



**TUALATIN CITY COUNCIL
AND
TUALATIN DEVELOPMENT COMMISSION**
Monday, April 13, 2009

City Council Chambers
18880 SW Martinazzi Avenue, Tualatin, Oregon

WORK SESSION begins at 5:00 p.m.

REGULAR MEETING begins at 7:00 p.m.

Mayor Lou Ogden

**Council President Chris Barhyte
Councilor Monique Beikman
Councilor Joelle Davis**

**Councilor Jay Harris
Councilor Donna Maddux
Councilor Ed Truax**

WELCOME! By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified a time for citizen comments on its agenda – Item C, following Presentations, at which time citizens may address the Council concerning any item not on the agenda, with each speaker limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the world wide web at www.ci.tualatin.or.us, at the Library located at 18878 SW Martinazzi Avenue, and are also on file in the Office of the City Manager for public inspection. Any person who has any question concerning any agenda item may call Administration at 503.691.3011 to make an inquiry concerning the nature of the item described on the agenda.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact Administration at 503.691.3011 (voice) or 503.692.0574 (TDD). Notification thirty-six (36) hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Council meetings are televised “live” on the day of the meeting on Washington County Cable Access Channel 28. The replay schedule for Council meetings can be found at www.tvctv.org.

Your City government welcomes your interest and hopes you will attend the City of Tualatin City Council meetings often.

- SEE ATTACHED AGENDA -

PROCESS FOR LEGISLATIVE PUBLIC HEARINGS

A “legislative” public hearing is typically held on matters which affect the general welfare of the entire City rather than a specific piece of property.

1. The Mayor opens the public hearing and identifies the subject.
2. A staff member presents the staff report.
3. Public testimony is taken.
4. The Council then asks questions of staff, the applicant or any member of the public who testified.
5. When the Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either approve, deny, or “continue” the public hearing.

PROCESS FOR QUASI-JUDICIAL PUBLIC HEARINGS

A “quasi-judicial” public hearing is typically held for annexations, planning district changes, variances, conditional use permits, comprehensive plan changes, and appeals from subdivisions, partitions and architectural review.

1. The Mayor opens the public hearing and identifies the case to be considered.
2. A staff member presents the staff report to the Council.
3. Public testimony is taken:
 - a) In support of the application
 - b) In opposition or neutral
4. The Council then asks questions of staff, the applicant or any member of the public who testified.
5. When the Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either approve, approve with conditions or deny the application, or “continue” the public hearing.

TIME LIMITS

The purpose of time limits on public hearing testimony is to provide all interested persons with an adequate opportunity to present and respond to testimony. All persons providing testimony **shall be limited to 10 minutes**, subject to the right of the Mayor to amend or waive the time limits.

EXECUTIVE SESSION INFORMATION

Executive session is a portion of the Council meeting that is closed to the public to allow the Council to discuss certain confidential matters. No decisions are made in Executive Session. The City Council must return to the public session before taking final action.

The City Council may go into Executive Session under the following statutory provisions to consider or discuss: *ORS 192.660(2)(a)* the employment of personnel; *ORS 192.660(2)(b)* the dismissal or discipline of personnel; *ORS 192.660(2)(d)* labor relations; *ORS 192.660(2)(e)* real property transactions; *ORS 192.660(2)(f)* non-public information or records; *ORS 192.660(2)(g)* matters of commerce in which the Council is in competition with other governing bodies; *ORS 192.660(2)(h)* current and pending litigation issues; *ORS 192.660(2)(i)* employee performance; *ORS 192.660(2)(j)* investments; or *ORS 192.660(2)(m)* security issues. **All discussions within this session are confidential.** Therefore, nothing from this meeting may be disclosed by those present. News media representatives are allowed to attend this session (unless it involves labor relations), but shall not disclose any information discussed during this session.



A. CALL TO ORDER
Pledge of Allegiance

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

Page #

1. Vision Action Network Presentation – *Karin Kelley-Torregroza, Executive Director*
2. 2009 Tualatin Crawfish Festival Update – *Chamber of Commerce*
3. Fit City Challenge Presentation – *Linda Moholt, Chamber of Commerce*
4. Tualatin Youth Advisory Council Update
5. Proclamation Declaring April 22, 2009 as “*Earth Day*” in the City of Tualatin 5
6. Proclamation Declaring April 12 – 18, 2009 as “*National Library Week*”.....6
in the City of Tualatin
7. Proclamation Declaring April 19 – 25, 2009 as “*National Volunteer Week*”7
in the City of Tualatin
8. Presentation by a Representative of “*Our Ocean*” Regarding Marine Reserves
and Protected Areas
9. Train Horn Noise Mitigation Update
10. Community Health Fair and Safety Fair Presentation

C. CITIZEN COMMENTS

This section of the agenda allows citizens to address the Council 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 – 8)

Page #

The Consent Agenda will be enacted with one vote. The Mayor will first ask the staff, the public and the Councilors 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 the Minutes for the Work Session and Meeting of March 23, 2009 8
2. Approval of a New Liquor License Application for El Ranchito Alegre17
3. Approval of a New Liquor License Application for Ex Cathedra19
4. Approval of a Change of Ownership Liquor License Application for Bush Garden.....21
5. Approval of 2009 Liquor License Renewals Late Submittals23

D. CONSENT AGENDA *[continued from previous page]*

- 6. Citizen Involvement Committee Appointments24
- 7. Resolution No. 4875-09 Accepting Public Improvements for Murphy Industrial Addition.....25
- 8. Resolution No 4876-09 Accepting Public Improvements for Avery Partition27

E. PUBLIC HEARINGS – Legislative or Other

None.

F. PUBLIC HEARINGS – Quasi-Judicial

None.

G. GENERAL BUSINESS (Item Nos. 1 – 3)

- 1. Ordinance No. 1281-09 Relating to Public Contracts; Creating an Intermediate29
Procurement Process; and Amending TMC 1-21-070,
1-21-080, and TMC 1-21-110
- 2. Ordinance No. 1282-09 Delegating Authority for Special Events Parking to the39
City Manager; and Adding a New Section, 8-3-045
To the Tualatin Municipal Code
- 3. Ordinance No. 1283-09 Prohibiting Trucks on Certain Streets to Protect Public.....42
Safety; Adding New Sections, 8-3-141, 8-3-142, 8-3-145,
and 8-3-147 to the Tualatin Municipal Code

H. ITEMS REMOVED FROM CONSENT AGENDA

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

I. COMMUNICATIONS FROM COUNCILORS

J. EXECUTIVE SESSION

K. ADJOURNMENT

CITY COUNCIL MEETING SIGN-UP SHEET

PLEASE COMPLETE TO GIVE TESTIMONY

DATE: April 13, 2009

PLEASE LIMIT TESTIMONY TO THREE MINUTES

PLEASE PRINT CLEARLY			AGENDA ITEM(S)	PROPONENT (if applicable)	OPPONENT (if applicable)
NAME	ADDRESS	REPRESENTING (if applicable)			
NICK PETERSON		THE TIMES			
JILL ANDERSON	11075 SW WETHERAM CT		HWY 99-1.5		
FRANK BENDERLIK		TRUSTEES			
CANDICE KELLY	8700 SW TUALATI RD	TRUSTEES			
HEMIBENNETT-JONES					
David Farrell	10064 SW Chickasaw Ct	myself	Tualatin Elementary DeMolition		
Glen Luikart	11060 SW Wishram Ct		HWY 99-1.5		

Community Health & Safety Fair *FREE*

Saturday, April 18

10 a.m.-3 p.m.

Tualatin Community Park
Senior Center Building
8513 SW Tualatin Road
503-692-6767



DOOR PRIZES • GIFT FOR FIRST 40 PEOPLE

25 Vendors • Wellness • Fitness • Medical • Safety • Community

FREE

Lions Mobile Health Screening Van

Visual Acuity • Glaucoma • Blood
Pressure • Hearing • Diabetes
Screening (with a three hour fast)

Hourly Presentations by Experts:

Stretching Your Food Dollars,
Heart Health,
Diabetes and Snacks
and more!

Balance Master
Fall Risk Assessment
(15 min. appt) 10 a.m.-2 p.m.

Komen for the Cure

Participation Demonstrations

11 a.m. Nordic Walking

2 p.m. Tai Chi - Zumba - Yoga Stretch

Presented by:



Legacy Meridian
Park Hospital



LOAVES & FISHES CENTERS
The Meals-On-Wheels People



Proclamation

PROCLAMATION DECLARING APRIL 22, 2009 AS "EARTH DAY"
IN THE CITY OF TUALATIN

WHEREAS the City of Tualatin acknowledges the importance of Earth Day as a reminder of our community's connection to the planet and our responsibility to preserve and protect our environment; and

WHEREAS a sound natural environment is the foundation of a healthy society and a robust economy, therefore the importance of Earth Day has grown as the potential consequences of climate change, species decline, and reliance on non-renewable energy supplies have come into sharper focus; and

WHEREAS Earth Day is celebrated annually worldwide to recommit to the goals of a healthy environment and a peaceful, just, and sustainable world and understanding and promoting environmentally and socially sustainable practices improves the quality of life for all residents; and

WHEREAS the City of Tualatin recognizes the importance of preserving and protecting the area's unique natural heritage accessible to all residents through the City's parks, trails, and greenways, and the City Council has set a goal relating to sustainability standards and criteria; and

WHEREAS the City of Tualatin will be holding an Earth Day tree planting event at Brown's Ferry Park; and

BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, that:

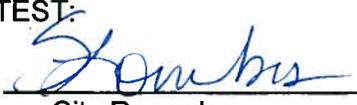
Section 1. All citizens are urged to support efforts to protect our natural environment and support environmentally sound practices and to observe Earth Day as an opportunity to acknowledge the connections between people and the natural environment.

Section 2. The City of Tualatin in the State of Oregon hereby recognizes April 22, 2009 as "Earth Day".

INTRODUCED AND ADOPTED this 13th day of April, 2009

~~CITY OF TUALATIN, OREGON~~

BY 
Mayor

ATTEST:
BY 
City Recorder

Proclamation

PROCLAMATION DECLARING APRIL 12-18, 2009
AS NATIONAL LIBRARY WEEK IN THE CITY OF TUALATIN

WHEREAS the new Tualatin Public Library creates an inviting community center where learning, discovery, and interaction flourishes while expressing a welcoming civic identity that embraces Tualatin's values and future; and,

WHEREAS the last year Library circulation increase by 23% and topped 500,000 items for the first time, and circulation is now running about 35% ahead of last year; and

WHEREAS about 800 people usually visit the Library daily and recently on March 6, a non-school day, a record high of 1,988 people used the library;

WHEREAS a new Tualatin Public Library Foundation was recently established and it joins the Friends of the Tualatin Public Library and many individual and groups of volunteers to support the mission of the Library; and

WHEREAS our nation's libraries make a difference in the lives of millions of Americans and play a vital role in supporting the quality of life in their communities by being places for opportunity, education, self-help and lifelong learning; and

WHEREAS librarians are trained professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn, and work in a challenging economy; and

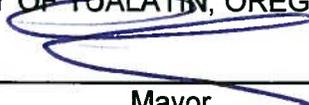
BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, Oregon, that:

Section 1. The week of April 12-18, 2009 be "National Library Week" in the City of Tualatin and everyone is encouraged to visit the library this week to attend one of the Hearing Voices Storytelling Festival events and to take advantage of all of the wonderful library resources available.

INTRODUCED AND ADOPTED this 13th day of April, 2009.

CITY OF TUALATIN, OREGON

BY



Mayor

ATTEST:

BY



City Recorder

Proclamation

PROCLAMATION DECLARING APRIL 19 – 25, 2009 AS "NATIONAL VOLUNTEER WEEK" IN THE CITY OF TUALATIN

WHEREAS the entire community can inspire, equip and mobilize people to take action that changes the world; and

WHEREAS 1,184 volunteers contributed more than 34,274 hours of their time, in 2008, an equivalent of about 17 full time employees, to the betterment of our community; and

WHEREAS volunteers give freely of their time, energy, and ability, and ask only for a smile and a thank you for their countless hours of service; and

WHEREAS it has long been a tradition in our community for youth and adult volunteers to perform work of the highest quality and to brighten the lives of others; and

WHEREAS it is fitting to recognize our volunteers for their service.

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON that:

The week of April 19 – 25, 2009 be proclaimed "National Volunteer Week" in the City of Tualatin.

The City of Tualatin takes great pleasure in honoring the volunteers of our community and conveying our sincere gratitude and appreciation for their dedicated, selfless, and compassionate efforts.

INTRODUCED AND ADOPTED this 13th day of April, 2009.

CITY OF TUALATIN, OREGON

By _____

Mayor

ATTEST:

By _____

City Recorder



STAFF REPORT

CITY OF TUALATIN

Approved By Tualatin City Council
Date 4-13-09
Recording Secretary M. Smith

TO: Honorable Mayor and Members of the City Council
FROM: Sherilyn Lombos, City Manager 
DATE: April 13, 2009
SUBJECT: APPROVAL OF THE MINUTES FOR THE MEETING OF
MARCH 23, 2009

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the meeting of March 23, 2009.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

FINANCIAL IMPLICATIONS:

There are no financial impacts associated with this item.

Attachments: Minutes



City of Tualatin

www.ci.tualatin.or.us

/ as amended
Approved By Tualatin City Council
Date 4-13-09
Recording Secretary M. Smith

TUALATIN CITY COUNCIL WORK SESSION MINUTES OF MARCH 23, 2009

PRESENT: Mayor Lou Ogden, Councilors Joelle Davis, Donna Maddux, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Doug Rux, Community Development Director; Dan Boss, Operations Director; Kathy Kaatz, Program Coordinator; Kaaren Hofmann, Civil Engineer; Eric Underwood, Development Coordinator; Ginny Kirby, Recording Secretary

ABSENT: Chris Barhyte*, Monique Beikman*, Jay Harris* [* denotes excused]

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

A. CALL TO ORDER

Mayor Lou Ogden called the meeting to order at 6:33 p.m.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

Citizen Involvement Committee (CIC)

Ms. Lombos conferred with Councilors Maddux and Davis regarding scheduling a date for a CIC meeting. The available dates are Monday, March 30, Monday, April 6, 2009, or Wednesday, April 8 if necessary. A date will be selected and they will receive notification in the next couple of days.

Saum Creek Slide Repair

Mike McKillip, City Engineer, gave a PowerPoint presentation regarding slide issues at 4640 SW Saum Way (in the Fox Hill East Subdivision). The City's real concern is the sanitary sewer line that runs through a portion of the slide area that is continuing to move. Mr. McKillip described the current circumstances and the proposed remedy which would include a helical anchor and 4" pipe pile. He noted it is approximately 30' (vertically) from the creek. The intent would be to find a more permanent solution for the future. It may be that this "temporary" fix stabilizes the area enough that further mitigation won't be necessary.

A brief discussion followed regarding what type of engineering requirements were in place when the homes were constructed. Mayor Ogden asked for clarification on who would pay if the slide (which is on City property) would get worse and take out the sewer line. Mr. McKillip said the City would pay for that piece. If the slide takes the sewer and the house, or a portion thereof, would the City be liable for the house; Mr. McKillip said he didn't believe that the City would be liable for the house. The costs for the slide repair would show up in the current budget as an adjustment.

Truck Routes

Due to time constraints, this will be rescheduled for a future date.

Snow & Ice Response Plan

Due to time constraints, this will be rescheduled for a future date.

Washington County Urbanization Forum Resolution

Due to time constraints, this will be rescheduled for a future date.

Council Communications & Roundtable

Councilor Maddux noted she had spoken with a citizen regarding train horn noise/quiet zones. She asked if it would be possible to have City staff do regular (maybe monthly) updates at Council meetings to keep everyone informed.

Ms. Lombos noted she is waiting to hear back from TriMet to see if April 8th (morning) will work for performing tests with noise meters at various crossings to monitor the actual noise levels. Mayor Ogden voiced concern on how different train horn noise levels affect different households at different crossings. Brief discussion followed.

C. CITIZEN COMMENTS

Not applicable.

D. CONSENT AGENDA

The Consent Agenda was reviewed by Council.

E. PUBLIC HEARINGS - Legislative or Other

Not applicable.

F. PUBLIC HEARINGS - Quasi-Judicial

Not applicable.

G. GENERAL BUSINESS

2. Ordinance No. 1280-09 Relating to Mandatory Recycling for Businesses; Adding New Sections 9-6-005, 9-6-010, 9-6-020, and 9-6-030 to The Tualatin Municipal Code

MOTION by Councilor Truax, SECONDED by Councilor Maddux for a first reading by title only. MOTION by Councilor Truax, SECONDED by Councilor Maddux for a second reading by title only. MOTION CARRIED. The poll was unanimous [*Barhyte, Beikman, and Truax Harris absent.*] MOTION by Councilor Truax, SECONDED by Councilor Maddux to place adoption of the ordinance on the Consent Agenda. MOTION CARRIED.

I. COMMUNICATIONS FROM COUNCILORS

Councilor Maddux asked if Ms. Lombos had received the email she sent including the FRC newsletter; Ms. Lombos confirmed she had received it and had sent it out.

Councilor Davis noted that from some of her conversations with people, folks in West Linn area are growing increasingly interested in the Stafford Triangle and related issues.

J. EXECUTIVE SESSION

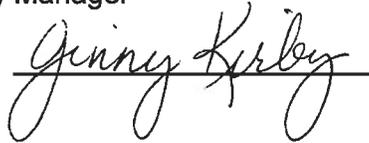
None.

K. ADJOURNMENT

The meeting adjourned at 7:03 p.m.

Sherilyn Lombos, City Manager

Recording Secretary

A handwritten signature in cursive script, reading "Ginny Kerley", is written over a horizontal line.



City of Tualatin

www.ci.tualatin.or.us

Approved By Tualatin City Council
Date 4-13-09
Recording Secretary [Signature]

TUALATIN CITY COUNCIL MEETING MINUTES OF MARCH 23, 2009

PRESENT: Mayor Lou Ogden, Councilors Joelle Davis, Donna Maddux, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Doug Rux, Community Development Director; Dan Boss, Operations Director; Paul Hennon; Community Services Director; Don Hudson, Finance Director; Colin Cortes, Assistant Planner; Carl Switzer, Parks & Recreation Coordinator; Ginny Kirby, Recording Secretary

ABSENT: Chris Barhyte*, Monique Beikman*, Jay Harris* [** denotes excused*]

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

A. CALL TO ORDER

Mayor Ogden called the meeting to order at 7:08 p.m.
Councilor Davis led the pledge of allegiance.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. *Scott Bruun, Oregon State Representative, District 37*, came before Council this evening to give a brief update. Representative Bruun reported that they've gone through a "rebalance" program to find approximately \$8 billion. He met with Tigard-Tualatin School District last week and went through budget numbers. The legislature will not do "across the board" cuts; and he feels schools will do better than some others. Representative Bruun went on to say that there will be some new revenues on the table. He feels there will be some good quality things come out of this "crisis" which will include tax restructuring. Some legislation currently being worked on is a "stimulus package" of sorts. Also, work is being done on a tax credit package that includes some items for both businesses and individuals for doing particular improvements on structures (business or home). Representative Bruun also said there is a bill in the legislature now regarding adult entertainment and nude dancing; this is a constitutional referral. It was noted that City Attorney Braden assisted with the crafting of the bill (HJR 42). Councilor Truax thanked Representative Bruun for taking the time to come before Council this evening to update everyone.
2. *Tree City USA Presentation and Proclamation Declaring April 5-11, 2009 "Arbor Week in the City of Tualatin"*
Carl Switzer, Parks and Recreation Coordinator, introduced DJ DeAustria, a member of TPARK, and Paul Reese, Oregon State Department of Forestry. They are here tonight to talk about Arbor Week activities and present the City with its Tree City USA Award. Mr. DeAustria noted that there are a number of activities planned, including a Scavenger Hunt for Tualatin fifth graders, that begins on April 1, and a huge tree planting at Tualatin Community Park on the morning of April 11. More information on

all the events can be found on the City's website, www.ci.tualatin.or.us. Mr. DeAustria went on to thank all those who are contributing to these events. He said that fifth graders in local schools participated in an Arbor Week poster contest and the winners were present tonight; they brought their winning drawings for all to see. Friends of the Library were thanked for the tree themed books that were donated to the schools.

Mr. Paul Reese announced that 2008 was the 22nd consecutive year that the City of Tualatin has been named a Tree City USA city and commented that Tualatin should be very proud of their 22 years. He went on to say that in honor of the State of Oregon's 150th anniversary they are recognizing 150 events statewide. A special plaque that commemorates that the City is part of the 150th anniversary was presented. Mr. Reese also gave the City the commemorative "22 Years" stickers to place on the Tree City USA signs and a new Tree City USA flag.

Mayor Ogden congratulated the community and noted this honor is due in great part to the staff who work diligently in making a place for this program in the City. Mr. Switzer noted that approximately 9000 trees have been planted in the last year alone.

Councilor Maddux read the "Arbor Week in the City of Tualatin" Proclamation.

3. *Proclamation Declaring April 12-18, 2009 "National Community Development Week"*
Mayor Ogden noted that the money for the CDBG program comes from the Federal government. Councilor Davis read the Proclamation.
4. *Library Foundation Update – Marge Congress*
Abigail Elder, Library Manager, introduced Ms. Marge Congress, President of the Tualatin Library Foundation. Ms. Congress gave a PowerPoint presentation that covered some background about the Library Foundation, including Development of the Need, History of the Foundation, Future Plans, and the Future Vision. She noted that the Board of Directors meets monthly; they recently added one new member and will be adding two more members in July 2009. The main purpose of the Library Foundation is to hold fundraisers to help purchase needed items such as new computers and furniture for the Library.

The Mayor thanked Ms. Congress for all the Foundation's hard work. Ms. Congress noted that further information about the Library Foundation is available at: www.tualatinlibraryfoundation.org.

C. CITIZEN COMMENTS

None.

D. CONSENT AGENDA

MOTION by Councilor Truax, SECONDED by Councilor Davis to adopt the Consent Agenda as amended and read:

1. Approval of Minutes for the Special Work Session of March 2, 2009 and the Work Session and Meeting of March 9, 2009

2. 2008 Annual Report of the Tualatin Planning Advisory Committee
 3. Resolution No. 4872-09 Amending a Communication Site Lease Agreement with Mobilitie Investments II, LLC for the Cell Tower at the Norwood Water Reservoir Site
 4. Resolution No. 4873-09 Accepting Public Improvements for 115th Commerce Park
 5. Resolution No. 4874-09 Adopting Policies and Fees for the Tualatin Public Library Community Room
- G-2 Ordinance No. 1280-09 Relating to Mandatory Recycling for Businesses; Adding New Sections 9-6-005, 9-6-010, 9-6-020, and 9-6-030 to The Tualatin Municipal Code

MOTION CARRIED.

E. PUBLIC HEARINGS - Legislative or Other

1. Ordinance Relating to Tree Removal; and Amending TDC 34,200, 73.405, 74.706, 74.707, 74.708, and 74.765 (PTA-08-04)

Ordinance No. 1279-09 Relating to Tree Removal, and Amending TDC 34.200, 73.405, 74.706, 74.707, 74.708, and 74.765 (PTA-08-04)

Mayor Ogden opened the public hearing.

Colin Cortes, Assistant Planner, entered the entire staff report and attachments into the record. The amendment is part of an on-going process of reviewing the City's tree ordinance. The main thrust is for those who remove street trees, they will be required to replace the removed trees on a one-to-one basis, with three exceptions. The exceptions are: 1) conflict with public or private improvements or utility facilities, or minimum vision clearance; 2) interference with the existing tree canopy, the maturation of the crown of the proposed replacement tree, or both; or 3) creation of conflict by planting trees too close to each other. Mr. Cortes stated that both the Tualatin Planning Advisory Committee and the Tualatin Parks Advisory Committee recommend passing of this ordinance. It was noted that the Operations Department will continue to advertise this program through the use of door hangers.

Mayor Ogden clarified that in the past citizens had a choice on whether or not they wanted to replace a tree that was removed. This ordinance will mandate the replacement of a tree that is removed on a one-for-one basis.

PROPOSERS / OPPONENTS - None.

COUNCIL QUESTIONS - None.

COUNCIL DISCUSSION

Councilor Truax noted he felt this is a good step in the right direction.

Mayor Ogden closed the public hearing.

COUNCIL DELIBERATIONS

MOTION by Councilor Truax, SECONDED by Councilor Maddux to grant the Ordinance for this Plan Text Amendment. MOTION CARRIED. [Vote: 4-0; Barhyte, Beikman, Harris absent]

MOTION by Councilor Truax, SECONDED by Councilor Maddux for first reading of the Ordinance by title only. MOTION by Councilor Truax, SECONDED by Councilor Maddux for a second reading by title only. MOTION CARRIED. The poll was unanimous [Barhyte, Beikman, and Harris absent.] MOTION by Councilor Truax, SECONDED by Councilor Maddux to adopt the ordinance relating to tree removal and amending the TDC (PTA-08-04). MOTION CARRIED.

F. PUBLIC HEARINGS - Quasi-Judicial

None.

G. GENERAL BUSINESS

1. 2008 Annual Report of the Tualatin Library Advisory Committee (TLAC)
Ms. Marge Congress, Chair of TLAC, gave a PowerPoint presentation covering TLAC activities for 2008, which included the opening the new library in August 2008, and welcoming Abigail Elder as the new Library Director (who was hired to replace Darrel Condra). Mayor Ogden thanked Ms. Congress for her work and that of the Committee.

MOTION by Councilor Truax, SECONDED by Councilor Maddux to accept the 2008 Annual Report of the Tualatin Library Advisory Committee. MOTION CARRIED.

2. Ordinance No. - - - Relating to Mandatory Recycling for Businesses; Adding New Sections 9-6-005, 9-6-010, 9-6-020, and 9-6-030 to The Tualatin Municipal Code

[The Ordinance had first and second readings at work session and was placed on the Consent Agenda.]

H. ITEMS REMOVED FROM CONSENT AGENDA

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

I. COMMUNICATIONS FROM COUNCILORS

Councilor Maddux reminded everyone about a fundraiser for the Tigard-Tualatin Family Resource Center, tomorrow evening (March 24, 2009) at Wine Styles in Nyberg Woods.

Councilor Truax said there is a Rescue Dog Benefit, "Million Doodle March", scheduled for Sunday, March 29, 12:45 p.m. meet at Tualatin PetSmart (in Nyberg Woods) and

march to Brown's Ferry Park and back. This March will benefit dog rescue programs including Oregon Dog Rescue here in Tualatin. It was noted that dogs do not have to be a "doodle" breed to participate in the march.

Mayor Ogden stated that train horn noise updates will be given at Council meetings and information will be posted on the City's website. Also, wayside horn trials are tentatively scheduled for April 8. He reminded everyone that all options for this issue are being pursued.

J. EXECUTIVE SESSION

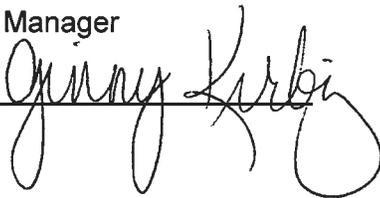
None.

K. ADJOURNMENT

The meeting adjourned at 8:07 p.m.

Sherilyn Lombos, City Manager

Recording Secretary

A handwritten signature in black ink, appearing to read "Ginny Kirby", is written over a horizontal line. The signature is cursive and stylized.



STAFF REPORT

CITY OF TUALATIN

Approved By Tualatin City Council
Date 4-13-09
Recording Secretary M. Smith

TO: Honorable Mayor and Members of the City Council

FROM: Sherilyn Lombos, City Manager *SL*

DATE: April 13, 2009

SUBJECT: APPROVAL OF NEW LIQUOR LICENSE APPLICATION
FOR EL RANCHITO ALEGRE

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve a new liquor license application for El Ranchito Alegre.

RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the liquor license application for El Ranchito Alegre.

EXECUTIVE SUMMARY:

El Ranchito Alegre, a grocery market has submitted a new liquor license application. The liquor license is for Off-Premises Sales. The business is located at 8349 SW Tonka Street. The application is in accordance with provisions of Ordinance No. 680-85 which established a procedure for review of liquor licenses by the Council.

Ordinance No. 680-85 establishes procedures for liquor license applicants. Applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The Police Department has reviewed and signed off on this application.

According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

FINANCIAL IMPLICATIONS:

A fee has been paid by the applicant.

Attachments: Vicinity Map



STAFF REPORT

CITY OF TUALATIN

Approved By Tualatin City Council
Date 4-13-09
Recording Secretary [Signature]

TO: Honorable Mayor and Members of the City Council
FROM: Sherilyn Lombos, City Manager *SL*
DATE: April 13, 2009
SUBJECT: APPROVAL OF NEW LIQUOR LICENSE APPLICATION
FOR EX CATHEDRA

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve a new liquor license application for Ex Cathedra.

RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the liquor license application for Ex Cathedra.

EXECUTIVE SUMMARY:

Ex Cathedra, an Internet Wine Club/Warehouse has submitted a new liquor license application. The liquor license is for Off-Premises Sales. The business is located at 20050 SW 112th Avenue. The application is in accordance with provisions of Ordinance No. 680-85 which established a procedure for review of liquor licenses by the Council.

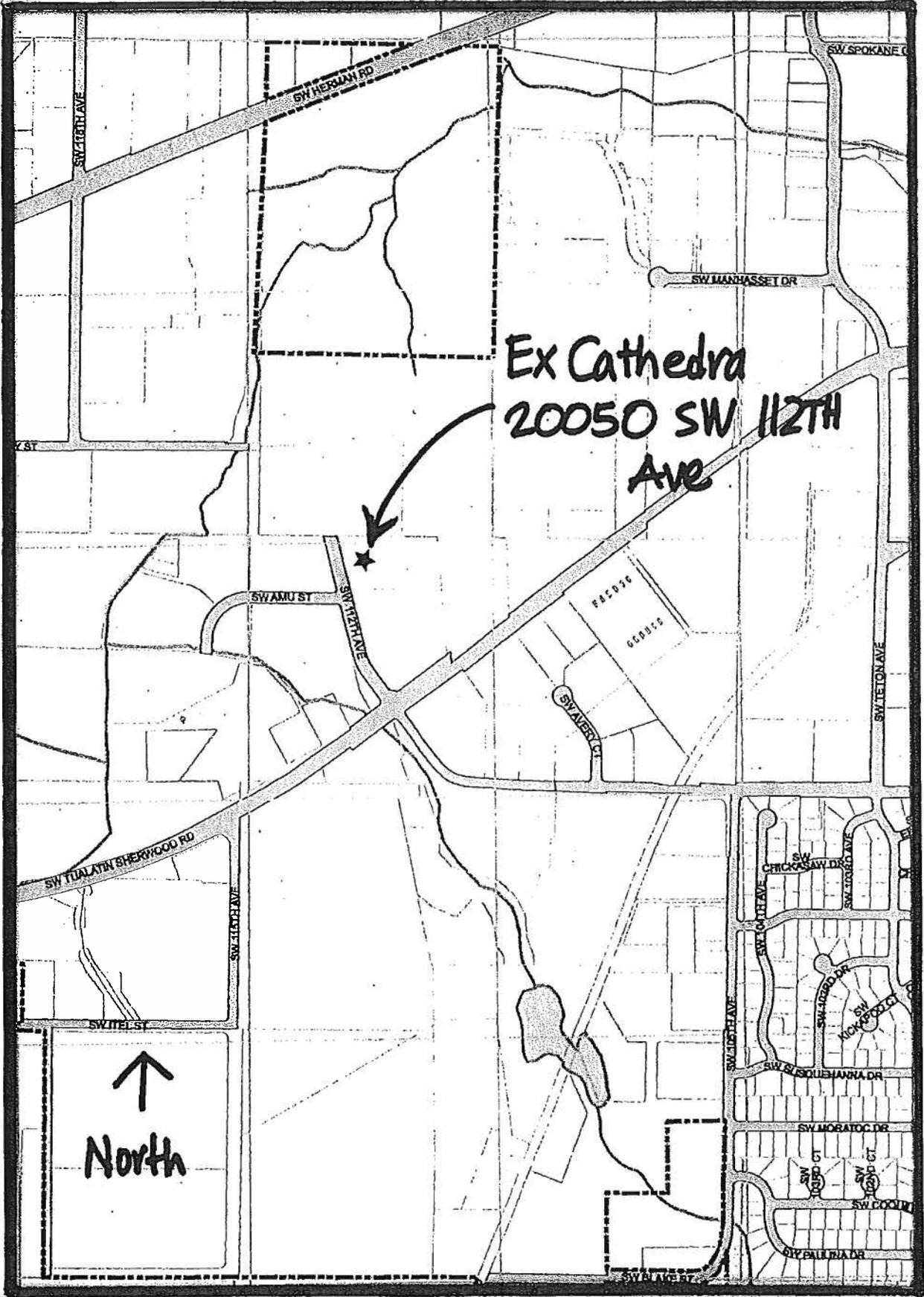
Ordinance No. 680-85 establishes procedures for liquor license applicants. Applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The Police Department has reviewed and signed off on this application.

According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

FINANCIAL IMPLICATIONS:

A fee has been paid by the applicant.

Attachments: Vicinity Map



Ex Cathedra
20050 SW 112TH
Ave

↑
North



STAFF REPORT

CITY OF TUALATIN

Approved By Tualatin City Council
Date 4-13-09
Recording Secretary [Signature]

TO: Honorable Mayor and Members of the City Council

FROM: Sherilyn Lombos, City Manager *SL*

DATE: April 13, 2009

SUBJECT: APPROVAL OF CHANGE OF OWNERSHIP LIQUOR LICENSE APPLICATION FOR BUSH GARDEN RESTAURANT

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve a change of ownership liquor license application for Bush Garden restaurant.

RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the liquor license application for Bush Garden.

EXECUTIVE SUMMARY:

Bush Garden Tualatin has submitted a change of ownership liquor license application. The liquor license is for Limited On-Premises Sales. The business is located at 8290 SW Nyberg Road. The application is in accordance with provisions of Ordinance No. 680-85 which established a procedure for review of liquor licenses by the Council.

Ordinance No. 680-85 establishes procedures for liquor license applicants. Applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The Police Department has reviewed and signed off on this application.

According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

FINANCIAL IMPLICATIONS:

A fee has been paid by the applicant.

Attachments: Vicinity Map



STAFF REPORT

CITY OF TUALATIN

Approved By Tualatin City Council
Date 4-13-09
Recording Secretary W. Smith

TO: Honorable Mayor and Members of the City Council
FROM: Sherilyn Lombos, City Manager *SL*
DATE: April 13, 2009
SUBJECT: APPROVAL OF 2009 LIQUOR LICENSE RENEWALS – LATE SUBMITTALS

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve liquor license renewal applications for 2009. The businesses listed below submitted their 2009 renewal application too late to be included in the renewals approved at the February 23, 2009 Council meeting. Copies have not been included with this staff report but are available at the City Offices for review.

RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the following liquor license application renewals for 2009:

- Greek Cusina
- La Barca Guerrero
- Parallel 45
- World in a Glass Wine Consultants
- Tutto Bene

EXECUTIVE SUMMARY:

Annually the Oregon Liquor Control Commission (OLCC) requires all liquor licenses be renewed. According to the provisions of City Ordinance No. 680-85, establishing procedures for liquor license applicants, applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The liquor license renewal applications are in accordance with all ordinances and the Police Department has conducted reviews of the applications.

According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license renewal requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

FINANCIAL IMPLICATIONS:

A renewal fee of \$35 has been paid by each applicant.



STAFF REPORT CITY OF TUALATIN

Approved By Tualatin City Council
Date 4-13-09
Recording Secretary *[Signature]*

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager *[Signature]*
FROM: Debra Bullard, Administration *[Signature]*
DATE: April 13, 2008
SUBJECT: Citizen Involvement Committee Appointments

ISSUE BEFORE THE COUNCIL:
Appointments to Citizen Involvement Committees and Boards.

RECOMMENDATION:
Approve the Citizen Involvement Committee recommendation and appoint the below listed individuals.

EXECUTIVE SUMMARY:
On March 30, 2009, the Citizen Involvement Committee met and interviewed citizens interested in participating on City Committees and Boards. The Committee recommends appointing the following individuals:

Individual	Committee/Board	Term
Chris Goodell	Architectural Review Board	Partial term ending 6/30/11
Roger Mason	Budget	Full term ending 12/31/11
Thea Wood	Library Advisory	Partial term ending 10/31/10
Len Runion	Library Advisory	Partial term ending 10/31/11
Wilma Stephan	Library Advisory	Full term ending 10/31/11 (Renewal)

FINANCIAL IMPLICATIONS:
Not applicable.



STAFF REPORT

CITY OF TUALATIN

Approved By Tualatin City Council
Date 4-13-09
Recording Secretary W. Smith

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Michael A. McKillip, City Engineer *MA*
Jon L. Sparks, Engineering Technician I *JLS*

DATE: April 13, 2009

SUBJECT: RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS
FOR MURPHY INDUSTRIAL ADDITION

ISSUE BEFORE THE COUNCIL:

Acceptance of public improvements constructed in association with Murphy Industrial Addition, located at 19300 SW 118th Avenue.

RECOMMENDATION:

Staff recommends that the Council adopt the attached resolution approving and accepting the constructed public improvements.

EXECUTIVE SUMMARY:

All public improvements were constructed as part of Murphy Industrial Addition.

The improvements were done as required by the Public Facilities Decision issued on November 3, 2007, and have been satisfactorily completed.

FINANCIAL IMPLICATIONS:

There are minor impacts on utility funds as a result of this work. Costs to be paid by ratepayers.

C:/My Documents/Projects/Murphy Industrial/Staff Report.doc

Attachments: A. Resolution

RESOLUTION NO. 4875-09

RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS
CONSTRUCTED FOR MURPHY INDUSTRIAL ADDITION

WHEREAS the City of Tualatin, hereinafter referred to as CITY, issued Robert Gray Partners, Inc., hereinafter referred to as DEVELOPER, Public Works Construction Permit No. 08-04 to install a connection to public storm line from the water quality facility in association with Murphy Industrial Addition, said improvements being required by Section IX of CITY Subdivision Ordinance No. 176-70 and the Public Facilities Decision issued on November 3, 2007; and

WHEREAS DEVELOPER has constructed said required public improvements to standards required by CITY, and now desires to have CITY accept said improvements; and

WHEREAS CITY staff has inspected and recommends approval and acceptance of all public improvements; and

WHEREAS it is in the public interest that CITY accept said improvements.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

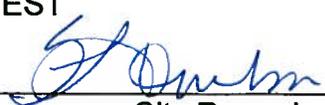
Section 1. That the subject improvements are hereby approved and accepted by the CITY.

INTRODUCED AND ADOPTED this 13th day of April, 2009.

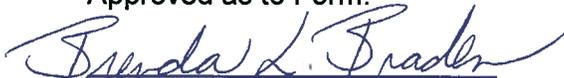
CITY OF TUALATIN, OREGON

By _____
Mayor

ATTEST

By  _____
City Recorder

Approved as to Form:


City Attorney

Resolution No. 4875-09



STAFF REPORT

CITY OF TUALATIN

Approved By Tualatin City Council:
Date 4-13-09
Recording Secretary W. Smith

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Michael A. McKillip, City Engineer *MAK*
Jon L. Sparks, Engineering Technician II *JLS*

DATE: April 13, 2009

SUBJECT: RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS
FOR AVERY PARTITION

ISSUE BEFORE THE COUNCIL:

Acceptance of public improvements constructed in association with Avery Partition, located at 8345 SW Avery Street.

RECOMMENDATION:

Staff recommends that the Council adopt the attached resolution approving and accepting the constructed public improvements.

EXECUTIVE SUMMARY:

All public improvements were constructed as part of Avery Partition.

The improvements were done as required by the Partition Application Findings and Recommended Decision issued on June 19, 2007, and have been satisfactorily completed.

FINANCIAL IMPLICATIONS:

There are minor impacts on utility funds as a result of this work. Costs to be paid by ratepayers.

Attachments: A. Resolution

RESOLUTION NO. 4876-09

RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS
CONSTRUCTED FOR AVERY PARTITION

WHEREAS the City of Tualatin, hereinafter referred to as CITY, issued Ken Gertz Construction Company, Inc., hereinafter referred to as DEVELOPER, Public Works Construction Permit No. 08-01 to install water services, sanitary sewer, and storm sewer in association with Avery Partition, said improvements being required by Section IX of CITY Subdivision Ordinance No. 176-70 and the Partition Application Findings and Recommended Decision issued on June 19, 2007; and

WHEREAS DEVELOPER has constructed said required public improvements to standards required by CITY, and now desires to have CITY accept said improvements; and

WHEREAS CITY staff has inspected and recommends approval and acceptance of all public improvements; and

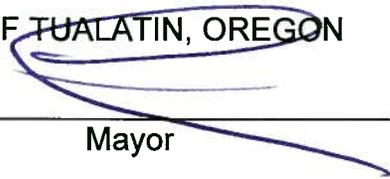
WHEREAS it is in the public interest that CITY accept said improvements.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. That the subject improvements are hereby approved and accepted by the CITY.

INTRODUCED AND ADOPTED this 13th day of April, 2009.

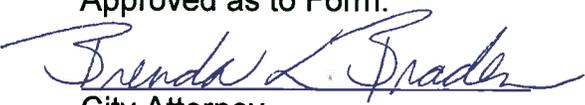
CITY OF TUALATIN, OREGON

By  _____
Mayor

ATTEST

By  _____
City Recorder

Approved as to Form:


City Attorney

Resolution No. 4876-09



Approved By Tualatin City Council
Date 4-13-09
Recording Secretary W. Smith

STAFF REPORT CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Brenda Braden, City Attorney *BB*

DATE: April 13, 2009

SUBJECT: AN ORDINANCE RELATING TO PUBLIC CONTRACTS;
CREATING AN INTERMEDIATE PROCUREMENT PROCESS;
AND AMENDING TMC 1-21-070, 1-21-080, AND TMC 1-21-110

ISSUE BEFORE THE COUNCIL:

Council will consider whether to authorize the City to create and utilize an intermediate process for public contracts that exceed \$5000 but do not exceed \$150,000.

RECOMMENDATION:

Staff recommends that the ordinance be adopted.

EXECUTIVE SUMMARY:

When the City adopted the purchasing rules for public contracts under the rewritten ORS chapters 279A, 279B and 279C in 2003, the City Council voted to require that most public contracts for more than \$50,000 follow a formal bid or request for proposals process. This amount was lower than the state statutes set. As contract prices have increased over time, the City has had to formally bid an increasing number of contracts. The current process adds to the costs of relatively small purchases and takes much longer to complete.

This ordinance would mirror the state law and create an intermediate process for these intermediately priced contracts. The City's soliciting agent would have to obtain at least three competitive quotes for procurement contracts for goods and services that exceed \$5,000 but do not exceed \$150,000. If the soliciting agent cannot obtain three quotes because companies refused to make a quote or only one or two companies carry the goods or services being sought, the agent has to document his or her attempts to obtain the additional quotes.

Public improvement contracts would have to be bid if the contract amount exceeds \$100,000 in accordance with ORS 279C.335. The current ordinance requires bids for contracts over \$50,000.

OUTCOMES OF DECISION:

If the ordinance is passed, contracts for goods and services of more than \$5,000 but less than \$150,000 can be awarded through a competitive quote process.

If the ordinance does not pass, contracts over \$50,000 will have to go through a formal bid or request for proposal process as currently required by the Municipal Code.

FINANCIAL IMPLICATIONS:

The cost of advertising and printing multiple sets of specifications would be saved on each procurement, which usually cost a few hundred dollars up to \$1000.

Attachments: Ordinance

ORDINANCE NO. 1281-09

AN ORDINANCE RELATING TO PUBLIC CONTRACTS; CREATING
AN INTERMEDIATE PROCUREMENT PROCESS; AND AMENDING
TMC 1-21-070, TMC 1-21-080, AND TMC 1-21-110

THE CITY OF TUALATIN, OREGON ORDAINS AS FOLLOWS:

Section 1. TMC 1-21-070 (1) is amended to read as follows:

(1) General Authority. The City Manager shall be the Purchasing Manager for the City and is authorized to issue all solicitations and to award all City contracts for which the contract price does not exceed \$150,000. Subject to this chapter, the Purchasing Manager may adopt and amend all solicitation materials, contracts and forms required or permitted to be adopted by contracting agencies under the Oregon Public Contracting Code or otherwise convenient for the City's contracting needs. The Purchasing Manager shall hear all solicitation and award protests.

Section 2. TMC 1-21-080 is amended to add the following definition in alphabetical order and renumber accordingly:

"Intermediate Procurement" means a procurement of goods or services exceeding \$5,000 but not exceeding \$150,000.

Section 3. TMC 1-21-110 is amended to read as follows:

The following classes of public contracts and the methods that are approved for the award of each of the classes are hereby established by the City Council.

(1) Purchases from Nonprofit Agencies for Disabled through 279.850.

(2) Public Improvement Contracts.

(a) Unless otherwise provided in this chapter or approved for a special exemption, public improvement contracts in any amount may be issued only under an invitation to bid.

(b) Public improvement contracts for which the estimated contract price does not exceed \$100,000 may be awarded using an informal solicitation for quotes.

(c) The City may contribute funding to a privately constructed public improvement project without subjecting the project to competitive solicitation requirements if all of the following conditions are met with respect to the entire public improvement project:

(i) The City's contribution to the project may not exceed 25% of the total cost of the project;

(ii) The City must comply with all applicable laws concerning the reporting of the project to the Bureau of Labor and Industries as a public works project;

(iii) The general contractor for the project must agree in writing to comply with all applicable laws concerning reporting and payment of prevailing wages for the project;

(iv) The funds contributed to the project may not provide a pecuniary benefit to the owner of the development for which the project is being constructed, other than benefits that are shared by all members of the community;

(v) The performance of the general contractor and the payment of labor for the project must be secured by performance and payment bonds or other cash-equivalent security that is acceptable to the Purchasing Manager to protect the City against defective performance and claims for payment; and

(vi) The contract for construction of the project must be amended, as necessary, to require the general contractor to maintain adequate workers compensation and liability insurance and to protect and provide indemnification to the City for all claims for payment, injury or property damage arising from or related to the construction of the project.

(3) Personal Services Contracts.

Except as otherwise provided in these rules, personal services contracts may be awarded in the same manner as contracts for services under ORS 279B.050, and 279B.060 to 279B.085.

(a) Personal services contracts in any amount may be awarded under a publicly advertised request for competitive sealed proposals.

(b) Contracts for personal services for which the estimated contract price does not exceed \$100,000 may be awarded using an informal solicitation for proposals. When informal solicitation is used under this subsection for personal services, the Solicitation Agent shall consider, but not be limited to, the person's (or persons')

- (i) Professional expertise;
- (ii) Experience related to the particular type of work for that contract;
- (iii) Experience in working with public entities;
- (iv) History of completing such tasks in a timely manner;
- (v) Ability to work with the employees and groups involved in the project; and
- (vi) Price of services.

(c) Contracts for personal services for which the estimated contract price does not exceed \$150,000 may be awarded by direct appointment without competition from a Qualified Pool.

(d) Contracts for which the Solicitation Agent estimates that payments will not exceed \$20,000 in any fiscal year may be awarded under any method deemed in the City's best interest by the Solicitation Agent, including by direct appointment.

(e) Personal Service Contracts of not more than \$100,000 for the continuation of work by a contractor who performed preliminary studies, analysis or planning for the work under a prior contract may be awarded without competition if the prior contract was awarded under a competitive process and the Purchasing Manager determines that use of the original contractor will significantly reduce the costs of, or risks associated with, the work.

(4) Hybrid Contracts. The following classes of contracts include elements of construction of public improvements as well as personal services and may be awarded under a request for proposals, unless exempt from competitive solicitation.

(a) Contracts for the construction of public improvements using a design/build or construction manager/general contractor construction method shall be awarded under a request for proposals. The determination to construct a project using a design/build or construction manager/general contractor construction method must be approved by the City Council, upon application of the Solicitation Agent, in which the Solicitation Agent submits facts that support a finding that the construction of the improvement under the proposed method is likely to result in cost savings, higher quality, reduced errors, or other benefits to the City.

(b) Energy Savings Performance Contracts. Unless the contract qualifies for award under another classification in this section, contractors for energy savings performance contracts shall be selected under a request for proposals in accordance with the City's Public Contracting Rules.

(5) Contracts for Goods and Services.

(a) The procurement of goods or services, or goods and services in any amount may be made under either an invitation to bid, or a request for proposals.

(b) Intermediate Procurements up to \$150,000. The procurement of goods or services, or goods and services, for which the estimated contract price does not exceed \$150,000 may be made under an informal solicitation for either quotes or proposals. A procurement may not be artificially divided or fragmented so as to constitute an intermediate procurement under this section.

(6) The following classes of contracts may be awarded in any manner that the Solicitation Agent deems appropriate to the City's needs, including by direct appointment or purchase. Except where otherwise provided the Solicitation Agent shall make a record of the method of award.

(a) Contracts for the placing of notice or advertisements in any medium.

(b) Contract amendments shall not be considered to be separate contracts if made in accordance with the Public Contracting Rules.

(c) Contracts for the purchase of animals.

(d) Contracts of any type for which the contract price does not exceed \$5,000 without a record of the method of award.

(e) Contracts for the acquisition of materials entitled to copyright, including, but not limited to works of art and design, literature and music, or materials even if not entitled to copyright, purchased for use as library lending materials.

(f) Contracts for equipment repair or overhauling, provided the service or parts required are unknown and the cost cannot be determined without extensive preliminary dismantling or testing.

(g) Contracts for the purchase of items for which prices or selection of suppliers are regulated by a governmental authority.

(h) Insurance and service contracts as provided for under ORS 414.115, 414.125, 414.135 and 414.145.

(i) Contracts or arrangements for the sale or other disposal of abandoned property or other personal property not owned by the City.

(j) Contracts for goods or services that are available from a single source may be awarded without competition.

(k) Contracts for the purchase of specialty goods by City for resale to consumers.

(l) Sponsorship agreements, under which the City receives a gift or donation in exchange for recognition of the donor.

(m) Contracts for the disposal of structures located on City-owned property.

(n) Contracts that are being renewed in accordance with their terms are not considered to be newly issued Contracts and are not subject to competitive procurement procedures.

(o) Contracts for a single period of one year or less, for the temporary extension or renewal of an expiring and non-renewable, or recently expired, contract, other than a contract for public improvements.

(p) The City may negotiate and enter into a license, permit or other contract for the temporary use of City-owned property without using a competitive selection process if:

(i) The contract results from an unsolicited proposal to the City based on the unique attributes of the property or the unique needs of the proposer;

(ii) The proposed use of the property is consistent with the City's use of the property and the public interest; and

(iii) The City reserves the right to terminate the contract without penalty, in the event that the City determines that the contract is no longer consistent with the City's present or planned use of the property or the public interest.

(q) A Solicitation Agent, for procurements up to \$20,000, and the Purchasing Manager, for procurements in excess of \$20,000 but not more than \$50,000, may contract for the purchase of used property by negotiation if such property is suitable for the City's needs and can be purchased for a lower cost than substantially similar new property. For this purpose the cost of used property shall be based upon the life-cycle cost of the property over the period for which the property will be used by the City. The Purchasing Manager shall record the findings that support the purchase.

(r) Contracts for the purchase of steam, power, heat, water, telecommunications services, and other utilities.

(7) Contracts Required by Emergency Circumstances.

(a) When an official with authority to enter into a contract on behalf of the City determines that immediate execution of a contract within the official's authority is necessary to prevent substantial damage or injury to persons or property, the official may execute the contract without competitive selection and award or City Council approval, but, where time permits, the official shall attempt to use competitive price and quality evaluation before selecting an emergency contractor.

(b) An official who enters into an emergency contract shall, as soon as possible, in light of the emergency circumstances, (1) document the nature of the emergency; the method used for selection of the particular contractor and the reason why the selection method was deemed in the best interest of the City and the public, and (2) notify the City Council of the facts and circumstances surrounding the emergency execution of the contract.

(c) A public improvement contract may only be awarded under emergency circumstances if the City Manager or City Council has made a written declaration of emergency. Any public improvement contract award under emergency conditions must be awarded within 60 days following the declaration of an emergency unless the City Council grants an extension of the emergency period. Where the time delay needed to obtain a payment or performance bond for the contract could result in injury or substantial property damage, the City Manager or City Council may waive the requirement for all or a portion of required performance and payment bonds.

(8) Goods and services may be purchased without competitive procedures under a local government purchasing program administered by the United States General Services Administration ("GSA") as provided in this subsection.

(a) The procurement must be made in accordance with procedures established by GSA for procurements by local governments and under purchase orders or contracts submitted to and approved by the City Council. The Solicitation Agent shall provide the Purchasing Manager with a copy of the letter, memorandum or other documentation from GSA establishing permission to the City to purchase under the federal program.

(b) The price of the goods or services must be established under price agreements between the federally approved vendor and GSA.

(c) The price of the goods or services must be less than the price at which such goods or services are available under state or local cooperative purchasing programs that are available to the City.

(d) If a single purchase of goods or services exceeds \$100,000, the Solicitation Agent must obtain informal written quotes or proposals from at least two additional vendors (if reasonably available) and find, in writing, that the goods or services offered by GSA represent the best value for the City. This paragraph does not apply to the purchase of equipment manufactured or sold solely for military or law enforcement purposes.

(9) Cooperative procurements may be made without competitive solicitation as provided in the Oregon Public Contracting Code.

(10) Surplus Property.

(a) Surplus property may be disposed of by any of the following methods upon a determination by the Solicitation Agent that the method of disposal is in the best interest of the City. Factors that may be considered by the Solicitation Agent include costs of sale, administrative costs, and public benefits to the City. The Solicitation Agent shall maintain a record of the reason for the disposal method selected, and the manner of disposal, including the name of the person to whom the surplus property was transferred.

(i) Without competition, by transfer or sale to another City department or public agency.

(ii) By publicly advertised auction to the highest bidder.

(iii) By public advertised invitation to bid.

(iv) By liquidation sale using a commercially recognized third-party liquidator selected in accordance with rules for the award of personal services contracts.

(v) The Solicitation Agent may establish a selling price based upon an independent appraisal or published schedule of values generally accepted by the insurance industry, schedule and advertise a sale date, and sell to the first buyer meeting the sales terms.

(vi) By trade-in, in conjunction with acquisition of other price-based items under a competitive solicitation. The solicitation shall require the offer to state the total value assigned to the surplus property to be traded.

(vii) By donation to any organization operating within or providing a service to residents of the City which is recognized by the Internal Revenue Service as an organization described in section 501(c)(3) of the Internal Revenue Code of 1986, as amended.

(b) Surplus property that has a value of less than \$500, or for which the costs of sale are likely to exceed sale proceeds, may be disposed of by any means determined to be cost-effective, including by disposal as waste. The official making the disposal shall make a record of the value of the item and the manner of disposal.

(c) An item or indivisible set of specialized and personal use, other than police officer's handguns, with a current value of less than \$100 may be sold to the employee or retired or terminated employee for whose use it was purchased. These items may be sold for fair market value without bid and by a process deemed most efficient by the Purchasing Manager.

(d) Upon honorable retirement from service with the City, a police officer may purchase the handgun that she or he was using at the time of retirement. The purchase price shall be the fair market value of the handgun as determined by an independent appraisal performed by a qualified weapons appraiser. An officer electing to exercise this option shall notify the City at least 30 days prior to his or her expected retirement date and request an appraisal of the handgun. Upon receipt of the appraisal fee from the officer the City shall arrange for the appraisal. A copy of the completed appraisal shall be provided to the officer, who shall have up to 30 days from the date of retirement to purchase the handgun for the appraised fair market value.

(e) City employees shall not be restricted from competing, as members of the public, for the purchase of publicly sold surplus property, but shall not be permitted to offer to purchase property to be sold to the first qualifying bidder until at least three days after the first date on which notice of the sale is first publicly advertised.

(f) Upon the consummation of a sale of surplus personal property, the City shall make, execute and deliver a bill of sale signed on behalf of the City conveying the property in question to the purchaser and delivering possession, or the right to take possession, of the property to the purchaser.

(11) Concession Agreements.

(a) No part of a Concession Agreement shall contain or constitute a waiver of any generally applicable rules, code provisions or requirements of the City concerning regulation, registration, licensing, inspection, or permit requirements for any construction, rental or business activity.

(b) The following concession agreements may be awarded by any method deemed appropriate by the Solicitation Agent, including without limitation, by direct appointment, private negotiation, from a qualified pool, or using a competitive process.

(i) Contracts under which the Solicitation Agent estimates that receipts by the City will not exceed \$5,000 in any fiscal year and \$50,000 in the aggregate.

(ii) Concessions to sell or promote food, beverages, merchandise or services at a single public event shall be awarded based on any method determined by the Purchasing Manager to provide a fair opportunity to all persons desiring to operate a concession, but in which the promotion of the public interest and success of the event shall be of predominant importance.

(c) Concession agreements solicited by the City for the use of designated public premises for a term greater than a single event shall be awarded as follows:

(i) For Concession Agreements for which the concessionaire's projected annual gross revenues are estimated to be \$50,000 or less, the Purchasing Manager may use either an informal solicitation or formal request for proposals process applicable to contracts for personal services. If the proposals received indicate a probability that the concessionaire's annual gross revenues will exceed \$50,000, the Solicitation Agent may, but shall not be required to, reissue the solicitation as a request for proposals.

(ii) Concession agreements for which the concessionaire's projected annual gross revenues under the contract are estimated to exceed \$50,000 annually shall be awarded using a request for proposals

INTRODUCED AND ADOPTED this 13th day of April, 2009.

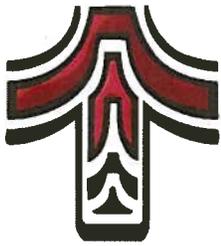
CITY OF TUALATIN, Oregon

BY _____
Mayor

ATTEST:

BY *[Signature]*
City Recorder

Brenda L. Proden
City Attorney - *Approved as to form*



Approved By Tualatin City Council
Date 4-13-09
Recording Secretary U. Smith

STAFF REPORT CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Brenda Braden, City Attorney *BB*

DATE: April 13, 2009

SUBJECT: AN ORDINANCE DELEGATING AUTHORITY FOR SPECIAL EVENTS PARKING TO THE CITY MANAGER; AND ADDING A NEW SECTION, 8-3-045 TO THE TUALATIN MUNICIPAL CODE

ISSUE BEFORE THE COUNCIL:

Council will consider whether to delegate the authority to the City Manager to designate temporary parking areas for special events.

RECOMMENDATION:

Staff recommends that the ordinance be adopted.

EXECUTIVE SUMMARY:

Under current city ordinances the City Council must designate parking areas by resolution. That process does not allow for any flexibility to accommodate temporary parking needs for special events at the High School or elsewhere in town. The proposed ordinance would allow the City Manager to designate temporary parking for a special event upon a recommendation of the City Engineer without having to ask the Council for a resolution addressing the issue.

OUTCOMES OF DECISION:

If the ordinance is passed, the City Manager and City Engineer can address temporary parking needs for special events.

If the ordinance does not pass, all parking decisions for special events will have to be made by the Council.

FINANCIAL IMPLICATIONS:

The ordinance would not require funds to implement.

Attachments: Ordinance

ORDINANCE NO. 1282-09

AN ORDINANCE DELEGATING AUTHORITY FOR SPECIAL
EVENTS PARKING TO THE CITY MANAGER; AND ADDING A
NEW SECTION, 8-3-045 TO THE TUALATIN MUNICIPAL CODE

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. TMC 8-3-045 is added to the Tualatin Municipal Code to read as follows:

Upon the recommendation of the City Engineer, the City Manager acting on behalf of the City Council, may create temporary parking areas for special events.

ADOPTED this 13th day of April, 2009

CITY OF TUALATIN, Oregon

By _____
Mayor

ATTEST:

By _____
City Recorder

Brenda L. Braden
City Attorney



Approved By Tualatin City Council
Date 4-13-09
Recording Secretary W. Smith

STAFF REPORT CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Brenda Braden, City Attorney *BB*

DATE: April 13, 2009

SUBJECT: AN ORDINANCE PROHIBITING TRUCKS ON CERTAIN STREETS TO PROTECT PUBLIC SAFETY; ADDING NEW SECTIONS, 8-3-141, 8-3-142, 8-3-145, AND 8-3-147 TO THE TUALATIN MUNICIPAL CODE

ISSUE BEFORE THE COUNCIL:

Council will consider whether to adopt an ordinance to allow the City to prohibit trucks on certain streets when necessary to protect the safety of others on those streets. The ordinance would apply to only those streets, which Council has determined cannot safely allow trucks longer than three-axle, single unit rigs to travel without creating dangerous situations for other vehicles and pedestrians.

RECOMMENDATION:

Staff recommends that Council adopt the ordinance.

EXECUTIVE SUMMARY:

In 1994 Congress passed the Federal Aviation Administration Authorization Act that removed cities' authority to create truck routes. From 1994 through 2002 the appellate courts ruled against cities that tried to enforce such routes. However, in 2002 the United States Supreme Court ruled in City of Columbus v. Ours Garage & Wrecking Service, 536 US 424, that while Congress preempted cities' ability to establish truck routes generally, Congress did not preempt a city's authority to establish truck routes

when it found it was necessary to protect the public's safety. To date, the City has had no process to allow such designations when needed for public safety reasons.

The ordinance provides a process to allow Council to prohibit trucks larger than three-axle, single units from traveling on a particular street if Council determines that such trucks cannot travel on that street without creating unsafe conditions for other vehicles, bicycles or pedestrians. For example, upon a presentation by the City Engineer demonstrating the need, trucks might be prohibited on streets that have yet to be developed to City standards and have a substandard turning radius, narrow lanes with no shoulder, or a steep drop-off into a ditch or ravine that would not accommodate larger trucks without jeopardizing pedestrians and bicyclists or forcing other vehicles out of their travel lanes.

The ordinance does not apply to all "trucks." Emergency vehicles, school and mass transit buses, trucks collecting solid waste and recyclables, and vehicles making a local delivery in the area are exempted from the truck prohibition.

The ordinance also establishes the first street where trucks larger than three axle, single unit would be prohibited. That street is the portion of SW Blake Street between SW 105th Street and SW 108th. The attached information from the City Engineer document the conditions on that street that make it dangerous for the public's safety when larger vehicles attempt to travel on it.

OUTCOMES OF DECISION:

If Council adopts the ordinance, the City will have a process to prohibit trucks on certain streets for public safety and it will designate the first street where the larger trucks would not be allowed.

If Council does not adopt the ordinance, there will be no mechanism to prohibit trucks on a Tualatin street for safety reasons.

FINANCIAL IMPLICATIONS:

None.

Attachments: Ordinance
City Engineer's Report

ORDINANCE NO. 1283-09

AN ORDINANCE PROHIBITING TRUCKS ON CERTAIN
STREETS TO PROTECT PUBLIC SAFETY; ADDING NEW
SECTIONS, 8-3-141, 8-3-142, 8-3-145 AND 8-3-147 TO THE
TUALATIN MUNICIPAL CODE.

WHEREAS, under the Federal Aviation Administration Authorization Act of 1994 as amended, 49 USC § 1450 (C)(1) generally prohibits states and cities from regulating prices, routes or services of any motor carrier with respect to the transportation of property, except for public safety reasons; and

WHEREAS, there are certain locations within the City of Tualatin with narrow streets, blind curves or other unusual conditions where large trucks, particularly those longer than a three-axle, single unit truck as defined in the Manual on Uniform Traffic Control Devices, can cause dangerous situations for themselves, other automobiles and pedestrians who are traveling in those areas; and

WHEREAS, the City wishes to establish a procedure that would address the rights-of-way where truck travel conflicts with public safety by limiting access of those larger trucks on those streets.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. A new section, TMC 8-3-141, is added to the Tualatin Municipal Code to read as follows:

- (a) If the City Council determines that motor vehicles or trucks longer than a three-axle, single unit truck jeopardize the public's safety when those vehicles travel on a particular street, road or intersection, the City Council, by ordinance, may prohibit such vehicles on that street or road.
- (b) The City Council may base its findings on evidence submitted by the City Engineer, including, but not limited to:
 - (i) The turning radius and other geometrics of an intersection;
 - (ii) The width of the street or roadway;
 - (iii) The maximum length and/or weight of truck that can safely maneuver the intersection or area of right-of-way without leaving the paved driving area;
 - (iv) The speed limit in the area; and
 - (v) Any other deficiency that causes the public safety to be jeopardized.

Section 2. A new section, TMC 8-3-142, is added to the Tualatin Municipal Code to read as follows:

The City Engineer has produced evidence to show that it is necessary for public safety reasons to prohibit trucks larger than three-axle, single unit from driving on the following streets:

- (a) The portion of SW Blake Street between SW 105th Street and SW 108th Street.

Section 3. A new section, TMC 8-3-145, is added to the Tualatin Municipal Code to read as follows:

Nothing in this ordinance shall prohibit the following from traveling on a street restricted in TMC 8-3-142:

- (a) School and mass transit buses;
- (b) Trucks collecting solid waste or recyclables within the City of Tualatin;
- (c) Emergency vehicles;
- (d) Motor vehicles that are picking up, delivering, or servicing a location in the area, so long as the vehicle uses the major collector or arterial closest to the pick-up, delivery, or service and utilizes the shortest route available, and travels on the restricted street or road for the shortest distance possible.

Section 4. A new section, TMC 8-3-146, is added to the Tualatin Municipal Code to read as follows:

Any person, firm, corporation, trust, partnership, or other legal entity that violates or refuses to comply with this chapter shall commit a civil infraction and shall be subject to a fine of up to \$500. Each incident shall constitute a new violation.

ADOPTED this 13th day of April, 2009.

CITY OF TUALATIN, OREGON

By _____
Mayor

ATTEST:

By *[Signature]*
City Recorder

APPROVED AS TO LEGAL FORM
[Signature]
CITY ATTORNEY

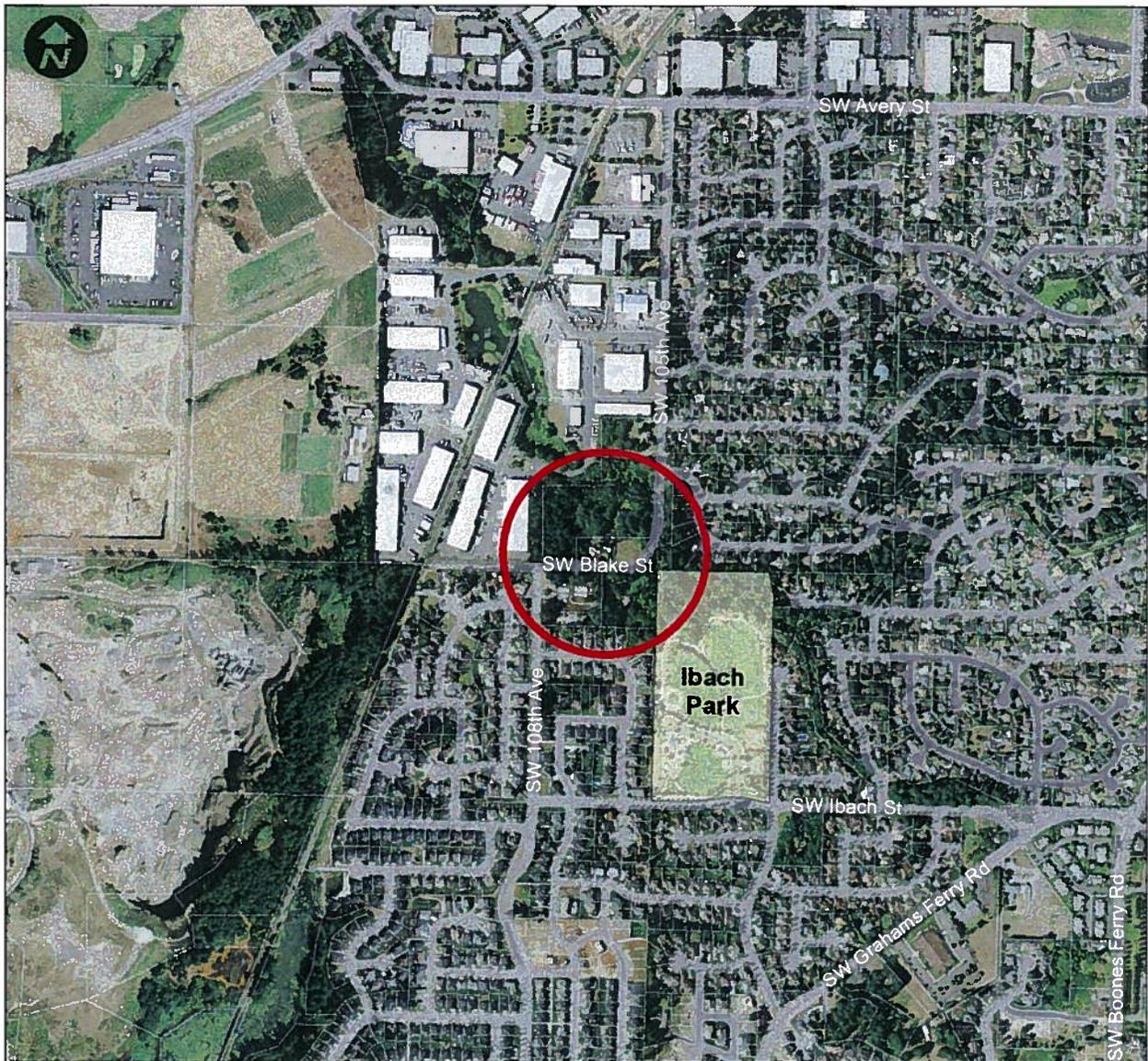


City of Tualatin

www.ci.tualatin.or.us

City Engineer's Report on 105th & 108th and Blake Curves and Recommendation to Council to prohibit certain trucks

This report addresses public safety concerns regarding truck travel on the roadway section of SW 105th Avenue & SW Blake Street and SW 108th Avenue & SW Blake Street (between SW Paulina Street and SW Ibach Street). Factors addressed include those in the proposed Tualatin Municipal Code (TMC) section 8-3-141. The vicinity is shown below:





City of Tualatin

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The findings discussed below address the criteria listed in (i) through (v) proposed new ordinance, TMC 8-3-141. The following approximate field measurements for travel lane widths and curve radii (from Tualmap) are shown on aerial and field photos [Appendix A.]

i) The existing radii by themselves do not restrict travel, but will be used to determine suggested design lane widths.

The existing turning radii for curves are:

	Southbound	Northbound
Radius of Curve of 108 th & Blake	65'	50'
Radius of Curve of 105 th & Blake	130'	135'

ii) The existing lane widths will restrict the size of trucks due to radii and speed zone as identified in the section iii below.

The travel lane widths for the curves from SW 108th Avenue to SW Blake Street are:

Location	Southbound	Northbound
SW 108 th Avenue	12'	11.5'
Curve of 108 th & Blake	12'	18'
SW Blake Street	10'	10'

The travel lane widths for the curves from SW 105th Avenue to SW Blake Street are:

Location	Southbound	Northbound
SW Blake Street	10'	10'
Curve of 105 th & Blake	11'	11'
SW 105 th Avenue	9.5'	10'



City of Tualatin

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iii) With the radius, lane width, and speed identified, the largest design vehicle type that will fit within those constraints can be determined. This is based on Transportation Research Board's National Cooperative Highway Research Program's Report 505: Review of Truck Characteristics as Factors in Highway Design (Page 41, Table 23), Maximum low-speed offtracking and swept path width for selected design vehicles in 90-degree turns [Appendix B.] Approximate values were determined with linear interpolation. Offtracking is excluded in this evaluation, as there are soft shoulders for extreme circumstances.

The largest design vehicle type that will fit the curves at issue is based on existing swept width are SU25 (trucks with a 25-foot wheelbase).

Curve Location	Direction	Radius	Swept Width	Existing Striped Width	Combined Swept Width	Paved Street Width
108 th & Blake	Southbound	65'	13.1'	12'	27.2'	30'
	Northbound	50'	14.1'	18'		
105 th & Blake	Southbound	130'	10.6'	11'	21.1'	24'
	Northbound	135'	10.5'	11'		

The next largest swept width belongs to the WB-67D design type, a "double-bottom" semitrailer/trailer. The WB-67D is **unable** to fit the existing street.

Curve Location	Direction	Radius	Swept Width	Existing Striped Width	Combined Swept Width	Paved Street Width
108 th & Blake	Southbound	65'	17.9'	12'	37.6'	30'
	Northbound	50'	19.7'	18'		
105 th & Blake	Southbound	130'	13.4'	11'	26.6'	24'
	Northbound	135'	13.2'	11'		

iv) To verify the correct table is used in (iii) above, the speed zone must be verified. ODOT evaluates streets and determines the appropriate speed zone.

In 1990 the ODOT determined speed zone for SW 105th Avenue from SW Avery Street to SW Paulina Street is 35 mph. In 1996, SW 108th from SW Blake Street to SW Helenius was revised to 30 mph. [Appendix C] The posted suggested speed through the curves is 15 mph. These speeds are consistent with Table 23 for speeds equal or lower than 35 mph.



City of Tualatin

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v) Other deficiencies of the street may cause jeopardy to public safety.

The existing cross section lacks curbs, gutters, planter strips, and sidewalks on both sides, which are required in the normal local street cross-section as shown in Tualatin Development Code, Chapter 75, page 21 [*Appendix D.*] There is only a varying width of flat ground adjacent to the paved surface of this section of street for pedestrians. Because there are no bike lanes, bicyclists must share the travel lane with vehicles.

When approaching either curve from either direction, sight distance is limited due to a retaining wall, trees, and topography. Due to the limited sight distance, pedestrians, bicycles and smaller vehicles may be difficult to see in time for large trucks to maneuver the curve and avoid an accident. With the increased number of single-family homes that have been constructed in the area, there has been a resultant increase in the number of cars, pedestrians, and bicycles that travel along that stretch of roadway and an increase in the opportunities for accidents.

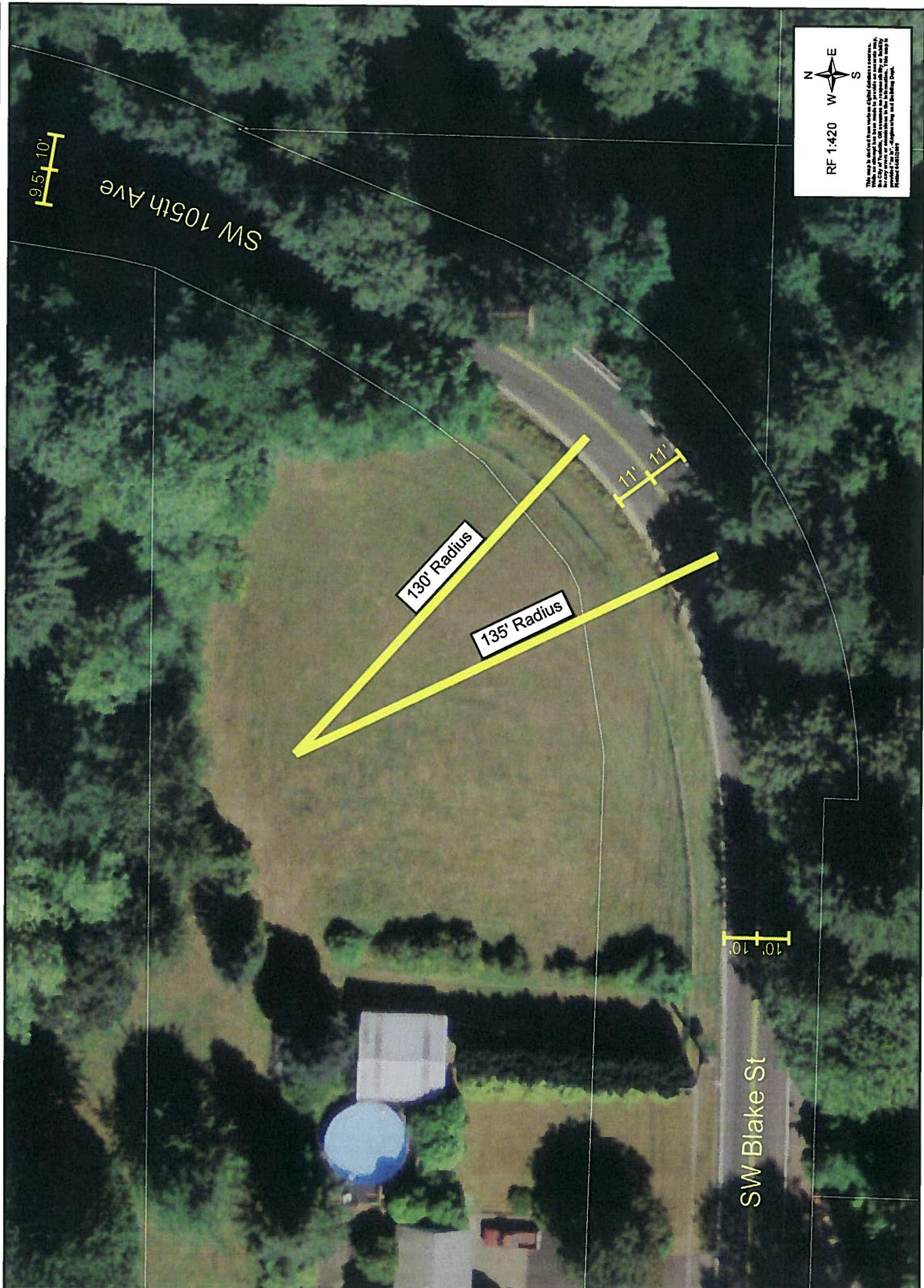
Therefore, based on the information provided above, it is my recommendation to the Council that it prohibit trucks larger than three-axle, single unit, from traveling on that section of roadway except as otherwise exempt by the Tualatin Municipal Code.

Respectfully submitted this 13th day of April, 2009,

Michael A. McKillip

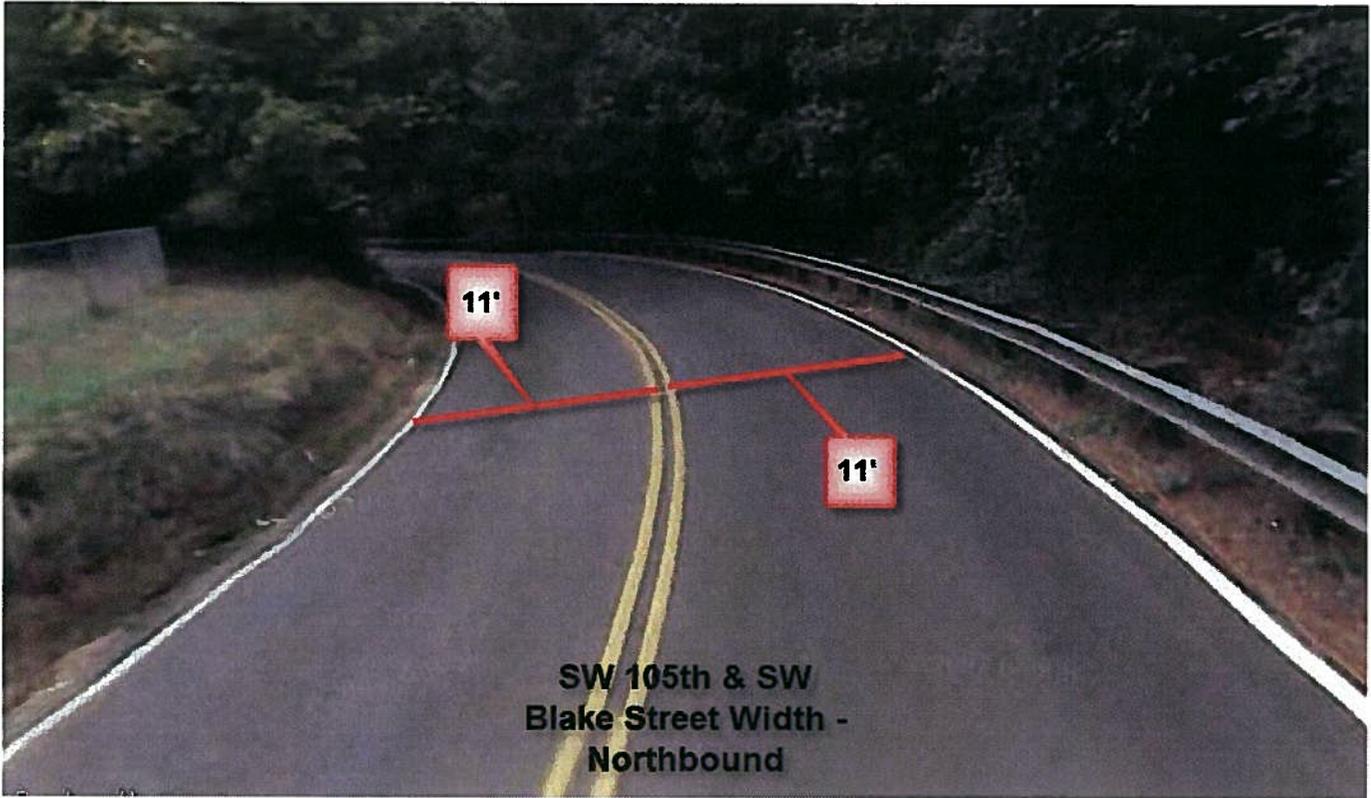
Mike McKillip
City Engineer

SW 105th & SW Blake Street Radius and Width



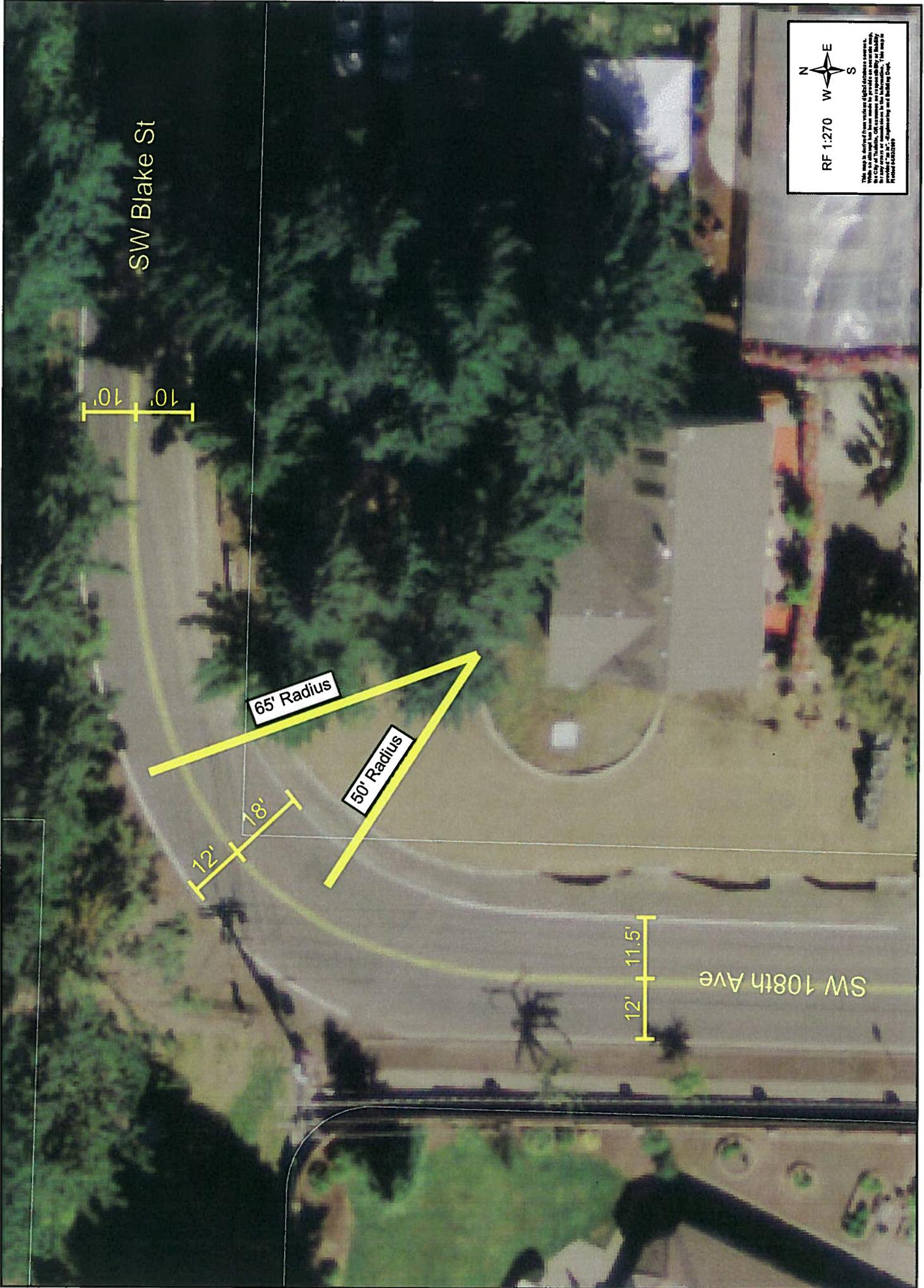
RF 1:420

This map is derived from various digital data sources. While our software has been tested to provide an accurate map, we do not warrant the accuracy of the data. The user is responsible for any errors or omissions. The user is responsible for any errors or omissions. The user is responsible for any errors or omissions.



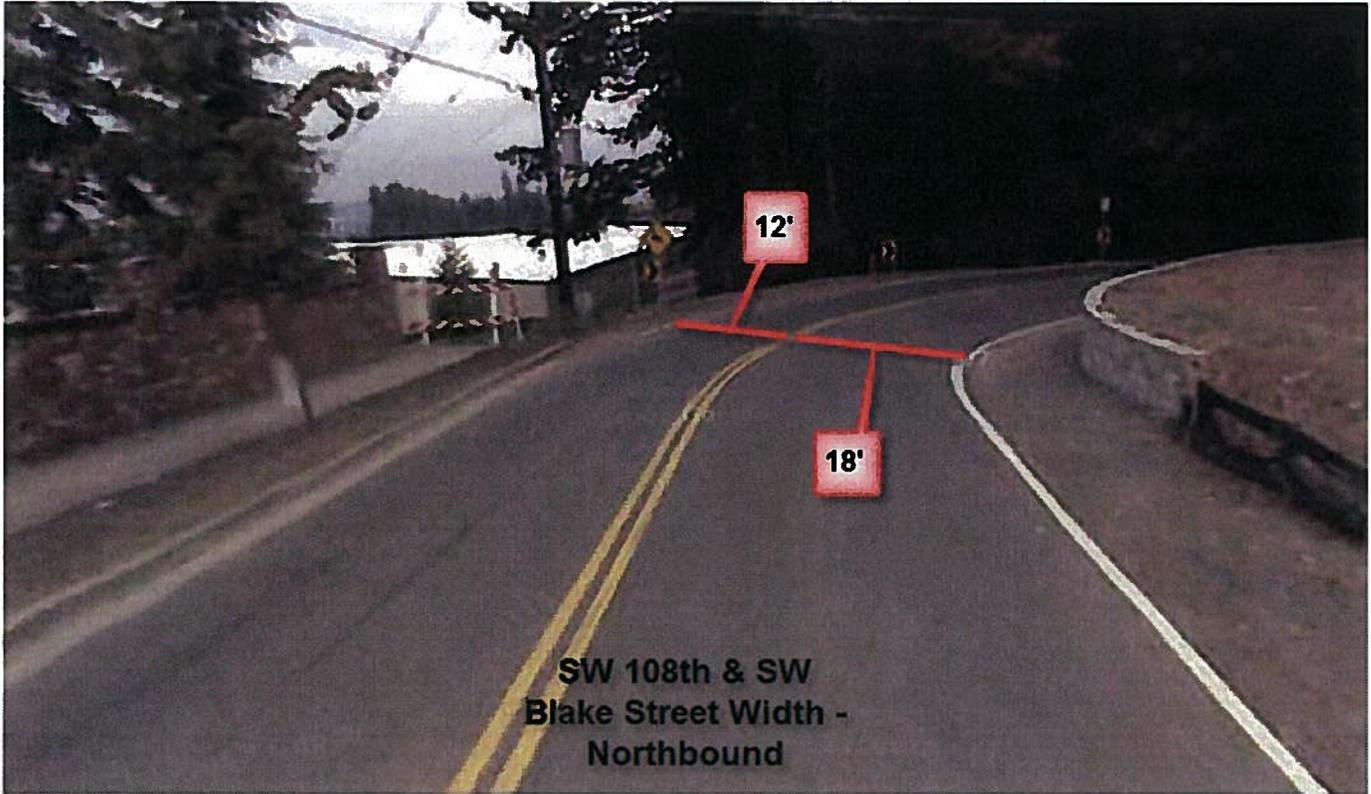
SW 105th & SW
Blake Street Width -
Northbound

SW 108th & SW Blake Street Radius and Width



RF 1:270

This map is derived from various digital data sources. While all data has been made to provide an accurate map, it is not a substitute for a field survey. It is not intended for use in engineering or building design. Project #402207



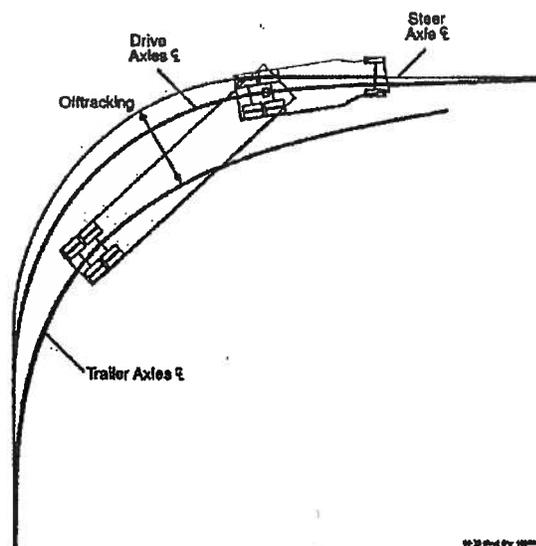
**SW 108th & SW
Blake Street Width -
Northbound**

NCHRP

REPORT 505

NATIONAL
COOPERATIVE
HIGHWAY
RESEARCH
PROGRAM

Review of Truck Characteristics as Factors in Roadway Design



TRANSPORTATION RESEARCH BOARD
OF THE NATIONAL ACADEMIES

the following axle or hinge point relative to the center of its leader. These computed offtracking amounts are additive, except that the sign of the contribution from the center of the drive axles to the kingpin is reversed if the kingpin is moved forward (the usual case), as is the contribution from the drive axles to the pintle hook of the first trailer in a doubles combination (which swings outward rather than tracking inward).

Partially-Developed Offtracking

Partially-developed offtracking is of concern where trucks traverse shorter curves or, more importantly, curves of smaller radius. Partially-developed offtracking is of particular interest as it affects the design of intersections or other locations where vehicles are required to turn rather sharply.

In contrast to fully-developed offtracking, partially-developed offtracking cannot be determined from solving a simple equation, even for the case where the tractor travels on a simple circular path. Early attempts to estimate this type of offtracking were made using a mechanical device called a Tractrix integrator, basically a simple scale model of the truck in question. In the early 1980s, computer programs to compute offtracking and swept path width for any specified truck configuration began to be developed (23,24,25). A commercially available software package, known as AutoTURN, is now commonly used by highway agencies to determine partially-developed offtracking. All such computer programs operate by moving the front axle of a specified vehicle forward in small steps or increments along a specified

path and then computing the resulting location of the rear axle(s).

Table 23 presents the maximum low-speed offtracking and swept path width in 90-deg turns of varying radii for selected design vehicles, including design vehicles from the 2001 *Green Book* and the proposed new or revised design vehicles presented in Chapter 4. The derivation of these offtracking and swept path width values is described in Appendix C.

The FHWA *Truck Characteristics* study (2,3) found, and the data in Table 23 developed in this research confirm, that the swept path widths for trucks the size of the WB-19 [WB-62] or larger are so great that the truck cannot make a 90-deg right turn from one two-lane road to another while remaining within a 3.6-m [12-ft] lane for turning radii of 23 m [75 ft] or less. Trucks making such turns at locations with curb return radii less than 23 m [75 ft] must either encroach on the roadway shoulder (or curbline) or on an opposing lane. This observation is borne out by the truck turning observations presented in the next section. On a turn between multi-lane roads, trucks with sizes up to the WB-23BD [WB-77BD] can make a 90-deg right turn while encroaching on an adjacent same-direction lane, but without encroaching on an opposing lane. Trucks with sizes greater than or equal to the WB-30D [WB-92D] are not physically capable of making a 90-deg right turn with a radius of 23 m [75 ft] or less.

Observed Low-Speed Offtracking

The above discussion of offtracking makes use of mathematical models. Although drivers may approximate those

TABLE 23 Maximum low-speed offtracking and swept path width for selected design vehicles in 90-degree turns

Design vehicle type	Symbol	Maximum offtracking (ft) for specified turn radius				Maximum swept path width (ft) for specified turn radius			
		50 ft	75 ft	100 ft	150 ft	50 ft	75 ft	100 ft	150 ft
Single-unit truck	SU	3.8	2.7	1.8	1.1	11.8	10.7	9.8	9.1
Single-unit truck (three-axle)	SU25	6.1	4.3	3.2	2.1	14.1	12.3	11.2	10.1
Interstate semitrailer	WB-62	16.8	12.8	10.1	6.9	25.0	21.1	18.4	15.1
Interstate semitrailer (revised) ^a	WB-62	17.0	13.1	10.3	7.0	25.3	21.3	18.6	15.3
Interstate semitrailer	WB-67	19.4	15	12.1	8.3	27.6	23.4	20.3	16.6
Interstate semitrailer ^b	WB-67 (41-ft KCRT)	17.0	13.1	10.3	7.0	25.3	21.3	18.6	15.3
Long interstate semitrailer	WB-71	21.5	17.0	13.8	9.6	29.8	25.3	22.0	17.9
Long interstate semitrailer ^c	WB-71 (41-ft KCRT)	17.0	13.1	10.3	7.0	25.3	21.3	18.6	15.3
"Double-bottom"-semitrailer/trailer	WB-67D	11.5	8.3	6.3	4.2	19.7	16.6	14.6	12.5
Longer "double-bottom"-semitrailer/trailer	WB-77D	14.2	10.6	8.2	5.5	22.4	18.8	16.4	13.7
B-train double-semitrailer/semitrailer	WB-77BD	15.6	11.7	9.1	6.1	23.9	20.0	17.4	14.4
Rocky mountain double-semitrailer/trailer	WB-92D	-	-	12.7	8.7	-	-	21.0	17.0
Tumpike double-semitrailer/trailer	WB-109D	-	-	17.1	12.0	-	-	25.3	19.2
Long tumpike double-semitrailer/trailer	WB-120D	-	-	17.9	12.6	-	-	26.1	20.8

^a Proposed revision to WB-62 design vehicle; KCRT distance increased from 40.5 to 41.0 ft.

^b WB-67 design vehicle with axles pulled forward to obtain 41.0-ft KCRT distance.

^c WB-71 design vehicle with axles pulled forward to obtain 41.0-ft KCRT distance.

Appendix C – ODOT Speed Zone Orders

Order No. .655D.....
County.....
City..Tualatin.....
Date..December..11..1990

SPEED ZONE ORDER BY DELEGATED AUTHORITY

Whereas, the Oregon State Speed Control Board Secretary, as requested by the City of Tualatin, pursuant to the provisions of ORS 810.190, has caused an engineering and traffic investigation to be made for the section(s) of state highway, county highway, city highway, or highway under the jurisdiction of a federal agency described below (highway means public way); and

Whereas, the data, facts, and information obtained in connection with said engineering and traffic investigation are on file in the office of the Traffic Engineering Section of the Oregon Department of Transportation in Salem, Oregon; and

Whereas, based upon said engineering and traffic investigations, the Secretary has found that the speed designated in ORS 811.105 is greater than is reasonable under the conditions found to exist upon the section(s) of highway for which a lesser speed is herein designated or that the speed designated in said statute is less than is reasonable under the conditions found to exist upon the section(s) of highway for which is a greater speed is herein designated; and

Whereas, the provisions of ORS 810.190 respecting notice and hearing have been complied with:

It is Therefore Ordered that the designated speed for the following section(s) of highway be as follows:

Name.....SW 105th Avenue.....
 Number..... Route Number.....

LOCATION OF TERMINI

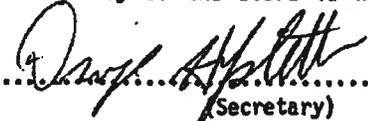
From	To	Designated Speed (Miles Per Hour)
SW Avery Street	SW Pauline Drive	35 mph

Be it further ordered that the City of Tualatin.....install appropriate signs (agency responsible for signing) on the above section(s) of highway, giving notice of the designated speed therefore.

Be it further ordered that signs installed pursuant to this order comply with the provisions of ORS 810.210 and 810.220.

Be it further ordered that any previous order made by the Board or Secretary with respect to the designated speed for the above section(s) of highway which is in conflict with the provisions of this order is hereby rescinded.

Be it further ordered that the Secretary of the Board is hereby delegated the authority to sign this order for and on behalf of the Board.

..........
 (Secretary)

Whereas, the Oregon Department of Transportation, has been requested to perform an investigation pursuant to the provisions of ORS 810.180, has caused an engineering and traffic investigation to be made for the section(s) of state highway, county highway, city highway, or highway under the jurisdiction of a federal agency described below (highway means public way); and

Whereas, the State Traffic Engineer has been authorized to act on behalf of the Oregon Transportation Commission; and

Whereas, the data, facts, and information obtained in connection with said engineering and traffic investigation are on file in the office of the Traffic Management Section of the Oregon Department of Transportation in Salem, Oregon; and

Whereas, based upon said engineering and traffic investigation, the Traffic Engineer has found that the speed designated in ORS 811.105 or ORS 811.111 is greater than is reasonable under the conditions found to exist upon the section(s) of highway for which a lesser speed is herein designated or that the speed designated in said statute is less than is reasonable under the conditions found to exist upon the section(s) of highway for which a greater speed is herein designated; and

Whereas, the provisions of ORS 810.180 respecting notice and hearing have been complied with:

It is **Therefore Ordered** that the designated speed for the following section(s) of highway be as follows:

Name SW 108th Avenue

LOCATION OF TERMINI

From	To	Designated Speed (Miles Per Hour)
SW Helenius Road	SW Blake Street	30
<i>School speed zones may be posted within the limits of this order as determined to be appropriate by the Road Authority, based on an engineering investigation as per the provisions of ORS 811.111, Subsection 1(e) and ORS 810.200.</i>		

Be it further ordered that the roadway authority or authorities responsible for the above section(s) of highway install appropriate signs giving notice of the designated speed(s) therefore as per ORS 810.180, Subsection 5(e).

Be it further ordered that signs installed pursuant to this order comply with the provisions of ORS 810.210 and 810.220.

Be it further ordered that any previous order made by the Department with respect to the designated speed for the above section(s) of highway which is in conflict with the provisions of this order is hereby rescinded.

Be it further ordered that the Traffic Engineer of the Oregon Department of Transportation is hereby delegated the authority to sign this order for and on behalf of the Department.


 Ed Fischer, State Traffic Engineer

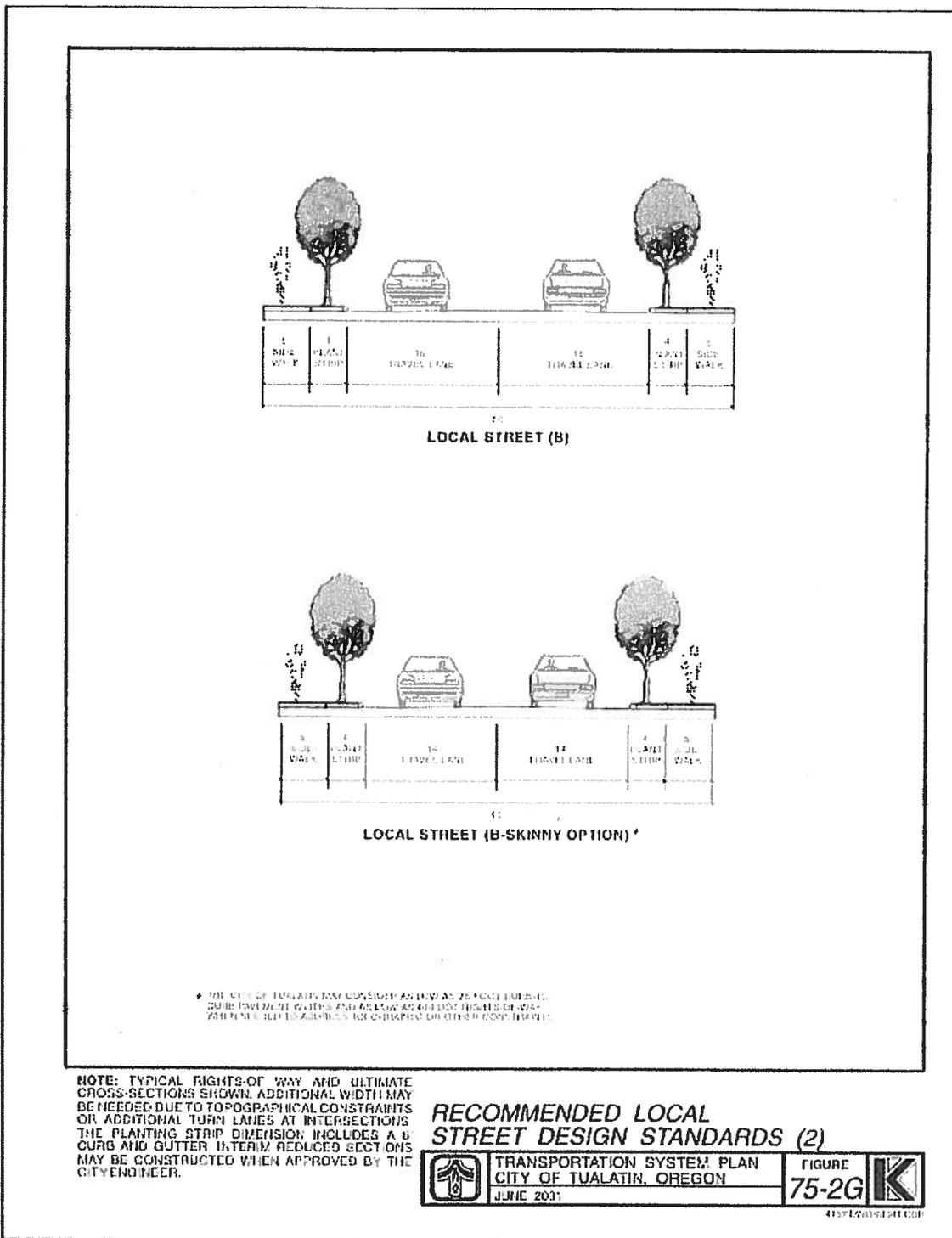


Speed Zone Order

Date June 20, 2006	Order No J7835
Jurisdiction(s)	
Tualatin	

Tualatin Development Code

75.200



(Ord. 1124-02, Amended, 12/09/2002; Ord. 1103-02, Add, 03/25/2002)