



**A. CALL TO ORDER**

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

**C. CITIZEN COMMENTS**

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

**D. CONSENT AGENDA (Item Nos. 1 – 2)**

Page #

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

1. Approval of Minutes for the Meeting of April 14, 2008 ..... 177
2. Resolution No. 559-08 Authorizing Compensation for Right-of-Way and Easements..... 181  
Associated with the SW Herman Road Improvement Project  
(Lumber Family Company, LLC)

**E-F. PUBLIC HEARINGS**

*None.*

**G. GENERAL BUSINESS**

*None.*

**H. ITEMS REMOVED FROM CONSENT AGENDA**

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

**I. COMMUNICATIONS FROM COMMISSIONERS**

**J. EXECUTIVE SESSION**

**K. ADJOURNMENT**



Approved by Tualatin  
Development Commission  
Date April 28, 2008  
Recording Sec J. Kerley

# STAFF REPORT

## TUALATIN DEVELOPMENT COMMISSION

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

**FROM:** Sherilyn Lombos, Administrator 

**DATE:** April 28, 2008

**SUBJECT:** APPROVE MEETING MINUTES OF APRIL 14, 2008

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**ISSUE BEFORE THE COMMISSION:**

The issue before the Commission is to approve the minutes for the Tualatin Development Commission work session and meeting of April 14, 2008.

**RECOMMENDATION:**

Staff respectfully recommends that the Commission adopt the attached minutes.

**FINANCIAL IMPLICATIONS:**

There are no financial impacts associated with this item.

**Attachments:** Minutes

**TUALATIN DEVELOPMENT COMMISSION**

18880 S.W. MARTINAZZI AVENUE  
TUALATIN, OR 97062-7092

503 / 692-2000



Approved by Tualatin  
Development Commission  
Date: April 28, 2008  
Recording Sec: J. B. [Signature]

TUALATIN DEVELOPMENT COMMISSION WORK SESSION MINUTES OF APRIL 14, 2008

**PRESENT:** Chairman Lou Ogden; Commissioners Monique Beikman, Bob Boryska, Jay Harris, Donna Maddux, and Ed Truax; Doug Rux, Acting Administrator; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Paul Hennon, Community Services Director; Kent Barker, Police Chief; Dan Boss, Operations Director; Carina Christensen, Assistant to the City Manager; Don Hudson, Finance Director; Carl Switzer, Parks and Recreation Manager; Will Harper, Associate Planner; Eric Underwood, Development Coordinator; and Maureen Smith, Recording Secretary

**ABSENT:** Administrator Sherilyn Lombos\*, Commissioner Chris Barhyte\*  
[\* denotes excused]

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

- A. CALL TO ORDER**  
Chairman Ogden called the work session to order at 6:55 p.m.
- B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS**  
None.
- C. CITIZEN COMMENTS – N/A**
- D. CONSENT AGENDA**  
There were no comments or questions by the Commission on the Consent Agenda.
- E-F. PUBLIC HEARINGS – N/A**
- G. GENERAL BUSINESS – N/A**
- H. ITEMS REMOVED FROM CONSENT AGENDA – N/A**
- I. COMMUNICATIONS FROM COMMISSIONERS**  
None.
- J. EXECUTIVE SESSION**  
None.
- K. ADJOURNMENT**  
The work session adjourned at 6:55 p.m.

Doug Rux, Acting Administrator

Recording Secretary Maureen Smith [Signature]

**TUALATIN DEVELOPMENT COMMISSION**

18880 S.W. MARTINAZZI AVENUE  
TUALATIN, OR 97062-7092

503 / 692-2000



Approved by Tualatin  
Development Commission  
April 28, 2008  
Recording Sec. J. Kirby

TUALATIN DEVELOPMENT COMMISSION MEETING MINUTES OF APRIL 14, 2008

**PRESENT:** Chairman Lou Ogden; Commissioners Monique Beikman, Bob Boryska, Jay Harris, Donna Maddux, and Ed Truax; Doug Rux, Acting Administrator; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Carina Christensen, Assistant to the City Manager; and Maureen Smith, Recording Secretary

**ABSENT:** Administrator Sherilyn Lombos\*, Commissioner Chris Barhyte\*  
[\* denotes excused]

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

**A. CALL TO ORDER**

Chairman Ogden called the meeting to order at 8:04 p.m.

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

None.

**C. CITIZEN COMMENTS**

None.

**D. CONSENT AGENDA**

MOTION by Commissioner Harris, SECONDED by Commissioner Maddux to adopt the Consent Agenda as read:

1. Approval of Minutes for the Meeting of March 24, 2008
2. Resolution No. 558-08 Authorizing Compensation for Right-of-Way and Easements Associated With the SW Herman Road Improvement Project (Merlo Station and Brockway)

MOTION CARRIED.

**E-F. PUBLIC HEARINGS**

None.

**G. GENERAL BUSINESS**

None.

**H. ITEMS REMOVED FROM CONSENT AGENDA**

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

**I. COMMUNICATIONS FROM COMMISSIONERS**

Commissioner Beikman congratulated the Police Department on their recent awards banquet, and thanked the Department for their good work in protecting the community.

**J. EXECUTIVE SESSION**

None.

**K. ADJOURNMENT**

MOTION by Commissioner Harris, **SECONDED** by Commissioner Boryska to adjourn the meeting at 8:05 p.m. **MOTION CARRIED.**

Doug Rux, Acting Administrator

Recording Secretary

A handwritten signature in blue ink, appearing to read "Maureen Smith", is written over a horizontal line.

Approved by Tualatin  
Development Commission  
Date April 28, 2008  
Recording Sec J. Kirby



# STAFF REPORT

## TUALATIN DEVELOPMENT COMMISSION

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

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

**FROM:** Doug Rux, AICP, Community Development Director *DR*  
Eric Underwood, Development Coordinator *EU*

**DATE:** April 28, 2008

**SUBJECT:** RESOLUTION AUTHORIZING COMPENSATION FOR RIGHT-OF-WAY AND EASEMENTS ASSOCIATED WITH THE SW HERMAN ROAD IMPROVEMENT PROJECT (LUMBER FAMILY COMPANY, LLC)

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### ISSUE BEFORE THE COMMISSION:

Whether the Tualatin Development Commission should adopt a resolution authorizing compensation for Rights-of-Way and Slope/Utility Easements as part of the SW Herman Road Improvement Project.

### RECOMMENDATION:

Staff recommends that the Commission adopt the attached resolution.

### EXECUTIVE SUMMARY:

- This action is not a public hearing.
- The Fiscal Year 07/08 Leveton Tax Increment District Project Fund contains a capital project to design roadway improvements, and acquire rights-of-way and easements for the SW Herman Road Improvement Project.
- The project area consists of SW Herman Road from SW Teton Avenue to SW 124<sup>th</sup> Avenue.
- The primary purpose of constructing the roadway is to better facilitate freight mobility and industrial traffic flow within the District and to improve storm water drainage as well as overall roadway conditions.
- As part of the project, rights-of-way acquisition and utility, slope, and permanent easements have been identified.
- Once the Commission authorizes the compensation for the right-of-way and easements, the Deed of Dedications and Slope/Public Utility Easements will be forwarded to the City Council for acceptance.

- The Commission at its August 13, 2007 meeting directed the acquisition of rights-of-ways and easements.
- The rights-of-way and easements are necessary for construction of the street improvement project and address the following property:
  - Lumber Family Company, LLC
- There are additional Rights-of-Way, Slope/Public Utility Easements and Temporary Construction Easements that will be forwarded to the Commission for authorization of compensation and to the City Council for acceptance upon completion of negotiations with property owners within the project construction limits.
- Before proceeding with the next stage of this project, the Commission needs to authorize the resolution to authorize compensation for rights-of-way and easements.
- There are no criteria to apply to this request.

**OUTCOMES OF DECISION:**

Approval of the request to authorize compensation for rights-of-way and easements will result in the following:

1. Allow the Commission to obtain the rights-of-way and easements needed to construct roadway improvements.
2. Allow the SW Herman Road Improvement Project to maintain its current timeline.

Denial of the request to authorize compensation for rights-of-way and easements will result in the following:

1. The project will be delayed.
2. The Commission will need to decide whether or not to renegotiate right-of-way and easement acquisition costs.

**ALTERNATIVES TO RECOMMENDATION:**

Alternatives evaluated to authorizing compensation for rights-of-way and easements are as follows:

1. Renegotiate right-of-way and easement acquisition costs with current property owners.
2. Put project on hold.

**FINANCIAL IMPLICATIONS:**

The agreed upon compensation is \$30,465 for Right-of-Way and \$2,185 for Slope/Utility Easements and is within the amount budgeted for the project (\$1,000,000) for FY 07/08.

**PUBLIC INVOLVEMENT:**

Public involvement is not required as part of this action.

**Attachments:**      A. Right-of-Way and Slope/Utility Easements Map  
                              B. Resolution with Exhibit

Deeds of Dedication and Easements / SW Herman Rd



This map is derived from various digital database sources. While every effort has been made to ensure accuracy, the City of Tualatin, OR assumes no responsibility or liability for any errors or omissions in this information. This map is provided as a service of the City of Tualatin - Engineering and Building Dept. Project #4/2020

RESOLUTION NO. 559-08

RESOLUTION AUTHORIZING COMPENSATION FOR  
RIGHT-OF-WAY AND EASEMENTS ASSOCIATED WITH  
THE SW HERMAN ROAD IMPROVEMENT PROJECT  
(LUMBER FAMILY COMPANY LLC)

BE IT RESOLVED BY THE TUALATIN DEVELOPMENT COMMISSION, THE  
URBAN RENEWAL AGENCY OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The following compensation be paid for Right-of-Way and Easements  
associated with the SW Herman Road Improvement Project:

- a. Deed of Dedication from:
  - i. Lumber Family Company LLC - \$30,465
- b. Slope/Public Utility Easements from
  - i. Lumber Family Company LLC - \$2,185

INTRODUCED AND ADOPTED this 28<sup>th</sup> day of April, 2008.

TUALATIN DEVELOPMENT COMMISSION,  
the urban renewal agency of the City of  
Tualatin, Oregon

By \_\_\_\_\_  
Chairman

ATTEST:

By \_\_\_\_\_  
Administrator

APPROVED AS TO LEGAL FORM

  
\_\_\_\_\_  
CITY ATTORNEY

Resolution No. 559-08

COPIES OF THE DEED OF DEDICATIONS AND  
SLOPE & PUBLIC UTILITY EASEMENTS ARE  
CONTAINED IN CITY COUNCIL PACKET ITEM  
D.4.