Figure 5. Options for Segment 6 (between Albany and Junction City) of the OE Alternative

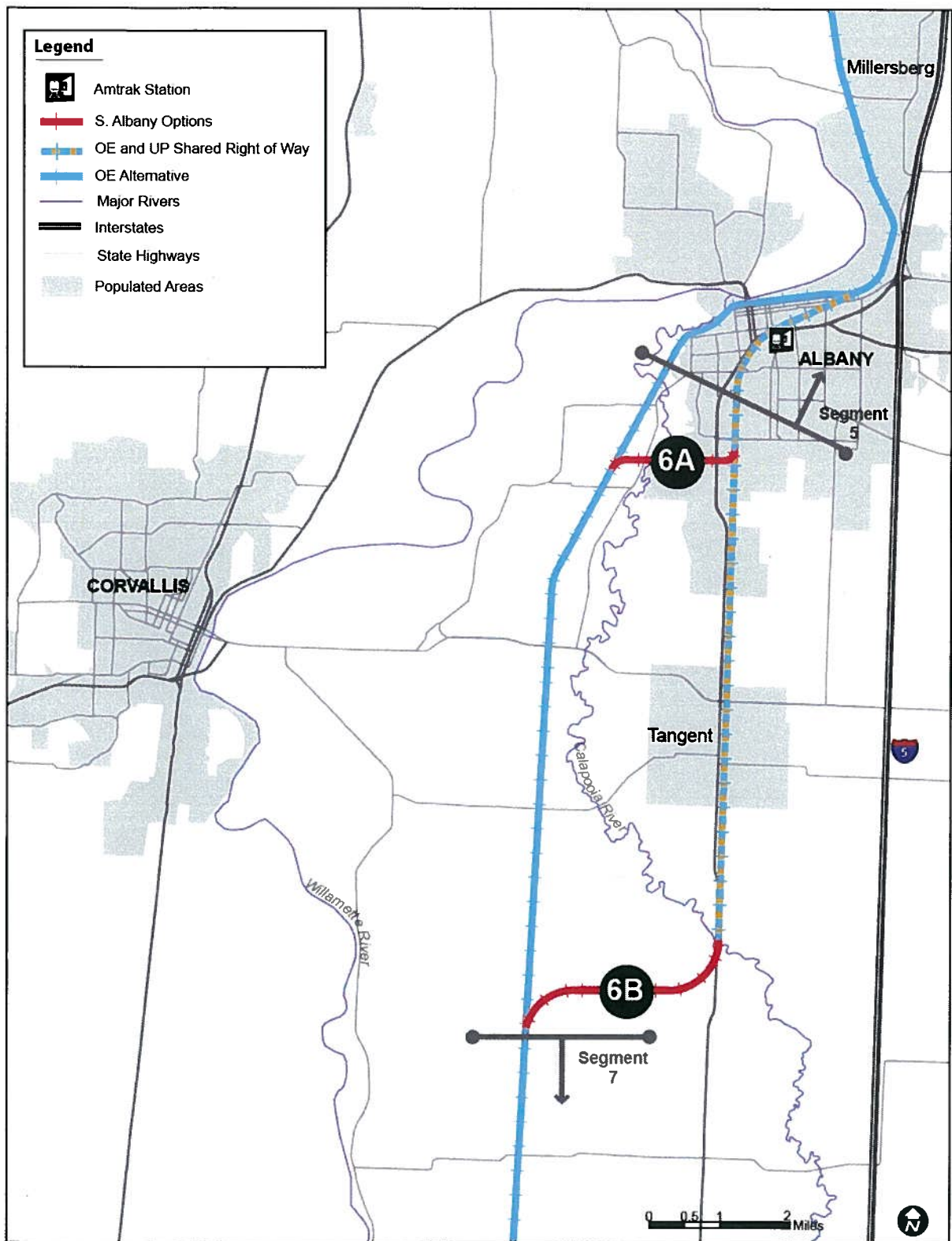
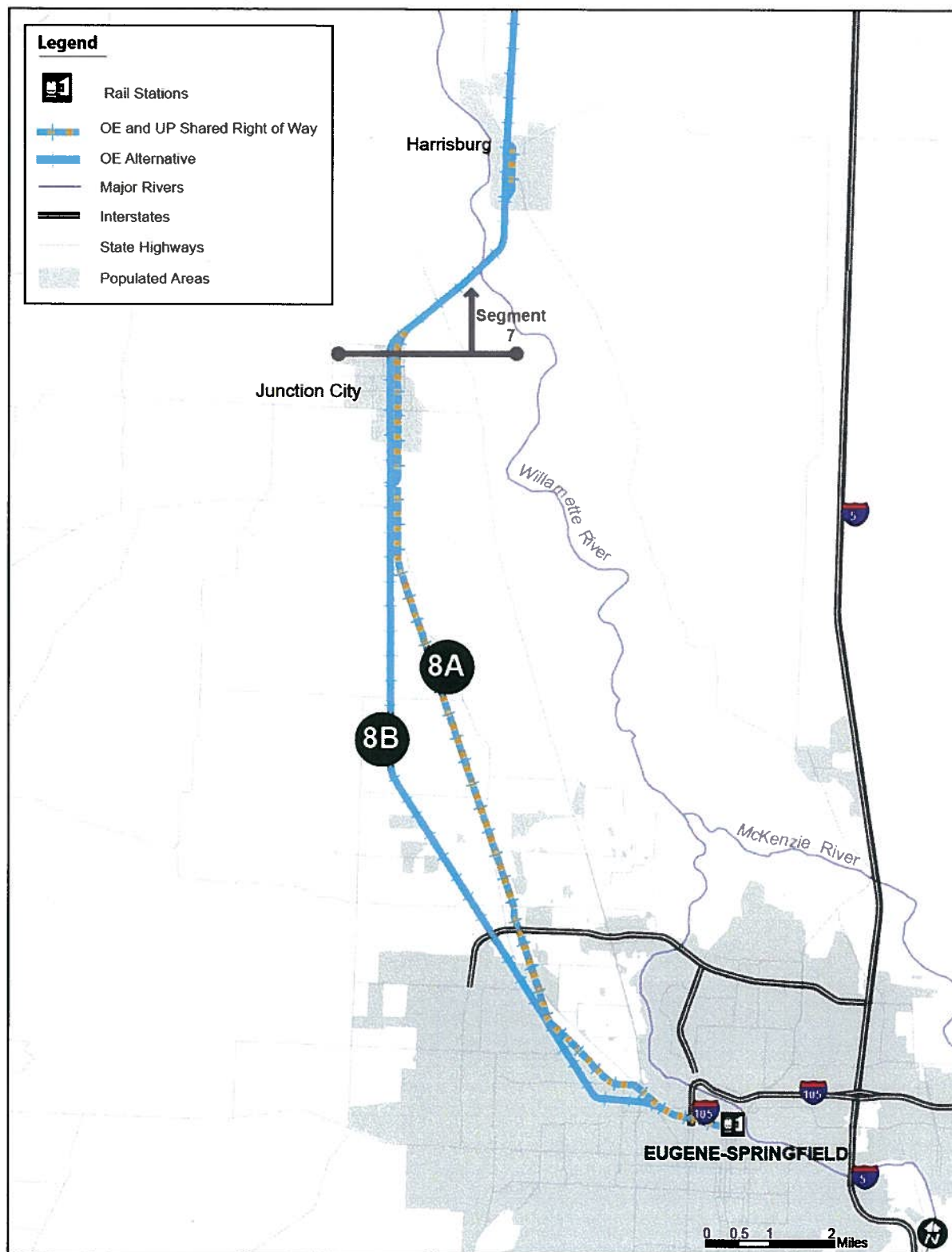


Figure 6. Options for Segment 8 (between Junction City and Eugene) of the OE Alternative



ANALYSIS METHODS

Analysis Tools

This study used a combination of engineering and environmental review, computer modeling, and rail stakeholder involvement to analyze data and reach conclusions:

- Geographic Information System (GIS) mapping to lay out conceptual rail alignments and estimate potential land use and environmental impacts;
- Estimation of passenger ridership using a computer travel model known as the Oregon Statewide Model (SWIM);
- Track charts and rail engineer observations to assess operating conditions and potential rail capacity improvements needed to mitigate passenger train impacts; and
- Meetings with the rail stakeholders and project team staff to develop and analyze the alternatives. Rail stakeholders included staff from UP, PNWR, BNSF, and Amtrak.

General Assumptions

A general set of service and design assumptions were made and applied to both alternatives, as described below. Other assumptions specific to each alternative are described in the sections that detail those alternatives, presented previously in this report.

Between Portland's Union Station and Willsburg Junction in the southern area of Portland both alternatives were assumed to use the existing UP mainline. For this report, this was called "Segment 0." At Willsburg Junction, the OE and UP alternatives diverge onto their respective corridors. The modeling assumes that the long-distance Amtrak *Coast Starlight* train remains on the UP mainline between Portland and Eugene under both alternatives; however it is possible that Amtrak would move the *Coast Starlight* to the OE line if the *Cascades* service is also relocated there.

Maximum operating speed today is 79 mph for passenger trains on the UP corridor. Recent changes in federal signaling standards for mixed passenger and freight operations, which will become effective in 2015, allow for up to 90 mph operations for passenger service, which is assumed in this report.

Model Assumptions

Passenger ridership was estimated by using a computer travel model. The model tested a variety of train service scenarios for both alternatives as described earlier in Table 1. Passenger estimates were developed using population and employment forecasts for the year 2030 developed for the SWIM by ODOT's Transportation Planning Analysis Unit (TPAU) based on projections developed by the Office of Economic Analysis (OEA).

The SWIM travel model is an integrated land use and transportation model covering the entire State of Oregon. The state is divided into smaller areas known as transportation analysis zones (TAZ) so that travel trends can be measured between geographic areas within Oregon. It employs land use changes (population and employment), changes in the economy (location, types of jobs and commerce), and a computerized representation of the transportation system to forecast trips. These forecasted trips are then assigned to travel modes – cars, trucks, buses, and passenger trains.

Changes were made to the SWIM model enabling its use as a tool to develop and compare passenger ridership between the various alternatives. The modified model can examine high-level passenger trends across the Willamette Valley (50 miles or longer). Therefore only trips of 50 miles or longer were assumed to be potential intercity passenger rail trips on the intercity passenger systems. Interstate passenger service carried by the *Coast Starlight* is included in the model but is separated from the Amtrak *Cascades* service.

The model uses a generalized assumption for train speeds and travel times to estimate ridership. Although it cannot specifically model instances where passenger trains are held up by oncoming freight trains, the travel time and speed assumptions were adjusted to account for various freight train delay scenarios. The model assumes trains today are traveling an average of 60 miles per hour between Portland and Eugene, which factors in the time to stop at each station along the way as well as the average delay experienced while waiting for freight trains. This is equivalent to the current 2½ to 2¾ hour train travel times between Portland and Eugene. For the future “baseline” scenario in the UP alternative, an assumption was made to increase the current travel times to 3 to 3½ hours for 2030, to account for an increase of the number of instances passenger trains would be delayed by growing freight rail congestion on the route. For the other future-year scenarios, it was assumed track and train control improvements would be made to achieve running speeds of up to 90 mph (compared to the current maximum 79 mph), reducing travel times to 2 to 2¼ hours between Portland and Eugene.

In the UP alternatives, train stations include Eugene, Albany, Salem, Oregon City, and Portland. For the OE alternatives, the Oregon City station was assumed to be replaced with a Tualatin station co-located with the WES Beaverton-to-Wilsonville commuter rail station. Transfers would be possible. It was assumed that Amtrak’s *Coast Starlight* interstate passenger train would remain on the UP line under all scenarios for both alternatives, although it is possible that it too could relocate.

ANALYSIS RESULTS

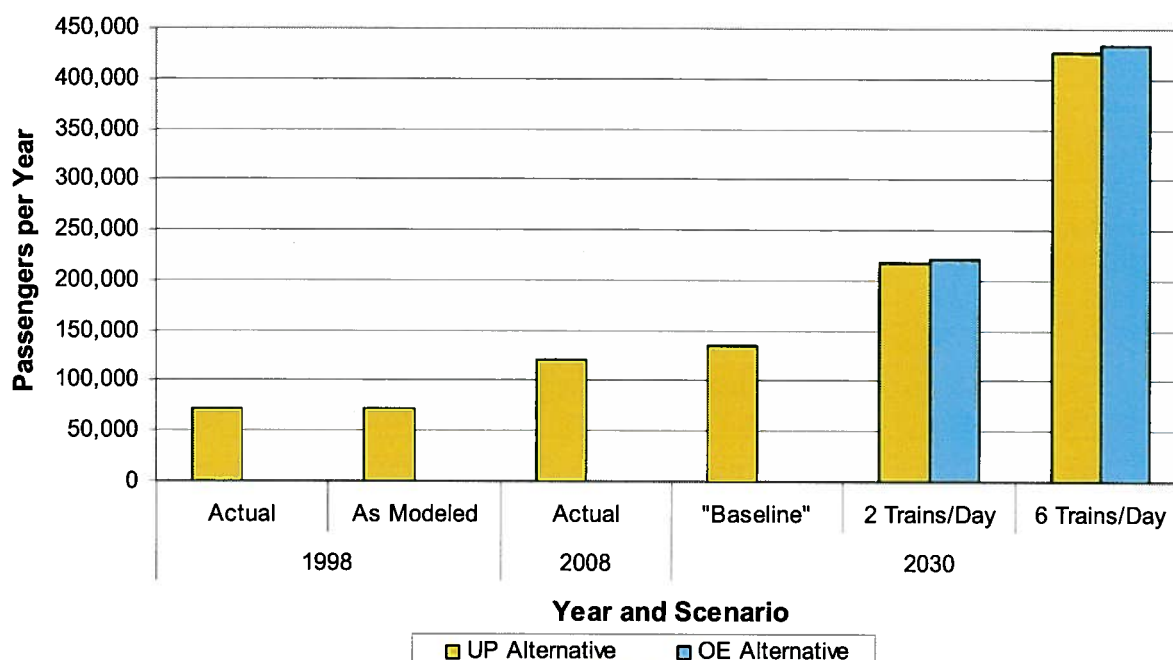
The modeling and analysis conducted in this study provide findings related to ridership, connections to commuter rail service, freight service, improvement costs, and planning and environmental impacts. These results are presented below.

Ridership Estimates

The forecasted annual passenger ridership results are shown in Figure 7 for all alternatives and their scenarios (please refer to Table 1 earlier in the report for a description of the alternatives). Key findings related to ridership under the alternatives and scenarios considered include:

- The UP 2030 baseline alternative (two trains and three Thruway bus roundtrips per day, no additional track improvements) would see passenger ridership increase 13 percent over 2008 passenger levels even with a 30 to 40 percent increase in passenger rail travel times. This indicates that intercity passenger ridership is relatively stable in the corridor and there will be demand for passenger rail service in the future.
- Both the UP and OE 2030 two roundtrip scenarios would see passenger rail travel times decrease slightly compared to 2008. Ridership is estimated to increase by approximately 75 percent. Under the increased service level scenarios (six roundtrips per day), ridership would more than triple under either alternative compared to actual 2008 ridership.
- In general, the OE alternative would attract a slightly higher number of riders than the UP alternative. Although more detailed modeling is necessary to fully quantify this ridership difference, a qualitative review of the alternatives indicates that this increase may be a result of relocating the Salem passenger rail station to a more walk and transit-accessible downtown location, in addition to the ability to connect intercity passenger rail to the WES commuter rail in the OE alternative.
- The model indicates that future-year traffic congestion along the I-5 corridor will encourage a measurable shift from passenger vehicles to intercity passenger rail.

Figure 7. Annual Passenger Ridership Estimates



Freight Service

Both UP and OE freight service would experience benefits under the OE alternative. Track and capacity improvements would improve operating speeds for freight trains traveling on the OE line. Removing passenger trains from the UP line between Portland and Eugene would free up capacity for freight trains within that corridor.

UP's railroad management has expressed interest in segregating passenger service from high-density freight mainline services. Even under the most aggressive freight rail growth scenarios, PNWR's freight density be significantly less than the level of the UP mainline, making it easier to coexist with passenger rail.

Improvement Costs

Cost estimates were generated for both the UP and OE alternatives. These cost estimates used unit costs derived from similar passenger and freight rail projects in Oregon and elsewhere in the western United States and included:

- New or upgraded track, crossing and crossovers to achieve up to 90 mph running speeds;
- Upgrades/reconstruction of bridges (and new track connections in the OE alternative);
- Station platform upgrades (in the UP alternative) or new or rebuilt stations (OE alternative);
- Signals, communications, and positive train control (required under the Safety Act of 2008);
- Maintenance and support facilities; and
- Other cost and contingency elements including design, construction zone train traffic control, and environmental impact mitigation.

Table 2 presents a summary of the costs for each alternative. The total cost estimate for each alternative is \$1.266 billion for the UP alternative and \$856 million for the OE alternative.

Table 2. UP and OE Alternatives Cost Estimates

<i>Cost Element</i>	<i>UP Alternative</i>	<i>OE Alternative</i>
<i>Track and Crossing Improvements</i>	\$326,000,000	\$217,900,000
<i>Stations and Platforms</i>	\$2,000,000	\$4,000,000
<i>Signalization</i>	\$124,000,000	\$124,000,000
<i>Maintenance Facilities</i>	10,000,000	10,000,000
<i>Bridges & New Connections</i>	238,000,000	176,000,000
<i>Design, Construction Management and Environmental Mitigation</i>	\$566,000,000	\$324,100,000
Total	\$1,266,000,000	\$856,000,000

CONCLUSION

This study concludes that with associated improvements, it would be feasible to shift Portland-to-Eugene intercity passenger rail service from the UP line to the OE line.

Oregon's current intercity passenger rail service quality is challenged by freight congestion on the high-density, freight-dominated UP mainline, which will become more congested as freight and passenger demand grows.

Locating passenger service on the OE line would allow Oregon to better meet the expected increase in demand with more frequent and reliable service. The OE alternative would attract more riders, be less expensive to construct, and improve PNWR freight service without risking on-time performance of the passenger trains. The OE alternative will also improve freight service on the high-density UP line.

Sherilyn Lombos

From: Steve Bryant [sbryants@comcast.net]

Sent: Monday, July 20, 2009 10:40 AM

To: Sherilyn Lombos

Subject: RE: ODOT Rail Study

Hi Sherilyn,

The conference was great. Sorry you couldn't make it. I don't think there is anything more you need to do at the moment to keep up with the rail issue. We are about two-thirds done with our interviews and will be making a report and process recommendation to ODOT some time next month. You will receive a copy of our recommendation, but I think you can be assured that you will have ample opportunity to participate with other stakeholders if this examination of alternative routes moves forward. ODOT has submitted a preliminary application to the FRA which totals \$2.1 billion and includes a wide array of possible projects. I expect that ODOT will learn soon what the FRA will consider actually eligible for final competitive funding applications in each of the upcoming funding cycles. Let me know if you have any questions. A good person to talk with at ODOT Rail for any specifics is Betsy Imholt at (503) 986-4077.

Steve

From: Sherilyn Lombos [mailto:SLOMBOS@ci.tualatin.or.us]

Sent: Saturday, July 18, 2009 8:02 PM

To: Steve Bryant

Subject: RE: ODOT Rail Study

Hi Steve,

How are you? I didn't get to go to the OCCMA conference this year, so I missed seeing you there.

We continue to keep an eye on this project; there have been articles and editorials in the Oregonian and I would say there is some nervousness around it in the Tualatin community. Given that, is there anything that we could be doing to stay in touch with and on top of this?

Thank you so much and I trust you have a wonderful week-end!
Sherilyn

From: Steve Bryant [mailto:sbryants@comcast.net]

Sent: Tuesday, June 23, 2009 1:17 PM

To: Sherilyn Lombos

Subject: ODOT Rail Study

Hi Sherilyn,

Thanks for your time yesterday. Please also thank and share this information with Mike and Lou. As promised, hear is the link to ODOT's draft report. They have asked us to emphasize that it is still a work in progress. The link is:

http://www.oregon.gov/ODOT/RAIL/docs/Passenger/Draft_ODOT_Intercity_Passenger_Rail_Study.pdf

You will be particularly interested in the map on p. 16 showing two possible connection alternatives in Tualatin. Let me know if you have additional comments that you would like me to make note of after reviewing this document.

Steve Bryant

NPCC

(541) 619-3964

8/2/2009

Sherilyn Lombos

From: Lou Ogden [lou.ogden@juno.com]
Sent: Friday, June 26, 2009 2:20 PM
To: Sherilyn Lombos
Cc: chris@mustardpeople.com; maddux01@verizon.net; etruax@royalaa.com; jay@h-mc.com; joelle.d.davis@gmail.com; smbeikman@verizon.net; Mike McKillip
Subject: Re: FW: ODOT Rail Study

As an FYI, I ran into the Oregon City Community Development manager at PDX this morning and she is clear that Oregon City is planning on have the High Speed Rail come into their station. I told her I think that is probably Tualatin's preference as well, that is, to have it go to OR City, though we really don't know enough to have a strong position at this point.

Lou

On Fri, 26 Jun 2009 14:16:17 -0700 "Sherilyn Lombos" <SLOMBOS@ci.tualatin.or.us> writes:

Lou, Mike McKillip and I met this week with this gentleman regarding a project that ODOT-rail is working on - High Speed Rail from Eugene to Vancouver B.C. As part of the federal stimulus program there is approximately \$13 billion dollars over the next 5 years for 11 high speed rail corridors. ODOT rail is applying for money to do an environmental study and preliminary design/engineering on this project. One of the proposals would have the high speed rail line coming through Tualatin using the same line that WES uses (the old Oregon electric line). This potentially has many implications for Tualatin and we were firm that we must be kept in the loop as the project develops.

Following is a link to the draft study for your information. I do not believe there is any follow up at this time. They are interviewing stakeholders at this point and trying to craft a process / work plan which they will return to us with.

Sincerely,
 Sherilyn

From: Steve Bryant [mailto:sbryants@comcast.net]
To: Sherilyn Lombos
Subject: ODOT Rail Study

Hi Sherilyn,
 Thanks for your time. Please also thank and share this information with Mike and Lou. As promised, here is the link to ODOT's draft report. They have asked us to emphasize that it is still a work in progress. The link is:
http://www.oregon.gov/ODOT/RAIL/docs/Passenger/Draft_ODOT_Intercity_Passenger_Rail_Study.pdf
 You will be particularly interested in the map on p. 16 showing two possible connection alternatives in Tualatin. Let me know if you have additional comments that you would like me to make note of after reviewing this document.

Steve Bryant
 NPCC
 (541) 619-3964

Thanks,

Lou Ogden, Resource Strategies Planning Group
Group Benefits & Life, Health, Disability, and Long Term Care Insurance for Businesses and
Individuals
21040 SW 90th Ave., Tualatin, OR 97062; Phone (503) 692-0163; Fax (503) 914-1699;
lou.ogden@juno.com

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Oregon Local News

Oregon bids for high-speed rail between Portland and Eugene

Posted by Harry Esteve, The Oregonian July 24, 2009 19:20PM

Passenger rail service between Portland and Eugene -- notoriously slow and often behind schedule -- could undergo a dramatic transformation if Oregon lucks out on its bid for federal stimulus money.

More and faster trains. Timetables that aren't fictional. Nicer depots. Safer road crossings.

Those are elements of an expensive pipe dream recurring within state transportation circles for years. Renewed hope comes in the form of President Barack Obama's stimulus plan, which is sending hundreds of billions of dollars to states in the hopes of creating jobs and boosting local economies.

The president is dangling \$8 billion specifically for high-speed rail projects. Oregon, in conjunction with Washington, has put in a bid is bidding for a quarter of it: \$2.1 billion.

Lots of states -- 40 in all -- are jumping in with proposals that total more than \$100 billion. California alone could soak up most of the money by running a high-speed track between San Francisco and Los Angeles.

But Gov. Ted Kulongoski says Oregon stands a decent chance of making the cut because the state is proposing only upgrades, not designing an entirely new and prohibitively expensive rail system.

"I've had this fascination for the high-speed rail issue for some time," Kulongoski says. He recounts a recent telephone conversation with Vice President Joe Biden about stimulus spending and the public's less than enthusiastic response so far.

"I told him we need a big project to spur the imagination of the American people," Kulongoski says. "He said, 'What would it be?' I said, 'High-speed rail.'"

Under Oregon's proposal, the state would spend most of the federal money to upgrading tracks and crossings so trains running up and down the Willamette Valley could hit maximum speeds of 110 mph and average 65 mph. That would cut travel time between Portland and Eugene by as much as half an hour from the current average of about two and a half hours. Stops along the way include Oregon City, Salem and Albany.

The plan also calls for more than doubling the number of daily round-trip trains between Portland and Eugene, from three to seven. It's part of an overall federal transportation agenda of creating a high-speed rail corridor between Eugene and Vancouver, B.C., one of 10 such corridors officially designated around the nation.

To achieve the higher speeds and to ensure a more dependable schedule, the state is looking at switching Amtrak trains from the freight-clogged Union Pacific track to a lightly used, parallel line once run by the Oregon Electric Railway.

An Oregon Department of Transportation study, released in draft form last month, suggests that moving passenger service to a different and refurbished set of tracks would be the best way to go.

Passenger trains suffered a steep decline in popularity in the United States with the onset of freeways and affordable cars. But they still have their champions, such as Kulongoski, who think they offer a cost-effective alternative to steadily increasing congestion along the major thoroughfares.

Critics say the romantic image of train travel clouds the reality of modern transportation choices. Spending more tax money to prop up an already heavily subsidized system will only add to public concerns about waste in government, says John Charles, president and CEO of the Cascade Policy Institute in Portland.



Thomas Boyd

Passengers enter the northbound Amtrak train from Eugene. State officials are seeking \$2.1 billion in federal money to upgrade the service to high-speed rail.

"There is almost no metric by which this makes sense," says Charles, who has spent years studying Oregon transportation issues. Trains serve "a tiny passenger base to the point of irrelevancy," he says.

The smarter way to go is to spend tax money improving systems used most heavily by travelers, such as the interstate highway system and even motor coaches, which are more versatile than trains, he says. Charles acknowledges that train travel is enjoyable -- he takes Amtrak to Seattle when he can.

But, he says, "for the vast majority of trips, fixed rail doesn't take people from where they are to where they ultimately want to be."

Such arguments don't sway Kulongoski or state rail planners, who are looking at estimates of steady growth in population and freight movement in the Willamette Valley over the next 20 years.

Oregon officials have submitted a "pre-application" for a share of the high-speed rail stimulus money. According to the application, the state would chip in some matching funds, although it doesn't say how much. Kulongoski's office should hear by October whether the proposal remains alive in Congress.

-- *Harry Esteve*; harryestev@oregonian.news.com

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WORK SESSION ITEMS

PowerPoint?

1. For Sale/Lease Signs (Comm. Dev.)

2. PTA-09-04 Phase 3 – Trees (Comm. Dev)

3. Water Conservation Program - Toilet Rebate Program (City Engineer) *tentative*

4. South Tualatin (Comm. Dev)

5.

PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS

PowerPoint?

1. Tualatin Tomorrow PRN - Parks, Recreation and Natural Areas

2. Sexual Assault Resource Center – Erin Ellis

3.

CONSENT CALENDAR ITEMS

1. Meeting Minutes

2. Reso – Updated IGA w/TTSD re SRO program *tentative*

3.

4.

PUBLIC HEARINGS – Legislative, Quasi-Judicial or Other

PowerPoint?

1. CUP-09-02 Tualatin-Mini Storage Truck Leasing/Rental *Quasi-Judicial* (Comm. Dev.)

2.

3.

GENERAL BUSINESS ITEMS (not consent)

PowerPoint?

1. Tualatin Tomorrow – Action Plan Update

2.

3.

4.

5.

EXECUTIVE SESSION ITEMS

1.

WORK SESSION ITEMS

PowerPoint?

1. High Speed Rail Update

2.

3.

4.

5.

PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS

PowerPoint?

1. YAC Update

2. Commuter Rail Update

3. Proclamation – Senior Center Month

4. New Employee Introductions – Library Volunteer Specialists - ?

CONSENT CALENDAR ITEMS

1. Meeting Minutes

2. Reso Authorizing CDBG Application (Comm. Svcs)

3. Resolution Adopting Toilet Rebate Program (City Engineer) *tentative*

4.

PUBLIC HEARINGS – Legislative, Quasi-Judicial or Other

PowerPoint?

1.

2.

GENERAL BUSINESS ITEMS (not consent)

PowerPoint?

1.

2.

3.

4.

5.

EXECUTIVE SESSION ITEMS

1.

WORK SESSION ITEMS**PowerPoint?**

1. CURD Maximum Indebtedness Financial Analysis TDC – (Comm. Dev.) *(Tentative)*
2. PTA-09-03 Historic Regulations Holistic Review Follow-up (Comm. Dev.)
3. Strategic Management Plan Update
- 4.
- 5.

PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS**PowerPoint?**

- 1.
- 2.
- 3.

CONSENT CALENDAR ITEMS

1. Meeting Minutes
2. Resolution WACO UPAA SW Concept Plan (Comm.Dev.)
- 3.
- 4.

PUBLIC HEARINGS – Legislative, Quasi-Judicial or Other**PowerPoint?**

1. PMA-09-02 Waterman Property – Nyberg Lane (**Quasi-Judicial**) (Comm. Dev.)
2. PTA-08-06 Sign Design Standards CC/CG (**Legislative**) (Comm. Dev.)
3. Resolution PTA-09-05 CURD Amendment (**Other**) (**TDC**) (Comm.Dev.)
3. CUP 09-__ Marquis (WH) *Quasi-Judicial* (Comm. Dev.) *(Tentative)*
4. VAR 09-__ Marquis (WH) *Quasi-Judicial* (Comm. Dev.) *(Tentative)*

GENERAL BUSINESS ITEMS (not consent)**PowerPoint?**

- 1.
- 2.
- 3.
- 4.
- 5.

EXECUTIVE SESSION ITEMS

- 1.

WORK SESSION ITEMS

PowerPoint?

1. 300-Ft Notification Discussion (Comm Dev)

2.

3.

4.

5.

PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS

PowerPoint?

1. YAC Update

2. Commuter Rail Update

3.

CONSENT CALENDAR ITEMS

1. Meeting Minutes

2.

3.

4.

PUBLIC HEARINGS – Legislative, Quasi-Judicial or Other

PowerPoint?

1. PTA-09-03 Historic Regs (**Legislative**) (Comm. Dev.) (*tentative*) MOVE TO ?

2. PMA 09-___ Meridian Park Hospital (**Quasi-Judicial**) (Comm.Dev.) (*Tentative*)

3. PTA-09-05 CURD Amendment (**Legislative**) (Comm.Dev.)

GENERAL BUSINESS ITEMS (not consent)

PowerPoint?

1.

2.

3.

4.

5.

EXECUTIVE SESSION ITEMS

1.

WORK SESSION ITEMS

PowerPoint?

1. CUP Criteria and List of Uses (Comm. Dev.)

2.

3.

4.

5.

PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS

PowerPoint?

1. YAC Update

2. Commuter Rail Update

3. Tualatin Tomorrow HSS

CONSENT CALENDAR ITEMS

1. Meeting Minutes

2.

3.

4.

PUBLIC HEARINGS – Legislative, Quasi-Judicial or Other

PowerPoint?

1.

2.

3.

GENERAL BUSINESS ITEMS (not consent)

PowerPoint?

1.

2.

3.

4.

5.

EXECUTIVE SESSION ITEMS

1.

August

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1 10a-7p Alder Creek Kayak Rental Sats & Suns thru Sept 13 BFCC
2	3	4 6:30p TLAC 7:00p - 10:00p National Night Out - Police/City Staff/Council Members 7:00p Summer Reading at the Commons	5 12p-7p Alder Creek Kayak Wed-Fri rentals through Sept 4- BFCC Carina out	6 6:45p Clackamas County C-4 Meeting @County Develop. Services Building 7:00p TPAC Meeting, Council Chambers	7 Don out → 7:30a Multi-Chamber Networking @ Hayden's 8:00a - 6:00p Last day of Willowbrook Camp at BF 6:00p - 9:00p Tualafest @ Tualatin Comm. Park Crawfish Festival	8 Crawfish Festival & Parade
9 Crawfish Festival Car Show @ Haggen	10 Don out 5:00p Work Session 7:00p Council/TDC Mtg	11 6:00p TPARK 7:00p Summer Reading at the Commons	12 5:00p Metro Policy Advisory Committee 6:30p Tualatin Tomorrow VIC Steering Committee Mtg, Council Chambers	13 →	14 7:30a Chamber Net-working @ Alder Dental, 7110 SW Hazel Fern 6:30p Concerts on the Commons	15 7:00a-6:00p Columbia Cup - Boat races on Lake at Tualatin Commons
16 TTSD Fund-Run Tualatin High to Tigard High	17	18 6:30p TAAC	19 12:00p Core Area Parking District Board, Council Chambers SAFE ROUTES TO SCHOOLS CONFERENCE 5:00p Chamber Alive After by 5-A Group Realty @ Lake at Commons 7:00p Special URAC Meeting (tentative)	20 4p UR/RR Public Hearing (Hillsboro)	21 7:30a Chamber Network @ Azumano Travel, 16200 SW Pacific Hwy Tigard 5:00p - Willowbrook fences down at Browns Fy 6:30p Concerts on the Commons	22
23	24 5:00p Work Session 7:00p Council/TDC Mtg	25	26 5:00p Metro Policy Advisory Committee	27 11:30a Chamber Luncheon @ Country Club	28 7:30a Chamber Networking @ Village Inn 6:30p Concerts on Commons Paul out	29
30	31					2009

September

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	31 Paul out Mike out	1 6:30p TLAC	2 12p-7p Alder Creek Kayak Wed-Fri rentals through Sept 4- BFCC	3 6:45p Clackamas County C-4 Meeting @County Develop. Services Building	4 12p-7p Alder Creek Kayak final day of weekday rentals at BFCC	5 10a-7p Alder Creek Kayak Rental Sat&Suns thru 9/13 BFCC 6:00p-9:00p Portland Model Power Boat Association at Lake at Tualatin Commons
6	7 Labor Day Holiday CITY OFFICES CLOSED	8 6:00p TPARK Mike out Paul out	9 5:00p Metro Policy Advisory Committee 6:30p Tualatin Tomorrow VIC Meeting Library Community Room	10 7:00p TPAC Meeting, Council Chambers	11 Sherilyn out Doug out	12
13 10a-7p Alder Creek Kayak final day for season rentals-BFCC	14 5:00p Work Session 7:00p Council/TDC Mtg Sherilyn out Carina out Doug out	15 6:30p TAAC	16 Maureen out	17	18	19
20	21	22	23 5:00p Metro Policy Advisory Committee	24 11:30a Chamber Luncheon @ Country Club	25 6p THS Silent Auction Fundraiser	26
27	28 5:00p Work Session 7:00p Council/TDC Mtg	29	30			

2009

October

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				1 LOC Conference - PDX 6:45p Clackamas County C-4 Meeting @County Develop. Services Building	2	3 6:00p-9:00p Portland Model Power Boat Association at Lake at Tualatin Commons
4	5	6 6:30p TLAC	7 International Walk & Bike to School Day	8 7:00p TPAC Meeting, Council Chambers	9	10
11	12 5:00p Work Session 7:00p Council/ITDC Mtg	13 6:00p TPARK	14 5:00p Metro Policy Advisory Committee 6:30p Tualatin Tomorrow VIC Steering Committee Meeting, Council Chambers	15 7:00p Urban Renewal Advisory Committee, City Offices, 18876 SW Martinazzi Avenue	16	17 8:30a-4:00p Portland Model Power Boat Association at Lake at Tualatin Commons
18	19	20 6:30p TAAC	21	22 11:30a Chamber Luncheon @ Country Club	23 7:00p - 10:00p YAC Haunted House @ Van Raden	24 7:00p - 10:00p YAC Haunted House @ Van Raden
25	26 5:00p Work Session 7:00p Council/ITDC Mtg	27	28 5:00p Metro Policy Advisory Committee	29	30 7:00p - 10:00p YAC Haunted House @ Van Raden	31 6th Annual West Coast Giant Pumpkin Regatta 7:00p - 10:00p YAC Haunted House @ Van Raden

2009