



**A. CALL TO ORDER**

**B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS**

**C. CITIZEN COMMENTS**

*This section of the agenda allows citizens to address the Commission regarding any issue not on the agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.*

**D. CONSENT AGENDA (Item Nos. 1 - 3)**

Page #

*The Consent Agenda will be enacted with one vote. The Chairman will first ask the staff, the public and the Commissioners if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under "Items Removed from the Consent Agenda." At that time, any member of the audience may comment on any item pulled from the Consent Agenda. The entire Consent Agenda, with the exception of items removed to be discussed under "Items Removed from the Consent Agenda," is then voted upon by roll call under one motion.*

- 1. Approval of Minutes for the Meeting of March 9, 2009 .....
- 2. 2008 Annual Report of the Urban Renewal Advisory Committee.....
- 3. Change Order No. 4 to the Contract Documents for Construction of .....  
SW 124<sup>th</sup> Avenue/SW Myslony Street to SW Tualatin-Sherwood Road

**E-F. PUBLIC HEARINGS**

*None.*

**G. GENERAL BUSINESS**

*None.*

**H. ITEMS REMOVED FROM CONSENT AGENDA**

*Items removed from the Consent Agenda will be discussed individually at this time. The Chairman may impose a time limit on speakers addressing these issues.*

**I. COMMUNICATIONS FROM COMMISSIONERS**

**J. EXECUTIVE SESSION**

**K. ADJOURNMENT**



Approved by Tualatin  
Development Commission  
Date *March 23, 2009*  
Recording Sec *J. Kirby*

# STAFF REPORT

## TUALATIN DEVELOPMENT COMMISSION

**TO:** Honorable Chairman and Members of the Commission

**FROM:** Sherilyn Lombos, Administrator

**DATE:** March 23, 2009

**SUBJECT:** APPROVAL OF THE MINUTES FOR THE MEETING OF  
MARCH 9, 2009

---

**ISSUE BEFORE THE COMMISSION:**

The issue before the Commission is to approve the minutes for the Tualatin Development Commission meeting of March 9, 2009.

**RECOMMENDATION:**

Staff respectfully recommends that the Commission adopt the attached minutes.

**FINANCIAL IMPLICATIONS:**

There are no financial impacts associated with this item.

**Attachments:** Minutes

# TUALATIN DEVELOPMENT COMMISSION

18880 S.W. MARTINAZZI AVENUE  
TUALATIN, OREGON 97062-0369

503 / 692-2000

Approved by Tualatin  
Development Commission  
Date March 23, 2009  
Recording Sec J. Smith



## TUALATIN DEVELOPMENT COMMISSION WORK SESSION MINUTES OF MARCH 9, 2009

PRESENT: Chairman Lou Ogden; Commissioners Chris Barhyte, Monique Beikman, Joelle Davis, Jay Harris, Donna Maddux, and Ed Truax; Sherilyn Lombos, Administrator; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Doug Rux, Community Development Director; Kent Barker, Police Chief; Dan Boss, Operations Director; Maureen Smith, Recording Secretary

ABSENT: None.

***[Unless otherwise noted MOTION CARRIED indicates all in favor.]***

**A. CALL TO ORDER**

Chairman Ogden called the work session to order at 6:48 p.m.

**B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS**

*None.*

**C. CITIZEN COMMENTS – N/A**

**D. CONSENT AGENDA**

There were no comments or questions by the Commission on the Consent Agenda.

**E-F. PUBLIC HEARINGS – N/A**

**G. GENERAL BUSINESS – N/A**

**H. ITEMS REMOVED FROM CONSENT AGENDA – N/A**

**I. COMMUNICATIONS FROM COMMISSIONERS**

*None.*

**J. EXECUTIVE SESSION**

*None.*

**K. ADJOURNMENT**

The meeting adjourned at 6:48 p.m.

Sherilyn Lombos, Administrator

Recording Secretary

*Maureen Smith*

# TUALATIN DEVELOPMENT COMMISSION

18880 S.W. MARTINAZZI AVENUE  
TUALATIN, OREGON 97062-0369

503 / 692-2000



Approved by Tualatin  
Development Commission  
Date *March 23, 2009*  
Recording Sec *J. Barhyte*

## TUALATIN DEVELOPMENT COMMISSION MEETING MINUTES OF MARCH 9 2009

**PRESENT:** Chairman Lou Ogden; Commissioners Chris Barhyte, Monique Beikman, Joelle Davis, Jay Harris, and Donna Maddux; Sherilyn Lombos, Administrator; Mike McKillip, City Engineer; Doug Rux, Community Development Director; Brenda Braden, City Attorney; Maureen Smith, Recording Secretary

**ABSENT:** Commissioner Ed Truax\* [*\* denotes excused*]

**[Unless otherwise noted MOTION CARRIED indicates all in favor.]**

### **A. CALL TO ORDER**

Chairman Ogden called the meeting to order at 9:59 p.m.

### **B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS**

*None.*

### **C. CITIZEN COMMENTS**

*None.*

### **D. CONSENT AGENDA**

MOTION by Councilor Barhyte, SECONDED by Councilor Maddux to approve the consent agenda as read.

1. Approval of Minutes for the Meeting of February 23, 2009

MOTION CARRIED.

### **E-F. PUBLIC HEARINGS**

*None.*

### **G. GENERAL BUSINESS**

*None.*

**H. ITEMS REMOVED FROM CONSENT AGENDA**

*Items removed from the Consent Agenda will be discussed individually at this time. The Chairman may impose a time limit on speakers addressing these issues.*

**I. COMMUNICATIONS FROM COMMISSIONERS**

*None.*

**J. EXECUTIVE SESSION**

*None.*

**K. ADJOURNMENT**

MOTION by Commissioner Beikman SECONDED by Commissioner Barhyte to adjourn the meeting adjourned at 9:59 p.m. MOTION CARRIED.

Sherilyn Lombos, Administrator

Recording Secretary 



Approved by Tualatin  
Development Commission  
Date March 23 2009  
Recording Sec g. K. K. K.

# STAFF REPORT

## TUALATIN DEVELOPMENT COMMISSION

**TO:** Honorable Chairman and Members of the Commission

**THROUGH:** Sherilyn Lombos, Administrator 

**FROM:** Doug Rux, Community Development Director 

**DATE:** March 23, 2009

**SUBJECT:** 2008 ANNUAL REPORT OF THE URBAN RENEWAL ADVISORY COMMITTEE

---

### ISSUE BEFORE THE COMMISSION:

Consideration and acceptance of the Urban Renewal Advisory Committee (URAC) 2008 Annual.

### RECOMMENDATION:

The Urban Renewal Advisory Committee met on February 19, 2009 and voted 5-0 to forward a recommendation that the Tualatin Development Commission accept the 2008 Annual Report.

Staff recommends that the Tualatin Development Commission accept the 2008 Annual Report of the Urban Renewal Advisory Committee.

### EXECUTIVE SUMMARY:

- This action is not a public hearing.
- The material is the annual report of URAC submitted for Tualatin Development Commission consideration and acceptance.
- The Urban Renewal Advisory Committee (URAC) is required by April 1 of each year to submit an annual report (as per TMC 11-7-050). The annual report contains one topic category: Activities of the Committee.
- There are no applicable criteria associated with acceptance of the annual report.

### OUTCOMES OF DECISION:

Acceptance of the URAC Annual Report will result in the following:

1. URAC will have fulfilled its requirements for submittal of a report by April 1, 2009.

**STAFF REPORT: 2008 Annual Report of URAC**

March 23, 2009

Page 2 of 2

Not accepting the URAC Annual Report will result in the following:

1. No impact is identified if the Commission does not accept the annual report.

**ALTERNATIVES TO RECOMMENDATION:**

The alternatives to the URAC and staff recommendations are:

- Not accept the annual report.
- Continue consideration of the annual report and return to the matter at a later date.

**FINANCIAL IMPLICATIONS:**

Funds have been budgeted in the Economic Development Division for preparation of the URAC annual report.

**PUBLIC INVOLVEMENT:**

The February 19, 2009 URAC meeting was a noticed public meeting allowing citizen input and comment on the annual report.

**Attachments:**      A. 2008 Annual Report of the Urban Renewal Advisory Committee



**2008 ANNUAL REPORT OF THE URBAN**

**RENEWAL ADVISORY COMMITTEE**

**MARCH 23, 2009**

**Committee Members:**

**David Benedict, Chair  
Josh Roberts, Vice Chair  
Joyce Boss  
Althea Pratt Broome  
Terry Novak  
Hube Nukes**

# **2008 Annual Report of the Urban Renewal Advisory Committee**

## **BACKGROUND**

The Urban Renewal Advisory Committee (URAC) was established by Ordinance No. 1-76 adopted July 26, 1976. The Ordinance prescribes URAC's role in advising the Tualatin Development Commission (Commission) and to assure public participation in the urban renewal process. URAC's duties include suggestions on the adoption of or amendment to an urban renewal plan, a project plan, or any plan or project implementation proceeding affecting an urban renewal area. In addition, the ordinance calls for an annual report summarizing URAC's activities.

This report addresses URAC's mandates under Tualatin Municipal Code (TMC) 11-7.

11-7-050 Annual Report of Committee. Not later than April 1 of each year, the Committee shall make and file its annual report to the Commission, which shall include a survey and report of the Committee's activities and proceedings, in addition to any specific recommendations of the Committee not otherwise requested by the Commission relating to programs and the future of the Commission.

The following is the 2008 Annual Report of URAC. With URAC approval, the report and the committee's recommendations regarding the urban renewal program will be presented to the Tualatin Development Commission at their March 23, 2009 meeting.

## **ACTIVITIES OF THE COMMITTEE**

During the 2008 calendar year, URAC reviewed or commented on the following:

## **PLANS/ORDINANCES**

No plans or ordinances required review by the Urban Renewal Advisory Committee during 2008.

## **BUDGET**

At the April 17, 2008 meeting, members were provided with a verbal overview of the proposed budget for Fiscal Year 2008/2009 as it applies to the Central Urban Renewal and the Leveton Tax Increment Districts.

## **CAPITAL PROJECTS**

### **Central Urban Renewal District**

- Boones Ferry Road Phase 1: Activities continued throughout the calendar year working with the Department of Environmental Quality (DEQ) on the former Hanegan and Doyle/McCurdy sites. URAC members were provided with updates

at meetings as well as memorandums. At the request of URAC, staff provided an overview of the project costs for the Boones Ferry Phase 1 Project at slightly over \$6 million. Additionally, costs were presented for Boones Ferry Phase 2 at approximately \$2.2 million and West Commons at about \$1.5 million.

- East Commons: A report was prepared for the Commission on various phase scenarios and costs for the East Commons Project. Based on the Commission's direction, this information was shared with URAC on what the project scope will entail.
- Commuter Rail Station: Groundbreaking occurred on January 9, 2008 for the station platform and Park & Ride lot. URAC was provided with updates on this project throughout 2008. Issues on maintenance costs and options were also shared with URAC. Construction on the station was completed in December 2008 within the allocated project budget amount.
- Green Parking Lot Expansion: This project was largely constructed during 2007 with final construction activity occurring in 2008. The project was completed in late spring of 2008. URAC members were provided with updates well as via Project Update reports.
- Tualatin-Sherwood Road Landscape/Pedestrian Enhancements: This project extends from the K-Mart/Fred Meyer signal west to the Outback restaurant. An RFP was distributed and CH2M Hill Inc. selected as the consultant. URAC was provided with project updates, and information was shared on the Commission's desired direction for the streetscape (landscaping, lighting, traffic signal upgrades) and gateway feature element.
- Library Expansion: URAC members were provided with updates on the status of construction throughout 2008 since a portion of this project was funded through Urban Renewal.
- Maximum Indebtedness: URAC participated in several exercises to evaluate possible projects to include on a list if the maximum indebtedness is increased. This information was shared with the Commission during their work sessions on the maximum indebtedness issue. Activities on this program will continue through 2009 and into 2010.

#### **Leveton Tax Increment District**

- SW 108<sup>th</sup>/Tualatin Road Intersection: URAC was informed that the Commission decided to place this project on hold at this time and re-evaluate it later before the expiration of the district.
- SW 124<sup>th</sup> Avenue/99W Intersection: This project was constructed in 2007, and URAC members were provided with verbal and written updates on some minor issues that occurred in 2008.
- SW 124<sup>th</sup> Avenue to SW Tualatin Sherwood Road (Phase IV): URAC was provided updates on the status of construction of this project over the course of the year. The project was approximately 85% complete by the end of 2008.

- Herman Road Project (SW Teton to SW 124<sup>th</sup> Avenue): This project's design was completed, the project bid, a contract awarded and construction started in November 2008. URAC was briefed on the status of the various stages of the project's design and start of construction during 2008.
- SW Leveton Drive Extension/130<sup>th</sup>/128<sup>th</sup> Avenue: Design commenced on this project with URAC briefed on the design concept and possible issues that could be encountered during design and right-of-way acquisition.

## **FAÇADE IMPROVEMENTS**

- This program was eliminated due to the reallocation of funds for the library expansion and is no longer active. The last project was completed and compensated in June 2007.

## **PRIVATE DEVELOPMENT PROJECTS**

### **Central Urban Renewal District**

- Baranzano Property/Riverhouse Condominiums: URAC members were provided with updates on the proposed development including the proposed changes from upscale condominiums back to the original retirement concept.
- Emami Properties: Throughout 2008 URAC members were provided with regular updates on the numerous properties that Mr. Emami has purchased in the Central Urban Renewal District including the Robinson Store, Seneca Building, Clark Lumber, and Mashita Teriyaki.

### **Leveton Tax Increment District**

- During 2008, there were many new/expansion construction projects occurring in the Leveton area including the Leveton Commons Subdivision, All Star Self Storage, LPKF, Haul Away, Birtcher Office Building, Murphy Industrial Supply and JC Ventures. URAC members were provided with updates for these projects as well as being informed of proposed future development in this District.

## **MISCELLANEOUS**

- URAC nominated Althea Pratt Broome and Hube Nukes for Volunteer of the Year.
- URAC met five times in 2008. One of the meetings was rescheduled due to lack of a quorum. Guests included Robert Rashid a Tualatin High School Student, Carla Thaler of the Tualatin Chamber of Commerce and Greg Stephens of Sherwood.
- URAC was updated on various construction or planning projects throughout the Tualatin area including Trammell Crow's industrial project, Pac Trust's development concept on the Koch property, Shoppe's at Bridgeport, Trammell Crow Residential's Alexan project, South Tualatin Concept Plan, Quarry Area Concept Plan, Town Center Plan, I-5/99W Connector, Urban/Rural Reserves program and the pending Periodic Review program to start in 2009.

- At all meetings in 2008, URAC members were provided with a verbal update on the “Tualatin Tomorrow” visioning process.

## **CITY COUNCIL GOALS 2007/2008**

The activities of URAC are consistent with the following Council Goals:

### Goal #1 – Enhance Sense of Place and City Beautification.

URAC discussed projects addressing Goal #1 through the capital projects occurring in each of the urban renewal districts such as SW Tualatin-Sherwood Road Landscape/Pedestrian Enhancements, Commuter Rail Station, SW Herman Road, SW 124<sup>th</sup> Avenue and SW Leveton Drive Extension/SW 130<sup>th</sup>/SW 128th.

### Goal #4 – Promote Community Involvement & Engagement.

URAC meetings were open to the public for involvement and engagement on activities occurring in each of the urban renewal districts.

### Goal #5 - Improve Transportation

Action # 2 – Complete design and construct SW Herman Road – SW 108<sup>th</sup> to SW 124<sup>th</sup>

This project was designed, bid, contract awarded and construction started. Construction is anticipated to be completed by October 2009. Other projects include SW Herman Road, SW 124<sup>th</sup> Avenue and SW Leveton Drive Extension/SW 130<sup>th</sup>/SW 128th.



Approved by Tualatin  
Development Commission  
Date March 23, 2009  
Recording Sec J. Kirby

# STAFF REPORT

## TUALATIN DEVELOPMENT COMMISSION

**TO:** Honorable Chairman and Members of the Commission

**THROUGH:** Sherilyn Lombos, Administrator *SL*

**FROM:** Doug Rux, Community Development Director *DR*

**DATE:** March 23, 2009

**SUBJECT:** CHANGE ORDER NO. 4 TO THE CONTRACT DOCUMENTS FOR CONSTRUCTION OF SW 124<sup>th</sup> AVENUE / SW MYSLONY STREET TO SW TUALATIN-SHERWOOD ROAD

---

### ISSUE BEFORE THE COMMISSION:

Whether the Tualatin Development Commission should approve Change Order No. 4 for construction of the SW 124<sup>th</sup> Avenue / SW Myslony Street to SW Tualatin-Sherwood Road (see attached map).

### RECOMMENDATION:

Staff recommends that the Commission approve the attached change order and that the Chairman and Administrator be authorized to execute said Change Order No. 4.

### EXECUTIVE SUMMARY:

- This action is not a public hearing.
- This change order covers the cost of additional work resulting from:
  - Requirements by Clean Water Services to install jute and coconut matting in a wetland mitigation area to address soil erosion concerns.
  - Relocate a PGN fiber optic vault.
  - Construction of a timber retaining wall for PGE Micropad Transformer.
  - Credit for the irrigation system from substituting batteries for hardwire electrical for irrigation controllers.
- To proceed with the project the Commission needs to approve Change Order No. 4.
- The opening of 124<sup>th</sup> Avenue for vehicular traffic occurred on March 6, 2009. Project completion will be April/May 2009 with final roadway top lift paving.
- The Commission awarded the bid for SW 124<sup>th</sup> Avenue on May 27, 2008 in the amount of \$2,582,987.80.

- The Commission on August 25, 2008 approved Change Order No. 1, Change Order No. 2 on September 22, 2008 and Change Order No. 3 on January 12, 2009.
- There are no criteria to apply to this request.

**OUTCOMES OF DECISION:**

Approval of Change Order No. 4 for SW 124<sup>th</sup> Avenue will result in the following:

1. Enables the contractor to move forward on the construction of SW 124<sup>th</sup> Avenue.
2. Provides erosion control measures within and adjacent to a wetland mitigation area.

Not approving Change Order No. 4 for SW 124<sup>th</sup> Avenue will result in the following:

1. Delay payment to contractor.
2. Delay construction of SW 124<sup>th</sup> Avenue.

**ALTERNATIVES TO RECOMMENDATION:**

Alternatives evaluated to approval of Change Order No. 4 are as follows:

1. Reject the change order proposed by the contractor.
2. Negotiate costs of change order items.

**FINANCIAL IMPLICATIONS:**

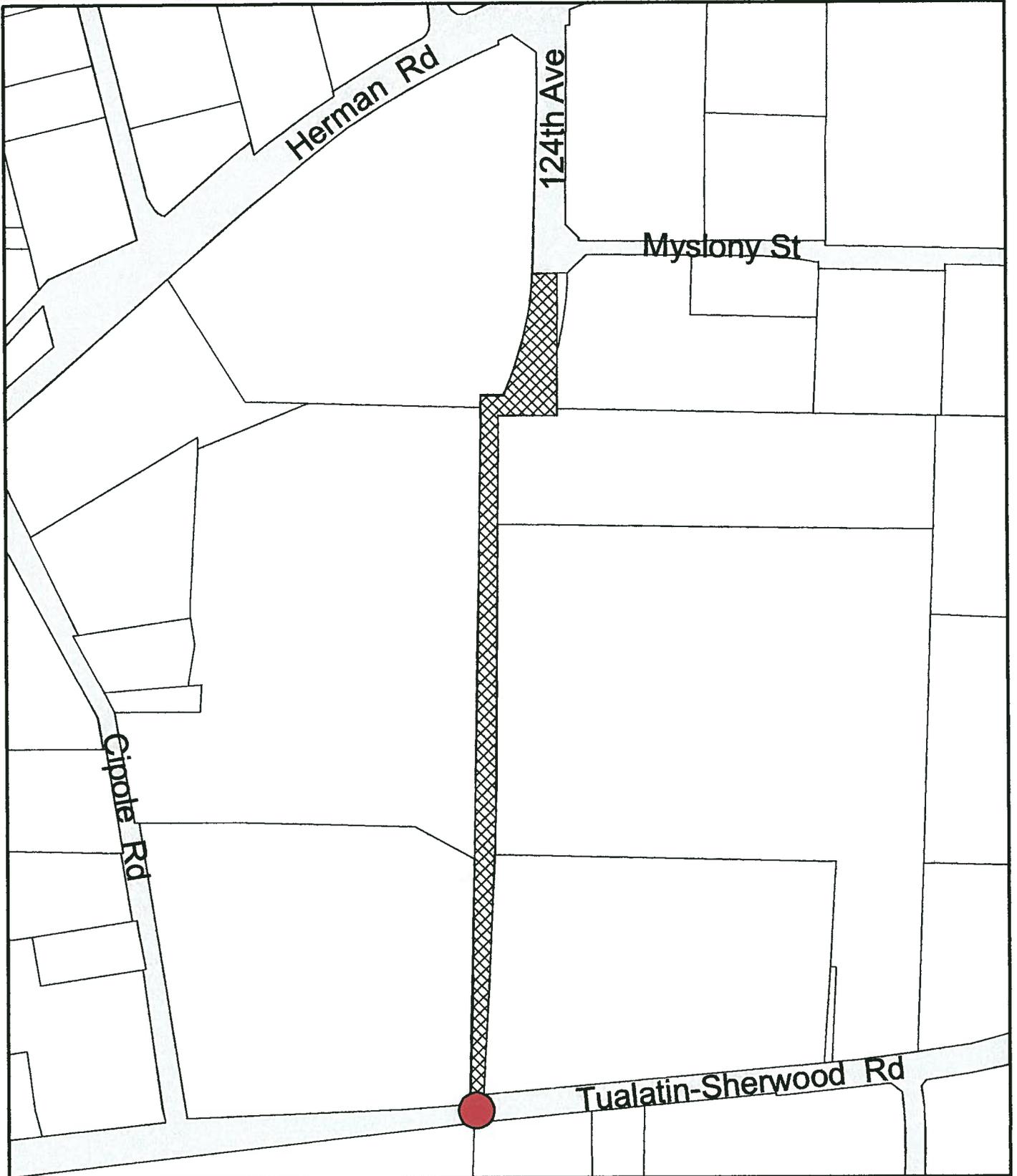
The cost for Change Order No. 4 is \$9,453.24. The current project cost is \$2,779,958.35, which is 108% of the original contract amount. This is within budget for this project.

**PUBLIC INVOLVEMENT:**

Public involvement is not required as part of this action.

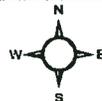
**Attachments:**       A. Map of 124<sup>th</sup> Avenue  
                              B. Change Order No. 4

# 124th Ave: Myslony St to Tualatin-Sherwood Rd Project



 Possible Traffic Signal

 124th Ave Extension



RF 1:4,600

This map is derived from various digital database sources. While an attempt has been made to provide an accurate map, the City of Tualatin, OR assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". -Engineering and Building Dept. Plotted 6/2/2008

CHANGE ORDER NO. 4

TO THE CONTRACT DOCUMENTS FOR CONSTRUCTION  
OF SW 124<sup>th</sup> AVENUE /SW MYSLONY STREET TO  
SW TUALATIN-SHERWOOD ROAD

This Change Order No. 4 modifies the agreement by and between Northwest Earthmovers Inc., hereinafter referred to as the Contractor, and the Tualatin Development Commission, hereinafter referred to as the Owner, for the Construction of SW 124<sup>th</sup> Avenue /SW Myslony Street to SW Tualatin-Sherwood Road, to the extent described below:

1. Installation of jute matting on a slope connecting to a wetland mitigation area per Clean Water Services request it is agreed the Owner will pay the Contractor the following lump sum amount:

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASURE	UNIT PRICE
561	Jute Matting	LS	\$1,261.71

2. Installation of coconut matting in wetland mitigation area per Clean Water Services request it is agreed that the Owner will pay the Contractor the following amount:

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASURE	UNIT PRICE
562	Coconut Matting	LS	\$5,773.52

3. For relocation of a PGN fiber optic vault it is agreed that the Owner will pay the Contractor the following amount:

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASURE	UNIT PRICE
980	Relocate PGN Vault	LS	\$1,946.74

4. For installation of a timber retaining wall for a PGE Mircopad Transformer it is agreed that the Owner will pay the Contractor the following amount:

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASURE	UNIT PRICE
990	Timber Retaining Wall - PGE	LS	\$471.27

5. Credit for substitution of battery systems for irrigation controllers it is agreed that the Owner will pay the Contractor the following amount:

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASURE	UNIT PRICE
520	Irrigation System Credit	LS	(\$-2000.00)

Except as herein modified, the terms of the basic contract between the Tualatin Development Commission and Northwest Earthmovers, Inc. shall remain in full force and effect.

Dated this 23<sup>rd</sup> day of March, 2009.

NORTHWEST EARTHMOVERS, INC.

By MIKE BSL

Date 3/12/09

TUALATIN DEVELOPMENT COMMISSION

By   
Chairman

ATTEST:   
Administrator