



## MEMORANDUM

### CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Sherilyn Lombos, City Manager

**DATE:** November 13, 2012

**SUBJECT:** Work Session for November 13, 2012

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- 1) **6:00 p.m. (15 min) – Ordinance Regulating Towing Practices.** Attached is a PowerPoint that City Attorney Sean Brady will use to facilitate this discussion.
- 2) **6:15 p.m. (15 min) – Oregon Passenger Rail Update.** In September, the Oregon Department of Transportation officially kick-started the Oregon Passenger Rail Study. To be eligible for federal funding to construct a high-speed rail line, the State of Oregon must conduct a study following the National Environmental Policy Act (NEPA) process which requires that the project consider multiple alignments, known as an "alternatives analysis." The following potential alignments have been considered in the past and are expected to be evaluated through this study: Union Pacific Rail Line (existing passenger rail route through Oregon City) Oregon Electric Rail Line (through Tualatin, Lake Oswego, and Milwaukie) and an alignment up Interstate-5. Attached is a memo from Ben Bryant with additional information regarding the project including next steps.
- 3) **6:30 p.m. (15 min) – Southwest Corridor Transit Options.** The Southwest Corridor Plan is a comprehensive land use and transportation plan focused on identifying and prioritizing public investments in the corridor between downtown Portland and Sherwood for the next 15 years. One of the most significant investments that is envisioned to be made in this corridor is transit service. Attached is a memo with information regarding potential transit investment options, along with next steps.
- 4) **6:45 p.m. (10 min) - Council Meeting Agenda Review, Communications & Roundtable.** This is an opportunity for the Council to review the agenda for the November 13, 2012 Council meeting and take the opportunity to brief the rest of the Council on any issues of mutual interest.

**City Council Work Session**

**1.**

**Meeting**  
**Date:** 11/13/2012

Ordinance Regulating Towing Practices Discussion

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Attachments

A - PowerPoint

B - Portland's Tow Rates from Private Property

C - Public Comments

# **City Council**

## **Tow from Private Property**

November 13, 2012





# Overview

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- Federal Law
  - Federal Preemption
  - New 9<sup>th</sup> Circuit Case
- State Law
  - Time of Tow
  - Hours of Operation
  - Business Activities
- Options for City Ordinance







# Federal Law Preemption Exceptions

- Two Areas Local Governments Can Regulate:
  - Price of nonconsensual tows; and
  - Safety
    - Legislative Intent is “genuinely responsive to safety concerns.”
    - The law must state its safety concerns and then be aimed at addressing those concerns.





# State Law: Time of Towing

- At Time of Tow, Tow Companies Must:
  - Not park within 1,000 feet and monitor a parking lot, unless signs posted to indicate the hours of monitoring.
  - Take a picture with time and date to show how vehicle parked in violation of a parking prohibition posted on a sign at a parking lot. (Must Keep for 2 Years).
  - Post signs at all entrances prohibiting or restricting parking; OR must contact parking facility owner at the time of each tow.





# State Law: Time of Towing Continued

- Provide tow company phone number, vehicle's location, hours of availability, list of prices to recover impounded vehicle, and the payment methods accepted.
  - Signs at the parking lot; or
  - sheet of paper handed to the vehicle owner; or
  - If the vehicle owner is not present, the tow company must:
    - within 5 days of the date the vehicle was towed, request from DMV vehicle owner address and information.
    - Send information to vehicle owner within one business day after receiving information from DMV.





# State Law: Time of Towing Continued

- Release vehicle at no charge if the vehicle owner or operator is present , unless the tow company already completed the hookup.
- Release vehicle to owner if the hookup is complete, if owner pays the “hookup fee,” outlined on the tow company pay sheet.
- If the towing company accepts cash, you will get exact change no later than the end of the next business day. (Not all towers carry sufficient change in their trucks.)





# State Law: Hours of Operation

- Tow storage yards must be open for vehicle pick-ups between 8:00 a.m. and 6:00 p.m. Monday-Friday (except holidays).
- Vehicles must be available for recovery within One Hour of vehicle owner requesting vehicle's release, at any time day or night.
- Must provide access to personal property in the vehicle:
  - Without charge during business hours.
  - Can charge a gate fee charge during non-business hours.







# State Law: Business Activities

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- Cannot require owners to agree not to dispute the reason for the tow, the charges, or the condition of the vehicle.
- Cannot pay parking lot owners for the privilege of towing from their parking lot.
- Must inventory the vehicle within 24 Hours and keep all personal property in a secure place.





# Options: Price Regulation

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- Does the City want to regulate the price of nonconsensual tows?
- The City of Portland is an example of a jurisdiction that regulates private tows.





# Options: Safety Regulations

- Registration Requirements for Tow Companies towing within City Limits.
- Specific Signage Requirements at Private Property Locations.
- Additional Photographing Requirements:
- Notification to City of vehicles towed.
- Exercise Care of Pets in Vehicles.
- Limit number of miles vehicle can be towed.
- Imposition of penalties for violations:
  - Towing Companies
  - Private Property Owners







# Previous Draft of Ordinance

- Posting of Signs
  - 18"x24" in size
  - Text no less than 1.5 inches
  - State parking prohibited/restricted
  - State who authorized to park and hours restricted
  - Multiple businesses then each space clearly marked
  - Name of tow company and 24 hour telephone
- Register with Finance Director
  - Name, address, facilities telephone and fax
  - Name of all owners of tow company
  - List of tow trucks used





# Previous Draft of Ordinance

## ● Towing Activities

- Perform tows safely
- Cooperate with police
- Legible receipt with fees and charges
- Considered in possession when hookup complete
- Offer to call transportation
- Staff available to provide information about towed vehicle
- Accept Title/Registration and photo ID proof of ownership
- Accept cash or credit card as payment
- Notify police of vehicle location within one hour of tow
- Exercise care if animal found





# Summary of Public Comments

- Total comments – 3 Core Area Parking Board members; 3 business owners; 2 tow companies.
- Concerns about sign requirements and costs for same.
- Seek comments from the Tow Companies.
- Does the ordinance cover tandem parking issues; as well as, apartments, townhomes or rowhouses?
- Additional regulations for tow companies: insurance verification and penalties for bad tows?
- Limits rights (private property) and is there a real need for this?
- What are City's costs for complying with Ordinance?
- Sidewalk requirements – what if sidewalk is over 10 feet, where do the signs go?
- Have staff available or on call after hours to answer questions?
- Regulations already covered by State Statutes?



## **LIC-9.03a - Fees for Private Property Impound (PPI) Towing and Storage in the City of Portland**

### **FEES FOR PRIVATE PROPERTY IMPOUND (PPI) TOWING AND STORAGE IN THE CITY OF PORTLAND**

*Administrative Rule Adopted by Revenue Bureau Pursuant to Rule-Making Authority ARB-LIC-9.03a*

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The base fees charged for PPI towing within the city limits of Portland will be determined using the following formula:

The current City Tow Contract rate for hookup (Class A, B or C)  
Plus, an allowance for signs \$4.00/sign x 5 signs average (\$20.00)  
Plus, an allowance for sales costs, per tow (\$23.00)  
Plus, profit margin of 8.0%  
**= Base fee to tower**

Basic fees for towing may not exceed:

**Class A hookup fee** **\$157.25**  
(includes hookup, dollies, ½ hour on scene, tower's dispatch and photo fee.)

**Class B hookup fee** **\$164.25**  
(includes hookup, dollies, driveline or axle pull, ½ hour on scene, tower's dispatch and photo fee.)

**Class C hookup fee** **\$240.25**  
(includes hookup, driveline or axle pull, ½ hour on scene, tower's dispatch and photo fee)

Also applicable to all PPI tows:

Data services fee (payable to Tow Desk on redeemed vehicles) **\$14.75**

City of Portland service fee (payable to the City of Portland on redeemed vehicles) **\$10.00**

The following fees may be added, as appropriate. PPI Tower must provide documentation to support such additional charges upon request.

Towed Mileage, as follows, up to a maximum of 8 miles:

Class A **\$3.80/towed mile**

Class B **\$4.50/towed mile**

Class C                      **\$5.50/towed mile**

Labor/Standby -time on-scene in excess of 30 minutes                      **\$18.00/1/4 hr**  
(when charging for standby time, PPI tower must report to Tow Desk the time of arrival at, and departure from, the scene.)

• After hours release fee                      **\$25.00**  
(applicable only after 6:00 p.m. or before 8:00 a.m. M-F, all day Saturday and Sunday and City holidays)

Release At Scene (RAS) –Includes hookup plus Data Service fee plus City Service fee.

A. This fee may be assessed only if:

1. The required prior notification to Tow Desk has been carried out; and,
2. The PPI tower has completed the hookup and attachment of all safety equipment, including tow lights, and is in the cab of the tow truck in full possession of the vehicle as defined in 7.24.016.G.

B. RAS fees must not exceed:

1. Class A (\$157.25 hookup + data services + city service) **\$182.00**
2. Class B (\$164.25 hookup + data services + city service) **\$189.00**
3. Class C (\$240.25 hookup + data services + city service) **\$265.00**

Storage Fees:

A. Storage fee per 24 hour period from the completion of the tow    **\$25.00/day**  
(After a four-hour grace period, starting from notice of completion to Tow Desk)

B. Vehicles over 20' long                      **\$35.00/day**  
(After a four-hour grace period, starting from notice of completion to Tow Desk)

Lien filing fee (Applicable after a vehicle has been in storage 5 days)

Vehicles valued under \$1,000.00                      **\$40.00**

Vehicles valued \$1,001.00 - \$2,500.00                      **\$55.00**

Vehicles valued more than \$2,500.00 or out of state (not OR, WA) **\$85.00**

If a PPI tower incurs expenses substantially higher than the amount allowed for processing a lien, the tower may request permission to recoup the additional costs by sending a written request for approval to the Towing Coordinator, with receipts to verify the additional expense. Lien fees in excess of the established rate may not be assessed without prior approval by the Towing Coordinator.

### **Fuel Surcharge**

When an emergency fuel surcharge is approved by the Towing Board of Review for towers under contract with the City of Portland, permitted PPI Towers will be eligible to request such an allowance on PPI tows. When approved, the emergency fuel surcharge will not exceed the amount approved by the Towing Board of Review.

### **Cost of Living Adjustment**

When a Cost of Living Increase is approved by the Towing Board of Review for towers under contract with the City of Portland, permitted PPI Towers will be eligible to request an increase in PPI towing fees equal to the amount approved by the Board.

Likewise, when a Cost of Living Increase is approved by the Towing Board of Review for the dispatch contractor, the Tow Desk will be eligible to request an increase in the data service fee equal to the amount approved by the Board.

Approval of such an increase will be at the Bureau Director's sole discretion and is subject to the public hearing process detailed in PCC 7.24.011.C Administrative Authority.

This administrative rule is hereby adopted as of the date of the Bureau Director's signature below. This rule replaces the former LIC 9.03, which was adopted on April 20, 2006.

### **HISTORY**

Originally adopted by Bureau of Licenses as Administrative Rule 015.03-1.

Submitted for inclusion in PPD April 23, 2004.

Revised document filed in PPD April 20, 2006.

Revised interim administrative rule adopted by Director of Revenue Bureau July 17, 2009.

Revised administrative rule adopted by Director of Revenue Bureau February 19, 2010.

**Linda Odermott**

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**From:** Sean T. Brady  
**Sent:** Tuesday, September 18, 2012 4:24 PM  
**To:** Linda Odermott  
**Subject:** FW: Towing ordinance

**Sean T. Brady**  
City Attorney  
City of Tualatin | Legal Services  
18880 SW Martinazzi Avenue  
Tualatin, OR 97062-7092  
503.691.3015 | Fax: 503.692.0147  
[www.tualatinoregon.gov](http://www.tualatinoregon.gov)  
[sbrady@ci.tualatin.or.us](mailto:sbrady@ci.tualatin.or.us)

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**From:** [lou.ogden@juno.com](mailto:lou.ogden@juno.com) [<mailto:lou.ogden@gmail.com>] **On Behalf Of** LouOgden  
**Sent:** Tuesday, September 18, 2012 4:18 PM  
**To:** 'Gary Coe'  
**Cc:** Sherilyn Lombos; Alice Rouyer; Sean T. Brady  
**Subject:** RE: Towing ordinance

Gary thanks for the input. I did forward this to the city council but I am also copying to our City Manager Sherilyn Lombos, Alice Rouyer our Community Development Director, and Sean Brady our City Attorney if you have any constructive substance that they might need to be aware of

Thanks,

Lou Ogden  
Resource Strategies Planning Group  
Group Benefits & Life, Health, Disability, & 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](mailto:lou.ogden@juno.com)

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**From:** Gary Coe [<mailto:gcoe@towncar.com>]  
**Sent:** Tuesday, September 18, 2012 2:33 PM  
**To:** [lou.ogden@juno.com](mailto:lou.ogden@juno.com)  
**Subject:** Towing ordinance

Greetings Lou,  
I recently received a copy of a proposed towing ordinance from one of our Tualatin customers. I would ask if this ordinance moves forward, that you include the towing industry in discussions before a final draft is brought forth.

You know me as Speed's Towing, the largest rescuer of stranded motorists in the greater metropolitan area, who serves dealerships, insurance agents, repair shops, and the general public. However I also own Retriever Towing, who serves business owners and property management companies with impound services. Remember, if everyone parked legal, this service would not even be needed.

Many of the points in the ordinance are already covered by state statute. I respectfully request that you involve us in refining any ordinance that may move forward.

Thank you,

Gary Coe  
503 789 2071

Gary Coe  
503 789 2071



You know me as Speed's Towing, the largest rescuer of stranded motorists in the greater metropolitan area, who serves dealerships, insurance agents, repair shops, and the general public. However I also own Retriever Towing, who serves business owners and property management companies with impound services. Remember, if everyone parked legal, this service would not even be needed.

Many of the points in the ordinance are already covered by state statute. I respectfully request that you involve us in refining any ordinance that may move forward.

Thank you,

Gary Coe  
503 789 2071

*Gary Coe*  
*503 789 2071*

**Linda Odermott**

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**From:** Sean T. Brady  
**Sent:** Tuesday, September 18, 2012 2:09 PM  
**To:** Diana Emami  
**Cc:** Linda Odermott  
**Subject:** RE: Proposed Towing Ordinance in Tualatin

Ms. Emami:

Thank you for your comments on the proposed tow ordinance and I apologize for not acknowledging receipt of your comments sooner. Thank you also for forwarding the letter and comments of Retriever Towing.

We are still making modifications to the draft ordinance. Your comments will be forwarded to the City Council as we continue to work through the process toward a final version. Thank you again for your comments.

**Sean T. Brady**  
City Attorney  
City of Tualatin | Legal Services  
18880 SW Martinazzi Avenue  
Tualatin, OR 97062-7092  
503.691.3015 | Fax: 503.692.0147  
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[sbrady@ci.tualatin.or.us](mailto:sbrady@ci.tualatin.or.us)

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**From:** Diana Emami [<mailto:emami007@comcast.net>]  
**Sent:** Tuesday, September 18, 2012 1:53 PM  
**To:** Sean T. Brady  
**Subject:** Proposed Towing Ordinance in Tualatin

Mr. Brady,

I have not received any acknowledgement you received my email with comments regarding towing ordinance. I emailed you last Thursday.

Attached please find a letter from Retriever Towing and some other comments bellow expressing towing industry frustration with lack of information.

*Diana Emami*

Barrington Management, LLC  
3380 Barrington Drive  
West Linn, OR 97068  
(503) 557-3350 Phone  
(503) 557-3352 Fax  
[emami007@comcast.net](mailto:emami007@comcast.net)

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**From:** Russell Hickey [mailto:rdh065@msn.com]  
**Sent:** Tuesday, September 18, 2012 1:33 PM  
**To:** emami007@comcast.net  
**Subject:** RE: Proposed Towing Ordinance in Tualatin

Hello Diana,

Thank you for sharing the letter from the city of Tualatin with me. I don't understand why they haven't said anything to the towers. If it wasn't for concerned property owners, we would still be in the dark. I have contacted the other towers, and this is the first they'd heard about it.

Russell Hickey  
Account Manager,  
Retriever Towing website  
Direct line: 503-806-5017 (Text Friendly, please include your name and property name)  
Dispatch: 503-222-4763  
Fax: 503-241-9781



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## Linda Odermott

---

**From:** Sean T. Brady  
**Sent:** Tuesday, September 18, 2012 2:09 PM  
**To:** Linda Odermott  
**Subject:** FW: Letter regarding towing ordinance

Additional comments

**Sean T. Brady**  
City Attorney  
City of Tualatin | Legal Services  
18880 SW Martinazzi Avenue  
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503.691.3015 | Fax: 503.692.0147  
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[sbrady@ci.tualatin.or.us](mailto:sbrady@ci.tualatin.or.us)

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**From:** Diana Emami [<mailto:emami007@comcast.net>]  
**Sent:** Thursday, September 13, 2012 2:56 PM  
**To:** Sean T. Brady  
**Subject:** Letter regarding towing ordinance

I have read your letter with proposed towing ordinance and some of the items are either impossible or don't make much sense.

Section 2.1.a – if the sidewalk is more than 10 feet wide how can you post sign at entryway no more than 10 feet from street edge?

Section 2.1.d – with no assigned parking impossible to list on a sign all business names or tenants. A sign stating “private property – parking for customers only during business hours” should be enough.

Section 3.c.d – why need to know names of owners? List of trucks?

Section 4.1.e – offer to provide transportation? Maybe tow company should charge a fee for transportation per mile like a taxi? Are you telling tow company how to run their business?

I feel this restricts my rights as a private property owner to tow illegally parked vehicles and forces me to place costly signs with names (could change weekly) listing my tenant names.

I am sure it will not look attractive listing 40 businesses on a single sign on each parking space.

If you have a problem with specific property owner or apartments try to resolve it differently rather than passing an ordinance which is clearly flawed.

*Diana Emami*

Barrington Management, LLC  
3380 Barrington Drive  
West Linn, OR 97068  
(503) 557-3350 Phone  
(503) 557-3352 Fax  
[emami007@comcast.net](mailto:emami007@comcast.net)

**Linda Odermott**

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**From:** Sean T. Brady  
**Sent:** Wednesday, September 12, 2012 4:35 PM  
**To:** Linda Odermott  
**Subject:** FW: Towing Ordinance

**Sean T. Brady**  
City Attorney | Legal Services

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**From:** Del Blanchard [<mailto:del@global-support.us>]  
**Sent:** Tuesday, September 11, 2012 6:23 PM  
**To:** Sean T. Brady  
**Subject:** Towing Ordinance

I see I am a bit late to comment, but I would like to commend you on the good work of the ordinance as written. This is what I like about Tualatin, I feel our city government ~is looking out for the residents.

Thanks for the good work. I hope it passes.

Del Blanchard

## Linda Odermott

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**From:** CLAY REYNOLDS  
**Sent:** Wednesday, September 05, 2012 8:49 AM  
**To:** Linda Odermott; Sean T. Brady; Melissa Koons  
**Cc:** DAN BOSS  
**Subject:** FW: Letter from City Attorney Re: Proposed Tow Ordinance

Linda, Sean

Attached are comments I've received so far from everyone, notice John added to Bill Jordan's in red.  
I will forward any additional comments I get.

### *Clayton Reynolds*

Maintenance Services Manager  
City of Tualatin | Operations  
503.691.3099 | Fax: 503.692.2024  
[www.ci.tualatin.or.us](http://www.ci.tualatin.or.us)

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**From:** John Howorth [mailto:[john.howorth@3j-consulting.com](mailto:john.howorth@3j-consulting.com)]  
**Sent:** Tuesday, September 04, 2012 6:13 PM  
**To:** CLAY REYNOLDS; William Jordan; Melissa Koons; [monique.beikman@gmail.com](mailto:monique.beikman@gmail.com); [mikec@barhyte.com](mailto:mikec@barhyte.com); [rmiller@millersince1886.com](mailto:rmiller@millersince1886.com)  
**Subject:** RE: Letter from City Attorney Re: Proposed Tow Ordinance

Clay et al;

To answer the questions.

1. Do you think it is a good idea or not? No. This issue "arose after a complaint from a resident". This seems like a small minority. The issue could simply be resolved in the building code regarding private signage and the ability to post the lot properly per state law, or the ordinance. Most everyone understands the challenges of parking in a downtown area and the potential for being towed. To have the City have a code about signing is fine, but the details should be left to state code. This way the laws are common across the land for both the towing company, the vehicle owner getting towed, insurance agencies, police, etc.
2. Whether the Council should adopt the Ordinance entirely or just in part? Should not adopt, but if you are going to then I have comments below in **BOLD RED TEXT**.

John Howorth, PE  
Principal Engineer  
3J Consulting, Inc.  
O: (503) 946-9365 C: (503) 577-8176

---

**From:** CLAY REYNOLDS [mailto:[CREYNOLDS@ci.tualatin.or.us](mailto:CREYNOLDS@ci.tualatin.or.us)]  
**Sent:** Tuesday, September 04, 2012 2:05 PM  
**To:** William Jordan; Melissa Koons; [monique.beikman@gmail.com](mailto:monique.beikman@gmail.com); [mikec@barhyte.com](mailto:mikec@barhyte.com); 'John Howorth'; [rmiller@millersince1886.com](mailto:rmiller@millersince1886.com)  
**Subject:** RE: Letter from City Attorney Re: Proposed Tow Ordinance

Hi, Everyone;  
Thank you Bill and Ryan!

Attached is Ryan Miller's response for review as well.

Please let us know if you have any additional comments or thoughts so we can forward them to Legal for Council.  
I appreciate the time!

**From:** Ryan Miller [<mailto:RMiller@millersince1886.com>]

**Sent:** Friday, August 31, 2012 11:04 AM

**To:** CLAY REYNOLDS

**Subject:** FW: Letter from City Attorney Re: Proposed Tow Ordinance

Clay,  
I have added a few notes with a focus on tow driver verification. Knowing what insurance should be in place and verifying it is a key quality control measurement when evaluating who will be allowed to tow. If they have key components of insurance in place it can be reflective of a solid operation. If they have had issues they most likely cannot afford the proper insurance.

That is how the "insurance geek" views the world.

As to the need for the ordinance

I think towing will be an additional administrative drain on the City. Is there discussion on how fees will be used to fund this added responsibility? If not, there should be overwhelming data on the need for towing.

Ryan T. Miller, CIC

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*Clayton Reynolds*

Maintenance Services Manager

City of Tualatin | Operations

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[www.ci.tualatin.or.us](http://www.ci.tualatin.or.us)

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**From:** William Jordan [<mailto:drjordan@integra.net>]

**Sent:** Tuesday, September 04, 2012 10:10 AM

**To:** Melissa Koons; CLAY REYNOLDS; [monique.beikman@gmail.com](mailto:monique.beikman@gmail.com); [mikec@barhyte.com](mailto:mikec@barhyte.com); 'John Howorth'; [rmiller@millersince1886.com](mailto:rmiller@millersince1886.com)

**Subject:** RE: Letter from City Attorney Re: Proposed Tow Ordinance

Good Morning Melissa and Clay,

Re: Ordinance Relating to Towing from Private Property...

I appreciate Council's interest in our input. I think that it would warrant group discussion however, since time is an issue, here are my questions and thoughts.

1. Do other jurisdictions, in the area, have similar ordinances dealing, specifically, with PRIVATE PROPERTY? I SEE THE CITY OF PORTLAND HAS SOME SIMILAR REGULATIONS, SPECIFICALLY SECTION 2, BUT A BIT LESS REGULATORY.
2. I see a value in Section 2 as it relates to proper signage however, if the city needs to comply with the same requirements, it is going to be costly. Although the city USUALLY issues citations, there remain circumstances in which the city may have a vehicle towed (unsafe vehicles, camping, suspicious vehicles, vehicles blocking right-of-way, etc...) If the city does not need to comply with the requirements of the ordinance, fairness and necessity

of the ordinance may be questioned. Council should keep in mind that this will not only cost small business owners and private property owners but will incur a potential expense to the city. At a time when we are all placing extra effort in controlling our costs and budgets, do we want another expense? **AGREE ON PUBLIC TOWING ISSUE. SIGNAGE SHOULD ALSO INCLUDE THE NAME OF THE BUSINESS CONTRACTING WITH THE TOW COMPANY, THIS WILL HELP PEOPLE KNOW WHOS LOT IT IS AND WHO IS RESPONSIBLE FOR THE TOW COMPANY. IF LOTS ARE SHARED, ALL BUSINESS SHOULD BE ON THE SIGN ALONG WITH THE TOW COMPANY INFORMATION. IF THIS GOES INTO EFFECT, ANOTHER REASON TO INCREASE THE SIGNAGE WITHIN THE PUBLIC LOTS SO AS TO ALLOW A REFUGE (IF YOU WILL) TO THE PUBLIC VS. PRIVATE LOTS.**

3. Are any parts of section 2 and, specifically, Section 4(1)(a-j) covered by existing state law? I appreciate the need for something like Section 4(1)(i) in retrieving a vehicle. **STATE LAW COVERS TOWING REQUIREMENTS AND IF ADOPTED SHOULD BE RE-WORDED TO REFERENCE THE STATE LAWS. THIS WOULD ALLOW ANY CHANGES TO STATE LAW TO BE AUTOMATICALLY COVERED.**

4. (Sub)subsections (e-f) of Section 4 seem particularly onerous to the tow company although these may be covered under State Statute too. **STATE LAW SEEMS A BIT MORE REASONABLE. I AM NOT SURE (e) WOULD BE FEASIBLE. (f) COULD SIMPLY BE DONE ON THE SIGN. ALSO CONSIDER EMERGENCY ACCESS TO THE VEHICLE FOR PERSONAL ITEMS.**

5. I am not in favor of Section 5. Having a vehicle improperly towed is going to be traumatic enough for all concerned. I do not see the additional value in this fine. I am also interested in what avenues for recourse are already available to vehicle owners who are involved in an improper tow. **COULD YOU REVOKE THE PERMIT TO TOW IN THE CITY FOR UP TO 1-YEAR, ETC? THAT MAY HAVE MUCH BETTER RECOURSE THAN A FINE.**

**IN SUMMARY, IF YOU ARE GOING TO ADOPT THIS TYPE OF ORDINANCE I WOULD RECOMMEND KEEPING IT SIMPLE, REFER TO STATE ORDINANCES/LAW TO KEEP THE CITY OUT OF LITIGATION TO THE EXTENT POSSIBLE, AND RESEARCH ORDINANCES OF NEIGHBORING CITIES AND ISSUES SURROUNDING THE ORDINANCE ONCE IT WAS IN PLACE. IN OTHER WORDS, DOES THE CITY OF PORTLAND HAVE RECOMMENDATIONS TO THEIR CODE THAT WOULD MAKE THIS BETTER?**

Finally, I would be very sensitive to adding ordinances as they apply to PRIVATE PROPERTY. Any infringement on PRIVATE PROPERTY rights by government should be approached with a degree of extra caution and restraint.

Sincerely,

Bill Jordan, CAPDB member

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**From:** Melissa Koons [<mailto:MKoons@ci.tualatin.or.us>]

**Sent:** Friday, August 31, 2012 10:46 AM

**To:** [monique.beikman@gmail.com](mailto:monique.beikman@gmail.com); [drjordan@integra.net](mailto:drjordan@integra.net); [mikec@barhyte.com](mailto:mikec@barhyte.com); [john.howorth@3-j-consulting.com](mailto:john.howorth@3-j-consulting.com); [rmiller@millersince1886.com](mailto:rmiller@millersince1886.com)

**Cc:** CLAY REYNOLDS; STACY ZABRANSKY

**Subject:** Letter from City Attorney Re: Proposed Tow Ordinance

Core Area Parking District Board Members,

The City Council is requesting your feedback regarding a towing ordinance under consideration. Please direct your comments to Clayton Reynolds, [creynolds@ci.tualatin.or.us](mailto:creynolds@ci.tualatin.or.us) prior to Monday, September 10<sup>th</sup> for Clay to submit the Board's comments to our Legal Department.

Thank you,

*Melissa Koons*

Office Assistant II

City of Tualatin | Operations Department





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**Linda Odermott**

---

**From:** Doug Ulmer [doug\_ulmer@comcast.net]  
**Sent:** Thursday, September 06, 2012 3:26 PM  
**To:** Linda Odermott  
**Subject:** RE: Letter from City Attorney Re: Proposed Tow Ordinance

Linda,

Thank you for giving me the opportunity to voice my thoughts with the proposed tow ordinance. I included my questions as feedback. I think the entire tow ordinance is good ideal. My questions and feedback are more directed toward condos and apartments if am understanding the proposed ordinance would apply. I might be over thinking this some, I've had my share headaches with towing in the complex.

Section 2:

b) Would the written bylaws and rules with townhomes be applicable, for areas where posting signs is not feasible? Example: would be tandem parking behind driveways, that is obstructing the right way, and with the possibility of creating a road block with such parking practices that first responders could be delayed? Due to the size of emergency vehicles.

Could tandem parking be prohibited in general or with the zoning of multi family communities be included in the ordinance? It would certainly help the Boards and management companies with townhomes and apartment owners/managers with enforcement if the City included this practice of parking as prohibited.

Section 4:

d) What if the vehicle is on the hook, and the tow truck has not moved and the vehicle owner shows up. Is there a charge for the hook and drop? I understand defining "possession" to determine what the fee would be.

Doug Ulmer  
CIO2  
Vice Chairmen  
Chairmen of the Board  
Orchard Hill Townhomes

**From:** Linda Odermott [<mailto:lodermott@ci.tualatin.or.us>]  
**Sent:** Thursday, August 30, 2012 4:23 PM  
**Subject:** Letter from City Attorney Re: Proposed Tow Ordinance

Please find enclosed a letter with the Proposed Tow Ordinance that the Tualatin City Council would like your responses to.

Thank you,

*Linda Odermott, RP®*

Registered Paralegal®

City of Tualatin | Legal Services

P 503.691.3016 | F 503.692.5421

18880 SW Martinazzi Ave.

Tualatin, OR 97062-7092

[lodermott@ci.tualatin.or.us](mailto:lodermott@ci.tualatin.or.us)



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## Linda Odermott

---

**From:** Charlie Benson [cjben5915@hotmail.com]  
**Sent:** Friday, September 07, 2012 5:34 PM  
**To:** Linda Odermott  
**Subject:** RE: Letter from City Attorney Re: Proposed Tow Ordinance

Linda,

The ordinance looks fine. Only change I might suggest is to Section 4.1.f Have staff available (or on call) to provide information ...

Thanks.

Charlie Benson

---

**From:** [lodermott@ci.tualatin.or.us](mailto:lodermott@ci.tualatin.or.us)  
**Subject:** Letter from City Attorney Re: Proposed Tow Ordinance  
**Date:** Thu, 30 Aug 2012 23:23:24 +0000

Please find enclosed a letter with the Proposed Tow Ordinance that the Tualatin City Council would like your responses to.

Thank you,

***Linda Odermott, RP®***

Registered Paralegal®  
City of Tualatin | Legal Services  
P 503.691.3016 | F 503.692.5421  
18880 SW Martinazzi Ave.  
Tualatin, OR 97062-7092  
[lodermott@ci.tualatin.or.us](mailto:lodermott@ci.tualatin.or.us)



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# MEMORANDUM

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Ben Bryant, Management Analyst

**DATE:** 11/13/2012

**SUBJECT:** Oregon Passenger Rail Update

---

### **ISSUE BEFORE THE COUNCIL:**

Receive an update on the Oregon Passenger Rail Study

### **EXECUTIVE SUMMARY:**

In September, the Oregon Department of Transportation (ODOT) officially kick-started the Oregon Passenger Rail Study through hosting a series of open houses. Attachment A includes the materials that were given to the open house participants. The following summary provides information on this study and outlines the next steps.

### **Background**

Since 1992, the rail route between Eugene and Vancouver, B.C. has been designated as one of twelve future high-speed rail corridors in the nation. In 2010, the Federal Government provided funding for studying and implementing high-speed rail along these corridors. To be eligible for federal funding to construct a high-speed rail line, the State of Oregon must conduct a passenger rail study following the National Environmental Policy Act (NEPA) process.

### **Process**

The Oregon Passenger Rail study will follow the NEPA process which requires that the project consider multiple alignments, known as an "alternatives analysis." Part of this analysis includes an evaluation of the environmental and community impacts of the different alternatives. While this process can take a significant amount of time, it allows for numerous public engagement opportunities.

### **Alignments**

As mentioned, there will be many alternative alignments considered as part of this study. The following potential alignments have been considered in the past and are expected to be evaluated through this study:

- Union Pacific Rail Line (existing passenger rail route through Oregon City)
- Oregon Electric Rail Line (through Tualatin, Lake Oswego, and Milwaukie)
- Interstate-5

Attachment B includes a map of the South Metro Area and the existing rail lines that might be considered.

## **Other Service Characteristics**

In addition to an alignment, the study will evaluate:

- Potential locations for rail stations
- Number of daily trips
- Speed

## **Decision-Making**

The following groups will have decision-making authority/input:

- Federal Railroad Administration
- Oregon Department of Transportation / Governor
- Oregon Passenger Rail Leadership Council (appointed by the Governor)
- Rail Industry (i.e. Union Pacific)
- Corridor Forum (elected representatives from cities, counties, and key agencies)
- Community Advisory Groups (will be formed as necessary to focus on local issues)

## **Funding**

In 2010, the federal American Recovery and Reinvestment Act (ARRA) awarded \$8 billion to improve high-speed rail in the United States. The Oregon Passenger Rail study is being partially funded through an \$8.9 million grant from the federal government.

## **Next Steps**

The following outline the next step in this study:

- **2012**
  - Develop Purpose and Need; Goals and Objectives
  - Identify Alternative Alignments
  - Develop Evaluation Criteria
- **2013**
  - Conduct Public Outreach
  - Screen & Narrow Alternative Alignments
  - Establish Alternative Alignments to be Studied
- **2014**
  - Publish Environmental Impact Statement
  - Conduct Public Outreach
  - Select Preferred Alignment

---

**Attachments:**    [Attachment A: Open House Materials](#)  
                           [Attachment B: South Metro Area Map](#)  
                           [Attachment C: Presentation](#)





# Oregon Passenger Rail

## Eugene - Portland

CHOOSING A PATH FORWARD

### Welcome to tonight's open house!

ODOT is just beginning a study to improve passenger rail service between the Portland urban area and the Eugene-Springfield urban area. We want your input tonight to help decide on a general passenger rail route and evaluate options for train frequency, trip time, and improving on-time performance.

### How to provide your input

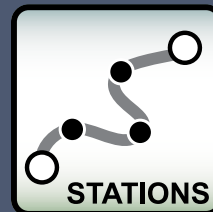
We are currently in "scoping" - an early step in the process to identify issues to be addressed. It is an important opportunity for public input. We encourage comments throughout the study, but **comments should be submitted by October 31** to be officially considered during the scoping phase.

Here is how you can provide your comments tonight:

- » **Purpose and Need:** Visit the Purpose and Need station and provide your feedback on a variety of interest areas in order to shape this project. Use the activity board or add more comments on a flip chart.
- » **Routes:** Visit the Alignments station to see maps of potential rail routes and provide input on routes and issues.
- » **Comment Form:** Complete a comment form (included in this packet) and drop it off in the comment box or with a staff member.
- » **Go online:** You can learn more and continue to provide comments at our online open house between September 6 and 23. Invite your friends to participate at [www.OregonPassengerRail.org](http://www.OregonPassengerRail.org).

### We need your input!

What should we consider as we look at passenger rail route options? Are there other routes or stations that we should explore? How frequent should train service be?



[www.OregonPassengerRail.org](http://www.OregonPassengerRail.org)



Oregon Passenger Rail  
Eugene - Portland  
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# Frequently Asked Questions

## What part of Oregon is the Oregon Passenger Rail study looking at?

The project is looking at ways to improve passenger rail service between Eugene and Portland. Specifically, this includes the Oregon segment of the Pacific Northwest Rail Corridor between the Eugene-Springfield urban area and the Columbia River in the Portland urban area.

## What is the Pacific Northwest Rail Corridor?

The 466-mile PNWRC runs between Eugene, Oregon, and Vancouver, British Columbia. It was designated by the Federal Railroad Administration in 1992 as a high-speed rail corridor. The PNWRC is one of ten federally designated high-speed rail corridors in the U.S.

## What is high speed rail?

Conventional passenger rail operates at speeds of up to 80 miles per hour. High speed rail operates at speeds of at least 110 miles per hour.

## Why is the Oregon Passenger Rail study being conducted?

Annual Amtrak Cascades ridership has grown significantly over the past five years. Over the next 25 years, the population of the Willamette Valley is expected to grow by approximately 35 percent, and freight volume in the state is expected to grow by 60 percent. This will result in travel demand that exceeds existing freight and passenger rail capacity. ODOT is studying how improved passenger rail service can address increased travel demands, especially as funding for highway projects is in decline.

## What is the current passenger rail service?

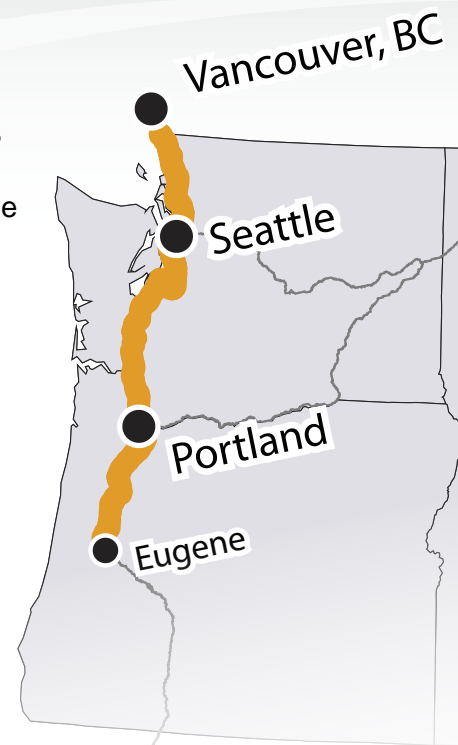
Oregon pays Amtrak to provide passenger rail service between Eugene and Portland. This service, called the *Cascades*, makes two round trips per day stopping in Eugene, Albany, Salem, Oregon City and Portland. In addition, Amtrak operates the *Coast Starlight* between Los Angeles and Seattle once a day. Although it also travels through Oregon and stops at the same stations (except Oregon City) as the *Cascades*, Oregon does not pay for this service.

## How will the study affect freight rail?

While the focus of this project is on passenger rail service, the project will also support the current and future capabilities of Oregon's freight rail system.

## What is NEPA?

Oregon received a Federal grant from the Federal Railroad Administration for the Oregon Passenger Rail study, which means the project will follow the National Environmental Policy Act process. NEPA ensures that the agency takes into account the environmental impacts of any project, and requires analysis and reporting of negative and positive impacts of alternatives. Public and resource agency involvement is an important component of the environmental assessment process. The intent is to ensure that the appropriate criteria and environmental factors are being considered and made available for input and comment during the decision-making process.



Oregon Passenger Rail  
Eugene - Portland  
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## **What is an Environmental Impact Statement?**

The first step towards improving passenger rail service is to conduct an environmental review of a reasonable range of alternatives for passenger rail service between Eugene and Portland known as an Environmental Impact Statement.

An EIS is a document, required under NEPA, prepared for an action (i.e., project) that is likely to have significant impact to the human or natural resource environment. This document summarizes the major environmental impacts, outlines issues, examines reasonable alternatives, and identifies a preferred alternative. The public is invited to comment on the Draft EIS before the selection of a preferred alternative and the preparation of a Final EIS.

## **What is a Tier 1 Environmental Impact Statement?**

The Oregon Passenger Rail study will produce a Tier 1 EIS. The Tier 1 EIS is a corridor-level analysis that answers certain broad questions before a more detailed study (a Tier 2 analysis) can be done. The Federal Railroad Administration is the lead federal agency and the Oregon Department of Transportation is the lead state agency responsible for the preparation of the Tier 1 EIS. The Tier 1 EIS will take approximately three years to complete.

## **What is Scoping?**

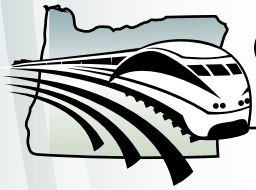
Scoping is an early step in the EIS process that provides the opportunity for the public and government agencies to review information and offer comments to help determine the scope of the project and major issues. Comments received during Scoping will help shape the project's Purpose and Need and evaluation criteria. The project Purpose and Need is the foundation of the project and lays broad parameters for what kinds of alternatives can be considered. The Scoping process includes identifying a broad range of alternatives, and then screening them against the Purpose and Need. The alternatives that "pass" this first screening will then be further narrowed based on the evaluation criteria.

## **What alternatives will the study consider?**

There is not a predetermined outcome. At this early stage in the study process, all reasonable alternatives will be considered, including a "no-build" alternative—which means taking no action. The study will result in the selection of a preferred alternative, which is an alternative that best meets the study Purpose and Need and evaluation criteria. A preferred build alternative would include:

- » a general passenger rail alignment between Portland and Eugene;
- » communities where stations will be located;
- » service characteristics, such as the number of daily train trips and speed; and
- » identification of potential environmental impacts and proposed mitigation strategies.

If a build alternative is selected, then the next steps would include developing a funding plan and conducting a more detailed environmental analysis of site-specific proposals, as required.



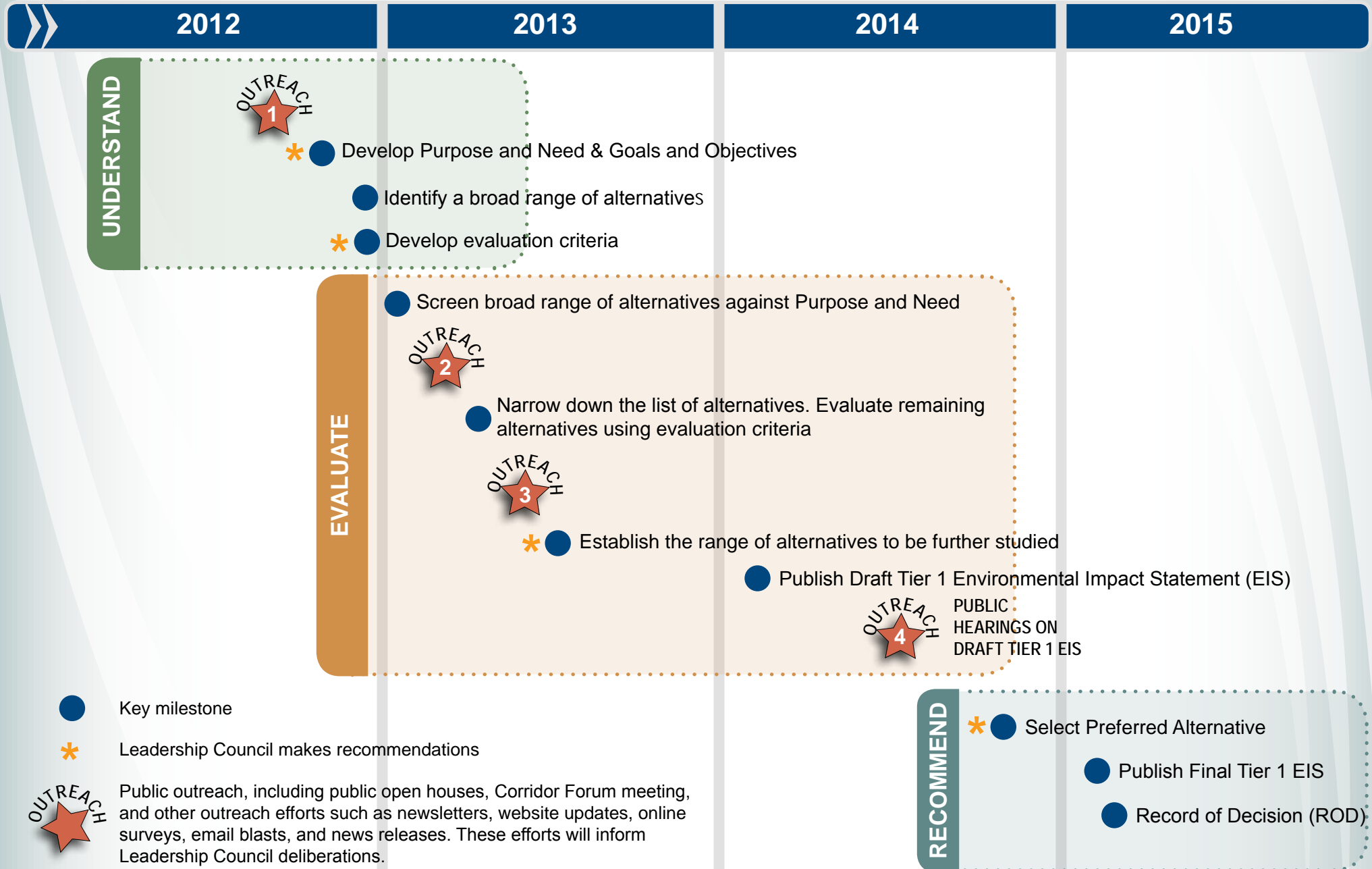
# Oregon Passenger Rail

## Eugene - Portland

CHOOSING A PATH FORWARD

# Study Schedule

[www.OregonPassengerRail.org](http://www.OregonPassengerRail.org)



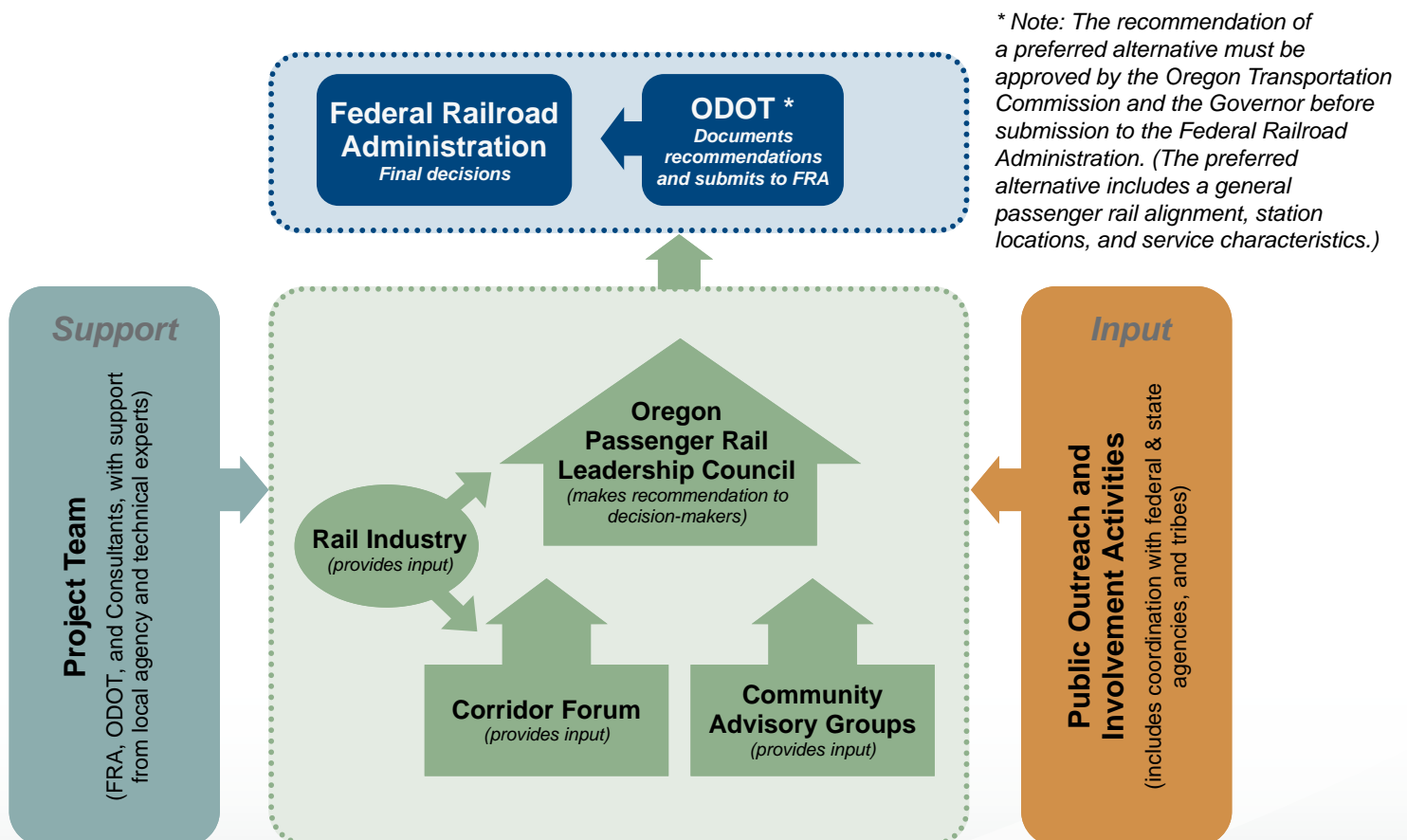
# Decision-Making

The needs and concerns of Oregon citizens are a key driver of the Oregon Passenger Rail project. The project includes an extensive public involvement component, to ensure that project decisions are informed by the needs and issues of communities and stakeholders.

The figure below shows how decisions will be made throughout the process. The project also includes several committees that will play an important part in decision-making, including:

- » **Leadership Council:** A core advisory group composed primarily of elected officials from the Willamette Valley. The Leadership Council was established by Governor John Kitzhaber to guide the Oregon Passenger Rail study and develop consensus-based recommendations that will be submitted to the Federal Railroad Administration for final approval.
- » **Corridor Forum:** A group composed of directors and elected representatives from cities and counties and other key agencies and stakeholders. This Forum focuses on broad-level issues, and its input will be provided to the Leadership Council.
- » **Community Advisory Groups:** More geographically based Community Advisory Groups may be formed as necessary to focus on issues and concerns in specific cities and communities. These groups will provide local stakeholders with an opportunity to help shape alignment options in their specific geographic area.

## Decision-Making Process



Oregon Passenger Rail  
Eugene - Portland  
CHOOSING A PATH FORWARD



# Project Purpose and Need

The Purpose and Need Statement is an essential part of the study process. It explains why the project is being proposed and why it is a worthwhile investment of time and money. The Purpose and Need statement will also help provide context and criteria for developing a range of possible alternatives, and eventually the selection of a preferred alternative. Below is the Draft Purpose and Need Statement, which will be refined based on public input.

## Purpose

The purpose of this project is to provide more convenient, rapid, and reliable passenger rail service between the Columbia River in the Portland metropolitan area, and the Eugene-Springfield metropolitan area in a manner that will:

- » Provide an efficient, safe, and cost-effective alternative to highway, bus, and air travel;
- » Protect freight-rail carrying capability;
- » Support the implementation of regional high speed rail in the Pacific Northwest Rail Corridor between the Eugene-Springfield metropolitan area and Vancouver, British Columbia;
- » Promote planned economic development;
- » Be sensitive to community and environmental impacts; and
- » Integrate with local roadway, transit, bicycle, and pedestrian transportation networks.

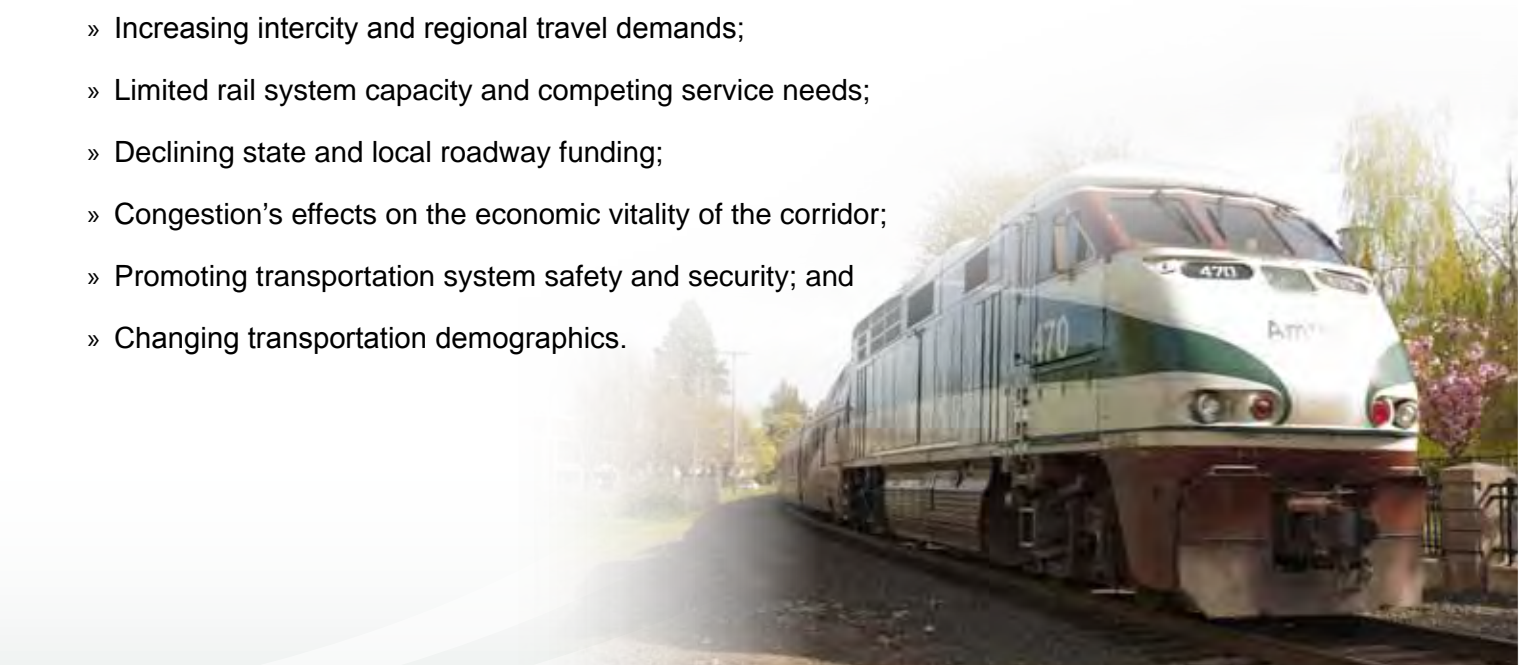
## Need

Multiple transportation, land use, socio-economic, and environmental considerations drive the need for this project, including:

- » Increasing intercity and regional travel demands;
- » Limited rail system capacity and competing service needs;
- » Declining state and local roadway funding;
- » Congestion's effects on the economic vitality of the corridor;
- » Promoting transportation system safety and security; and
- » Changing transportation demographics.

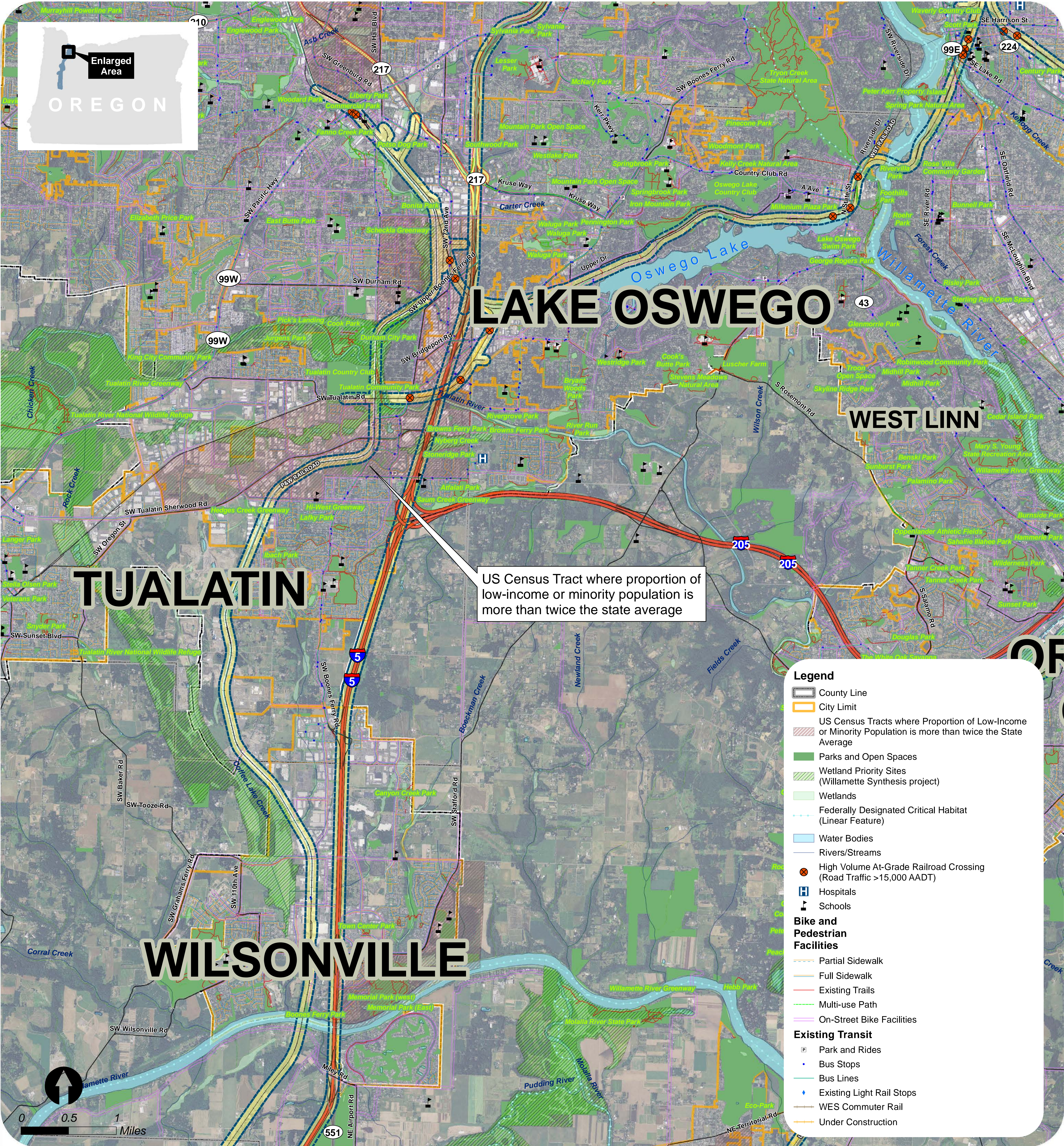


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Eugene - Portland  
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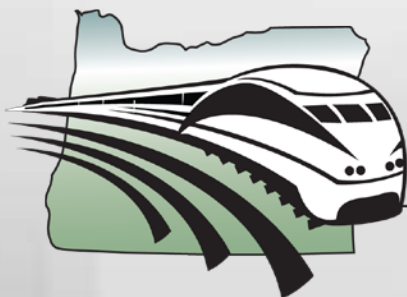




# South Metro Area Map







# Oregon Passenger Rail

## Eugene - Portland

CHOOSING A PATH FORWARD

Tualatin City Council  
Work Session  
November 13, 2012



*City of Tualatin*

# Background

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**1992:**

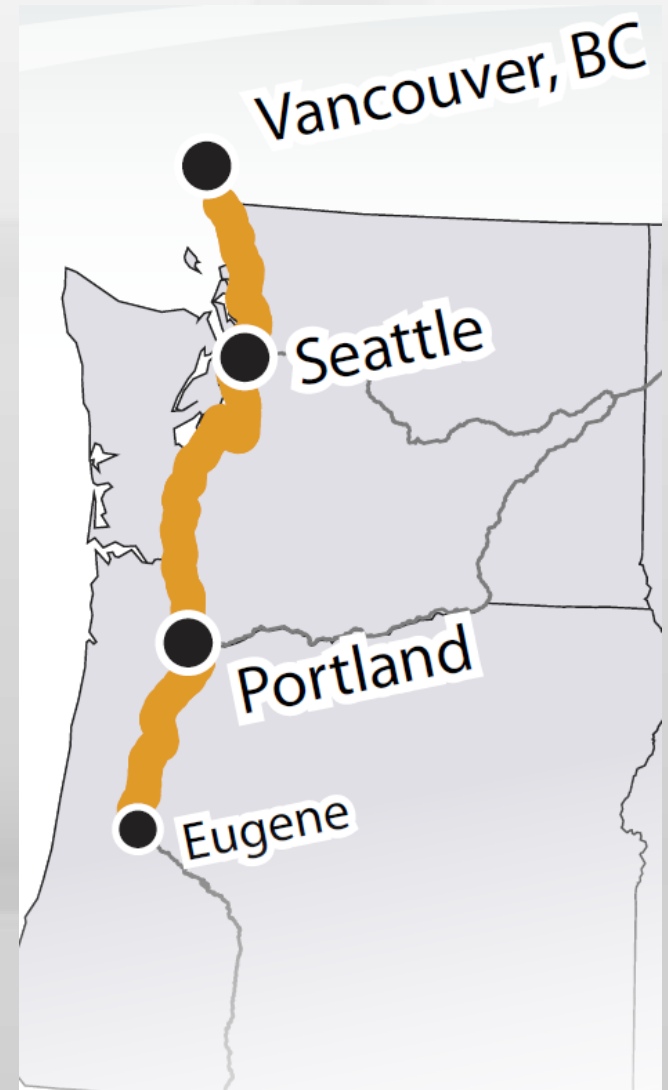
Eugene – Vancouver, B.C.  
designated high speed rail  
corridor

**2000's:**

Oregon High Speed Rail Study

**2010:**

Federal Funding for  
Environment Impact  
Statement Study



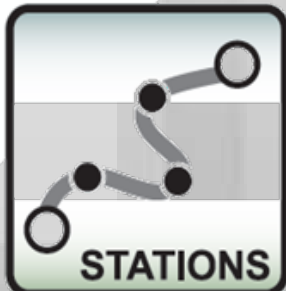


# Upcoming Decisions

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**Routes:** Where should the passenger rail route go?



**Stations:** Where should passenger rail stop?



# Potential Alignments

## Current Alignment:

Union Pacific Rail Line (Oregon City)

## New Alignments:

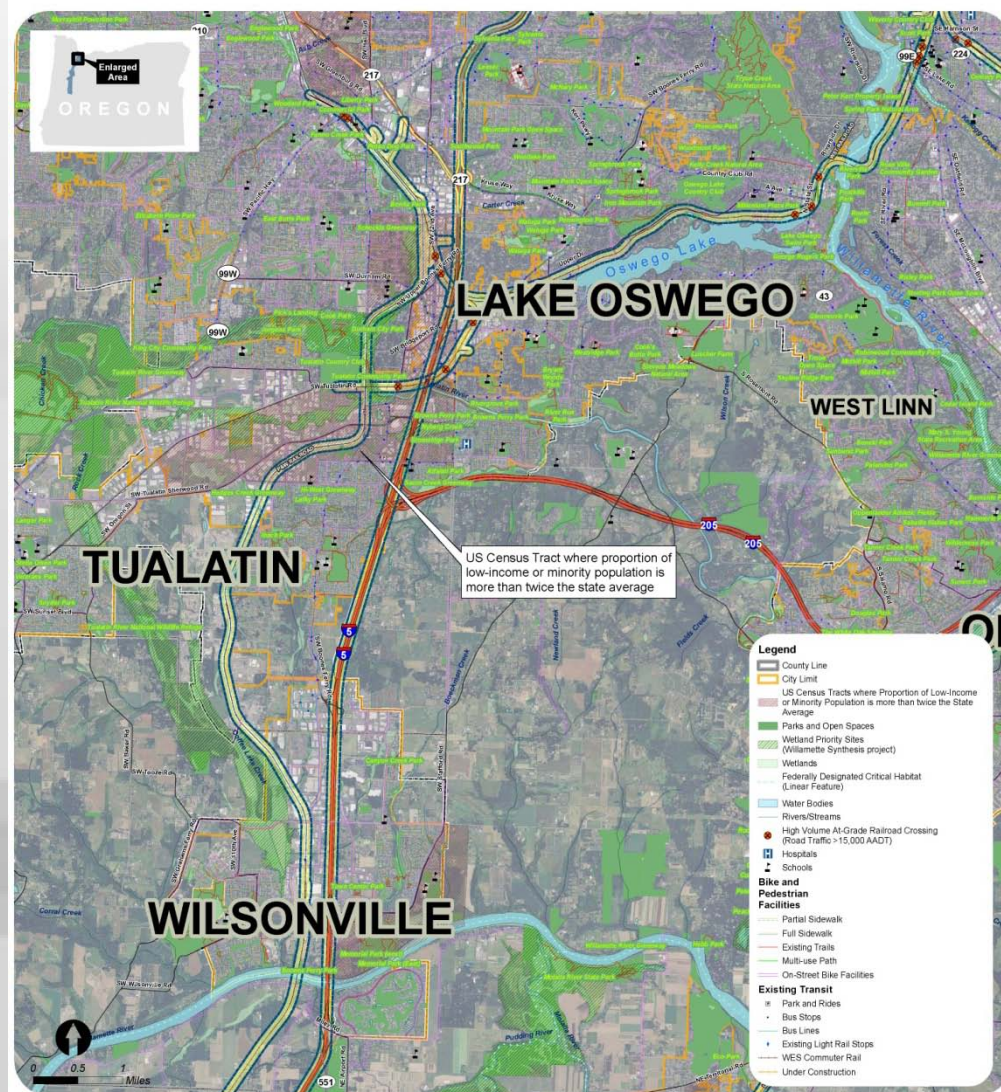
Oregon Electric Rail Line  
(Tualatin, Lake Oswego)

Interstate- 5

Other



# South Metro Rail Lines



# Next Steps

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2012

- Develop Purpose and Need
- Establish Goals and Objectives
- Identify Alternative Alignments
- Develop Evaluation Criteria

2013

- Conduct Public Outreach
- Screen & Narrow Alternative Alignments

2014

- Publish Environmental Impact Statement
- Conduct Public Outreach
- Select Preferred Alignment



City of Tualatin



# MEMORANDUM

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Ben Bryant, Management Analyst

**DATE:** 11/13/2012

**SUBJECT:** Southwest Corridor Transit Options

---

### **ISSUE BEFORE THE COUNCIL:**

Receive update on the Southwest Corridor transit options

### **EXECUTIVE SUMMARY:**

#### **Background**

The Southwest Corridor Plan is a comprehensive land use and transportation plan focused on identifying and prioritizing public investments in the corridor between downtown Portland and Sherwood for the next 15 years. One of the most significant investments that is envisioned to be made in this corridor is transit service.

#### **Transit Options**

Metro, in partnership with TriMet, ODOT, and the cities within the corridor, identified 10 potential transit investments (Attachment A). These options did not include specific alignments nor did they identify station locations. These options were simply to highlight potential modes of transit and identify general start and end points.

On October 22nd, the Southwest Corridor Steering Committee requested that 6 of the 10 potential transit investments be studied in more detail and explored with residents and businesses within the corridor. The following is a brief description of the 10 transit options, along with the Steering Committee recommendations:

#### **Study Further**

1. Bus Rapid Transit (BRT) operating in a transit-exclusive right-of-way (either new lanes or converting existing lanes) generally between Portland and Tigard and possibly Tualatin with other potential connections;
2. BRT extensions operating on-street generally between Sherwood and Tigard or Tualatin;
3. Local bus service enhancement;
4. Light Rail Transit (LRT) operating between Portland and Tigard;

5. LRT operating between Portland and Tualatin; and
6. BRT operating in a transit-exclusive right-of-way (either new lanes or converting existing lanes) generally between Portland and Sherwood.



	Project	Description	Design options	Considerations
Additional analysis and study for SWCP	1. Bus Rapid Transit operating generally between Portland and Tigard and possibly Tualatin with other potential connections	BRT operating on or near Hwy 99W/Barbur Blvd from Portland to Tigard, and possibly continuing to Tualatin, including other corridor locations either as an alternative to Tigard or Tualatin or as additional branches of service by lines that extend beyond the BRT transitway. These locations could include PCC, Washington Square, Kruse Way/Lake Grove, or others.	<ul style="list-style-type: none"><li>Dedicated transitways, either in both directions or in a single direction, and either over extended distances or in targeted locations, either as added new lanes, converted from existing traffic lanes, or a combination of both;</li><li>All-day bus priority lanes that would allow autos to use the lane only for the next turn or to enter businesses (referred to as <b>BAT</b> lanes – Business Access and Transit lanes), either as added new lanes, converted from existing traffic lanes, or a combination of both</li><li>Operation in mixed traffic where dedicated transitways and bus priority lanes are considered unsuitable or unnecessary</li></ul>	The flexibility in routing BRT potentially makes it a good fit for serving the polycentric Southwest Corridor. Identified focus areas are generally aligned linearly between Portland and Tigard, but more broadly distributed past Tigard. A transitway with BRT lines between Portland and Tigard could be branched into multiple lines past Tigard to maximize service to focus areas. Typically, BRT is less expensive to construct than LRT and is adaptable to right-of-way constraints, but it has higher operating cost per boarding in high demand corridors. Where right-of-way is relatively less expensive, BRT could operate in exclusive transitways. Where right-of-way is more expensive, BRT could operate in converted lanes or in mixed traffic. The ability to mix-and-match the infrastructure could help balance the needs for transit improvements with the realities of funding limitations. Because of this flexibility of design leading to lower costs, BRT investment could be constructed sooner than an LRT investment. BRT could support land use goals in focus areas it serves, if designed appropriately to match land use aspirations of the local jurisdictions.
	2. Extension of Bus Rapid Transit (BRT) operating on-street generally between Sherwood and Tigard or Tualatin	Extension of BRT line described above, connecting to Sherwood, but in mixed traffic or with more limited and targeted transit priority treatments which could include short transit-only sections, but not for long distances.	Designs would exclude addition of transitway or conversion of lanes, except possibly in short, targeted locations, but would likely include improvements such as signal priority, queue jumps, enhanced stations and other amenities that differentiate BRT from standard service.	Transportation needs analysis suggests that the trip demand from Sherwood to the rest of the corridor is not at, nor forecast to reach, a level that would require HCT. However, extending a BRT route to Sherwood (or other destinations) as on-street BRT would not be prohibitively expensive and riders would benefit from more robust BRT capital improvements further north in the corridor.
	3. Local bus service enhancement	Review current travel patterns and locations of jobs and housing along with current local bus service and identify changes that best support travel demands and leverage future investments in high capacity transit.		Local service planning is typically done along with considering an investment in high capacity transit but it can also be done significantly prior to investments in HCT to better support travel demands that have changed along with the region’s employment and residential growth.
TBD	4. Light rail transit (LRT) to Tigard	LRT operating on or near Hwy 99W/Barbur Blvd from Portland to Tigard, potentially accessing other corridor locations such as PCC, Washington Square, Kruse Way/Lake Grove, Bridgeport Village, or others.	Dedicated right of way, either as added new lanes or converted from existing traffic lanes, or a combination of both.	LRT could serve a strong spine of demand along the corridor but could not directly serve as many focus areas identified for development as a multi-branched or “open” BRT could. LRT would support land use goals in the focus areas it could serve. The technical conclusion based on investment magnitudes, existing identified funds and anticipated FTA share is that LRT projects would be long-term; however, local voluntary commitments can vary and the Steering Committee may determine that LRT could reasonably be funded within 5-15 years.
	5. Extension of LRT to Tualatin	LRT operating on or near Hwy 99W/Barbur Blvd from Portland to Tigard, and continuing to Tualatin, potentially accessing locations such as PCC, Washington Square, Kruse Way/Lake Grove,Bridgeport Village, or others.	Dedicated right of way, either as added new lanes or converted from existing traffic lanes, or a combination of both.	LRT could serve a strong spine of demand along the corridor but could not directly serve as many focus areas identified for development as BRT could. LRT would support land use goals in the focus areas it could serve. The technical conclusion based on investment magnitudes, existing identified funds and anticipated FTA share is that LRT projects would be long-term; however, local voluntary commitments can vary and project partners and Steering Committee may determine that LRT could reasonably be funded within 5-15 years.
Supports future vision(not studied further in the SWCP)	6. Extension of LRT to Sherwood	Extension of LRT operating on or near Hwy 99W to Sherwood.	LRT in dedicated right-of-way	Transportation needs analysis suggests that the trip demand from Sherwood to the rest of the corridor is not at, nor forecast to reach a level that would require HCT. Sherwood may be best served by local bus connections to nearby communities. As an Implementing Action to follow the SW Corridor Plan, TriMet has committed to conduct a Southwest Service Enhancement Plan. This plan will propose future improvements in the bus network to serve the future of the corridor and the surrounding communities and employment areas. Other shorter representative projects would serve the transportation needs of the corridor. Lower investment magnitude BRT options to Sherwood (those that do not add dedicated right of way except perhaps for short stretches) remain under consideration for the Southwest Corridor Plan.
	7. Extension of transit-exclusive right-of-way BRT to Sherwood	Extension of transit-exclusive right-of-way BRT operating on or near Hwy 99W to Sherwood	BRT in dedicated transitway(s), either in both directions or in a single direction, over extended distances, either as added new lanes, converted from existing traffic lanes, or a combination of both.	Transportation needs analysis suggests that the trip demand from Sherwood to the rest of the corridor is not at, nor forecast to reach a level that would require HCT. Sherwood may be best served by local bus connections to nearby communities. As an Implementing Action to follow the SW Corridor Plan, TriMet has committed to conduct a Southwest Service Enhancement Plan. This plan will propose future improvements in the bus network to serve the future of the corridor and the surrounding communities and employment areas. Other shorter representative projects would serve the transportation needs of the corridor. Lower investment magnitude BRT options to Sherwood (those that do not add dedicated right of way except perhaps for short stretches) remain under consideration for the Southwest Corridor Plan.
	8. WES improvements: Construction improvements to allow increased frequencies during the peak and/or all day service	This represents substantial capital improvements which might include the <i>addition</i> of dedicated north and southbound WES tracks to accommodate frequent, all-day commuter rail service between Wilsonville and Beaverton.	Capital improvements allowing for additional WES service, which could include addition of double tracks for the length of the WES line.	WES improvements would have the highest property impact magnitude and the highest operating costs per boarding of the representative projects studied. Currently, boarding rides on WES cost more than four times as much as boardings rides for buses or LRT. Further, WES serves circumferential travel demand in the corridor but not demand along the spine of the corridor. Improvements would only serve the limited locations that already have WES service, and would not sufficiently support identified land use goals within the corridor. These issues combine to suggest that WES improvements should not be prioritized as a near- or mid-term project as part of the Southwest Corridor Plan. The WES corridor (Beaverton to Wilsonville) ranked as a Near Term Regional Priority Corridor in Metro’s High Capacity Transit System Plan. As such, WES merits further study as a corridor separate from the Southwest Corridor Plan.
No further consideration	9. I-5 options to convert a lane or to add a lane for HOV/HOT/ BRT use	The addition or conversion of a lane to I-5 for all hours use or peak period use by buses, high occupancy vehicles (HOV), or high occupancy toll (HOT).		The SW Corridor Plan integrates local land use plans with transit and other investments. Most of the identified potential station areas in the corridor are not near enough to freeway accesses for freeway-based transit in the entire corridor to serve them effectively, and physical barriers would make new access difficult in some locations.
	10. Streetcar to Sherwood using existing lanes	Streetcar on or near 99W/Barbur from Portland to Sherwood with a significant proportion of the route using existing lanes mixed with auto traffic.		Streetcar is most typically and most effectively utilized as an urban city circulator and not as a long-distance HCT mode (where BRT or LRT is more typical). Streetcar in exclusive right of way, or rapid streetcar, would be similar to LRT and should be considered as a design option of the LRT representative projects.



Bus rapid transit in other cities

Boston, Mass.



The Massachusetts Bay Transit Authority’s (MBTA) Silver Line in Boston is an example of bus rapid transit in an urban corridor. The Silver Line operates using dedicated transit lines as well as in mixed traffic. In addition, the Silver Line has a 1.5 mile underground segment which includes three underground stations.

Eugene, Ore.



The Eugene Emerald Express (EmX) operates using both separate running ways and in dedicated lanes alongside mixed traffic. The separate running ways account for about 60 percent of the route and consist of exclusive single and dual bus lanes. The remaining 40 percent of the route is dedicated bus lanes, which are at a grade and separated from general traffic by yellow bus lane marking. When operating alongside traffic, the EmX utilizes traffic signal prioritization and queue jump lanes.

Cleveland, Ohio



The HealthLine operates in Cleveland in dedicated bus lanes and uses traffic signal prioritization. In downtown Cleveland, buses run along exclusive lanes in the center of the street.

Las Vegas, Nev.



The Metro Area Express (MAX) in Las Vegas has 4.5 miles of dedicated lanes (out of a total route of 7.5 miles). These dedicated lanes are aligned at the curb and shared with right turning traffic. The Strip Downtown Express (SDX) includes the same elements as the MAX plus a central median and dedicated right of way for 2.25 miles.

Los Angeles, Calif.



The Orange Line operated by the Los Angeles County Metropolitan Transit Authority (Metro) is a two lane, fourteen mile dedicated busway. The Orange Line operates using signal prioritization, dedicated bus lanes and uses an existing railroad right of way.

Kansas City, Mo.



The Metro Area Express (MAX) runs on a 6-mile linear route in Kansas City. The MAX operates using bus only curb lanes during peak hours and full time bus only lanes in downtown Kansas City. The MAX is also given signal priority during peak hours.

What is bus rapid transit?

Bus rapid transit service uses high capacity buses in their own guideway or mixed in with traffic, with limited stops and a range of transit priority treatments to provide speed, frequency and comfort to users. Most stations have significant and easily identifiable passenger infrastructure, including waiting areas that are weather protected. Additional station amenities may include real-time schedule information, trip planning kiosks, ticket machines, special lighting, benches and bicycle parking.

**Building a Better Bus**  
How some cities are tricking out their rapid-transit systems

Most rapid-transit bus systems, especially those that allow riders to pay at the bus stop, outfit their buses with **three or four doors** for quicker loading and unloading of passengers.

**Electric-diesel hybrid** systems cut emissions and noise.

Some buses include rows of **seats that face the aisle** rather than the front, providing more leg room and wider aisles.

Rapid-transit buses such as those in Los Angeles include **bike racks** on the front of most buses, while buses in Las Vegas include racks inside to stow bikes on board.

Express buses in San Jose, Calif., offer overhead **reading lights**.

Bus systems such as those in San Jose, Calif., and the Kansas City area offer seats with **high backs** for comfort.

MAX rapid-transit buses in Kansas City have **larger windows** than its regular local-service buses. The MAX passenger seats are set higher to give riders a better view.

Kansas City's rapid-transit buses offer **13 inches of leg room** as opposed to 11 inches on regular buses. Buses in San Jose, Calif., include footrests.

Some systems use **signal priority transmitters** to hold a green light long enough for the bus to get through the intersection. The transmitters can change a red light to green more quickly as a bus approaches.

**Off-board ticketing** allows customers to pay at machines at each bus stop. Without needing to pay the driver, riders can board the bus more quickly through any of several doors.

Systems include **estimated arrival signs** at covered bus stops that estimate the number of minutes until the next rapid-transit bus arrives.

**Curb-level boarding** ensures the height of the curb at the bus stop matches the bus floor so that riders don't need to scale stairs.

Most bus rapid-transit systems feature a slightly **aerodynamic sleek exterior design** to mimic a train, with a sloped front end.

**Dedicated lanes** are set aside specifically for fast-service buses on portions of their routes, freeing the vehicles from traffic.

Sources: Transportation districts, Wall Street Journal research

The Wall Street Journal



Vehicles

Bus rapid transit vehicles often have a larger passenger capacity than conventional buses and utilize modern designs and special branding to differentiate bus rapid transit from standard local bus service. They often have level-platform boarding and multiple doors to make entering and exiting the vehicles easier and faster. Many bus rapid transit systems use vehicles with alternative fuels and pollutant emissions controls.



Cleveland vehicle (Matt Johnson, GGW)



Eugene vehicle



Vehicle interior

Stops and stations

Bus rapid transit stations are generally spaced further apart than standard service stops in order to improve travel time for riders. Stations are typically designed similarly to light rail stations, with features that enhance the passenger experience. These may include enhanced shelters, improved accessibility, improved security elements, and real-time arrival information. Stations contribute to the branding of bus rapid transit systems that distinguish them from standard bus service.



Eugene station and crosswalk



Cleveland's HealthLine (Institute for Transportation and Development Policy; Urban Indy)

Dedicated lanes

Bus rapid transit can operate in mixed traffic, in transit priority lanes or in dedicated transitways. Dedicated transitways operate much like light rail tracks, providing the bus rapid transit with exclusive use of a transit guideway that greatly improves speed and reliability. Transitways could be constructed over long distances or over shorter distances in targeted areas, and could operate in one or both directions.



Eugene dedicated lane and station



Eugene double track median guideway with landscaping



Eugene single track median guideway and station

Off-board ticketing

Some bus rapid transit systems include off-board ticketing similar to light rail. Off-board ticketing minimizes dwell times and expedites boardings since passengers can board through either door, contributing to improved travel times and reliability.



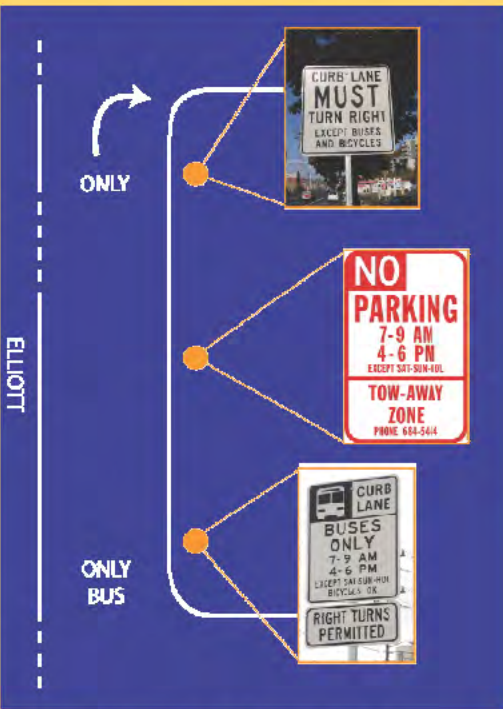
Eugene fare machine with emergency call button



Cleveland fare machine (Marvin Fong, The Plain Dealer)

Business access and transit lanes

Transit priority lanes might include business access and transit (BAT) lanes, in which buses share the lane with autos turning right at the next intersection or into business access. Such lanes might operate as BAT lanes all-day or only in peak periods. BAT lanes provide auto access to businesses along the alignment while allowing bus rapid transit vehicles to bypass congestion on the main roadway.



Seattle Department of Transportation



## Local and high capacity transit

### Transit modes



#### Local bus

Local bus service focuses on community access, with stops about every 2 blocks to a quarter mile. This service typically uses traditional buses (about 45 seats) but may also use articulated buses (about 65 seats). Local bus service shares roadway and ranges in frequency depending on the route and time of day.



#### Express bus

Express buses in the region are local bus service, using the same vehicles and following the same routes. Express bus service moves the focus toward regional mobility by reducing the number of stops during peak periods between concentrated housing and employment areas.



#### Enhanced bus

Enhanced bus service focuses on regional mobility, connecting concentrated housing and employment areas. The service may use traditional buses or those with more amenities (for instance, coach-style vehicles) or more capacity, be given signal priority, have few stops, and/or have special lanes in limited areas. Service frequency can be increased during peak hours.



#### Streetcar

Streetcar focuses on community access within an urban area, with stops about every three or four blocks. Local streetcar service has been used in Portland to encourage development of shopping, housing and other destination areas. Streetcars have 30 seats per car with room and design for several passengers to stand. Cars can be doubled, and service frequency increased, during peak hours. The service operates in mixed traffic.



#### Rapid streetcar

Using the same technology as local streetcar, rapid streetcar focuses on regional mobility, offering fewer stops through less populated areas to connect housing areas to jobs or other destinations. Cars can be doubled, and service frequency increased, during peak hours. The service operates in mixed traffic, in exclusive right of way or a combination of the two.



#### Bus rapid transit

Bus rapid transit uses coach-style or high capacity buses (40-60 seats with room and design for several passengers to stand). The service may be in the roadway with turnouts and signal priority for stops, have an exclusive right of way, or be some combination of the two. The service focuses on regional mobility, with higher speeds, fewer stops, higher frequency and more substantial stations than local bus, connecting concentrated housing or local bus hubs and employment areas. Service frequency can be increased during peak hours.



#### Light rail

Light rail uses high capacity trains (68 seats with room and design for several passengers to stand) and focuses on regional mobility with stops typically one-half to 1 mile apart, connecting concentrated housing or local bus hubs and employment areas. The service has its own right of way. Cars can be doubled, and service frequency increased, during peak hours.



#### Commuter rail

Commuter rail uses high capacity heavy rail trains (74 seats in a single car, 154 in doubled cars), typically sharing right of way with freight or other train service (though out of roadway). The service focuses on connecting major housing or local bus hubs and employment areas with few stops and higher speeds. The service may have limited or no non-peak service.



# SW Corridor Transit Options

Tualatin City Council  
Work Session  
November 13, 2012



*City of Tualatin*



# Background

## Plan Elements:

Land Use & Transportation

## Corridor Location:

Portland to Sherwood (not limited to HWY 99W)

**Length:** 14.4 miles

## Population:

2010 = 140,000 (10% of metro)

2035 = 206,000

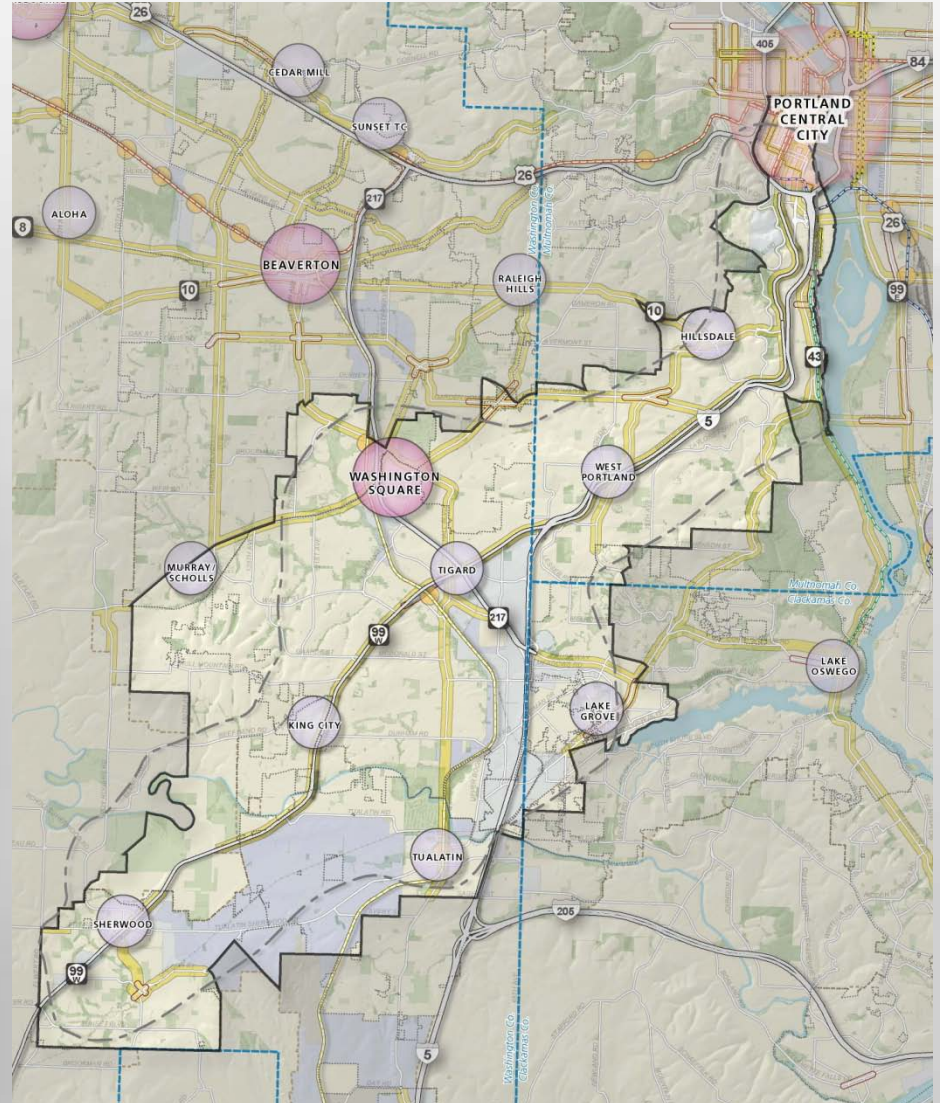
## Employees

2010 = 163,000 (19% of metro)

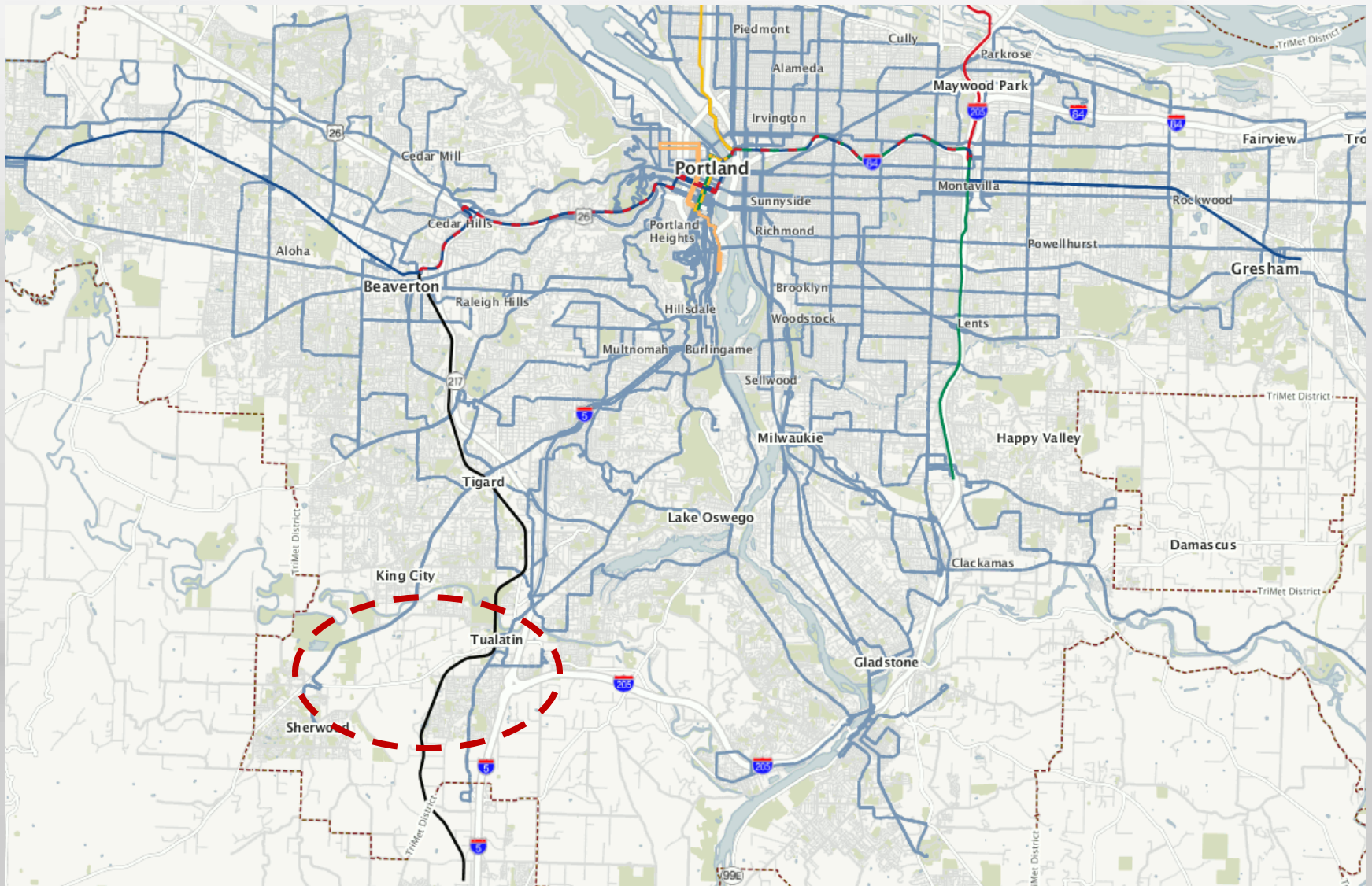
2035 = 251,000

## Projected travel time increase:

30%



# Existing Transit Service





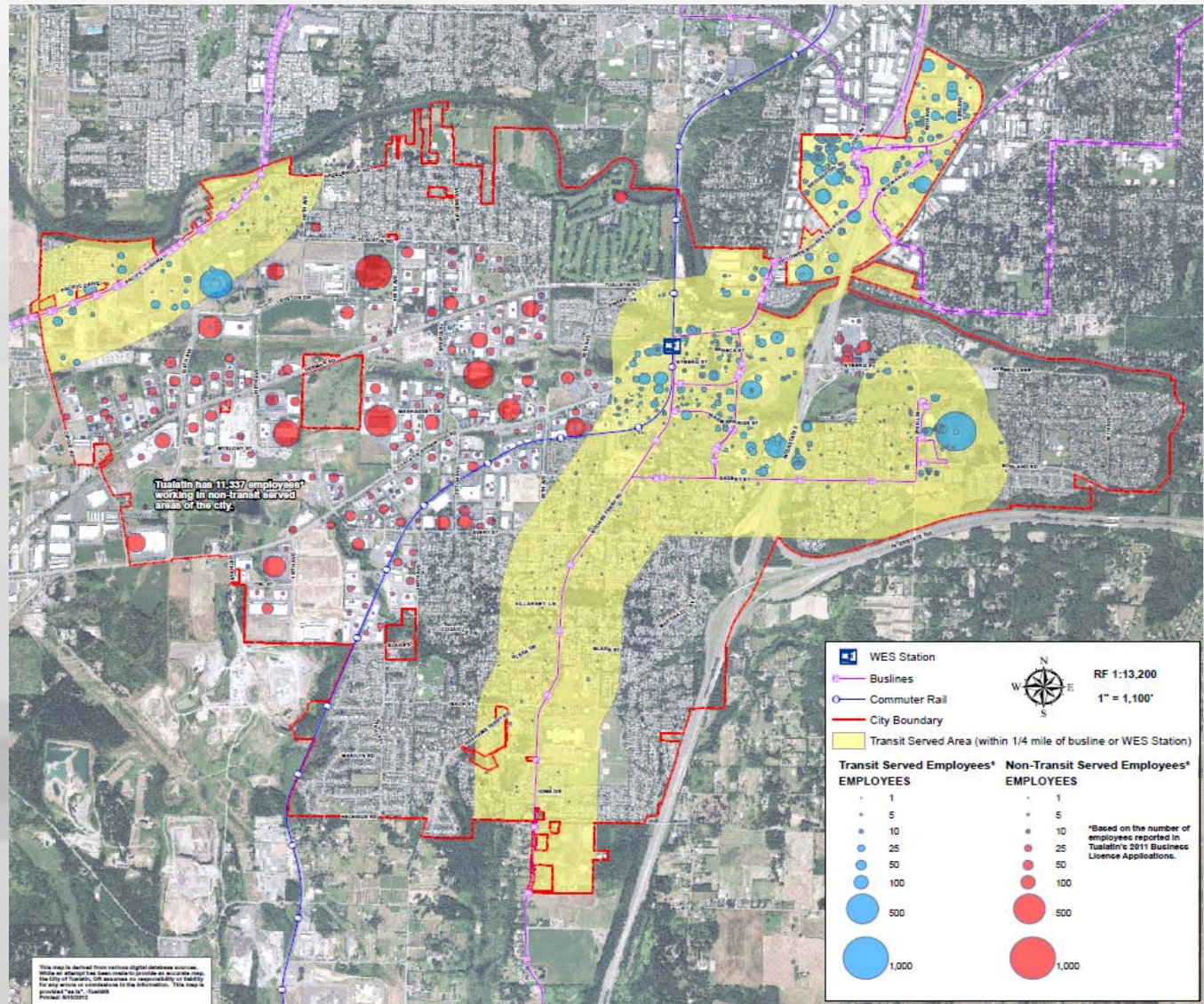
# Tualatin's Transit Service

**11,337**

Employees  
without Service  
(Out of 21,000)

**5,166**

Households  
without Service  
(Out of 10,000)





# Potential Transit Modes

- Light Rail Transit
- Commuter Rail
- Bus Rapid Transit
- Local Bus
- Streetcar

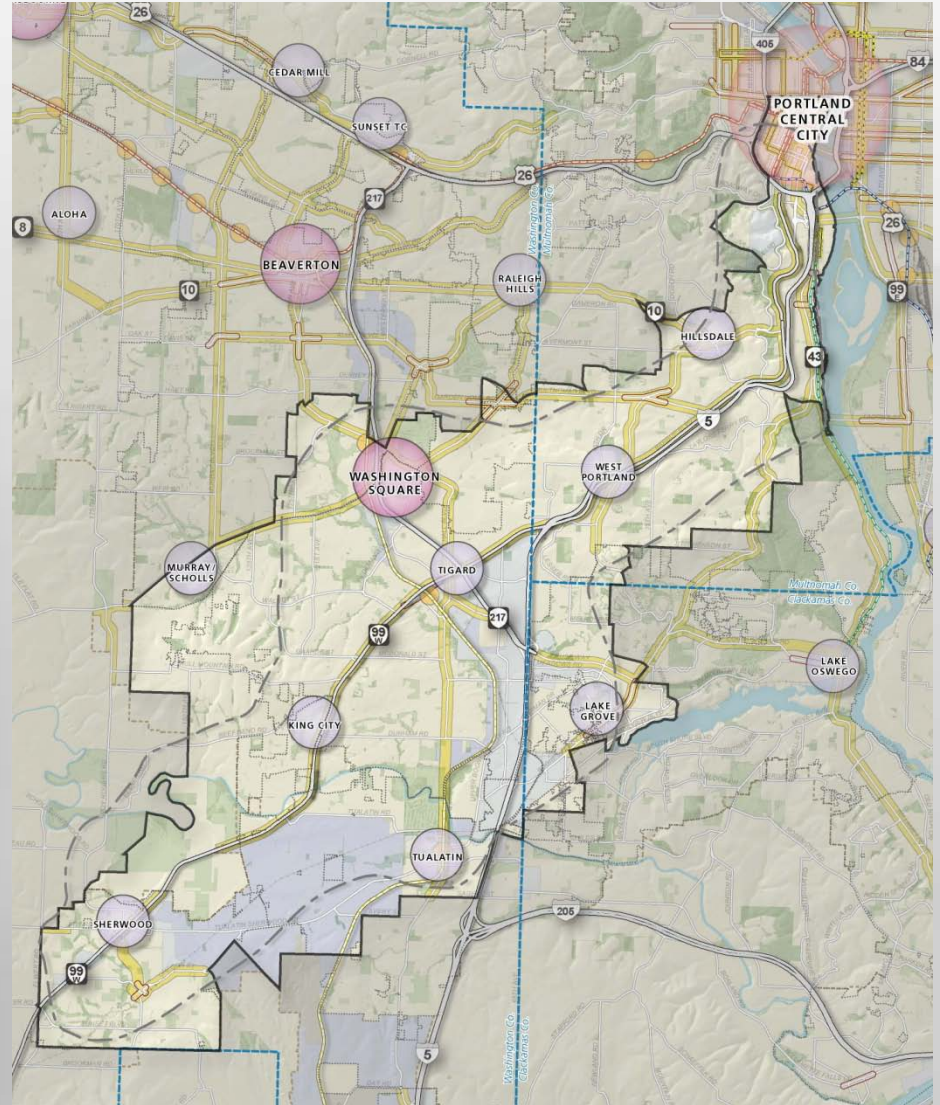
What is BRT?



# Potential Transit Options

## Study for Public Review:

- Bus Rapid Transit (BRT) in exclusive right-of-way between Portland and Tigard (maybe Tualatin)
- BRT extensions operating on-street to Tualatin, Sherwood, and other areas
- Local bus service enhancement
- Light Rail Transit (LRT) between Portland and Tigard
- LRT between Portland and Tualatin
- BRT in exclusive right-of-way between Portland and Sherwood





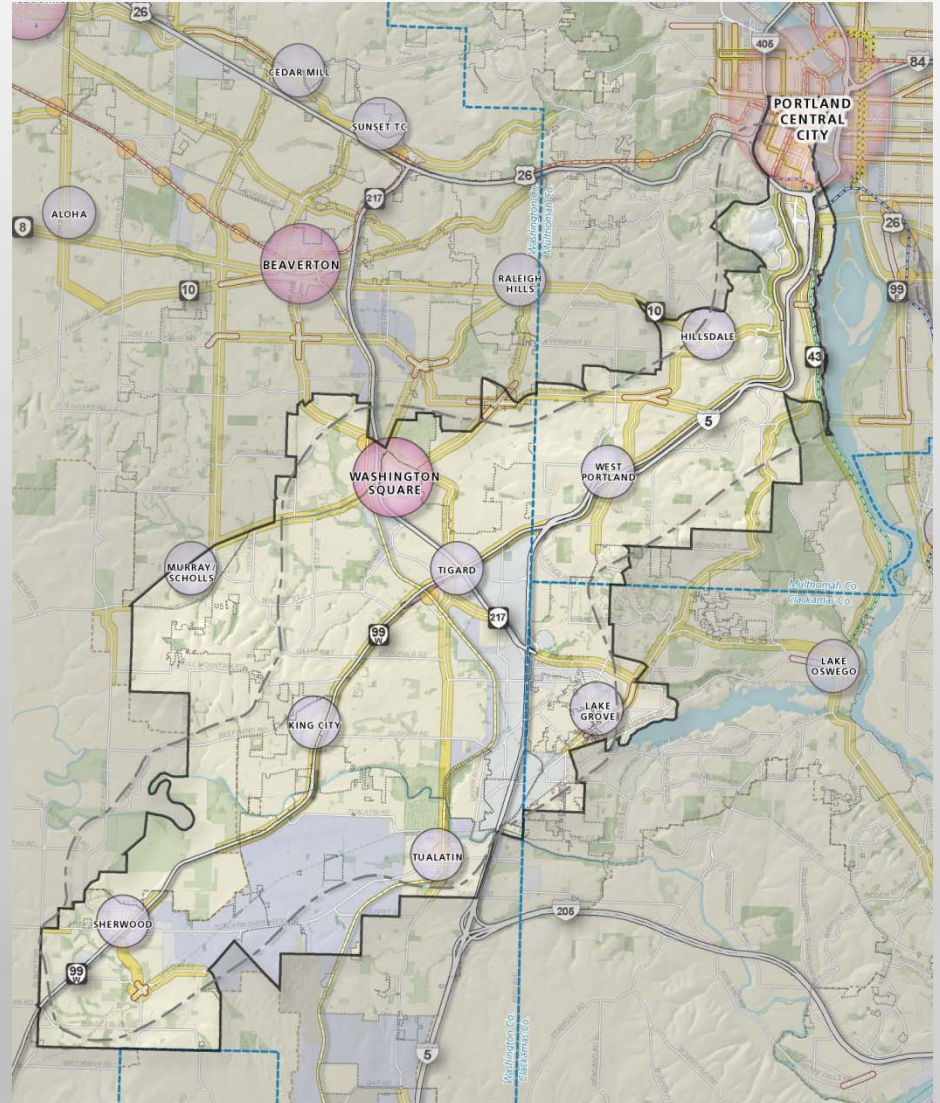
# Potential Transit Options

## Long-term Vision/Future Study:

- LRT between Portland and Sherwood
- WES Improvements

## No Further Consideration:

- I-5 High Occupancy Vehicle or BRT lane
- Streetcar to Sherwood



# Additional Information

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Additional study on the six potential options will include:

- Estimated capital costs
- Estimated operation costs
- Property impacts
- Potential alignment options
- Station locations

# Next Steps

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