

RESOLUTION NO. 2637

A RESOLUTION APPROVING A PUBLIC PEDESTRIAN AT-GRADE CROSSING AGREEMENT WITH UNION PACIFIC RAILROAD COMPANY FOR THE SANDY RIVER GREENWAY RIVERFRONT TRAIL AND PARK PROJECT.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. That the Sandy River Greenway Riverfront Trail project is the signature public investment component of the Riverfront Renewal Plan for The Confluence site since the urban renewal area was established in 2006.
2. That the Sandy River Greenway Riverfront Trail is a high priority need or both the City and the region which will provide an expansion of the 40-Mile Loop Regional Bicycle Trail, connecting the existing I-84 trail segments to downtown Troutdale and improving community access and enjoyment of the Sandy Riverfront.
3. That the design and path of the Sandy River Greenway Riverfront Trail passes under the Union Pacific Railroad Company (UPRR) train track trestle for which a crossing agreement is required.
4. That following several years of plan review and revision the UPRR has tentatively approved the Sandy River Greenway Riverfront Trail design and path under train track trestle subject to the required crossing agreement.
5. That the Sandy River Greenway Riverfront Trail project is a needed, valuable, desirable, and necessary authorized public purpose toward the fulfillment of the vision, goals and objectives of the adopted Troutdale Riverfront Renewal Plan and that it serves the public interest.
6. That the Public Pedestrian At-Grade Crossing Agreement with UPRR is necessary to implement the approved Sandy River Greenway Riverfront Trail project, and the City and UPRR desire to enter into the agreement, which will serve a valuable, necessary and authorized public purpose to develop and improve public outdoor park and recreation areas and facilities, and that doing so is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:

Section 1. Agrees now that the City enter into a Public Pedestrian At-Grade Crossing Agreement with Union Pacific Railroad Company for the Sandy River Greenway Riverfront Trail project and hereby approves the agreement in substantial conformity with Exhibit A of the Staff Report, but with any changes the City Official may determine necessary.

Section 2. The City Manager Ray Young, and Finance Director Erich Mueller, (each an "City Official") are designated, or a designee of the City Official, to each act on behalf of the City, and without further action by the City Council, the City Official is hereby authorized, empowered and directed to sign the agreement on behalf of the City, and any and all other required and necessary documents to implement the intent of the agreement and this resolution.

Section 3. The City Official is hereby authorized to execute, acknowledge and deliver the agreement, including any other supporting and implementing documents, and to take any other action as may be advisable, convenient, necessary, or appropriate to give full force and effect to the terms and intent of the agreement and this resolution, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 4. Further, consistent with intent of the agreement, and in the best interest of the City, the City Official is authorized to determine, execute, acknowledge, and deliver any subsequent addendums, extensions, revisions, modification, or successor documents of the agreement, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 5. Further, as applicable, to comply with State statutes, administrative rules or local ordinances, and to act in the best interest of the City, and without further action by the City Council, the City Officials are hereby authorized, directed, and responsible for fulfilling the ministerial, intergovernmental, technical, compliance, procedural or promotional functions as required for the effective administration and implementation of the agreement and this resolution, and to take any other action as may be advisable, convenient, necessary, or appropriate, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 6. The Finance Director is authorized to disburse funds, subject to annual appropriations, as necessary to fulfill the agreement obligations and the intent of this resolution and is further directed to implement all such actions necessary to ensure budgetary compliance.

Section 7. Upon adoption this Resolution shall be effective upon adoption.

YEAS: 5

NAYS: 0

ABSTAINED: 1 Councilor Glantz



Randy Lauer, Mayor

Date: September 25, 2024



Sarah Skroch, City Recorder

Adopted: September 24, 2024