

DRAFT

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1997-98)	ORDINANCE NO. 98-733
BUDGET AND APPROPRIATIONS)	
SCHEDULE TRANSFERRING \$_____)	
FROM THE GENERAL FUND CONTINGENCY)	Introduced by Councilor
TO THE TRANSPORTATION DEPARTMENT)	Morissette
FOR REPAIR OF TRESTLES ON THE)	
WILLAMETTE SHORE LINE RIGHT-OF-WAY,)	
AUTHORIZING THE EXECUTIVE OFFICER)	
TO EXECUTE AN INTERGOVERNMENTAL)	
AGREEMENT WITH THE CITY OF LAKE)	
OSWEGO TO COMPLETE THE REPAIRS,)	
AND DECLARING AN EMERGENCY)	

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations with the FY 1997-98 Budget; and

WHEREAS, The need for a transfer of appropriation has been justified; and

WHEREAS, Adequate funds exist for other identified needs; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That the FY 1997-98 Budget and Schedule of Appropriations are hereby amended as shown in the column entitled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring \$_____ from the General Fund Contingency to Materials & Services in the Transportation Department of the Planning Fund to provide funding for repair of trestles on the Willamette Shore Line right-of way.

2. That the Executive Officer is hereby authorized to enter into an intergovernmental agreement with the City of Lake Oswego to perform the repairs.

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3. This Ordinance being necessary for the immediate preservation of the public health, safety or welfare of the Metro area in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this _____ day of _____, 1998.

Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

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STAFF REPORT

CONSIDERATION OF ORDINANCE 98-733 AMENDING THE FY 1997-98 BUDGET AND APPROPRIATIONS SCHEDULE TRANSFERRING \$_____ FROM THE GENERAL FUND CONTINGENCY TO THE TRANSPORTATION DEPARTMENT FOR REPAIR OF TRESTLES ON THE WILLAMETTE SHORE LINE RIGHT-OF-WAY, AUTHORIZING THE EXECUTIVE OFFICER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF LAKE OSWEGO TO COMPLETE THE REPAIRS, AND DECLARING AN EMERGENCY.

Date: February 26, 1998

Presented by: Andrew Cotugno

PROPOSED ACTION

The purpose of this action is to request funds for repairs of trestles in the Willamette Shore Line right-of-way and would authorize the Executive Officer to enter into an Intergovernmental Agreement with the City of Lake Oswego to perform the repairs.

FACTUAL BACKGROUND

Initial Acquisition: In 1987, the Southern Pacific announced its intent to abandon the Willamette Shore Line right-of-way between Lake Oswego and the Marquam Bridge, adjacent to Highway 43/Macadam Avenue. In response, a consortium of local jurisdictions (consisting of Metro, ODOT, Tri-Met, Multnomah County, Clackamas County, the City of Portland and the City of Lake Oswego) was formed to acquire the right-of-way, initiate some immediate repairs and start excursion trolley service in the corridor. The funding partners for this acquisition were as follows:

State of Oregon	\$ 975,000
Portland	298,454
Lake Oswego	120,530
Clackamas County	63,135
Multnomah County	63,135
Metro	30,898
Tri-Met	67,600
In-Kind Staff	<u>331,248</u>
	\$1,950,000

Through an Intergovernmental Agreement of these parties, the right-of-way was acquired; the City of Portland took title and committed to \$50,000/year towards maintenance; the City of Lake Oswego took on responsibility for operations and maintenance; Tri-Met took on responsibility for monitoring and enforcing encroachments into the right-of-way; and Metro took on responsibility for overseeing the consortium.

Continued operation of excursion service is critical because a large share of the properties in the corridor have title restrictions that could result in reversion to adjacent property owners if rail service ceases.

Operations 1987-1997: Excursion trolley service has now been operating quite successfully for 10 years. Through considerable volunteer assistance, donated material and in-kind support from Tri-Met, Lake Oswego and Portland, 1,500 railroad ties have been replaced; the track has been extended north into RiverPlace; ridership has grown to 2,200/month (July 1997) and, for the first time, a lease payment is expected to be paid by the operator to the City of Lake Oswego. Through the original acquisition agreement, the track has been extended south into downtown Lake Oswego. Through Metro allocation of \$800,000 of CMAQ funds, a trolley barn is now being built in Lake Oswego. Through Tri-Met legal assistance, a number of encroachments into the right-of-way have been addressed and new development has been set back from the right-of-way through the permitting process.

Trestle Maintenance, Needed in 1997-98: In May 1997, Lake Oswego contracted with OBEC Consulting Engineers to evaluate the structural adequacy of five timber trestles in the corridor. They developed short-term (one-year) and long-term (1-3 year) recommendations for each trestle. These recommendations carry an estimated cost of \$112,000 and \$278,000, respectively (for a total of \$390,000). If each consortium member commits the requested \$50,000, \$300,000 would be available toward these needed repairs. It is essential that these repairs be made in order to continue operation of excursion service which, as mentioned above, is important for maintaining title to the right-of-way (and therefore preserving it for future use). This commitment is intended as a one-time action and is not intended to set a precedent for future improvements.

Future Possibilities, 1998 and Beyond: At present, regular streetcar, light rail or commuter rail service in this corridor is not called for in the Regional Transportation Plan (RTP). Instead, the RTP calls for preservation of this right-of-way for future consideration of rail service. In the interim, continued operation of excursion service is critical because a large share of the properties in the corridor have title restrictions that could result in reversion to adjacent property owners if rail service ceases.

The consortium is interested in developing an incremental upgrade plan for the corridor to allow operation of limited commuter service. This could involve further track upgrade to increase speeds, installation of better signal systems, installation of passing tracks, possible electrification and additional equipment. It is the intent of the consortium to also develop a financing strategy that will continue to rely heavily on fares and volunteer assistance but will also identify discrete elements that could be pursued through grants and may involve an periodic funding request to consortium members. Until this plan is developed, it is premature to guess what financial request to Metro might be forthcoming.

BUDGET IMPACT

This action would transfer \$_____ from the General Fund Contingency to the Planning Fund, Transportation Department for the purpose stated in this ordinance.