



A. CALL TO ORDER

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

C. CITIZEN COMMENTS

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

D. CONSENT AGENDA (Item Nos. 1 – 3)

Page #

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

1. Resolution No. 566-08 Dedicating an Access Easement Associated With the132
Green Lot Expansion Project (Robert Tomeoni)
2. Resolution No. 567-08 Authorizing Compensation for Right-of-Way and Easements.....142
Associated With the SW Herman Road Improvement
Project (Rick and Gary Walgraeve)
3. Citizen Involvement Committee Appointments.....148

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 7-14-08
Recording Sec *MSM*



STAFF REPORT

TUALATIN DEVELOPMENT COMMISSION

TO: Honorable Chairman and Members of the Commission

THROUGH: Sherilyn Lombos, Administrator *SL*

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

DATE: July 14, 2008

SUBJECT: RESOLUTION DEDICATING AN ACCESS EASEMENT
ASSOCIATED WITH THE GREEN LOT EXPANSION PROJECT
(ROBERT TOMEONI)

ISSUE BEFORE THE COMMISSION:

Whether the Tualatin Development Commission should adopt a resolution authorizing dedicating an Access Easement and accepting the document as part of the Green Lot Expansion 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 Central Urban Renewal District Project Fund contained a capital project to design parking facility improvements and an access easement for the Green Lot Expansion Project.
- The project area consists of the Green Lot, a public parking facility located on SW Boones Ferry Road.
- This public improvement project is funded by the Tualatin Development Commission ("Commission").
- The primary purpose of constructing the parking lot is to better facilitate public parking within the District and to improve storm water drainage as well as overall parking conditions.
- As part of the project, an access easement has been identified.
- The purpose of the easement is to create a secured access way through the west side of the lot to provide access to the rear parking facility owned by the

adjacent property owner, Robert Tomeoni, located west of the Green Lot (Attachment 1).

- The private parking facility contains three parking spaces and is utilized for Mortgage Freedom Company employees.
- The document to be dedicated is from the following:
 - Tualatin Development Commission properties. (Access Easement).
 - Tax Map No. 2S124BC 1000
 - Tax Map No. 2S124BC 1001
- During the Boones Ferry Road Phase II project, the Commission acquired parking and relocated it to the rear of the Robert Tomeoni site. A temporary access easement was granted with a requirement for a permanent easement once the Green Lot was constructed. That requirement will be met with this Access Easement.
- There are no criteria to apply to this request.

OUTCOMES OF DECISION:

Approval of the request to dedicate an access easement will result in the following:

1. Allow the Commission to complete Green Lot Project improvements.
2. Enable the adjacent property owner to secure access to the privately owned rear parking facility located next to the Green Lot.

Denial of the request to dedicate an access easement will result in the following:

1. All improvements intended for the Green Lot will not be completed.
2. The adjacent property owner will not obtain secured access to the privately owned parking facility.

ALTERNATIVES TO RECOMMENDATION:

Alternatives evaluated to dedication of an Access Easement are as follows:

1. Put project on hold.
2. Find another location for an Access Easement for the adjacent property owner.

FINANCIAL IMPLICATIONS:

There are no financial implications for the dedication of Access Easements

PUBLIC INVOLVEMENT:

Public involvement is not required as part of this action.

Staff Report: Acceptance of an Access Easement for Green Lot
July 14, 2008
Page 3 of 3

Attachments:

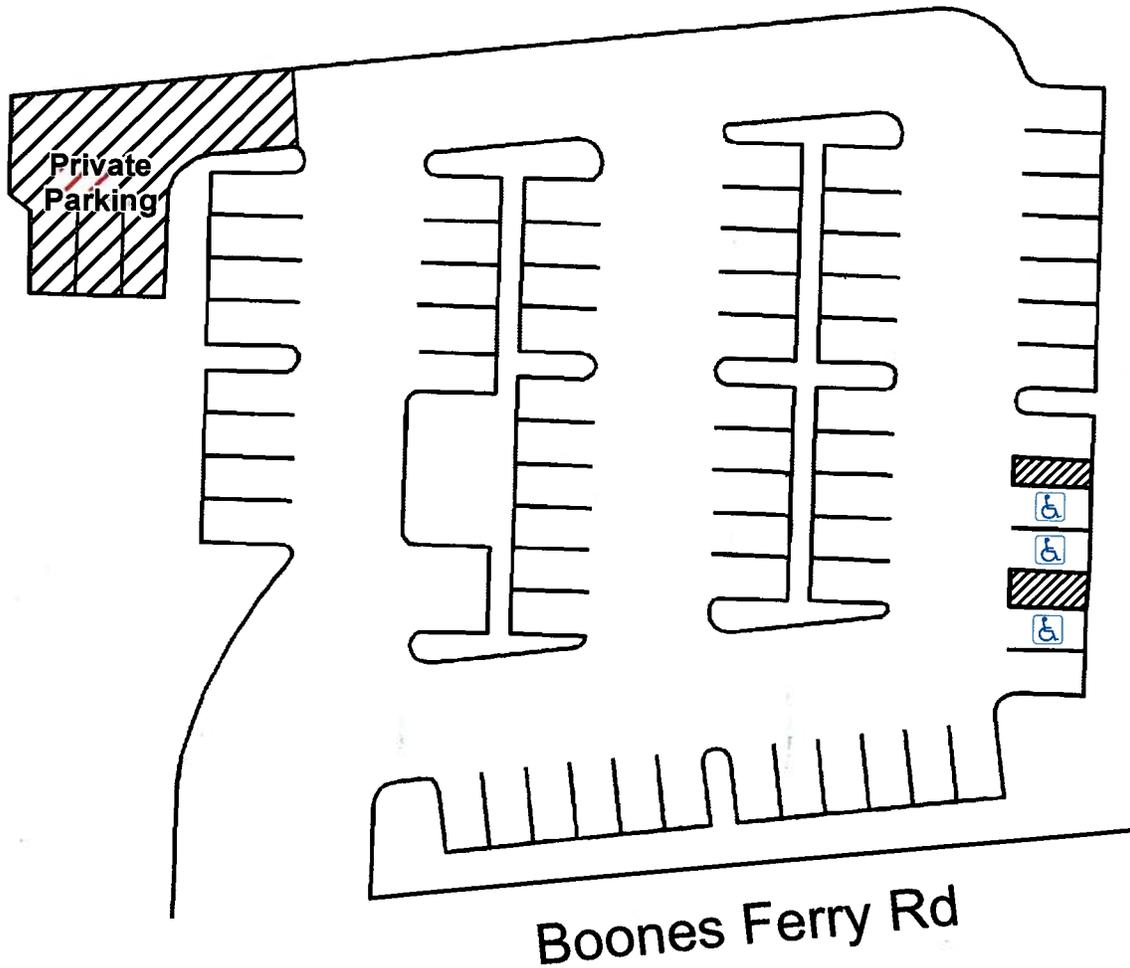
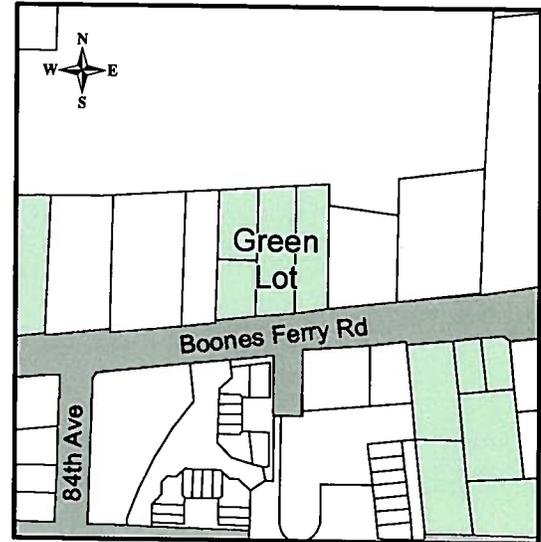
1. Green Lot Map
2. Resolution with Exhibits

Green Lot

69 Spaces

66 Spaces - Long Term

3 Space - Disabled



RESOLUTION NO. 566-08

RESOLUTION AUTHORIZING DEDICATION
OF AN ACCESS EASEMENT ASSOCIATED
WITH THE GREEN LOT EXPANSION PROJECT
(ROBERT TOMEONI)

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

Section 1. The following Access Easement to be dedicated associated with the
Green Lot Expansion Project:

- a. Access Easement to:
 - i. Robert Tomeoni

INTRODUCED AND ADOPTED this 14th day of July, 2008.

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

By _____
Chairman

ATTEST:

By Shirley Jones
Administrator

APPROVED AS TO LEGAL FORM

Frederic L. Brader
CITY ATTORNEY

Resolution No. 566-08

ACCESS EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the Tualatin Development Commission (the "GRANTOR") grants to Robert Tomeoni, the successors in interest and assigns, the following real property with the tenements, hereditaments and appurtenances, situated in the County of Washington, State of Oregon, for the use of the Green Lot for a vehicular access easement, bounded and described as that follows, to wit:

*See attached legal description
and attached map of description*

TO HAVE AND TO HOLD, the described and granted premises unto the said Robert Tomeoni, the successors in interest and assigns forever.

The true consideration of this conveyance is \$0.00 and other valuable consideration, the receipt of which is acknowledged by GRANTOR.

The GRANTOR covenants to Robert Tomeoni, and Robert Tomeoni's successors in interest and assigns that GRANTOR is lawfully seized in fee simple of the granted premises, free from all encumbrances except those of record and that GRANTOR, GRANTOR'S heirs, and personal representatives shall warrant and forever defend the premises to Robert Tomeoni, the successors in interest and assigns against the lawful claims and demands of all persons claiming by, through, or under the GRANTOR.

EXECUTED this 14th day of JULY, 2008.

Robert Tomeoni

Name (print or type)

Signature

Title

STATE OF OREGON)
) ss
County of)

On this ____ day of _____, 2008, before me, the undersigned, a
Notary Public, personally appeared _____
_____ and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: _____
Notary Public for Oregon

My commission expires: _____

TUALATIN DEVELOPMENT COMMISSION

Lou Ogden

Name (print or type)

[Signature]

Signature

Mayor/Chairman

Title

APPROVED AS TO LEGAL FORM

[Signature]

CITY ATTORNEY

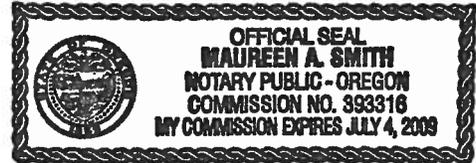
STATE OF OREGON)
) ss
County of Washington)

On this 14th day of July, 2008, before me, the undersigned, a Notary Public, personally appeared Lou Ogden, Mayor, City of Tualatin/Chairman, Tualatin Development Commission and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Maureen A Smith
Notary Public for Oregon

My commission expires: July 4, 2009

After recording, return to: Tualatin Development Commission
18880 SW Martinazzi Avenue
Tualatin OR 97062-0369





**ORTHWEST
SURVEYING, INC.**

RESIDENTIAL - COMMERCIAL - INDUSTRIAL

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1815 NW 169th Place, Suite 2090
BEAVERTON, OR 97006

TELEPHONE: 503-848-2127
FAX: 503-848-2179

Access Easement Description

**Project No. 335
June 16, 2008**

A portion of those properties described in deed to The Tualatin Development Commission, The Urban Renewal Agency of The City of Tualatin by Document Number 79051108, Washington County Deed Records, located in the Southwest One-Quarter of the Northwest One-Quarter of Section 24, Township 2 South, Range 1 West of the Willamette Meridian in the City of Tualatin, Washington County, Oregon, more particularly described as follows:

Commencing at a 2 inch aluminum disk stamped “N.W. Block ‘A’ 921 Carlile” located at the northwest corner of Tract A plat of “Tualatin Grove Tract”; Thence North 00°00’00”E 60.98 feet; Thence North 82°48’14” East 544.01 feet; Thence North 00°10’29” East 9.07 feet to the northerly right-of-way line of S.W. Boones Ferry Road; Thence along said northerly right-of-way line, North 82°58’04” East 5.25 feet to the True Point of Beginning; Thence continuing along said northerly right-of-way line, North 82°58’04” East 39.94 feet; Thence leaving said northerly right-of-way line, North 00°33’11” East 104.62 feet; Thence North 26°31’30” East 12.20 feet; Thence North 00°03’01” East 61.43 feet; Thence South 82°44’35” West 51.23 feet to the westerly line of said Tualatin Development Commission property; Thence along said westerly line, South 00°10’29” West 15.96 feet; Thence leaving said westerly line, North 82°42’51” East 27.09 feet; Thence South 00°04’31” West 46.29 feet; Thence South 17°33’27” West 11.65 feet; Thence South 00°04’48” West 35.47 feet to the beginning of a non-tangent circular curve; Thence along said curve to the left along an arc with a radius of 112.00 feet, a delta angle of 18°23’25”, a long chord bearing South 26°43’19” West 35.79 feet and a length of 35.95 feet to a point of compound curvature; Thence along a tangent curve to the left with a radius of 50.00 feet, a delta angle of 17°15’56”, a long chord bearing South 08°53’39” West 15.01 feet, and a length of 15.07 feet to a point of tangency; Thence South 00°15’41” West 23.19 feet to the True Point of Beginning.

The above described tract contains 5,351 square feet, more or less.

The basis of bearings for this description is along the northerly right-of-way line of S.W. Boones Ferry Road per survey number 28,499 on file at the Washington County Surveyor’s Office.

Approved by Tualatin
Development Commission
Date 7-14-08
Recording Sec M. Smith



STAFF REPORT

TUALATIN DEVELOPMENT COMMISSION

TO: Honorable Chairman and Members of the Commission

THROUGH: Sherilyn Lombos, Administrator *SL*

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

DATE: July 14, 2008

SUBJECT: RESOLUTION AUTHORIZING COMPENSATION FOR RIGHT-OF-WAY AND EASEMENTS ASSOCIATED WITH THE SW HERMAN ROAD IMPROVEMENT PROJECT (RICK AND GARY WALGRAEVE)

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 and 08/09 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 124th 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:
 - Rick and Gary Walgraeve
- 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.

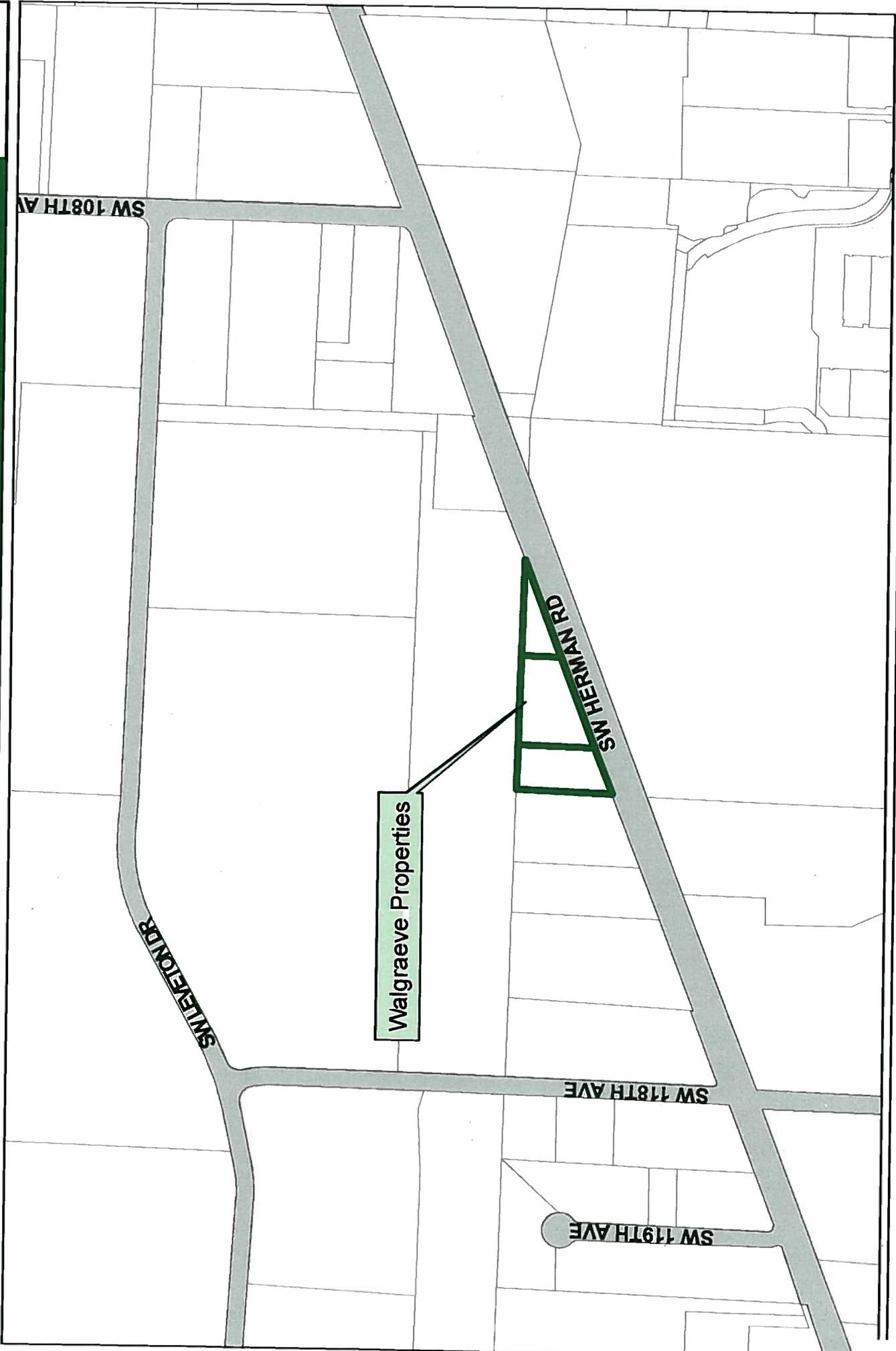
FINANCIAL IMPLICATIONS:

The agreed upon compensation is \$303,803 for Right-of-Way. The Right-of-Way value includes the base right-of-way value at \$295,253.30, compensation for landscaping at \$3,300 and the value of existing trees at \$5,250. The Slope/Utility Easements are valued at \$12,970.22 and is within the amount budgeted for the project (\$5,560,000) for FY 08/09.

PUBLIC INVOLVEMENT:

Public involvement is not required as part of this action.

- Attachments:**
1. Right-of-Way and Slope/Utility Easements Map
 2. Resolution with Exhibits



Parcels of Interest



RF 1:5,000

This map is derived from various digital database sources. The City of Tualgis does not warrant the accuracy, reliability, or completeness of the information provided on this map. It is provided "as is". Engineering and Building Dept. Project 08272008

**SEE COUNCIL PACKET AGENDA ITEM D-4 FOR COPIES OF
THE LEGAL DESCRIPTIONS AND MAPS FOR THE RIGHT-OF-WAY AND
EASEMENTS**

RESOLUTION NO. 567-08

RESOLUTION AUTHORIZING COMPENSATION FOR
RIGHT-OF-WAY AND EASEMENTS ASSOCIATED WITH
THE SW HERMAN ROAD IMPROVEMENT PROJECT
(RICK AND GARY WALGRAEVE)

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:

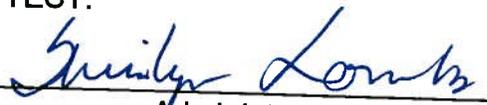
- a. Deed of Dedication from:
 - i. Rick and Gary Walgraeve - \$303,803
- b. Slope/Public Utility Easements from
 - i. Rick and Gary Walgraeve - \$12,970.22

INTRODUCED AND ADOPTED this 14th day of July, 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. 567-08



Approved by Tualatin
Development Commission
Date 7-14-08
Recording Sec M. Small

STAFF REPORT

TUALATIN DEVELOPMENT COMMISSION

TO: Honorable Chairman and Members of the Commission

THROUGH: Sherilyn Lombos, Administrator *SL*

FROM: Debra Senger, Administration *DS*

DATE: July 14, 2007

SUBJECT: Citizen Involvement Committee Appointments

ISSUE BEFORE THE COMMISSION:

Appointment to Urban Renewal Advisory Committee.

RECOMMENDATION:

Approve the Citizen Involvement Committee recommendation and appoint the below listed individual.

EXECUTIVE SUMMARY:

On June 26, 2008, the Citizen Involvement Committee met and interviewed citizens interested in participating on the Urban Renewal Advisory Committee. The committee made the recommendation to appoint the following individual:

Individual	Committee/Board	Term
Althea Pratt-Broome	Urban Renewal Advisory	Regular term expiring 04/30/10

FINANCIAL IMPLICATIONS:

Not applicable.