

RESOLUTION NO. 2020-38

**RESOLUTION AUTHORIZING THE MAYOR TO ENDORSE THE
COUNCIL CREEK REGIONAL CORRIDOR (HILLSBORO TO FOREST GROVE)
WORKING GROUP CHARTER**

WHEREAS, the Metro Council has acknowledged the Council Creek Trail as a vital bicycle and pedestrian link in western Washington County; and

WHEREAS, the Metro Council has awarded Regional Flex Funds to fully fund design development of the first phase; and

WHEREAS, the Metro Council staff has developed a Charter Agreement that establishes a framework for decision making amongst the participating partner agencies; and

WHEREAS, the City desires to partner and collaborate with agencies to develop an inclusive multi-modal facility.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. The City Council of the City of Forest Grove hereby approves the Council Creek Regional Corridor Working Group Charter as stated in the Agreement (Exhibit A).

Section 2. The Mayor is hereby authorized to endorse the Agreement (Exhibit A) on behalf of the City of Forest Grove.

Section 3. The City of Forest Grove is prepared to comply with the obligations as specified in the Agreement.

Section 4. This resolution is effective immediately upon enactment by the City Council.

PRESENTED AND PASSED this 27th day of April, 2020.



Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 27th day of April, 2020.



Peter B. Truax, Mayor

**Council Creek Regional Corridor (Hillsboro to Forest Grove)
Working Group Charter**

Purpose

The purpose of this Charter is to acknowledge and establish coordination between Washington County, the City of Hillsboro, the City of Cornelius, the City of Forest Grove, the City of Banks, Clean Water Services, TriMet, Metro and the Oregon Department of Transportation (ODOT) (collectively, 'Participants') through the establishment of the Council Creek Regional Corridor Working Group ("Working Group"), and to commit to engagement and collaboration in developing specific plans, designs and engineering for, permitting, securing funding for, and construction of, the Council Creek Regional Trail ("Regional Trail") within the Council Creek Regional Corridor ("Regional Corridor") between Hillsboro and Forest Grove, and to analyzing impacts of different trail designs on implementing potential future High Capacity Transit within the Regional Corridor.

Recitals

WHEREAS, the 2015 Council Creek Regional Trail Master Plan (Master Plan) is the product of a combined effort by local, regional, and state governments, a local stakeholder advisory committee, and the many individuals and groups that contributed their ideas and was adopted by all affected jurisdictions; and

WHEREAS, the Master Plan identified the Regional Trail extending from downtown Forest Grove to downtown Hillsboro within ODOT Rail-owned rail corridor located north of Tualatin Valley Highway (OR8) as a near-term priority; and

WHEREAS, agency staff from Washington County, the City of Hillsboro, the City of Cornelius, the City of Forest Grove, TriMet, Metro and ODOT Rail have been meeting and coordinating for over a year as an informal working group to advance the Regional Trail; and

WHEREAS, members of the informal working group have defined the ODOT Rail-owned rail corridor connecting the cities of Hillsboro, Cornelius and Forest Grove as the Council Creek Regional Corridor (Regional Corridor); and

WHEREAS, the Regional Corridor, as envisioned by the Master Plan, is a multi-modal transportation corridor, with a multiuse pathway for pedestrians, bicyclists, and other non-motorized travelers that will offer a safe, parallel route to the Tualatin-Valley Highway, and as a potential future High Capacity Transit corridor, as listed in the 2018 Regional Transportation Plan and Regional Transit Strategy, connecting downtown Hillsboro to downtown Forest Grove; and

WHEREAS, Metro identified the segment of the Regional Trail between Hillsboro and Forest Grove as a near-term investment priority through the 10-year Active Transportation Investment Strategy, in the 2018 Regional Transportation Plan and a project eligible for funding through the 2019 Parks and Nature Bond; and

WHEREAS, the City of Forest Grove submitted and was successfully awarded a 2022-24 Regional Flexible Fund Allocation (RFFA) grant by Metro to complete preliminary design and engineering (up to 20-30%) for the Regional Trail to include the type, size, location, and construction cost estimate of the trail and long-term transit feasibility, and impacts, including costs and trade-offs, of different trail designs to the implementation of future High Capacity Transit; and

WHEREAS, Washington County's Major Streets Transportation Improvement Program (MSTIP) Opportunity Fund is providing the required federal 10.27% local match of \$154,050, for a total RFFA grant project budget of \$1.5M; and

WHEREAS, Clean Water Services, the City of Banks, ODOT Region 1 have recently joined the informal Working Group; and

WHEREAS, the construction and management of the Regional Trail and potential High Capacity Transit within the Regional Corridor, as envisioned by the Master Plan, is a complex undertaking that will necessitate collaboration among multiple government agencies, nonprofit organizations and private sector partners to advance; and

WHEREAS, Portland & Western Railroad (PNWR), the current holder of a perpetual rail lease on the corridor, has indicated its desire to abandon the rail lease, thereby presenting an opportunity for a single agency, or a coalition of agencies, to take ownership of the corridor for the purposes of furthering the vision for the Regional Corridor; and

WHEREAS, a formal agreement between the Participants is needed to manage the transfer of ownership or easement of the ODOT Rail-owned rail corridor to an as yet to be determined agency or agencies and to manage the RFFA funded project activities.

Agreements

Now, therefore, the Participants do hereby agree as follows:

1. To provide a coordinated and unified voice in support for the development of the Council Creek Regional Corridor.
2. To assign a staff person or persons to attend and participate in regular coordination meetings of the Council Creek Regional Corridor Working Group on behalf of the appointing agency and empower those staff to:
 - a) Consider options and propose an Agency Lead to manage and deliver the RFFA grant funded project. This may or may not be the same agency or agencies that will own, construct and maintain in its entirety or portions of the Council Creek Regional Trail and potential future High Capacity Transit within the Regional Corridor.
 - b) Assign an Agency Lead upon approval of all Participants.
 - c) Participate in the RFFA project that will complete preliminary design and engineering estimate of the Regional Trail and describe impacts to future implementation of High Capacity Transit within the Regional Corridor, including costs and trade-offs associated with the location and width of the Regional Trail.
 - d) Facilitate, in an expeditious manner, using the RFFA grant funds, the permitting of and access to the Council Creek Regional Corridor right-of-way to facilitate site analysis, surveying, and construction.
 - e) Provide information to the Council Creek Regional Corridor Working Group and the Agency Lead about needs and projects in plans or underway that will impact the Regional Corridor.
 - f) To make recommendations to the Participants and other governing bodies, agencies and other stakeholders, including the public, on Corridor-wide project development, project delivery strategy and funding opportunities.

3. This agreement does not obligate nor create expectation of a financial commitment by any Participant other than direct staff costs for participation in the Council Creek Regional Corridor Working Group.
4. Decision-making of the Council Creek Regional Corridor Working Group shall be by consensus.
5. Participants may ask other representatives, such as elected officials or community members, in addition to agency staff, to participate in the Working Group.

Term

This Charter is at-will and shall become effective upon signature by the authorized officials from the Participants. The Charter shall remain in effect until modified or terminated by a majority of the Participants by mutual consent. This Charter may be terminated by a majority of the Participants hereto by giving notice to the other parties sixty (60) days in advance of the specified date of termination. Any Participant may unilaterally withdraw from the Charter by providing notice sixty (60) days to all Participants.

Participants

Mayor Jeffrey C. Dalin, City of Cornelius
Mayor Peter Truax, City of Forest Grove
Mayor Steven Callaway, City of Hillsboro
Mayor Pete Edison, City of Banks
Chair Kathryn Harrington, Washington County
Elissa Gertler, Planning and Development, Metro
Jon Blasher, Parks and Nature, Metro
Doug Kelsey, TriMet
Rian Windsheimer, Oregon Department of Transportation
Bruce Roll, Clean Water Services

(Attach signatures of Participant representatives)

Jeffrey C. Dalin, Mayor
City of Cornelius

Date

Staff/other representatives assigned to participate in the Council Creek Regional Working Group:



Peter Truax, Mayor
City of Forest Grove

27 APRIL 2020
Date

Staff/other representatives assigned to participate in the Council Creek Regional Working Group:

Steven Callaway, Mayor
City of Hillsboro

Date

Staff/other representatives assigned to participate in the Council Creek Regional Working Group:

Kathryn Harrington, Commission Chair
Washington County

Date

Staff/other representatives assigned to participate in the Council Creek Regional Working Group:

Elissa Gertler, Director
Planning and Development Department
Metro

Date

Jon Blasher, Director
Parks and Nature Department
Metro

Date

Staff/other representatives assigned to participate in the Council Creek Regional Working Group:

Doug Kelsey, General Manager
TriMet

Date

Staff/other representatives assigned to participate in the Council Creek Regional Working Group:

Rian Windsheimer, Manager
Region 1
Oregon Department of Transportation

Date

Staff/other representatives assigned to participate in the Council Creek Regional Working Group:

Bruce Roll, Watershed Management Director
Clean Water Service

Date

Staff/other representatives assigned to participate in the Council Creek Regional Working Group:

Pete Edison, Mayor
City of Banks

Date

Staff/other representatives assigned to participate in the Council Creek Regional Working Group:



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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	<u>6.</u>
MEETING DATE:	<u>04/27/2020</u>
FINAL ACTION:	<u>RESO 2020-38</u>

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

PROJECT TEAM: *Gregory H. Robertson, Director of Public Works
Derek Robbins, Project Engineer*

MEETING DATE: *April 27, 2020*

SUBJECT TITLE: *Resolution authorizing the Mayor to Endorse the Council Creek Regional Corridor (Hillsboro to Forest Grove) Working Group Charter*

ACTION REQUESTED:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Order	<input checked="" type="checkbox"/> X	<input type="checkbox"/> Resolution	<input checked="" type="checkbox"/> x	<input type="checkbox"/> Motion	<input type="checkbox"/> Informational
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X all that apply

ISSUE STATEMENT: Consider authorizing the Mayor to endorse the Council Creek Regional Corridor (Hillsboro to Forest Grove) Working Group Charter. The Council Creek Regional Trail begins in Hillsboro at the Hatfield Government Center Max Station and ends in Forest Grove. The proposed resolution would take effect upon signatures by all partner agencies.

BACKGROUND: Metro, in collaboration with participating agencies, has developed the attached Charter to guide the decision making of partner agencies in the development of the first phase of the Council Creek Regional Trail. This agreement does not bind the City of Forest Grove or any of the partner agencies to any financial commitment. Rather, it seeks to foster a collaborative relationship amongst the agencies as the project moves into design and development.

FISCAL IMPACT: None.

STAFF RECOMMENDATION: Staff recommends the City Council approve the attached resolution.

- ATTACHMENT(s):**
- (1) Resolution
 - (2) Charter Agreement