



MEMORANDUM CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council
FROM: Sherilyn Lombos, City Manager 
DATE: June 20, 2008
SUBJECT: Work Session for June 23, 2008

Work Session will begin at 5:00 p.m.
There WILL BE an Executive Session

ORS 192.660(2)(e) real property transaction – Tualatin Development Commission

There are three items to be discussed at this work session:

- 1) **5:00 p.m. (45 min) – Rental Housing Standards.** The Rental Housing Standards ordinance is on the General Business section of the agenda. Staff would like to walk through the ordinance to discuss what's included, what's not included, how the program would work, and to answer any questions Council may have prior to the Council meeting. All of the folks who attended the meetings regarding the Seminole Trail house have been provided a copy of the ordinance along with answers to the questions that were raised at the town hall meeting.

Action requested: No action requested.

- 2) **5:45 p.m. (30 min) – Municipal Court.** Other than some limited code enforcement cases and graffiti cases, all of the city's municipal court services are handled through the County in Hillsboro. There are several good reasons to provide those services in-house so we hired a consultant to do a feasibility analysis. That analysis is completed and staff will have a discussion with the Council about how it would work in-house, the pros and cons, the research that has been done and then a timeline and budget for moving forward with bringing it in house.

Action requested: Direction regarding bringing municipal court services in-house.

- 3) **6:15 p.m. (20 min) – Recreation Bond Measure Update.** The feasibility study and resolution calling an election to submit the bond measure to the voters on November 4th is on the General Business section of the agenda. This work session item is intended as an opportunity for Council to ask any further questions or have specific discussion prior to the Council meeting.

Action requested: No action requested.

- 4) **6:35 p.m. (10 min) – Council agenda review & Council communications.**

Action requested: Council review the agenda for the June 23rd City Council and Development Commission meetings.

There is one item for discussion in Tualatin Development Commission executive session:

- 1) **6:45 p.m. (10 min) – ORS 912.660(2)(e) – Land Acquisition – Herman Road Right-of-Way Acquisition.**

Other items of interest:

Food for Monday night: We will be enjoying a taco salad bar from Taco Del Mar.

Upcoming Council Meetings & Work Sessions: Attached is a three-month look ahead for upcoming Council meetings and work sessions. If you have any questions, please let me know.

Dates to Note: Attached is the updated community calendar for the next three months. Some dates you may want to note:

- *June 24, 25 & 26, 6pm:* I-5 to 99W Connector Open Houses (see calendar for locations).
- *July 4, Friday, 6:30pm:* Concerts on the Commons begins
- *July 5, Saturday, 9pm:* Movies on the Commons begins
- *July 12, Saturday, 9am – Noon:* Police Meet & Greet at Ibach Park
- *July 25 – 27, Friday – Sunday:* ArtSplash on the Commons
- *August 5, Tuesday, 6pm:* National Night Out (please contact Kent Barker if you are interested in participating)
- *August 8 – 10, Friday – Sunday:* Crawfish Festival
- *September 18, Thursday, 5pm:* Volunteer Recognition BBQ in Community Park

As always, if you need anything from your staff, please feel free to let me know.

Attachments:

- A. Upcoming meeting and work session items (July – September)
- B. Tualatin Calendar of Events (June – September)

WORK SESSION ITEMS

PowerPoint?

1. Solid waste update (rate history, audit, roll cart) *(may move to July 28th)*
2. Briefing Flood Plain Regulations *(Engineering/Planning)*
3. Urban/rural reserves update
4. Emergency Preparedness Discussion *(Operations)*
- 5.

PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS

PowerPoint?

1. Youth Advisory Council Update
2. Library announcement – Opening and Grand Opening Date
- 3.

CONSENT CALENDAR ITEMS

1. Resolution – solid waste rate increase *(tentative) (may move to July 28th)*
2. Resolution – IGA w/TriMet on Shelter Maintenance *(Comm. Dev) (tentative)*
- 3.
- 4.

PUBLIC HEARINGS – Legislative, Other, Quasi-Judicial

PowerPoint?

1. PTA-08-02 Floodplain Regulations **(Legislative)** *(Engineering/Planning)*
2. CUP-08-02 Mutual Materials **(Quasi)** *(Comm Dev)*
- 3.

GENERAL BUSINESS ITEMS (not consent)

PowerPoint?

1. Tualatin Tomorrow VIC Annual Report *(Comm. Dev)*
2. Ordinance – Police Inventory Search Policy *(Legal)*
- 3.
- 4.

EXECUTIVE SESSION ITEMS

1. City Manager's Annual Performance Evaluation

WORK SESSION ITEMS

PowerPoint?

1. Train noise mitigation (including funding sources) _____
2. Transportation Policy / Funding Discussion (*Eng*) _____
3. _____
4. _____
5. _____

PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS

PowerPoint?

1. _____
2. _____
3. _____

CONSENT CALENDAR ITEMS

1. _____
2. _____
3. _____
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PUBLIC HEARINGS – Legislative, Other, Quasi-Judicial

PowerPoint?

1. Ordinance Amending the Historic Landmark Demolition Criteria; Amending TDC Section 68.060(1) and (2) (PTA-08-03) (*continued from June 9, 2008*) _____
2. _____
3. _____

GENERAL BUSINESS ITEMS (not consent)

PowerPoint?

1. Ordinance, PTA-08-02 Floodplain Regulations (*Engineering/Planning*) _____
2. Ordinance, CUP-08-02 Mutual Materials (*Comm Dev*) _____
3. Ordinance – Truck Route Regulations (*Legal*) _____
4. _____

EXECUTIVE SESSION ITEMS

1. _____

WORK SESSION ITEMS

PowerPoint?

1. Urban/rural reserves update
- 2.
- 3.
- 4.
- 5.

PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS

PowerPoint?

1. Tualatin Youth Advisory Council Update
2. Tualatin Tomorrow – PRN Update
- 3.

CONSENT CALENDAR ITEMS

- 1.
- 2.
- 3.
- 4.

PUBLIC HEARINGS – Legislative, Other, Quasi-Judicial

PowerPoint?

- 1.
- 2.
- 3.

GENERAL BUSINESS ITEMS (not consent)

PowerPoint?

- 1.
- 2.
- 3.
- 4.

EXECUTIVE SESSION ITEMS

- 1.

WORK SESSION ITEMS

PowerPoint?

1. Legislative Program

2. Central Urban Renewal – Maximum Indebtedness (*Comm. Dev.*)

3.

4.

5.

PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS

PowerPoint?

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CONSENT CALENDAR ITEMS

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PUBLIC HEARINGS – Legislative, Other, Quasi-Judicial

PowerPoint?

1. M37-06-01 ZIAN Limited Partnership cont. from 2/25/08 (**Other**) (*Comm. Dev.*)

2.

3.

GENERAL BUSINESS ITEMS (not consent)

PowerPoint?

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EXECUTIVE SESSION ITEMS

1.

WORK SESSION ITEMS

PowerPoint?

1. Urban/rural reserves update

2.

3.

4.

5.

PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS

PowerPoint?

1. Tualatin Youth Advisory Committee Update

2.

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CONSENT CALENDAR ITEMS

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PUBLIC HEARINGS – Legislative, Other, Quasi-Judicial

PowerPoint?

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GENERAL BUSINESS ITEMS (not consent)

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EXECUTIVE SESSION ITEMS

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WORK SESSION ITEMS

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PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS

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CONSENT CALENDAR ITEMS

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PUBLIC HEARINGS – Legislative, Other, Quasi-Judicial

PowerPoint?

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GENERAL BUSINESS ITEMS (not consent)

PowerPoint?

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EXECUTIVE SESSION ITEMS

1.

June

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
1 Summer Reading Begins!	2 6:30p – Budget Committee Meeting	3	4 9:00 Seismic Slam 08 – Emergency Exer @ OPS 1:15p Tualatin Historical Soc 5:30p Chamber Alive After Five, Urban Bead 19297 SW Martinazzi AV 6:30pm – Budget Committee (if necessary)	5 Eng/Bldg & Comm Dev Move back to City Ctr OFFICES CLOSED	6 7:30a Chamber Networking AM, Tualatin School House Food Pantry, 19945 SW Boones Ferry Road Eng/Bldg & Comm Dev Move back to City Ctr OFFICES CLOSED	7
8	9 5:00p Work Session 7:00p Council/TDC Mtg	10	11 6:30p Tualatin Tomorrow VIC Steering Committee Meeting, Council Chambers 7:30p Vision Implementation Committee	12 7:00p TPAC	13 7:30a Chamber Networking AM, Whole Foods 12pm Library closed for move 1 – 3 pm Teen Extravaganza in Community Park	14 12pm-5:30pm Library open 9a-12p Police Meet & Greet (Community Park)
15 12pm-5:30pm Library open	16 12:30pm-8:30pm Library open	17 12:30pm-8:30pm Library open 7pm Summer Reading Event on the Commons "Recess Monkey Music for Kids"	18 12:30pm-8:30pm Library open 5:30p Chamber Alive After Five, Fiorano Ristorante, 18764 SW Boones Ferry Road 7:00p ARB (if necessary)	19 12pm Friends of Library Mtg. @ Heritage Center 12:30pm-8:30pm Library open	20 7:30a Chamber Networking AM, Little Gym, Lake Oswego, 17890 SW Boones Ferry Road Library Closes until reopening on 7-14-08	21 3pm New Meridian Marker Dedication, at 65th Ave
22	23 5:00p Work Session 7:00p Council/TDC Mtg	24 6:00-8:30 pm I-5 to 99W Connector Open House, Archer Glen Elem. School, Sherwood 7:30pm Summer Reading Event on the Commons "Border Collies"	25 6:00-8:30 pm I-5 to 99W Connector Open House, Commons at Tualatin High School 7:00p ARB AR-08-09	26 11:30a Chamber Luncheon @ Country Club 6:00-8:30 pm I-5 to 99W Connector Open House, Wilsonville High School 5:00-8:00 pm Urban Rural Reserves Open House- Forest Grove	27 7:30a Chamber Networking AM, Take Shape for Life & Hero's Journey Consulting, Senior Center, 8513 SW Tualatin Road	28
29	30					

2008

August

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1 6:30p Concerts on the Commons	2 9a-12p Police Meet & Greet (Jurgens Park) 9pm Movies on the Commons
3	4	5 7pm Summer Reading Event on the Commons "Juggling w/ Tom Question" 6:00p National Night Out Police Dept. in Neighborhoods	6 1:15p Tualatin Historical Soc 6:30p Tualatin Tomorrow VIC Steering Committee Meeting, Council Chambers	7	8 6-9p Tualafest (teen battle of the bands), Community Park 6-10p Crawfish Cook-off at Tualatin Commons 6:30p Concerts on the Commons put on by Crawfish Festival	9 8:00a - Crawfish Crawl 10k 10:00a - Crawfish Parade 10-9 - Crawfish Festival at Community Park 9pm Movies on the Commons
10 All Day - Crawfish Car Show at Haggens	11 5:00p Work Session 7:00p Council/TDC Mtg	12 7p Summer Reading Finale Event on the Commons "Creature Feature"	13 7:00p ARB (if necessary)	14 7:00p TPAC	15 6:30p Concerts on the Commons	16 9pm Movies on the Commons
17	18	19	20 12:00p Core Area Parking District Board, Council Chambers 7:00p ARB (if necessary)	21	22 6:30p Concerts on the Commons	23 9pm Movies on the Commons
24	25 5:00p Work Session 7:00p Council/TDC Mtg	26	27 7:00p ARB (if necessary)	28 11:30a Chamber Luncheon @ Country Club	29 6:30p Concerts on the Commons	30
31						

2008

September

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	1 Labor Day Holiday CITY OFFICES CLOSED	2	3 1:15p Tualatin Historical Soc	4	5	6
7	8 5:00p Work Session 7:00p Council/TDC Mitg	9	7:00p ARB (if necessary) 10 6:30p Tualatin Tomorrow Vision Implementation Committee, Library Community Room	11 7:00p TPAC	12	13
14	15	16	17	18 5:00p Volunteer BBQ Community Park	19	20
21	22	23	7:00p ARB (if necessary) 24	25 11:30a Chamber Luncheon @ Country Club	26	27
28	29 5:00p Work Session 7:00p Council/TDC Mitg	30	7:00p ARB (if necessary)			

2008



CONFIDENTIAL MEMORANDUM

TUALATIN DEVELOPMENT COMMISSION

TO: Honorable Chairman and Members of the Commission

THROUGH: Sherilyn Lombos, Administrator 

FROM: Doug Rux, Community Development Director 
Eric Underwood, Development Coordinator 
Brenda Braden, City Attorney 

DATE: June 23, 2008

SUBJECT: SW HERMAN ROAD/SW TETON AVENUE TO SW 124TH AVENUE
– ACQUISITION OF RIGHT-OF-WAY & EASEMENTS
(WALGRAEVE PROPERTY)

BACKGROUND

Staff is requesting direction from the Tualatin Development Commission on the purchase of necessary right-of-way and easements for the SW Herman Road/ SW Teton Avenue to SW 124th Avenue Project (See Attachment 1, Area Map). This project will construct a three-lane arterial roadway from SW Teton Avenue to SW 124th Avenue with accompanying bike lanes, planter strips, sidewalks and drainage improvements. Traffic signals and railroad crossing improvements will be constructed at SW Teton Avenue and SW 118th Avenue.

DISCUSSION

On January 11, 2008 the Walgraeves were provided an appraisal for Right-of-Way and Easements prepared by Hanna, McEldowney & Associates, the Commission's Right-of-way agent for the project. The Walgraeves attorney provided a response to this offer on April 1, 2008 requesting that the appraisal account for damages that will occur to the remainder of the property as a result of the project. Damages, as stated in the letter, include additional road noise as a result of the road being closer to the residence and lack of screening from the road. A request was made to re-evaluate the initial offer. On June 3, 2008 staff met with Rick and Gary Walgraeve who provided the counter offer listed below.

MEMORANDUM: Walgraeve Right-of-Way Acquisition

June 23, 2008

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Property	Appraisal ROW	Owner Request	Total Increase	\$/SF
1. Walgraeve Property	\$230,941 (\$7.90/s.f.)	\$295,253.30 (\$10.10/s.f.)	\$64,312.30 - 28%	\$10.10 (\$295,253.30)
Property	Appraisal Easements	Owner Request	Total Increase	\$/SF
1. Walgraeve Property	\$9,769 (\$1.19/s.f. = 15% of \$7.90/s.f.)	Not specified (Higher than \$1.19/s.f.)	Not determined (Proposed: 20% of \$7.90/s.f. = \$1.58/s.f. = \$3,201.22 increase or 33%)	Not determined (Proposed: \$12,970.22)

The counter offer for land value is identical to what was acquired from a recent sale of a portion of the same property. The owner request value for right-of-way is specified at \$10.10/s.f whereas the owner request for Easements is not. Rick and Gary Walgraeve expressed that the offer of \$1.19/s.f. for easements was simply too low.

During the June 3rd meeting with staff, the property owners questioned why the land transactions of Cereghino Family to BE Investment Company and Walgraeve to Merlo Station LLC were not included as comparables when determining the value of their land. Hanna, McEldowney & Associates, Commission's right-of-way agent, claims that these transactions were included in determining the land value. The right-of-way agent also commented that \$10.10 does not reflect market value. In summary:

1. The Cereghino property was sold for \$7.28/sf then immediately sold by the buyer at a premium at \$11.30/s.f. as the result of a pre-arranged agreement with the end buyer.
2. Merlo Station, LLC property was purchased when the seller did not initially want to sell, which pushed the property into a higher price bracket and ultimately did not reflect the current market value.
3. A total of eleven (11) industrial land sales from 2006 through 2007 were researched for this project and ranged from \$5.20/s.f. to \$9.38/s.f.
4. All property owners along Herman Road impacted by this project signed for the appraised amount except for the Walgraeves.

New Trees

The property owners are also requesting the value of the trees that will be lost due to construction and the cost for re-landscaping the property. The existing trees on the property are now used as screening and sound barrier material for a residential structure. Hanna, McEldowney & Associates has provided a response to the Walgraeves' request for tree valuation and an estimate for re-landscaping of the approximate 140 ft. of Herman Road frontage on the property. In summary:

There are several different types of screening. In general, screening provides a visual barrier but does little to mitigate traffic noise. The following three types of screening could be used individually or combined in some way:

1) Continuous hedge: This is usually accomplished with arborvitae. In order to have an immediate impact, it would be necessary to plant 5' to 6' plants. Planting at two-foot intervals would require 70 plants. Creekside Nursery & Sunset Landscaping* has estimated the cost for 70 4' high arborvitae installed at about \$1,400. The estimated cost for 5' to 6' arborvitae installed would be \$2,100. Seven Dees Nursery estimated the cost for 70 arborvitae to be \$4,500 and includes landscaping.

2) Trees: 12 trees would be needed to plant a row of trees 12' apart. Creekside Nursery & Sunset Landscaping has balled and burlaped trees of different calipers from 2" and up. A 3" caliper tree would be 10' to 15' tall and would cost about \$200 each on the average (price varies depending on species). The cost of planting would add about \$75/tree. The cost for 12 trees 3" caliper trees (planted) would be about \$3,300.

3) Fence: 140 l.f. of cedar fence at \$25/l.f. would be \$3,500.

Tree Value

Currently there are a total of 15 trees located on the Walgraeve property that will be impacted by the project. These trees consist of 8 coniferous and 7 deciduous trees with diameters ranging from 12" to 28". Based on type and sizing of the trees, typical values for deciduous trees would be around \$200 per tree and for coniferous trees around \$400 per tree. There are more large diameter coniferous trees than medium to smaller diameter deciduous trees affected by this project and based such variables, Hanna, McEldowney & Associates felt that a value of \$350 per tree would be appropriate. With the \$350 figure in mind, 15 trees at this value would mean an offer of \$5,250 to the property owner. Please see the table below:

Impacted Trees	Diameter Range	Value Range	Estimated Value	Potential Offer
15 (8 Coniferous; 7 Deciduous)	12" to 28"	\$200 to \$400 per tree	\$350 per tree	\$5,250 (\$350 x 15)

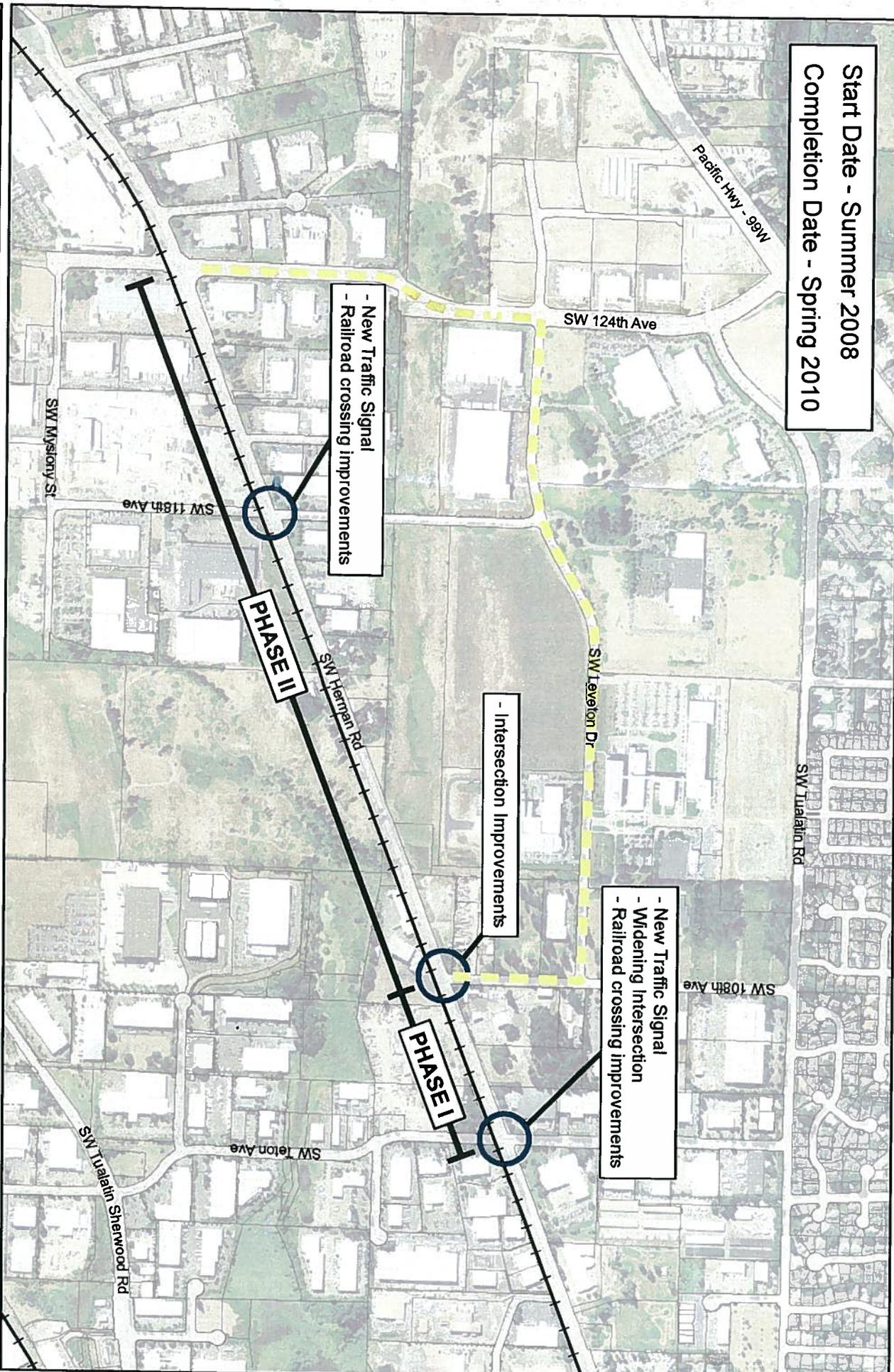
It is common practice for the Commission to compensate for the dollar value of the trees and landscaping materials and require the property owners to do the actual planting of the landscaping material within one year. Such is the recommended method in this case.

RECOMMENDATION

- Increase the right-of-way value to \$10.10/s.f. translating to a value of \$295,253.30.
- Increase the easement value to \$1.58/s.f. translating to a value of \$12,970.22.
- Compensate for landscape option #2 consisting of twelve (12) 3" caliper trees at a cost of \$3,300 to be planted within one year of compensation.
- Compensate for the dollar value of the 15 existing trees at \$350 per tree for a total of \$5,250.
- Total compensation for the value of the property would be \$316,773.52.

Attachments: A. Area Map

Start Date - Summer 2008
 Completion Date - Spring 2010



- New Traffic Signal
 - Railroad crossing improvements

- Intersection Improvements

- New Traffic Signal
 - Widening Intersection
 - Railroad crossing improvements

Phase I - Herman Road will remain open.
 Phase II - Herman Road closed to all traffic except for local access.

Construction Detour Route

RF 1:10,000

This map is derived from various digital database sources. The City of Travis has made every effort to provide accurate information, but it is not a guarantee. The City of Travis does not assume any liability for any errors or omissions in the information. This map is provided "as is", Engineering and Building Dept.