



**TUALATIN CITY COUNCIL
AND
TUALATIN DEVELOPMENT COMMISSION**
Monday, December 8, 2008

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 Ed Truax
Councilor Chris Barhyte
Councilor Monique Beikman

Councilor Bob Boryska
Councilor Jay Harris
Councilor Donna Maddux

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 8380 SW Nyberg Street, 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

1. Swearing-in of Police Officers - *Brett Rudolph and Scott Boyll*
2. New Employee Introduction - *Darla Sheldon, Office Coordinator, Police*
3. Tualatin Tomorrow - Traffic, Transportation, and Connectivity
4. Arts Advisory Committee Annual Report Presentation
5. Senior Center Status Report and Update

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 – 11)

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.

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E. PUBLIC HEARINGS – Legislative or Other

- 1. Resolution No. 4854-08 Exempting a Contract from the City’s Purchasing Rules and41
Authorizing the City Manager to Sign a Contract with Integra
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Internet Protocol (VOIP) Telephone System

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G. GENERAL BUSINESS

- 1. Resolution No. 4855-08 Appointing Municipal Court Judge and Judge Pro Tem93
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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: December 8, 2008

PLEASE LIMIT TESTIMONY TO THREE MINUTES

PLEASE PRINT CLEARLY

NAME	ADDRESS	REPRESENTING <i>(if applicable)</i>	AGENDA ITEM(S)	PROPONENT <i>(if applicable)</i>	OPPONENT <i>(if applicable)</i>
Sped Dunn	7121 Neighbors St	Finnis Daves BBQ	Liquor License		
Chris Watson	9705 SW Tuleatin Rd		Tuleatin Rd Closure		

Submitted at Citizen comment
portion of the Dec. 8, 2008
Council meeting: *WA*
Chris Walson
9765 SW Tualatin Road
Tualatin, Oregon 97062
503-784-5271 Home
503-213-9965 Fax

Tualatin City Council
Tualatin, Oregon
Regarding Safety Improvements to Tualatin Road
12/1/08

Dear Council Members,

The signors of this document respectively petition the Members of the Tualatin City Council to give consideration to the request made herein for safety improvements to the section of Tualatin Road depicted in Exhibit One.

In the last calendar year, several accidents¹ have occurred on this section of road that have resulted in property damage and potential bodily harm to the residents² that live along the section of road portrayed in Exhibit One (hereinafter referred to as 'the curve'). Most recently, an intoxicated driver approached the curve at fifty miles per hour and ended up crashing through four mailboxes, a utility pole and landscaping coming to a stop yards away from the exterior wall of the home's kitchen. If not for the fortuitous placement of the utility pole, the vehicle would have come to rest inside the home's kitchen. It wasn't too long ago that a similar incident occurred in Tucson, Arizona that resulted in the fatality of the home's resident.

Residents along the curve have had vehicles rolled over in their front yards, trees and landscaping maimed, power outages and sustained property damage due to the excessive speed of motorist. Additionally, these individuals live with the constant worry that at any time they may hear screeching tires and the next sound will be the impact of a vehicle into their home or car.

¹ Many more accidents have occurred in the past several years. A request has been made of the Tualatin Police Department to provide accident reports for the period 2005-2008.

² Motorist who were not at fault in the accidents have sustained injuries.

Chris Walson
9765 SW Tualatin Road
Tualatin, Oregon 97062
503-784-5271 Home
503-213-9965 Fax

In an effort to be proactive, residents have installed trees, plants and boulders to provide a natural barrier to protect their homes. However, these efforts offer only a small degree of protection as the speeds motorists have obtained when approaching the curve have been excessive enough to overcome these barriers.

Hence, we request that the Members of City Council give consideration to our appeal for improved safety devices or measures along this section of Tualatin Road.

Thank you for your time and consideration on this matter,

Chris Walson, Minister
Resident

9765 SW Tualatin Rd
Address

Tualatin, OR 97062
Address

Brian Lee Stalder
Resident

17900 SW Stony Ct.
Address

Tualatin, Oregon 97062
Address

Tracy Victorino
Resident

9767 SW Tualatin Rd
Address

Tualatin Or 97062
Address

Tracy Victorino
Resident

9767 SW Tualatin Rd
Address

Address

Jorie A Boyles
Resident

9777 SW Tualatin Rd
Address

Tualatin OR 97062
Address

Chris Stalder
Resident

9775 SW Tualatin Rd
Address

Tualatin OR 97062
Address

Chris Walson
9765 SW Tualatin Road
Tualatin, Oregon 97062
503-784-5271 Home
503-213-9965 Fax

Brian Stubbs
Resident

17960 SW SIOUX CT.
Address

TUALATIN, OR 97062
Address

Mollie Uselman
Resident

17940 SW SIOUX CT
Address

Tualatin, OR 97062
Address

HOWARD HARRIS
Resident

17965 SW SIOUX CT
Address

TUALATIN, OR 97062
Address

APRIL HARRIS
Resident

17965 SW SIOUX CT
Address

TUALATIN, OR 97062
Address

Resident

Address

Address

Chris Walson
9765 SW Tualatin Road
Tualatin, Oregon 97062
503-784-5271 Home
503-213-9965 Fax

Exhibit One



Legend:

Balloon Markers denote the following address:

- 17965 SW Sioux Court, Tualatin, Oregon 97062
- 17960 SW Sioux Court, Tualatin, Oregon 97062
- 17940 SW Sioux Court, Tualatin, Oregon 97062
- 9775-9777 SW Tualatin Road, Tualatin, Oregon 97062
- 9765-9767 SW Tualatin Road, Tualatin, Oregon 97062
- 9755-9757 SW Tualatin Road, Tualatin, Oregon 97062

Flags denote known recent accidents

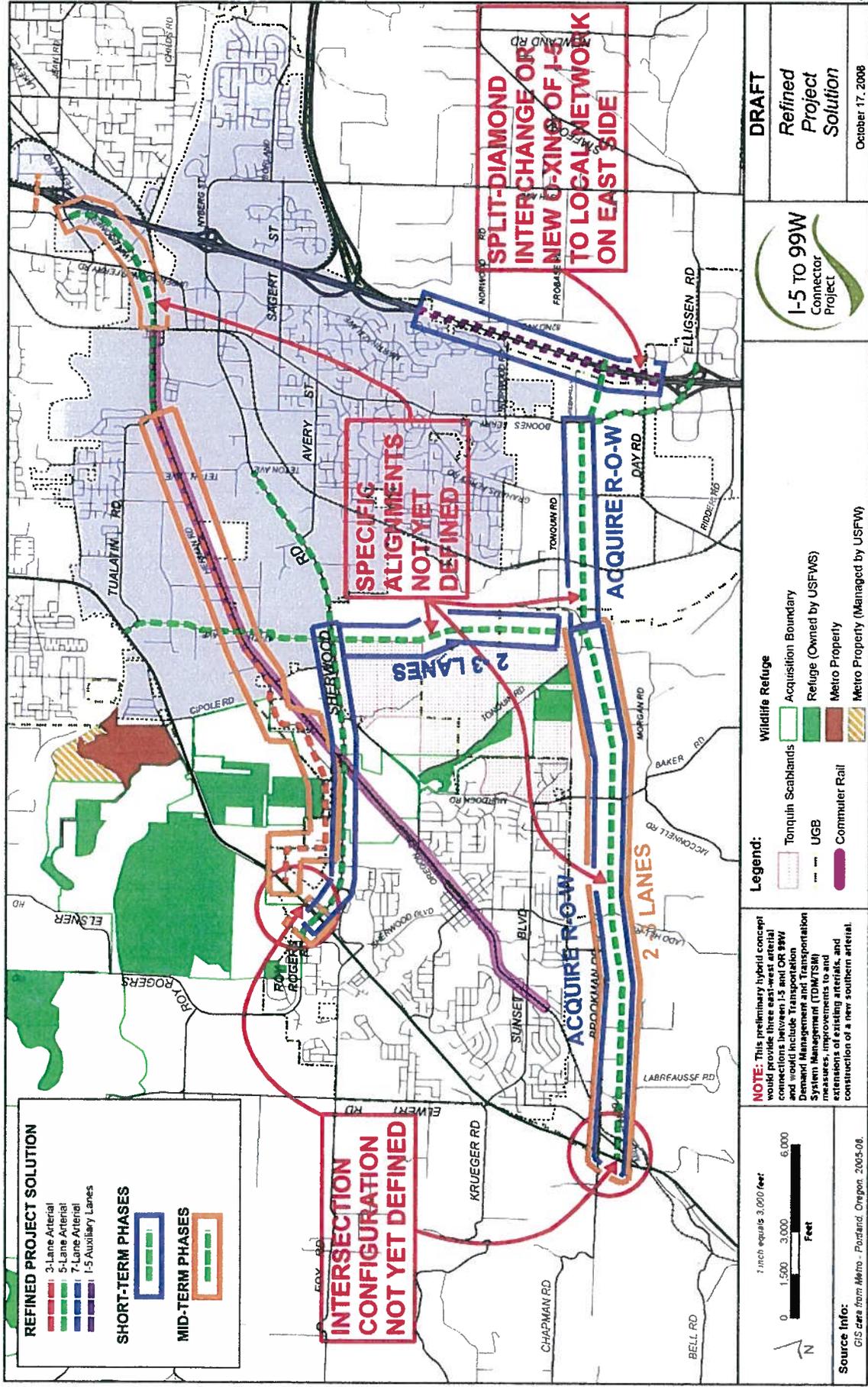
- Please note that a request has been made to the Tualatin Police Department to compile a list of 2005-2008 traffic accidents for this curve.







DISTRIBUTED BY Dave Volz
 Under "Presentations" portion
 of December 8, 2008
 Council meeting.



REFINED PROJECT SOLUTION

- 3-Lane Arterial
- 5-Lane Arterial
- 7-Lane Arterial
- 15-Auxiliary Lanes

SHORT-TERM PHASES

MID-TERM PHASES

INTERSECTION CONFIGURATION NOT YET DEFINED

SPECIFIC ALIGNMENTS NOT YET DEFINED

SPLIT-DIAMOND INTERCHANGE OR NEW BOXING OF I-5 TO LOCAL NETWORK ON EAST SIDE

ACQUIRE R-O-W

ACQUIRE R-O-W

2 LANES

2-3 LANES

DRAFT
 Refined Project Solution
 October 17, 2008



Legend:

- Wildlife Refuge
- Tonquin Scablands
- UGB
- Commuter Rail
- Acquisition Boundary
- Refuge (Owned by USFWS)
- Metro Property
- Metro Property (Managed by USFWS)

NOTE: This preliminary hybrid concept would provide three east-west arterial connections between I-5 and OR 99W and would include Transportation Demand Management (TDM/TSM) measures, improvements to and extensions of existing arterials, and construction of a new southern arterial.

1 inch equals 3,000 feet

0 1,500 3,000 6,000 Feet

Source Info:
 GIS data from Metro - Portland, Oregon, 2005-08.

SOUTH METRO CHAMBERS SUPPORT PROPOSED SHORT-TERM TRANSPORTATION PROJECTS

November 5, 2008

Dear PSC Members:

As the Project Steering Committee (PSC) examines various options for solving the transportation issues facing our communities, the Tualatin, Sherwood, and Wilsonville Chambers of Commerce wish to share our perspective on the traffic congestion challenges that impinge on local businesses. We are keenly interested in issues affecting our quality of life and will continue to be involved in the I-5 to 99W Connector project.

While you are considering various elements from the initial six alternatives to create a new seventh alternative, we strongly encourage the development of a concept that distributes east-west travel among multiple arterial corridors. Such a concept must accommodate enough capacity to address the current needs and also have the capability of meeting future demands, as stated in Metro's RTP 2030 plan.

Our Chambers support the PSC and JPAC securing funding for the four short-term projects identified in DRAFT Alternative 7:

- Extend 124th Avenue as a 2-3 lane roadway between Tualatin-Sherwood Road and Tonquin Rd.
- Add auxiliary lanes from I-205 south to the North Wilsonville Interchange and the north from North Wilsonville Interchange to I-205
- Widen Tualatin-Sherwood Road to 5 lanes from 99W to 124th.
- Acquire right-of-way for a new southern arterial between OR 99W and 124th Avenue

Our Chambers also endorse the completion of engineering studies to determine the impacts, benefits and disadvantages of the following projects:

- Road enhancements to Tualatin-Sherwood Rd between OR 99W and 124th
- A new southern route between OR 99W and Boones Ferry Road that would allow for local commuter travel between Sherwood and Wilsonville
- A flyover across I-5, between Tualatin and Wilsonville, to help mitigate traffic impacts to the North Wilsonville interchange from 124th and the southern route
- A 3-lane extension of Herman Road between Tualatin Road and OR 99W
- An Extension of Tualatin Road across the Tualatin River to Lower Boones Ferry Road and 72nd Avenue
- Keeping Boones Ferry road to five lanes in Wilsonville.

We urge the PSC to support a hybrid solution to the transportation issues facing our communities, such as our proposal. It is important that our business communities possess a vision of the short and long term solutions to the traffic predicaments we face, including alternative transit options, such as enhanced transit service, improved bicycle, pedestrian and park-and-ride facilities.

Respectfully,

Cheryl Dorman
Board President
Tualatin Chamber of Commerce

Stephanie Adams
Board President
Sherwood Chamber of Commerce

Doris Wehler
Board President
Wilsonville Chamber of Commerce





Approved By Tualatin City Council
Date 12-8-08
Recording Secretary M. Smith

STAFF REPORT CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Paul Hennon, Community Services Director *Paul Hennon*
Becky Savino, Program Coordinator *Becky Savino*

DATE: December 8, 2008

SUBJECT: FISCAL YEAR 2007/2008 PARKS SYSTEM DEVELOPMENT CHARGE (SDC) ANNUAL REPORT

ISSUE BEFORE THE COUNCIL:

The Council will review the FY 2007/2008 Parks System Development Charge (Parks SDC) report and consider staff recommendations.

RECOMMENDATION:

- Staff respectfully recommends that Council accept the attached report including the recommendation that the Community Services Director continue to monitor issues that may arise and review their impact on the Parks SDC legislation or fee, and update the Parks and Recreation Master Plan as soon as is practical.
- No changes to the SDC ordinance or Park SDC methods, procedures, or fees are recommended at this time.

EXECUTIVE SUMMARY:

- Council established the current Parks SDC by adopting Ordinance 833-91 in 1991. The attached report fulfills the requirement of ORS 223.311 to provide an annual accounting of the Parks SDC and to recommend any changes to the SDC ordinance.
- In FY 2007/2008, \$203,051.46 was collected, including \$195,754.00 in Parks SDC fees and \$7,297.46 in interest. No credits nor installment payments were authorized.
- Expenditures on qualified parks system improvements totaled \$178,783.63. The specific improvements are listed on page 2 of the attached report.

STAFF REPORT: Fiscal Year 2007/2008 Parks System Development Charge Annual
Report
December 8, 2008
Page 2 of 2

FINANCIAL IMPLICATIONS:

The Parks SDC beginning fund balance, revenues and expenditures are budgeted in the Park Development Fund (Fund 36).

Attachments: Report

PARKS SYSTEM DEVELOPMENT CHARGE (Parks SDC) ANNUAL REPORT FY 07/08

Introduction

The Parks System Development Charge (Parks SDC) consists of an “improvement fee” that covers the cost of new capacity to meet the demands of new development, based on adopted standards and a capital improvement list. The Parks SDC does not include a “reimbursement fee” since the park system does not include any excess capacity that would be used by new development. The fee is charged per new residential dwelling unit.

Council approved the original Parks SDC in 1984 by adoption of Ordinance 655-84. In 1989 the Legislature enacted House Bill 3224 requiring local governments to meet specific statutory requirements and that system development charges be based upon past and future capital improvements to the system for which it is being collected. In 1991, Council adopted Ordinance 833-91 to repeal the original ordinance and bring the City in compliance with ORS 223.297 through 223.314 (System Development Charges). The fee established in the new ordinance went into effect on July 1, 1991.

In January 2004, Council authorized two actions affecting the Parks SDC. First, by adoption of Resolution 4192-04, the 1991 fee was adjusted to present value by applying an adjustment factor consisting of indexes for both land and construction. The second action taken by Council in January 2004, by adoption of Ordinance 1154-04, was to establish an annual adjustment factor indexing both land and construction costs to enable the Parks SDC to have the purchasing power to pay for park projects it is intended to fund. These changes have been incorporated into the Tualatin Municipal Code, Chapter 2-6, System Development Charges.

Purpose

The purpose of this report is to fulfill the requirements of ORS 223.311, which requires an annual accounting of Park SDC's be performed, and to recommend any changes in the Parks SDC as adopted by the City of Tualatin.

Revenue

During the period covered by this report (July 1, 2007 to June 30, 2008), the City of Tualatin collected \$203,051.46 in Parks SDC fees and interest on the fee income (\$195,754.00 in fees and \$7,297.46 in interest).

Credits

No credits were authorized.

Installment Payment Agreements

No installment payment agreements were authorized.

Expenditures

Parks SDC funds were used in the following projects in FY 07/08.

<u>Project Description</u>	<u>Parks SDC Amount</u>
1. Ki-a-Kuts Bicycle and Pedestrian Bridge	6,717.46
2. Recreation Facilities Feasibility Study	110,872.45
3. Tualatin River Greenway Land Acquisition: VanRijn property	7,691.57
4. Reimbursement to General Fund	15,130.00
<u>5. Stoneridge Park Renovation</u>	<u>38,372.15</u>
Total Expenditures	178,783.63

Recommendation

It is recommended the Community Services Director continue to monitor issues that may arise and review their impact on the Parks SDC legislation or fee, and update the Parks and Recreation Master Plan as soon as is practical.

No changes to the methodology, procedures, or fees for the Parks SDC are recommended at this time.



STAFF REPORT CITY OF TUALATIN

Approved By Tualatin City Council
Date 12-8-08
Recording Secretary M. Smith

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Paul Hennon, Community Services Director *Paul Hennon*
Becky Savino, Program Coordinator *Becky Savino*

DATE: December 8, 2008

SUBJECT: 2008 ANNUAL REPORT OF THE TUALATIN ARTS ADVISORY COMMITTEE

ISSUE BEFORE THE COUNCIL:

The Council will receive the 2008 Annual Report of the Tualatin Arts Advisory Committee (TAAC).

RECOMMENDATION:

- Accept the annual report.

EXECUTIVE SUMMARY:

The Tualatin Arts Advisory Committee (TAAC) was established by Ordinance 815-90, adopted by Council on October 22, 1990 and incorporated into the Tualatin Municipal Code as Chapter 11-5. The enabling ordinance requires the TAAC to file an annual report with the Council including a summary of the committee's activities during the preceding year and other matters and recommendations the committee deems appropriate.

The role of the TAAC is to encourage greater opportunities for recognition of arts in Tualatin; to stimulate private and public support for programs and activities in the arts; and to strive to ensure excellence in the public arts collection. The committee consists of seven members appointed by Council. In addition, one Council member serves as a committee Council liaison. The Community Services Department provides the TAAC with limited staff support. The TAAC meets monthly or more often as needed.

Current members of the TAAC are: Richard Hager, Buck Braden, Art Barry, Gary Thompson, Carla Thaler and Patrice Demmon. Donna Maddux is the Council liaison.

FINANCIAL IMPLICATIONS:

The TAAC operates with a general fund allocation of \$11,500. This subsidy is leveraged with approximately \$40,000 in revenue from corporate sponsorships for the Concerts on the Commons and ArtSplash sales receipts to support the various programs sponsored by the City through the TAAC.

DISCUSSION:

Following is a summary of the most significant accomplishments of the TAAC in 2008 and a summary of current projects.

1. ArtSplash 2008



ArtSplash 2008, Tualatin's 13th annual art show and sale, was held at the Tualatin Commons July 25-27, 2008. Fifty-one local artists sold over \$17,300 of art (a slight decrease from the previous year). Approximately 1,500 art enthusiasts attended the three-day event that was filled with art, music, and activities for children. ArtSplash netted about \$1,300 (over double the amount from last year). These proceeds are used to support ArtSplash and other programs of the TAAC. More than eighty volunteers donated their time and energy to support this community event.

2. Concerts on the Commons



The Concerts on the Commons weekly outdoor summer concert series held at the Tualatin Commons every Friday night during July and August continued to be sponsored by the TAAC and 30 other local businesses. The concerts this past summer were funded with \$16,800 in sponsorships, featured a variety of musical formats, and each concert was attended by an average of 500 to 1,000 people of all ages.

3. Support of Outside Agencies

a. Broadway Rose



The TAAC made a direct contribution of \$500 to the Broadway Rose Theatre Company, a local non-profit organization. These funds help the theatre company leverage other funding.

During their 2008 season, the Broadway Rose Theatre Company presented *Les Misérables*, *Dames At Sea*, *Nite Club Confidential*, and *Pinocchio*.

b. Tualatin Heritage Center

A contribution of \$1,000 was also made to the Tualatin Historical Society to help promote and provide diverse, high-quality creative art programs and exhibits at the Tualatin Heritage Center.

The "Panorama of Watercolors 2008" Art Show was featured at the Center from May 31 through June 13. Watercolor paintings of Linda Aman and other local artists were on display.

Lumiere Players, a Tualatin-based non-profit theatre company, is using the Heritage Center as their designated location for plays. Among the productions featured this year were *Love Letters* and *Sylvia*, both written by A.R. Gurney and *An Evening of Short Theatre*, favorite short pieces and one-acts.

4. Visual Chronicle 2008

The purpose of the Tualatin Visual Chronicle is to create a visual record of Tualatin in various mediums including prints, drawings, paintings and photographs which document the life of the Tualatin community, capturing elements of the past and present, thereby providing an archival record and resource. The Chronicle was started in 1995.

The City now has 176 total pieces of art in their Visual Chronicle collection. The collection consists of the following sections:

General collection: 59 pieces of artwork
Student collection: 13 pieces of artwork
Historical collection: 104 pieces of artwork

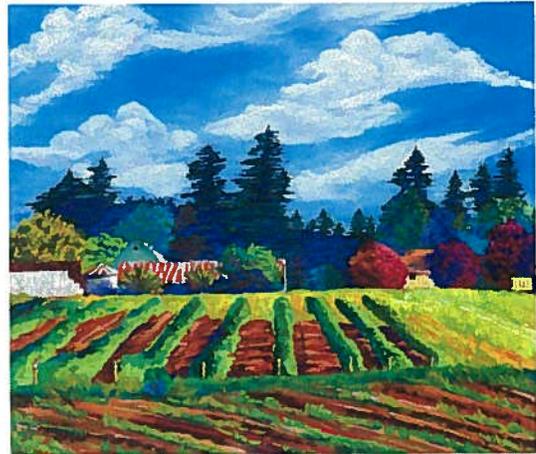
A total of 4 new pieces of art were purchased for the Visual Chronicle this calendar year. Two of the four purchases were for the 2007/08 Visual Chronicle and two for the 2008/09 Chronicle.

The Arts Advisory Committee assisted in the selection and placement of art for the new library. The Ad Hoc committee that was formed reviewed almost 200 proposals submitted by 48 artists. Seven artists were selected for the Library project; however, there were many other artists whose work the Committee was impressed with. The Committee identified four artists from these proposals to commission artwork for the Visual Chronicle.

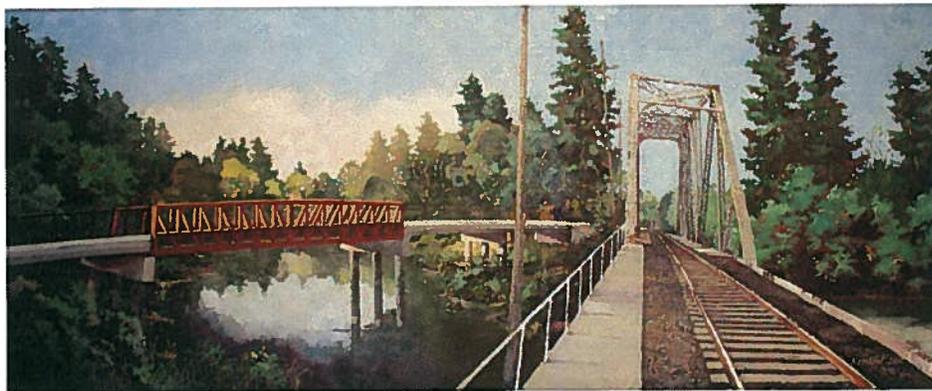
Photographs of the purchased artwork follow:



1. "Koller Wetlands"
Acrylic painting by Angelita Surmon



2. "Toward Summer - Koch Farm"
Pastel painting by Janet Rothermel



3. "Crossing" – Oil painting by Philip Juttelstad



4. "A Tribute I, II and III and In Fields of Clover" – A series of four low-relief panels depicting Winona Cemetery by Laura Bender



5. Student Visual Chronicle 2008



In partnership with Tualatin High School, 2008 marks the 2nd year of the Student Visual Chronicle.

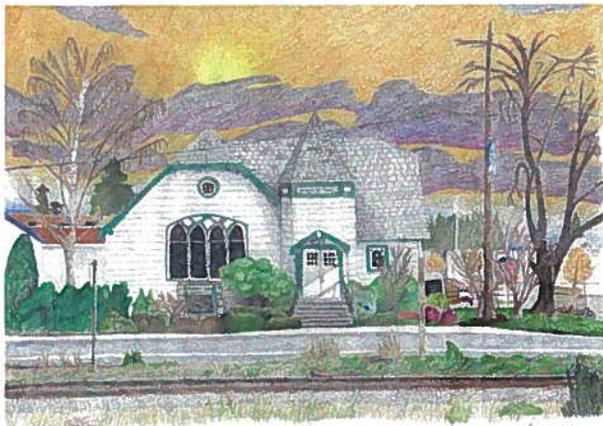
The purpose of the Student Visual Chronicle is to create a visual record of Tualatin in various mediums including prints, drawings, paintings and photographs which document the life of the Tualatin community, capturing elements of the past and present, thereby providing an archival record and resource.

The Student Visual Chronicle is a subsection of the Tualatin Visual Chronicle that was initiated in 1995.

Students in grades 9 through 12 at Tualatin High School participated in the program. Along with their submitted artwork, students were asked to submit a short essay describing their art and explaining why they chose the location of their project.

Those students whose art was selected for inclusion in the Student Visual Chronicle were chosen by high school teachers Jeannine Miller and Scott Hohman. A total of four pieces of artwork were purchased from the student art submissions. Mayor Lou Ogden presented the students with awards at a reception held at the Tualatin Heritage Center on April 9, 2008.

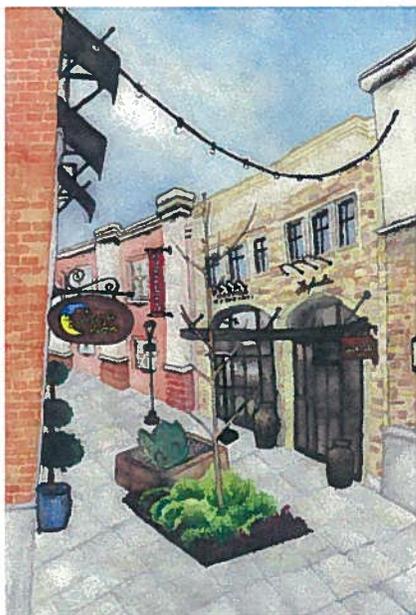
Photographs of the four purchased artwork pieces follow:



1. "Church of Christ" – Colored pencil
by Laurie Koch



2. "The Navigator" – Acrylic painting
by Max Marlett



3. "Bridgeport Village" - Watercolor
by Eileen Chadbourne



4. "Fun with Boats" – Photograph
by Alexandra Fredrickson

6. Current Projects

a. Public Art for the Library

The TAAC assisted in the selection and placement of art for the new Tualatin Public Library. Three members of TAAC served on a special ad hoc committee on Public Art for the Library along with members of the Library Advisory Committee and Council.

Council authorized the purchase of seven pieces of artwork recommended by the Committee.

All seven artworks have been installed at the Library. A dedication ceremony was held on November 20 for the "Storyteller" bronze sculpture installed in the plaza area at the Library. Over 40 people attended the event. Council President, Ed Truax, assisted in the unveiling of the sculpture along with very anxious preschoolers.



One of the artworks installed at the Library, "Diving into a Book" by local artist, Mark Brody, has been selected to be included in the *Mosaic Arts International 2009 Exhibition* at the Museum of Man in San Diego, California from February 28 – April 26, 2009. Over 200 artists from 7 countries were considered for this prestigious award.

b. Other Projects

In 2008 (which spans the FY07/08 and FY08/09 annual budgets), the TAAC plans to continue to produce ArtSplash, the ArtWalk, Concerts on the Commons, Visual Chronicle, and to consider support of outside agencies.

c: Tualatin Arts Advisory Committee



Approved By Tualatin City Council
Date 12-8-08
Recording Secretary M. Smith

STAFF REPORT CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council
FROM: Sherilyn Lombos, City Manager *SL*
DATE: December 8, 2008
SUBJECT: APPROVAL OF NEW LIQUOR LICENSE APPLICATION FOR FAMOUS DAVE'S RESTAURANT

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve a new liquor license application for Famous Dave's Restaurant.

RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the liquor license application for Famous Dave's Restaurant

EXECUTIVE SUMMARY:

Famous Dave's Restaurant has submitted a new liquor license application. The liquor license is for Full On-Premises Sales. The business is located at 7121 SW Nyberg 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



Approved By Tualatin City Council

Date 12-8-08

Recording Secretary MSM

STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Paul Hennon, Community Services Director *PH*

DATE: December 8, 2008

SUBJECT: CHANGE ORDER NO. 5 TO THE CONTRACT DOCUMENTS FOR CONSTRUCTION OF THE LIBRARY/CITY OFFICES EXPANSION AND REMODEL PROJECT

ISSUE BEFORE THE COUNCIL:

Council will consider approval of Change Order No. 5 to the construction of the Library/City Offices Expansion and Remodel Project.

RECOMMENDATION:

Approve the attached Change Order No. 5 and authorize the City Manager to execute said Change Order No. 5.

EXECUTIVE SUMMARY:

- This is the last change order. The project is complete.
- The Construction Manager/General Contractor (CM/GC) contract was awarded to P & C Construction Company of Gresham, Oregon on October 9, 2006, and the Guaranteed Maximum Price (GMP) in the amount of \$7,148,798 was approved on May 14, 2007. Change Orders 1, 2, 3, and 4. increased the GMP to \$7,817,545.
- This change order increases the GMP by \$15,173 for work that was not included in the original scope of work and several credits (as described on the attached Change Order No. 5), and brings the new GMP to \$7,832,718. The contract time will be increased by zero (0) days as a result of this change order.

**STAFF REPORT: CHANGE ORDER NO. 5 TO THE CONTRACT DOCUMENTS FOR
CONSTRUCTION OF THE LIBRARY/CITY OFFICES EXPANSION AND REMODEL
PROJECT**

December 8, 2008

Page 2 of 2

- **Project Schedule:** The library opened on July 11, 2008, which was the date of Substantial Completion. A Grand Opening Celebration was held on August 9, 2008.

OUTCOMES OF DECISION:

Authorization of this change order authorizes payment for the last changes to the scope of work on the project.

FINANCIAL IMPLICATIONS:

The new GMP is 10 percent above the original GMP. The revised total is within the amounts budgeted for this project.

Attachments: A. Change Order No. 5

c: Steve Anderson, P&C Construction Company
 Skip Stanaway, SRG Partnership, Inc
 Members of the Tualatin Library Advisory Committee (TLAC)

 **AIA** Document G701™ – 2001

Change Order

PROJECT (Name and address): Tualatin Library Addition 18880 SW Martinazzi Avenue Tualatin, Oregon 97062	CHANGE ORDER NUMBER: 005 DATE: September 24, 2008	OWNER: <input type="checkbox"/> ARCHITECT: <input type="checkbox"/> CONTRACTOR: <input type="checkbox"/> FIELD: <input type="checkbox"/> OTHER: <input type="checkbox"/>
TO CONTRACTOR (Name and address): P&C Construction Company P.O. Box 410 Gresham, Oregon 97030	ARCHITECT'S PROJECT NUMBER: CONTRACT DATE: October 09, 2006 CONTRACT FOR: General Construction	

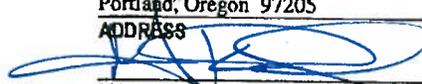
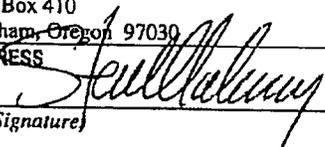
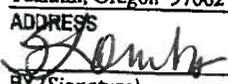
THE CONTRACT IS CHANGED AS FOLLOWS:
(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

SEE ATTACHED CHANGE ORDER LOG, CHANGE ORDER #5.

The original Guaranteed Maximum Price was	\$ 7,148,798.00
The net change by previously authorized Change Orders	\$ 668,747.00
The Guaranteed Maximum Price prior to this Change Order was	\$ 7,817,545.00
The Guaranteed Maximum Price will be increased by this Change Order in the amount of	\$ 15,173.00
The new Guaranteed Maximum Price including this Change Order will be	\$ 7,832,718.00

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

<u>SRG Partnership</u> ARCHITECT (Firm name)	<u>P&C Construction Company</u> CONTRACTOR (Firm name)	<u>City of Tualatin</u> OWNER (Firm name)
<u>621 SW Morrison, Suite 200</u> Portland, Oregon 97205 ADDRESS	<u>P.O. Box 410</u> Gresham, Oregon 97030 ADDRESS	<u>18880 SW Martinazzi Avenue</u> Tualatin, Oregon 97062 ADDRESS
 BY (Signature)	 BY (Signature)	 BY (Signature)
<u>4221 DANIELSON</u> (Typed name)	<u>Steve Malany, President</u> (Typed name)	<u>Sherilyn Lombos, City Manager</u> (Typed name)
<u>12/1/08</u> DATE	<u>10/28/08</u> DATE	<u>12-8-08</u> DATE



Construction Company

**P.O. Box 410
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503) 665-0165
fax 503) 667-2565**

POTENTIAL CHANGE ORDER (PCO)

PROJECT: *Tualatin Public Library & Office Addition*
P&C Job # 06069

DATE: 5/13/2008
PREPARED BY: Mark K

PCO No. 175 PCO Title: **Reconcile tree counts on landscape sheets**

SCOPE OF WORK:

The bid set of drawings showed the trees as they were intended to be installed. While printing the construction set of drawings, a layer was turned off of the landscape drawing and several trees disappeared. The cost below is the net credit back for the trees not planted.

P & C COSTS	AMOUNT
<i>Indirect Costs</i>	\$0
<i>Labor Costs (inc burden)</i>	\$0
<i>Material Costs</i>	\$0
<i>Equipment Costs</i>	\$0

P&C TOTAL **\$0**

SUBCONTRACTOR COSTS	AMOUNT
Green Art	(\$1,044)

SUBCONTRACTOR TOTAL **(\$1,044)**

SUBTOTAL **(\$1,044)**

Insurance and Bonds **(\$18)**

SUBTOTAL **(\$1,062)**

Contractor Fee **(\$44)**

TOTAL COST **(\$1,106)**

ADDITIONAL DAYS

0

- Yes *Additional backup is attached to further define scope and/or costs listed above*
- No *If accepted, this PR will be charged towards the contingency*
- Yes *If accepted, this PR will result in an increase in the GMP*

OWNER REP APPROVAL: _____

DATE: _____

ARCHITECT APPROVAL: _____

DATE: _____



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POTENTIAL CHANGE ORDER (PCO)

PROJECT: *Tualatin Public Library & Office Addition*
P&C Job # *06069*

DATE: *8/8/2008*
PREPARED BY: *Mark K*

PCO No. **177 R** PCO Title: **Add camera to watch plaza**

SCOPE OF WORK:

Per the owner's request, a conduit and wiring was installed to the SW corner of the main entry prior to the ceiling being completed for the future camera to watch the plaza. The subcontractor also got a camera and conducted night time testing of the camera quality. The temporary camera was set up and sample footage was taken at about 11:30 at night. The footage was put on a DVD and given to the city to review. This has been an ongoing issue since April.

<u>P & C COSTS</u>	<u>AMOUNT</u>
<i>Indirect Costs</i>	<i>\$0</i>
<i>Labor Costs (inc burden)</i>	<i>\$0</i>
<i>Material Costs</i>	<i>\$0</i>
<i>Equipment Costs</i>	<i>\$0</i>

P&C TOTAL \$0

<u>SUBCONTRACTOR COSTS</u>	<u>AMOUNT</u>
Frahler Electric	\$5,019

SUBCONTRACTOR TOTAL \$5,019

SUBTOTAL \$5,019

Insurance and Bonds \$88

SUBTOTAL \$5,107

Contractor Fee \$212

TOTAL COST \$5,319

ADDITIONAL DAYS

0

- Yes** *Additional backup is attached to further define scope and/or costs listed above*
- No** *If accepted, this PR will be charged towards the contingency*
- Yes** *If accepted, this PR will result in an increase in the GMP*

OWNER REP APPROVAL: _____ DATE: _____

ARCHITECT APPROVAL: _____ DATE: _____



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POTENTIAL CHANGE ORDER (PCO)

PROJECT: *Tualatin Public Library & Office Addition*
P&C Job # 06069

DATE: 7/22/2008
PREPARED BY: *Mark K*

PCO No. 178 PCO Title: **Hang picture rail**

SCOPE OF WORK:

Per PR-32 - P&C installed 70 LF of picture rail. The cap for the rail is to be painted to match the wall color.

<u>P & C COSTS</u>	<u>AMOUNT</u>	
<i>Indirect Costs</i>	\$0	
<i>Labor Costs (inc burden)</i>	\$392	2 guys, 4 hrs
<i>Material Costs</i>	\$355	
<i>Equipment Costs</i>	\$0	
		P&C TOTAL <u>\$747</u>

<u>SUBCONTRACTOR COSTS</u>	<u>AMOUNT</u>	
Don Rhyne Painting	\$260	4 hrs @ \$65 / hr
		SUBCONTRACTOR TOTAL <u>\$260</u>

ADDITIONAL DAYS <input type="text" value="0"/>	SUBTOTAL	<u>\$1,007</u>
	Insurance and Bonds	<u>\$18</u>
	SUBTOTAL	<u>\$1,025</u>
	Contractor Fee	<u>\$43</u>
	TOTAL COST	\$1,067

- Yes *Additional backup is attached to further define scope and/or costs listed above*
- No *If accepted, this PR will be charged towards the contingency*
- Yes *If accepted, this PR will result in an increase in the GMP*

OWNER REP APPROVAL: _____ DATE: _____

ARCHITECT APPROVAL: _____ DATE: _____



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POTENTIAL CHANGE ORDER (PCO)

PROJECT: *Tualatin Public Library & Office Addition*
P&C Job # 06069

DATE: *7/8/2008*
PREPARED BY: *Mark K*

PCO No. 181 PCO Title: **Revisions per the building & fire walk through**

SCOPE OF WORK:

At the direction of the fire marshal and building officials, several items were requested to be added. Running man signs were to be posted at all exists, a dry chemical fire extinguisher was added to the IDF room, a extinguisher added to lobby 150, extinguisher signage was added.

<u>P & C COSTS</u>	<u>AMOUNT</u>	
<i>Indirect Costs</i>	\$0	
<i>Labor Costs (inc burden)</i>	\$147	<i>3 hrs for install</i>
<i>Material Costs</i>	\$0	
<i>Equipment Costs</i>	\$0	
		P&C TOTAL <u>\$147</u>

<u>SUBCONTRACTOR COSTS</u>	<u>AMOUNT</u>	
BMS	\$400	<i>extinguishers & cabinets</i>
Sign Co	\$306	<i>added signage</i>
		SUBCONTRACTOR TOTAL <u>\$706</u>

ADDITIONAL DAYS 0

	SUBTOTAL	\$853
	<i>Insurance and Bonds</i>	<i>\$15</i>
	SUBTOTAL	\$868
	<i>Contractor Fee</i>	<i>\$36</i>
	TOTAL COST	\$904

- Yes *Additional backup is attached to further define scope and/or costs listed above*
- No *If accepted, this PR will be charged towards the contingency*
- Yes *If accepted, this PR will result in an increase in the GMP*

OWNER REP APPROVAL: _____ DATE: _____

ARCHITECT APPROVAL: _____ DATE: _____



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POTENTIAL CHANGE ORDER (PCO)

PROJECT: *Tualatin Public Library & Office Addition*
P&C Job # 06069

DATE: 7/8/2008
PREPARED BY: *Mark K*

PCO No. 183 PCO Title: **Revisions to IDF Room**

SCOPE OF WORK:

Per the direction of the owner, architect, and Mechanical engineer, an area of sheetrock was cut out of the divider wall in the IDF room to allow for better air circulation.

<u>P & C COSTS</u>	<u>AMOUNT</u>
<i>Indirect Costs</i>	\$0
<i>Labor Costs (inc burden)</i>	\$196 <i>4 hrs to cut & contian sheetrock</i>
<i>Material Costs</i>	\$0
<i>Equipment Costs</i>	\$0

P&C TOTAL \$196

SUBCONTRACTOR COSTS AMOUNT

SUBCONTRACTOR TOTAL \$0

SUBTOTAL \$196

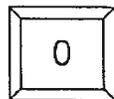
Insurance and Bonds \$3

SUBTOTAL \$199

Contractor Fee \$8

TOTAL COST \$208

ADDITIONAL DAYS



- Yes *Additional backup is attached to further define scope and/or costs listed above*
- No *If accepted, this PR will be charged towards the contingency*
- Yes *If accepted, this PR will result in an increase in the GMP*

OWNER REP APPROVAL: _____

DATE: _____

ARCHITECT APPROVAL: _____

DATE: _____



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POTENTIAL CHANGE ORDER (PCO)

PROJECT: *Tualatin Public Library & Office Addition*
P&C Job # 06069

DATE: 7/22/2008
PREPARED BY: *Mark K*

PCO No. 184 PCO Title: RFI #216 - Added landscaping

SCOPE OF WORK:

Per RFI #216 - add landscaping and irrigation to the south side of the sidewalk that parallels the access road near the water feature.

<u>P & C COSTS</u>	<u>AMOUNT</u>
<i>Indirect Costs</i>	\$0
<i>Labor Costs (inc burden)</i>	\$0
<i>Material Costs</i>	\$0
<i>Equipment Costs</i>	\$0

P&C TOTAL \$0

<u>SUBCONTRACTOR COSTS</u>	<u>AMOUNT</u>
Green Art	\$875

SUBCONTRACTOR TOTAL \$875

SUBTOTAL \$875

Insurance and Bonds \$15

SUBTOTAL \$890

Contractor Fee \$37

TOTAL COST \$927

ADDITIONAL DAYS

0

- Yes *Additional backup is attached to further define scope and/or costs listed above*
- No *If accepted, this PR will be charged towards the contingency*
- Yes *If accepted, this PR will result in an increase in the GMP*

OWNER REP APPROVAL: _____ DATE: _____

ARCHITECT APPROVAL: _____ DATE: _____



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POTENTIAL CHANGE ORDER (PCO)

PROJECT: *Tualatin Public Library & Office Addition*
P&C Job # 06069

DATE: 7/22/2008
PREPARED BY: Mark K

PCO No. 187 PCO Title: PR-34 - Masonite light valance

SCOPE OF WORK:

Per PR-34 - build and install a plywood & masonite shield for the clerestory light.

<u>P & C COSTS</u>	<u>AMOUNT</u>	
<i>Indirect Costs</i>	\$0	
<i>Labor Costs (inc burden)</i>	\$562	11 man hours
<i>Material Costs</i>	\$50	masonite
<i>Equipment Costs</i>	\$100	Lift rental
		P&C TOTAL <u>\$712</u>

<u>SUBCONTRACTOR COSTS</u>	<u>AMOUNT</u>	
		SUBCONTRACTOR TOTAL <u>\$0</u>
		SUBTOTAL <u>\$712</u>
		Insurance and Bonds <u>\$12</u>
		SUBTOTAL <u>\$724</u>
		Contractor Fee <u>\$30</u>
		TOTAL COST <u>\$755</u>

ADDITIONAL DAYS 0

- Yes *Additional backup is attached to further define scope and/or costs listed above*
- No *If accepted, this PR will be charged towards the contingency*
- Yes *If accepted, this PR will result in an increase in the GMP*

OWNER REP APPROVAL: _____ DATE: _____

ARCHITECT APPROVAL: _____ DATE: _____



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POTENTIAL CHANGE ORDER (PCO)

PROJECT: *Tualatin Public Library & Office Addition*
P&C Job # 06069

DATE: 7/8/2008
PREPARED BY: Mark K

PCO No. 194 PCO Title: Add module for drape operation

SCOPE OF WORK:

The drapes were fed on emergency power per the design drawings. However, the control panel that controlled the drape was not on emergency power. A new module need to be installed, wired, and the programming re-worked to allow the drapes to open in a pwer failure.

<u>P & C COSTS</u>	<u>AMOUNT</u>
<i>Indirect Costs</i>	\$0
<i>Labor Costs (inc burden)</i>	\$0
<i>Material Costs</i>	\$0
<i>Equipment Costs</i>	\$0

P&C TOTAL \$0

<u>SUBCONTRACTOR COSTS</u>	<u>AMOUNT</u>
Frahler Electric	\$2,874

SUBCONTRACTOR TOTAL \$2,874

SUBTOTAL \$2,874

Insurance and Bonds \$50

SUBTOTAL \$2,924

Contractor Fee \$121

TOTAL COST \$3,046

ADDITIONAL DAYS

0

Yes *Additional backup is attached to further define scope and/or costs listed above*

No *If accepted, this PR will be charged towards the contingency*

Yes *If accepted, this PR will result in an increase in the GMP*

OWNER REP APPROVAL: _____

DATE: _____

ARCHITECT APPROVAL: _____

DATE: _____



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POTENTIAL CHANGE ORDER (PCO)

PROJECT: *Tualatin Public Library & Office Addition*
P&C Job # 06069

DATE: 7/8/2008
PREPARED BY: Mark K

PCO No. 199 PCO Title: **Required changes to allow inverter to function**

SCOPE OF WORK:

Additional labor, material, and programming was required to shed enough load so that the emergency lighting would not overload the inverter.

<u>P & C COSTS</u>	<u>AMOUNT</u>
<i>Indirect Costs</i>	\$0
<i>Labor Costs (inc burden)</i>	\$0
<i>Material Costs</i>	\$0
<i>Equipment Costs</i>	\$0

P&C TOTAL \$0

<u>SUBCONTRACTOR COSTS</u>	<u>AMOUNT</u>
Frahler Electric	\$2,672

SUBCONTRACTOR TOTAL \$2,672

SUBTOTAL \$2,672
Insurance and Bonds \$47

SUBTOTAL \$2,719
Contractor Fee \$113

TOTAL COST \$2,832

ADDITIONAL DAYS

0

- Yes *Additional backup is attached to further define scope and/or costs listed above*
- No *If accepted, this PR will be charged towards the contingency*
- Yes *If accepted, this PR will result in an increase in the GMP*

OWNER REP APPROVAL: _____ DATE: _____

ARCHITECT APPROVAL: _____ DATE: _____



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POTENTIAL CHANGE ORDER (PCO)

PROJECT: *Tualatin Public Library & Office Addition*
P&C Job # 06069

DATE: 8/12/2008
PREPARED BY: Mark K

PCO No. 200 A PCO Title: PR #38 - Add plantings along east property line

SCOPE OF WORK:

Per PR-38, add Barberry plants and adjust the existing irrigation along the east property line. The existing irrigation was adjusted to allow the new plants to be watered and minimizing the installing more irrigation.

<u>P & C COSTS</u>	<u>AMOUNT</u>
<i>Indirect Costs</i>	\$0
<i>Labor Costs (inc burden)</i>	\$0
<i>Material Costs</i>	\$0
<i>Equipment Costs</i>	\$0

P&C TOTAL \$0

<u>SUBCONTRACTOR COSTS</u>	<u>AMOUNT</u>
Green Art	\$1,375

East property line work

SUBCONTRACTOR TOTAL \$1,375

SUBTOTAL \$1,375

Insurance and Bonds \$24

SUBTOTAL \$1,399

Contractor Fee \$58

TOTAL COST \$1,457

ADDITIONAL DAYS

0

- Yes Additional backup is attached to further define scope and/or costs listed above
- No If accepted, this PR will be charged towards the contingency
- Yes If accepted, this PR will result in an increase in the GMP

OWNER REP APPROVAL: _____

DATE: _____

ARCHITECT APPROVAL: _____

DATE: _____



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POTENTIAL CHANGE ORDER (PCO)

PROJECT: *Tualatin Public Library & Office Addition*
P&C Job # *06069*

DATE: *8/27/2008*
PREPARED BY: *Mark K*

PCO No. **202** PCO Title: **PR-40 - Relocate art piece**

SCOPE OF WORK:

Per PR-40 - Remove the diving into books art piece, patch & paint wall, remove existing light fixture, remove existing fire extinguisher cabinet, patch and paint hole from FEC, reinstall art work.

<u>P & C COSTS</u>	<u>AMOUNT</u>	
<i>Indirect Costs</i>	<i>\$0</i>	
<i>Labor Costs (inc burden)</i>	<i>\$490</i>	<i>10 hrs for P&C labor</i>
<i>Material Costs</i>	<i>\$0</i>	
<i>Equipment Costs</i>	<i>\$0</i>	
		P&C TOTAL
		<u><u>\$490</u></u>

<u>SUBCONTRACTOR COSTS</u>	<u>AMOUNT</u>	
Frahler Electric	\$439	Remove fixture
WH Cress	\$164	New cabinet
Cascade Acoustics	\$600	Patch holes
Don Rhyne Painting	\$300	Paint patches
		SUBCONTRACTOR TOTAL
		<u><u>\$1,503</u></u>

ADDITIONAL DAYS 0

	SUBTOTAL	\$1,993
	Insurance and Bonds	\$35
	SUBTOTAL	<u><u>\$2,028</u></u>
	Contractor Fee	\$84
	TOTAL COST	<u><u>\$2,112</u></u>

- Yes *Additional backup is attached to further define scope and/or costs listed above*
- No *If accepted, this PR will be charged towards the contingency*
- Yes *If accepted, this PR will result in an increase in the GMP*

OWNER REP APPROVAL: _____ DATE: _____

ARCHITECT APPROVAL: _____ DATE: _____



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POTENTIAL CHANGE ORDER (PCO)

PROJECT: *Tualatin Public Library & Office Addition*
P&C Job # 06069

DATE: 8/27/2008
PREPARED BY: Mark K

PCO No. 203 B PCO Title: PR-41 - Snowflake light

SCOPE OF WORK:

Per PR-41 - the southern most snowflake light in the Children's area must be removed or relocated. Option A is to completely remove the light and replace the ceiling tile. Option 2 is to relocate the light. Relocation will require the wiring and support structure above the ceiling to be moved, the old ceiling tile thrown away and replaced with a new tile out of owner stock, and a new hole cut in the existing ceiling tile in the new location.

<u>P & C COSTS</u>	<u>AMOUNT</u>
<i>Indirect Costs</i>	\$0
<i>Labor Costs (inc burden)</i>	\$0
<i>Material Costs</i>	\$0
<i>Equipment Costs</i>	\$0

P&C TOTAL \$0

<u>SUBCONTRACTOR COSTS</u>	<u>AMOUNT</u>
Frahler Electric	\$854

Relocate fixture, replace ceiling tile

SUBCONTRACTOR TOTAL \$854

SUBTOTAL \$854

Insurance and Bonds \$15

SUBTOTAL \$869

Contractor Fee \$36

TOTAL COST \$905

ADDITIONAL DAYS

0

- Yes *Additional backup is attached to further define scope and/or costs listed above*
- No *If accepted, this PR will be charged towards the contingency*
- Yes *If accepted, this PR will result in an increase in the GMP*

OWNER REP APPROVAL: _____

DATE: _____

ARCHITECT APPROVAL: _____

DATE: _____



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POTENTIAL CHANGE ORDER (PCO)

PROJECT: *Tualatin Public Library & Office Addition*
P&C Job # 06069

DATE: 8/12/2008
PREPARED BY: Mark K

PCO No. 206 A PCO Title: Provide new lamps over check out desks

SCOPE OF WORK:

Per the owner's request & the direction of Earl Levin, P&C directed Frahler Electric to order new lamps for th elights over the checkout desks. There are 6 fixtures and Frahler ordered 8 lamps in case some break during shipping. Paul requested that Frahler not install the lamps. The city can take care of the installation.

P & C COSTS	AMOUNT
<i>Indirect Costs</i>	\$0
<i>Labor Costs (inc burden)</i>	\$0
<i>Material Costs</i>	\$0
<i>Equipment Costs</i>	\$0

P&C TOTAL \$0

SUBCONTRACTOR COSTS	AMOUNT
Frahler Electric	\$649

SUBCONTRACTOR TOTAL \$649

SUBTOTAL \$649

Insurance and Bonds \$11

SUBTOTAL \$660

Contractor Fee \$27

TOTAL COST \$688

ADDITIONAL DAYS

0

- Yes Additional backup is attached to further define scope and/or costs listed above
- No If accepted, this PR will be charged towards the contingency
- Yes If accepted, this PR will result in an increase in the GMP

OWNER REP APPROVAL: _____

DATE: _____

ARCHITECT APPROVAL: _____

DATE: _____



Construction Company

P.O. Box 410
Gresham, OR 97030-0083
503) 665-0165
fax 503) 667-2565

POTENTIAL CHANGE ORDER (PCO)

PROJECT: Tualatin Public Library & Office Addition
P&C Job # 06069

DATE: 8/12/2008
PREPARED BY: Mark K

PCO No. 207 PCO Title: SeaReach final contract amount

SCOPE OF WORK:

SeaReach notified P&C that they would not be billing the final \$5000 on their contract. This will be credited to the GMP.

<u>P & C COSTS</u>	<u>AMOUNT</u>
Indirect Costs	\$0
Labor Costs (inc burden)	\$0
Material Costs	\$0
Equipment Costs	\$0

P&C TOTAL \$0

<u>SUBCONTRACTOR COSTS</u>	<u>AMOUNT</u>
SeaReach	(\$5,000)

SUBCONTRACTOR TOTAL (\$5,000)

SUBTOTAL (\$5,000)

Insurance and Bonds (\$88)

SUBTOTAL (\$5,088)

Contractor Fee (\$211)

TOTAL COST (\$5,299)

ADDITIONAL DAYS

0

- Yes Additional backup is attached to further define scope and/or costs listed above
- No If accepted, this PR will be charged towards the contingency
- Yes If accepted, this PR will result in an increase in the GMP

OWNER REP APPROVAL: _____ DATE: _____

ARCHITECT APPROVAL: _____ DATE: _____



Construction Company

P.O. Box 410
Gresham, OR 97030-0083
503) 665-0165
fax 503) 667-2565

POTENTIAL CHANGE ORDER (PCO)

PROJECT: *Tualatin Public Library & Office Addition*
P&C Job # 06069

DATE: 8/12/2008
PREPARED BY: Mark K

PCO No. 209 PCO Title: **Replace window at the corner of Martinazzi and BFR**

SCOPE OF WORK:

The large window at the corner of Martinazzi and Boones Ferry Road appears to have been shot. The outer pane was shattered. The owner requested that P&C have Mountain Glass order and install a new window.

<u>P & C COSTS</u>	<u>AMOUNT</u>
<i>Indirect Costs</i>	\$0
<i>Labor Costs (inc burden)</i>	\$0
<i>Material Costs</i>	\$0
<i>Equipment Costs</i>	\$0

P&C TOTAL \$0

<u>SUBCONTRACTOR COSTS</u>	<u>AMOUNT</u>
Mountain Glass	\$885

SUBCONTRACTOR TOTAL \$885

SUBTOTAL \$885

Insurance and Bonds \$15

SUBTOTAL \$900

Contractor Fee \$37

TOTAL COST \$938

ADDITIONAL DAYS

0

- Yes Additional backup is attached to further define scope and/or costs listed above
- No If accepted, this PR will be charged towards the contingency
- Yes If accepted, this PR will result in an increase in the GMP

OWNER REP APPROVAL: _____

DATE: _____

ARCHITECT APPROVAL: _____

DATE: _____



Construction Company

**P.O. Box 410
Gresham, OR 97030-0083
503) 665-0165
fax 503) 667-2565**

POTENTIAL CHANGE ORDER (PCO)

PROJECT: *Tualatin Public Library & Office Addition*
P&C Job # 06069

DATE: 10/21/2008
PREPARED BY: Mark K

PCO No. 212 PCO Title: **Add sign at Mastodon Sign**

SCOPE OF WORK:

Per the owner's request, add a sign at the mastodon display.

<u>P & C COSTS</u>	<u>AMOUNT</u>
<i>Indirect Costs</i>	\$0
<i>Labor Costs (inc burden)</i>	\$0
<i>Material Costs</i>	\$0
<i>Equipment Costs</i>	\$0

P&C TOTAL \$0

<u>SUBCONTRACTOR COSTS</u>	<u>AMOUNT</u>
Architectural Signing NW	\$396

SUBCONTRACTOR TOTAL \$396

SUBTOTAL \$396

Insurance and Bonds \$7

SUBTOTAL \$403

Contractor Fee \$17

TOTAL COST \$420

ADDITIONAL DAYS

0

- Yes** *Additional backup is attached to further define scope and/or costs listed above*
- No** *If accepted, this PR will be charged towards the contingency*
- Yes** *If accepted, this PR will result in an increase in the GMP*

OWNER REP APPROVAL: _____

DATE: _____

ARCHITECT APPROVAL: _____

DATE: _____



STAFF REPORT

CITY OF TUALATIN

Approved By Tualatin City Council
Date 12-8-08
Recording Secretary MS

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

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

DATE: December 8, 2008

SUBJECT: RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS
FOR TUALATIN PROFESSIONAL/MEDICAL OFFICE

ISSUE BEFORE THE COUNCIL:

Acceptance of public improvements constructed in association with Tualatin Professional/Medical Office, located at 19150 SW 90th 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 Tualatin Professional/Medical Office.

The improvements were done as required by the Public Facilities Decision issued on January 23, 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

M:/STAFF REPORTS/PI Tualatin Professional_Medical

RESOLUTION NO. 4847-08

RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS
FOR TUALATIN PROFESSIONAL/MEDICAL OFFICE

WHEREAS the City of Tualatin, hereinafter referred to as CITY, issued Tualatin Professional Building, LLC, hereinafter referred to as DEVELOPER, Public Works Construction Permit No. 07-06 to construct the public improvements including water line and fire line connection in association with Tualatin Professional/Medical Office, said improvements being required by Section IX of CITY Subdivision Ordinance No. 176-70 and the Public Facilities Decision issued on January 23, 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:

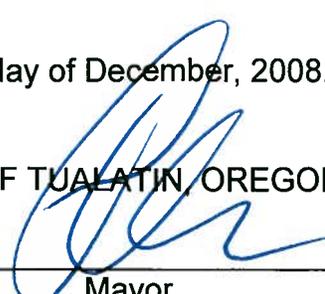
Section 1. The subject improvements are hereby approved and accepted by the CITY.

INTRODUCED AND ADOPTED this 8th day of December, 2008.

APPROVED AS TO LEGAL FORM


CITY ATTORNEY

CITY OF TUALATIN, OREGON

By 
Mayor

ATTEST

By 
City Recorder



STAFF REPORT

CITY OF TUALATIN

Approved By Tualatin City Council
Date 12-8-08
Recording Secretary M. Spill

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

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

DATE: December 8, 2008

SUBJECT: RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS
FOR SAGERT RIDGE OFFICE BUILDING

ISSUE BEFORE THE COUNCIL:

Acceptance of public improvements constructed in association with Sagert Ridge Office Building, located at 19824 SW 72nd 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 Sagert Ridge Office Building.

The improvements were done as required by the Public Facilities Decision issued on September 2, 2005, 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

M:/STAFF REPORTS/PI Sagert Ridge Office Building

RESOLUTION NO. 4848-08

RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS
FOR SAGERT RIDGE OFFICE BUILDING

WHEREAS the City of Tualatin, hereinafter referred to as CITY, issued Caffall Construction, Inc., hereinafter referred to as DEVELOPER, Public Works Construction Permit No. 05-22 to construct the public improvements including water line and fire line connection, sidewalk and commercial driveway in association with Sagert Ridge Office Building, said improvements being required by Section IX of CITY Subdivision Ordinance No. 176-70 and the Public Facilities Decision issued on September 2, 2005; 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. The subject improvements are hereby approved and accepted by the CITY.

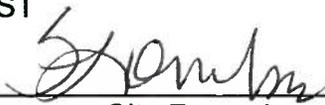
INTRODUCED AND ADOPTED this 8th day of December, 2008.

CITY OF TUALATIN, OREGON

By 

Mayor

ATTEST

By 

City Recorder

APPROVED AS TO LEGAL FORM



CITY ATTORNEY



Approved By Tualatin City Council

Date 12-8-08

Recording Secretary M. Smith

STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Paul Hennon, Community Services Director *Paul Hennon*

DATE: December 8, 2008

SUBJECT: RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR CONSTRUCTION OF THE LIBRARY/CITY OFFICES EXPANSION AND REMODEL PROJECT

ISSUE BEFORE THE COUNCIL:

Council will consider a resolution authorizing final acceptance of the Library/City Offices Expansion and Remodel Project.

RECOMMENDATION:

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

EXECUTIVE SUMMARY:

The Construction Manager/General Contractor (CM/CG) contract was awarded to P&C Construction Company of Gresham, Oregon on October 9, 2006. This engaged P&C during the design phase of the project. On May 14, 2007, the Council amended the CM/GC construction agreement to establish the Guaranteed Maximum Price (GMP) for the Library/City Offices Expansion and Remodel Project. This initiated construction.

Construction of the improvements is complete and staff has inspected the improvements, and has received all required documents and materials. This includes construction of storm water lines in Boones Ferry Road and the access road between the Library/City Offices and Council buildings as required by Public Works Permit 07-07.

FINANCIAL IMPLICATIONS:

Final acceptance authorizes final payment, release of the five percent construction retainage, and initiates the one-year warranty period, which is secured by a bond.

Attachments: A. Resolution

c: Steve Andersen, P&C Construction Company
Skip Stanaway, SRG Partnership, Inc.
Members of the Tualatin Library Advisory Committee (TLAC)

RESOLUTION NO. 4849-08

RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR
CONSTRUCTION OF THE LIBRARY/CITY OFFICES EXPANSION
AND REMODEL PROJECT

WHEREAS the City of Tualatin, hereinafter referred to as CITY, authorized P&C Construction Company, hereinafter referred to as CONTRACTOR, to construct improvements consisting of construction of the Library/City Offices Expansion and Remodel Project including construction of storm water lines in Boones Ferry Road and the access road between the Library/City Offices and Council buildings as required by Public Works Permit 07-07; and

WHEREAS CONTRACTOR has completed construction of the improvements, to standards required by CITY, and now desires to have CITY accept said improvements; and

WHEREAS CITY staff has inspected and recommends final acceptance of the 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. The Library/City Offices Expansion and Remodel Project is approved and accepted by the CITY.

INTRODUCED AND ADOPTED this 8th day of December, 2008.

CITY OF TUALATIN, OREGON

By  _____
Mayor

ATTEST:

By  _____
City Recorder

Approved as to Form:


City Attorney

Resolution No. 4849-08



Approved By Tualatin City Council

Date 12-8-08

Recording Secretary [Signature]

STAFF REPORT CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *[Signature]*

FROM: Paul Hennon, Community Services Director *[Signature]*

DATE: December 8, 2008

SUBJECT: RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR
CONSTRUCTION OF THE KI-A-KUTS BRIDGE

ISSUE BEFORE THE COUNCIL:

Council will consider a resolution accepting public improvements for construction of the Ki-a-Kuts Bridge which spans the Tualatin River at the north end of Tualatin Community Park, 8515 SW Tualatin Road, and is the southern terminus of the Fanno Creek Regional Trail system.

RECOMMENDATION:

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

EXECUTIVE SUMMARY:

The bridge was substantially complete and opened for public use in February 2007.

Construction of all the improvements is complete. The Oregon Department of Transportation (ODOT) and staff (for each of the partnering agencies including the cities of Tualatin, Durham, Tigard, and Clean Water Services) have inspected the improvements, and have received all required documents and materials.

FINANCIAL IMPLICATIONS:

Tualatin received funding for Ki-a-Kuts Bridge through the State of Oregon Transportation Enhancement Program. These are federal funds for projects to address transportation enhancement activities through the Transportation Equity Act of the 21st Century (TEA-21).

**STAFF REPORT: RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR
CONSTRUCTION OF THE KI-A-KUTS BRIDGE**

December 8, 2008

Page 2 of 2

Matching funds were contributed from partnering agencies, including the cities of Tualatin, Durham, Tigard, and Clean Water Services (Washington County).

Tualatin served as the lead jurisdiction and project manager. ODOT provided administrative services for the project, including monitoring the work for conformance with Federal Highway Administration (FHWA) rules and regulations.

All personal services contracts and the construction contract for this project were awarded by ODOT.

The partnering agencies entered into an intergovernmental agreement (IGA) to provide project management by Tualatin, shared funding for design, permits, construction, and the continuing maintenance and insurance obligations required by the project.

The partnering agencies were required to place funds on deposit in the Local Government Investment Pool (LGIP) prior to award of the construction contract. The project was completed within available funding and each of the agencies will receive a reimbursement of unused funds on deposit with the LGIP.

Attachments: A. Resolution

RESOLUTION NO. 4850-08

RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR CONSTRUCTION OF
THE KI-A-KUTS BRIDGE

WHEREAS the City of Tualatin, hereinafter referred to as CITY, entered into a Local Agency Agreement, No. 21,027, with the State of Oregon Department of Transportation, hereinafter referred to as STATE, to construct a bicycle/pedestrian bridge across the Tualatin River between Tualatin and Durham as part of the Fanno Creek Regional Trail System , later named "Ki-a-Kuts Bridge", hereinafter referred to as "Project"; and

WHEREAS the cities of Tualatin, Durham, and Tigard, and Clean Water Services (Washington County), hereinafter referred to as PARTNERS, have entered into an intergovernmental agreement (IGA) and have agreed to defer oversight and project management to the City of Tualatin, and to share the cost of the local match and maintenance for the project; and

WHEREAS the STATE authorized Capital Concrete Construction, Inc., hereinafter referred to as CONTRACTOR, to construct improvements consisting of construction of a bicycle/pedestrian bridge on the Fanno Creek Greenway Regional Trail in Washington County under contract No. 13220, awarded on March 21, 2006; and

WHEREAS CONTRACTOR has completed construction of the improvements, to standards required by STATE and PARTNERS, and now desires to have CITY accept said improvements; and

WHEREAS CITY staff has inspected and recommends final acceptance of the improvements; and

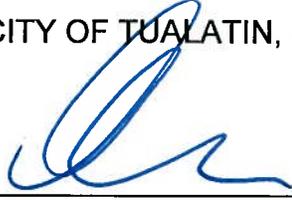
WHEREAS it is in the public interest that CITY accept said improvements.

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

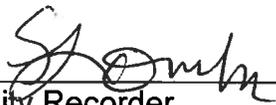
Section 1. The Ki-a-Kuts Bridge project is approved and accepted by the CITY.

INTRODUCED AND ADOPTED this 8th day of December, 2008.

CITY OF TUALATIN, OREGON

By  _____
Mayor

ATTEST:

By  _____
City Recorder

Approved as to Form:

 _____
City Attorney



Approved By Tualatin City Council

Date 12-8-08

Recording Secretary MSmith

STAFF REPORT CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Michael A. McKillip, City Engineer *mek*
Kaaren Hofmann, Civil Engineer *Kaaren*

DATE: December 8, 2008

SUBJECT: RESOLUTION AUTHORIZING INSTALLATION OF A NO
PARKING ZONE ON BOTH SIDES OF SW BOONES FERRY
ROAD FROM SW IBACH STREET TO SW NORWOOD ROAD

ISSUE BEFORE THE COUNCIL:

Consideration of whether the Council should adopt a resolution authorizing installation of a no parking zone on both sides of SW Boones Ferry Road south of SW Ibach Street.

RECOMMENDATION:

Staff recommends that the council adopt the attached resolution authorizing installation of a no parking zone on SW Boones Ferry Road south of SW Ibach Street to the City limits.

EXECUTIVE SUMMARY:

As a part of the Victoria Meadows Subdivision, SW Boones Ferry Road was widened on the west side to its ultimate width. When this occurred, motorists were uncertain about whether this was a travel lane or not as it was not striped. The City has now striped this area for no vehicular traffic. For safety purposes, it should also be signed as a no parking zone. The rest of SW Boones Ferry Road has already been designated as a no parking zone. The no parking zone is as follows:

- Both sides of SW Boones Ferry Road from SW Ibach Street to SW Norwood Road

The attached resolution formally authorizes the installation of a no parking zone in accordance with Tualatin Municipal Code 8-3.030.

At the November 24, 2008 Council meeting, Council requested that staff contact Tualatin High School about this matter and gather their comments. This is being done and information will be available at the December 8, 2008 meeting.

FINANCIAL IMPLICATIONS:

Signs and installation will be paid for out of the Road Operating Fund.

Attachments: A. Resolution
 B. Map

RESOLUTION NO. 4851-08

RESOLUTION AUTHORIZING INSTALLATION OF A NO PARKING
ZONE ON BOTH SIDES OF SW BOONES FERRY ROAD FROM
SW IBACH STREET TO SW NORWOOD ROAD

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

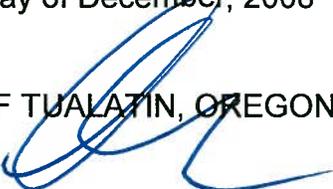
Section 1. In accordance with Tualatin Municipal Code 8-3.030, a No Parking
Zone is authorized in the following location:

Both sides of SW Boones Ferry Road from SW Ibach Street to
SW Norwood Road

Section 2. The Operations Director is authorized to implement this resolution by
maintaining the appropriate signs and/or markings at the above listed location.

INTRODUCED AND ADOPTED this 8th day of December, 2008

CITY OF TUALATIN, OREGON

By 

Mayor

ATTEST:

By 

City Recorder

Approved as to legal form:



City Attorney



STAFF REPORT

CITY OF TUALATIN

Approved By Tualatin City Council

Date 12-8-08

Recording Secretary M. Smith

TO: Honorable Mayor and Members of the City Council

FROM: Sherilyn Lombos, City Manager 

DATE: December 8, 2008

SUBJECT: RESOLUTION CANVASSING RESULTS OF THE GENERAL ELECTION FOR COUNCIL POSITIONS HELD IN THE CITY OF TUALATIN, WASHINGTON AND CLACKAMAS COUNTIES, OREGON ON NOVEMBER 4, 2008

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to adopt the resolution canvassing results of the City Council positions at the General Election held on November 4, 2008.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached resolution canvassing results of the General Election for Council positions held in the City of Tualatin, Washington and Clackamas Counties, Oregon on November 4, 2008.

EXECUTIVE SUMMARY:

On November 4, 2008 a general election was held and Tualatin voters elected councilors for the following positions:

Council Position 2:	Monique Beikman	5109
	Michael Zaretsky	3401
Council Position 4:	Ed Truax	6790
Council Position 6:	Joelle Davis	6127

Certified results have been received from Washington and Clackamas Counties and are on file in the Office of the City Recorder.

FINANCIAL IMPLICATIONS:

There are no financial impacts associated with this item.

Attachment: Resolution

RESOLUTION NO. 4852-08

RESOLUTION CANVASSING RESULTS OF THE GENERAL
ELECTION FOR COUNCIL POSITIONS HELD IN THE CITY OF
TUALATIN, WASHINGTON AND CLACKAMAS COUNTIES,
OREGON ON NOVEMBER 4, 2008

WHEREAS a General Election was held on November 4, 2008 in the City of Tualatin, Washington County and Clackamas Counties, Oregon wherein voters of the City balloted for the election of three Councilors, and;

WHEREAS there is on file in the Office of the City Recorder, a Certificate of Election results filed by the County Clerks of Clackamas and Washington Counties and it is necessary that the Council canvass the results of said election, and;

WHEREAS the Council hereby finds that the following summary constitutes a true and accurate statement of the election results and balloting.

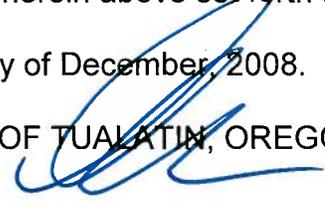
<u>COUNCILOR Position 2:</u>	Monique Beikman	5109
	Michael Zaretsky	3401
<u>COUNCILOR Position 4:</u>	Ed Truax	6790
<u>COUNCILOR Position 6:</u>	Joelle Davis	6127

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

Section 1. The Certificate of Election results filed in the Office of the City Recorder by the Washington and Clackamas County Clerks be, and the same is hereby approved, and that the results of said election as herein above set forth are accepted.

INTRODUCED AND ADOPTED this 8th day of December, 2008.

CITY OF TUALATIN, OREGON

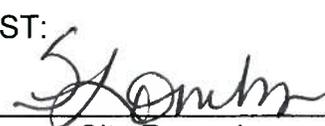
BY 

Mayor

Approved as to legal form:



City Attorney

ATTEST:
BY 

City Recorder



**WASHINGTON COUNTY
OREGON**

November 24, 2008

City Recorder
City of Tualatin
18880 SW Martinazzi Ave
Tualatin OR 97062

**REC'D
CITY OF TUALATIN**

NOV 25 2008

MAYOR _____ COUNCIL _____ POLICE _____ ADM _____
FINANCE _____ COMM DEV _____ LEGAL _____ OPER _____
COMM SVCS _____ ENG & BLDG _____ LIBRARY _____

Enclosed you will find a copy of the Abstract of Votes for City of Tualatin relating to the election held on November 4, 2008. In accordance with ORS 255.295, please canvass the votes and notify the Washington County Elections Division within thirty (30) days of receipt by signing and returning the bottom portion of this letter to:

Washington County Elections Division
3700 SW Murray Blvd. Suite 101
Beaverton OR 97005

Thank you very much.

Sincerely,

Mickie Kawai
Elections Manager

MK/tk



I have canvassed the votes for City of Tualatin, relating to the election on November 4, 2008. By signing this canvass letter, I concur with the final results.

AUTHORIZING SIGNATURE

City Manager/ Elections Official

12/1/08

DATE

City of Tualatin Council Pos 2

Vote For 1

- 01 = Monique Beikman
- 02 = Michael Zaretsky
- 03 = WRITE-IN

VOTES PERCENT

4,429 59.51

2,951 39.65

63 .85

04 = OVER VOTES

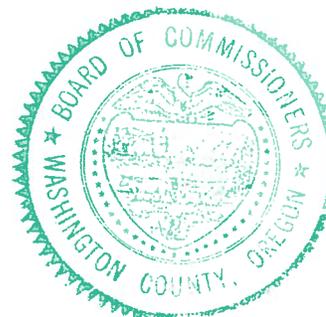
05 = UNDER VOTES

VOTES PERCENT

4

2,753

	01	02	03	04	05
0348 348 LAKE OSWEGO	26	26	1	1	59
0420 420 TUALATIN CITY	1227	882	18	1	740
0423 423 TUALATIN-NORTH	1007	688	23	1	725
0428 428 TUALATIN-WEST	442	292	2	0	372
0433 433 ED BYROM SCHOOL	980	514	10	1	504
0436 436 TUALATIN CITY	747	549	9	0	353



RUN DATE:11/21/08 12:56 PM

City of Tualatin Council Pos 4

Vote For 1

01 = Ed Truax

02 = WRITE-IN

VOTES PERCENT

VOTES PERCENT

5,871 98.01
119 1.99

03 = OVER VOTES
04 = UNDER VOTES

1
4,209

	01	02	03	04
0348 348 LAKE OSWEGO	51	1	0	61
0420 420 TUALATIN CITY	1688	31	0	1149
0423 423 TUALATIN-NORTH	1380	42	1	1021
0428 428 TUALATIN-WEST	628	11	0	469
0433 433 ED BYROM SCHOOL	1144	22	0	843
0436 436 TUALATIN CITY	980	12	0	666



RUN DATE:11/21/08 12:56 PM

City of Tualatin Council Pos 6

Vote For 1

01 = Joelle Davis

02 = WRITE-IN

VOTES PERCENT

5,325 98.30
92 1.70

03 = OVER VOTES
04 = UNDER VOTES

VOTES PERCENT

1
4,782

	01	02	03	04
0348 348 LAKE OSWEGO	50	2	0	61
0420 420 TUALATIN CITY	1508	30	0	1330
0423 423 TUALATIN-NORTH	1277	29	1	1137
0428 428 TUALATIN-WEST	568	8	0	532
0433 433 ED BYROM SCHOOL	1034	13	0	962
0436 436 TUALATIN CITY	888	10	0	760



NUMBERED KEY CANVASS

RUN DATE:11/21/08 09:12 AM

Clackamas County, Oregon
General Election
November 4, 2008

REPORT-EL52 PAGE 0113

WITH 2 OF 2 PRECINCTS REPORTING

CITY OF TUALATIN: Councilor, Position 2

VOTES PERCENT

VOTES PERCENT

Vote for 1

01 = Monique Beikman

680 60.07

02 = Michael Zaretsky

450 39.75

03 = WRITE-IN

2 .18

04 = OVER VOTES

0

05 = UNDER VOTES

533

01 02 03 04 05

0 0 0 0 2

0251 251

0252 252

680 450 2 0 531

CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK
BY: *Sherry Hall*, County Cle

NUMBERED KEY CANVASS

Clackamas County, Oregon

General Election

November 4, 2008

REPORT-EL52

PAGE 0114

RUN DATE:11/21/08 09:12 AM

WITH 2 OF 2 PRECINCTS REPORTING

VOTES PERCENT

VOTES PERCENT

CITY OF TUALATIN: Councilor, Position 4

Vote for 1

01 = Ed Truax

02 = WRITE-IN

919 98.71

12 1.29

03 = OVER VOTES

04 = UNDER VOTES

0

734

01 02 03 04

0251 251

0252 252

0 0 0 2

919 12 0 732

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SHERRY HALL, COUNTY CLERK
BY: *Sherry Hall*, County Clerk

NUMBERED KEY CANVASS

RUN DATE:11/21/08 09:12 AM

Clackamas County, Oregon

General Election

November 4, 2008

REPORT-EL52

PAGE 0115

WITH 2 OF 2 PRECINCTS REPORTING

CITY OF TUALATIN: Councilor, Position 6

VOTES PERCENT

VOTES PERCENT

Vote for 1

01 = Joelle Davis

02 = WRITE-IN

802 99.01

8 .99

03 = OVER VOTES

04 = UNDER VOTES

0

855

	01	02	03	04
0251 251	0	0	0	2
0252 252	802	8	0	853

0251 251

0252 252

CERTIFIED COPY OF THE ORIGINAL
 SHERRY HALL, COUNTY CLERK
 BY: 

	TOTAL		PERCENT			TOTAL		PERCENT	
01 = REGISTERED VOTERS - TOTAL	273,237				04 = VOTER TURNOUT - TOTAL	87.21			
02 = BALLOTS CAST - TOTAL	238,284				05 = VOTER TURNOUT - BLANK	.01			
03 = BALLOTS CAST - BLANK	29								
	01	02	03	04	05				
0301 301 RURAL NW COUNTY	2072	1843	. . 0	. . . . .	.00				
0302 302 KINNAMAN	2079	1752	. . 1	. . . . .	.05				
0303 303 WITCH HAZEL	332	297	. . 0	. . . . .	.00				
0304 304 BUTTERNUT	2742	2330	. . 0	. . . . .	.00				
0305 305 BANKS	847	721	. . 0	. . . . .	.00				
0306 306 TANASBOURNE	644	553	. . 0	. . . . .	.00				
0307 307 WILLOW CREEK	1899	1617	. . 1	. . . . .	.05				
0308 308 BLOOMING FERN HILL	477	475	. . 0	. . . . .	.00				
0309 309 HAWTHORNE FARMS	4045	3572	. . 1	. . . . .	.02				
0310 310 DILLEY	1337	1163	. . 0	. . . . .	.00				
0311 311 LAURELWOOD	635	528	. . 0	. . . . .	.00				
0312 312 HAGG LAKE	727	646	. . 0	. . . . .	.00				
0313 313 HILLSBORO-UNINCORP	263	235	. . 0	. . . . .	.00				
0314 314 GLENCOE	762	689	. . 0	. . . . .	.00				
0315 315 HELVETIA	664	606	. . 1	. . . . .	.15				
0316 316 PUMPKIN RIDGE	946	847	. . 0	. . . . .	.00				
0317 317 VERBOORT	404	358	. . 0	. . . . .	.00				
0318 318 MINTER BRIDGE	3103	2636	. . 2	. . . . .	.06				
0319 319 QUATAMA STREET	1129	940	. . 1	. . . . .	.09				
0320 320 HAZELDALE	2581	2160	. . 0	. . . . .	.00				
0321 321 GASTON	298	239	. . 0	. . . . .	.00				
0322 322 JACKTOWN	224	194	. . 0	. . . . .	.00				
0323 323 INDIAN HILLS	3357	2747	. . 0	. . . . .	.00				
0324 324 CHERRY GROVE	436	371	. . 0	. . . . .	.00				
0325 325 HILLSBORO-ISLANDS	3	3	. . 0	. . . . .	.00				
0326 326 RURAL BANKS	1369	1225	. . 0	. . . . .	.00				
0327 327 BROWN MIDDLE SCHOOL	3045	2584	. . 1	. . . . .	.03				
0328 328 FARMINGTON VIEW	1319	1125	. . 0	. . . . .	.00				
0329 329 CENTURY SCHOOL	3500	2976	. . 1	. . . . .	.03				
0330 330 NORTH PLAINS	1131	980	. . 0	. . . . .	.00				
0331 331 PORTLAND/BARNES	4	4	. . 0	. . . . .	.00				
0332 332 ORENCO STATION	2544	2206	. . 1	. . . . .	.04				
0333 333 JOHN OLSEN	4767	3757	. . 0	. . . . .	.00				
0334 334 DIXIE MOUNTAIN	104	99	. . 0	. . . . .	.00				
0335 335 JACKSON SCHOOL	3922	3503	. . 0	. . . . .	.00				
0336 336 FAIRGROUNDS	2557	2155	. . 0	. . . . .	.00				
0337 337 WALNUT ST	3547	2888	. . 0	. . . . .	.00				
0338 338 CORNELIUS	3969	3203	. . 0	. . . . .	.00				
0339 339 FOREST GROVE-EAST	1810	1406	. . 0	. . . . .	.00				
0340 340 FOREST GROVE	2573	2229	. . 0	. . . . .	.00				
0341 341 CORNELIUS-SCHEFFLIN	312	285	. . 0	. . . . .	.00				
0342 342 DAVID HILL RD	119	109	. . 0	. . . . .	.00				
0343 343 MOOBERRY	3707	3236	. . 0	. . . . .	.00				
0344 344 HILLSBORO CENTRAL	3428	2809	. . 1	. . . . .	.03				
0345 345 W/HILLSBORO UNINCORP	75	61	. . 0	. . . . .	.00				
0346 346 CORNELIUS/TUAL RIVER	236	212	. . 0	. . . . .	.00				
0347 347 FG/TUALATIN RIVER	36	31	. . 0	. . . . .	.00				
0348 348 LAKE OSWEGO	130	113	. . 0	. . . . .	.00				
0349 349 DIVISION STREET	2346	2029	. . 0	. . . . .	.00				
0350 350 FIR GROVE	4137	3577	. . 1	. . . . .	.02				
0351 351 ALOHA PARK	2274	1803	. . 0	. . . . .	.00				
0352 352 BEAVERTON-CENTER	765	604	. . 0	. . . . .	.00				
0353 353 WALKER ROAD-SOUTH	1681	1460	. . 0	. . . . .	.00				
0354 354 CHEHALEM SCHOOL	3695	3315	. . 0	. . . . .	.00				
0355 355 MEADOW PARK	3002	2607	. . 0	. . . . .	.00				

01 = REGISTERED VOTERS - TOTAL
02 = BALLOTS CAST - TOTAL
03 = BALLOTS CAST - BLANK

TOTAL PERCENT
273,237
238,284
29

04 = VOTER TURNOUT - TOTAL
05 = VOTER TURNOUT - BLANK

TOTAL PERCENT
87.21
.01

(CONTINUED FROM PREVIOUS PAGE)

	01	02	03	04	05
0356 356 ALOHA-WEST	1871	1553	0		.00
0357 357 HERITAGE PARK	1523	1266	0		.00
0358 358 SEMINOLE ESTATES	728	656	0		.00
0359 359 WATERHOUSE	4579	3949	0		.00
0360 360 PHEASANT LANE	2684	2321	0		.00
0361 361 MILLIKAN	1692	1399	0		.00
0362 362 CEDAR HILLS	3519	3175	0		.00
0363 363 BARNES RD	3052	2733	0		.00
0364 364 MCDANIEL RD	4062	3711	1		.02
0365 365 LEAHY RD	3550	3292	2		.06
0366 366 WEST TUALATIN VIEW	1755	1541	0		.00
0367 367 THOMPSON RD	3422	3036	0		.00
0368 368 SOMERSET	3909	3439	0		.00
0369 369 COLUMBIA AVE	1815	1574	0		.00
0370 370 ROCK CREEK	2201	1956	0		.00
0371 371 OAK HILLS	2195	1956	0		.00
0372 372 RIDGEWOOD SCHOOL	1748	1600	1		.06
0373 373 CORNELIUS PASS	368	340	0		.00
0374 374 JACOBSON RD	6	6	0		.00
0375 375 PORTLAND CITY	274	252	0		.00
0376 376 WESTVIEW	1931	1710	0		.00
0377 377 BETHANY EAST	2844	2572	0		.00
0378 378 CANYON LN	1094	1004	0		.00
0379 379 HALL BLVD	3465	3008	1		.03
0380 380 HIGHLAND PARK	2276	2052	0		.00
0381 381 BEAVERTON/CENTER ST	2094	1803	1		.05
0382 382 GREENWAY	3029	2578	0		.00
0383 383 BEAVERTON-HILLSDALE	1352	1220	1		.07
0384 384 GARDEN HOME	2285	2088	1		.04
0385 385 PORTLAND GOLF CLUB	2904	2633	1		.03
0386 386 RALEIGH PARK	3398	3121	1		.03
0387 387 SUNSET CORRIDOR	696	609	0		.00
0388 388 WHITFORD	205	170	0		.00
0389 389 SEXTON MOUNTAIN	3711	3302	0		.00
0390 390 SOUTHRIDGE	3688	3207	0		.00
0391 391 PORTLAND CITY	323	288	0		.00
0392 392 PORTLAND CITY COM 2	234	199	0		.00
0393 393 MONTCLAIR	600	558	0		.00
0394 394 CORNELIUS EAST	60	49	0		.00
0395 395 MURRAY HILL	2528	2197	0		.00
0396 396 DURHAM	747	660	0		.00
0397 397 BULL MOUNTAIN	2635	2376	0		.00
0398 398 COOPER MOUNTAIN	773	710	0		.00
0399 399 METZGER	2103	1850	1		.05
0400 400 WASHINGTON SQUARE	2699	2331	0		.00
0401 401 MAYO STREET	1705	1548	0		.00
0402 402 TIGARD/WALNUT ST	1006	902	0		.00
0403 403 TIGARD/GAARDE ST	3795	3420	0		.00
0404 404 FOWLER SCHOOL	2524	2215	0		.00
0405 405 TWALITY SCHOOL	4018	3542	0		.00
0406 406 TIGARD CITY HALL	3107	2625	1		.03
0407 407 NORTH BARNES	804	726	0		.00
0408 408 SUMMERFIELD	4511	4072	0		.00
0409 409 SUMMERLAKE-WEST	2478	2155	0		.00
0410 410 BEEF BEND RD	1870	1678	1		.05
0411 411 SCHOLLS HEIGHTS	2362	1992	0		.00

01 = REGISTERED VOTERS - TOTAL
02 = BALLOTS CAST - TOTAL
03 = BALLOTS CAST - BLANK

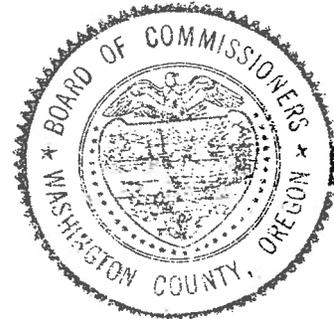
TOTAL PERCENT
273,237
238,284
29

04 = VOTER TURNOUT - TOTAL
05 = VOTER TURNOUT - BLANK

TOTAL PERCENT
87.21
.01

(CONTINUED FROM PREVIOUS PAGE)

	01	02	03	04	05
0412 412 COOPER MT SCHOOL	1931	1734	. . 0	. . . . .	.00
0413 413 FISCHER/PACIFIC HWY	526	437	. . 0	. . . . .	.00
0414 414 BARROWS RD	1302	1137	. . 0	. . . . .	.00
0415 415 BEEF BEND/131ST	418	392	. . 0	. . . . .	.00
0416 416 SUMMERLAKE-EAST	1654	1476	. . 0	. . . . .	.00
0417 417 ELDORADO	1322	1156	. . 0	. . . . .	.00
0418 418 HART ROAD	406	358	. . 0	. . . . .	.00
0419 419 KING CITY	1668	1560	. . 0	. . . . .	.00
0420 420 TUALATIN CITY	3208	2868	. . 0	. . . . .	.00
0421 421 TRI-CITIES	22	24	. . 0	. . . . .	.00
0422 422 FG NORTH/UNINCORP	124	107	. . 0	. . . . .	.00
0423 423 TUALATIN-NORTH	2839	2444	. . 1	. . . . .	.04
0424 424 CENTRAL SHERWOOD CITY	3940	3492	. . 1	. . . . .	.03
0425 425 SHERWOOD-UNINCORP	673	600	. . 0	. . . . .	.00
0426 426 GRONER	304	275	. . 0	. . . . .	.00
0427 427 SCHOLLS	1327	1211	. . 0	. . . . .	.00
0428 428 TUALATIN-WEST	1296	1108	. . 0	. . . . .	.00
0429 429 MILLER HILL	1873	1587	. . 0	. . . . .	.00
0430 430 BALD PEAK	446	396	. . 0	. . . . .	.00
0431 431 MOUNTAIN HOME	1536	1407	. . 0	. . . . .	.00
0432 432 WILSONVILLE	259	224	. . 0	. . . . .	.00
0433 433 ED BYROM SCHOOL	2237	2009	. . 0	. . . . .	.00
0434 434 ERROL HASSELL	3358	2904	. . 1	. . . . .	.03
0435 435 SE SHERWOOD CITY	3513	3138	. . 1	. . . . .	.03
0436 436 TUALATIN CITY	1796	1658	. . 0	. . . . .	.00
0437 437 HAZELBROOK	53	50	. . 0	. . . . .	.00
0438 438 SE COUNTY	486	433	. . 0	. . . . .	.00
0439 439 PCC	244	213	. . 0	. . . . .	.00
0440 440 HILLSBORO-SOUTH	850	731	. . 0	. . . . .	.00
0441 441 PORTLAND CITY SOUTH	70	61	. . 0	. . . . .	.00
0442 442 KEMMER RD	895	792	. . 0	. . . . .	.00
0443 443 MCEWAN RD	2	2	. . 0	. . . . .	.00
0444 444 SPRINGVILLE	2252	1949	. . 0	. . . . .	.00
0445 445 SCHOLLS HTS N	639	539	. . 0	. . . . .	.00
0446 446 LOMBARD	1186	1028	. . 0	. . . . .	.00
0447 447 BETHANY WEST	2246	1988	. . 0	. . . . .	.00
0448 448 CEDAR HILLS	425	347	. . 0	. . . . .	.00
0449 449 CANYON/217	65	46	. . 0	. . . . .	.00
0450 450 COOPER MTN-BEAVERTON	0	0	. . 0	. . . . .	.00
0451 451 GRABHORN	653	554	. . 0	. . . . .	.00
0452 452 JOHNSON/185TH	2748	2246	. . 0	. . . . .	.00
0453 453 BASELINE/185TH	31	26	. . 0	. . . . .	.00
0454 454 BULL MT SPLIT	453	379	. . 0	. . . . .	.00
0455 455 S TIGARD/PACIFIC HWY	12	12	. . 0	. . . . .	.00
0456 456 FOREST GROVE-NORTH	53	47	. . 0	. . . . .	.00
0457 457 NW SHERWOOD CITY	1859	1660	. . 0	. . . . .	.00
0458 458 FOREST GROVE-WEST	2437	2191	. . 0	. . . . .	.00
0459 459 FOREST GROVE-SOUTH	2683	2250	. . 0	. . . . .	.00



CERTIFIED TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL

Date

11/21/08

WASHINGTON COUNTY
ELECTIONS DIVISION

BY

[Signature]



STAFF REPORT

CITY OF TUALATIN

Approved By Tualatin City Council
Date 12-8-08
Recording Secretary M. Smith

TO: Honorable Mayor and Members of the City Council

FROM: Sherilyn Lombos, City Manager 

DATE: December 8, 2008

SUBJECT: RESOLUTION CANVASSING RESULTS OF THE AUTHORIZATION TO ISSUE COMMUNITY CENTER, TRAILS, PARKS AND SPORTS FIELDS GENERAL OBLIGATION BONDS TO THE VOTERS OF THE GENERAL ELECTION HELD IN THE CITY OF TUALATIN, WASHINGTON AND CLACKAMAS COUNTIES, ON NOVEMBER 4, 2008

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to adopt the resolution canvassing results of authorization to issue general obligation bonds for community center, trails, parks and sports fields at the General Election held on November 4, 2008.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached resolution canvassing results of the authorization to issue general obligation bonds for a community center, trails, parks and sports fields held in the City of Tualatin, Washington and Clackamas Counties, Oregon on November 4, 2008.

EXECUTIVE SUMMARY:

On November 4, 2008 a general election was held with the following results:

Measure 34-152

Community Center, Trails, Parks and Sports Fields General Obligation Bonds

Yes
3513

No
7497

Certified results have been received from Washington and Clackamas Counties and are on file in the Office of the City Recorder.

FINANCIAL IMPLICATIONS:

There are no financial impacts associated with this item.

Attachment: Resolution

RESOLUTION NO. 4853-08

RESOLUTION CANVASSING RESULTS OF THE AUTHORIZATION TO ISSUE COMMUNITY CENTER, TRAILS, PARKS AND SPORTS FIELDS GENERAL OBLIGATION BONDS TO THE VOTERS OF THE GENERAL ELECTION HELD IN THE CITY OF TUALATIN, WASHINGTON AND CLACKAMAS COUNTIES, OREGON ON NOVEMBER 4, 2008

WHEREAS an authorization to issue Community Center, Trails, Parks and Sports Fields General Obligation Bonds was submitted to the voters on November 4, 2008, in the City of Tualatin, Washington and Clackamas Counties, Oregon; and

WHEREAS there is on file in the Office of the City Recorder, a certificate of election results filed by the County Clerks of Clackamas and Washington Counties and it is necessary that the Council canvass the results of said election; and

WHEREAS the Council hereby finds that the following summary constitutes a true and accurate statement of the election results and balloting.

Measure No. 34-152

COMMUNITY CENTER, TRAILS, PARKS AND SPORTS FIELDS
GENERAL OBLIGATION BONDS

Yes
3513

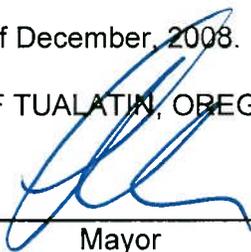
No
7497

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

Section 1. The Certificate of Election results files in the Office of the City Recorder by the Washington and Clackamas County Clerks be and the same is hereby approved and that the results of said election as herein above set forth are accepted.

INTRODUCED AND ADOPTED this 8th day of December, 2008.

CITY OF TUALATIN, OREGON

BY  _____
Mayor

Approved as to legal form:



City Attorney

ATTEST:
BY  _____
City Recorder

		VOTES		PERCENT			VOTES		PERCENT
34-152 City of Tualatin Bonds									
Vote For 1									
01 = Yes		3,031	32.06	03 = OVER VOTES		0			
02 = No		6,423	67.94	04 = UNDER VOTES		746			
		01	02	03	04				
0348	348 LAKE OSWEGO	30	58	0	25				
0420	420 TUALATIN CITY	784	1931	0	153				
0423	423 TUALATIN-NORTH	828	1387	0	229				
0428	428 TUALATIN-WEST	333	654	0	121				
0433	433 ED BYROM SCHOOL	591	1274	0	144				
0436	436 TUALATIN CITY	465	1119	0	74				



NUMBERED KEY CANVASS

Clackamas County, Oregon
General Election
November 4, 2008

RUN DATE:11/21/08 09:12 AM

REPORT-EL52 PAGE 0199

WITH 2 OF 2 PRECINCTS REPORTING

		VOTES	PERCENT			VOTES	PERCENT
34-152 CITY OF TUALATIN: BONDS FOR COMMUNITY CENTER, TRAILS, PARKS AND SPORTS FIELDS							
Vote for 1							
01 = Yes		482	30.98	03 = OVER VOTES		2	
02 = No		1,074	69.02	04 = UNDER VOTES		107	

	01	02	03	04			

0251 251	0	2	0	0			
0252 252	482	1072	2	107			

CERTIFIED COPY OF THE ORIGINAL
 SHERRY HALL, COUNTY CLERK
 BY: *Sherry Hall*, County Clerk



STAFF REPORT

CITY OF TUALATIN

Approved By Tualatin City Council
Date 12-8-08
Recording Secretary MSM

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Daniel J. Boss, Operations Director
Don Hudson, Finance Director
John Wall, Information Services Director
Clayton Reynolds, Maintenance Services Supervisor

DATE: December 8, 2008

SUBJECT: RESOLUTION EXEMPTING A CONTRACT FROM THE CITY'S PURCHASING RULES AND AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT WITH INTEGRA TELECOM FOR THE PURCHASE AND INSTALLATION OF A MITEL VOICE OVER INTERNET PROTOCOL (VOIP) TELEPHONE SYSTEM

ISSUES BEFORE THE COUNCIL:

Whether the City Council should authorize the City Manager to purchase a new telephone system.

If the Council decides a telephone system should be purchased, then sitting as the Contract Review Board, decide whether to exempt the contract to purchase from the City's public contracting rules.

RECOMMENDATIONS:

1. Staff recommends that Council authorize the purchase of a new telephone system for the City.
2. Staff recommends that the purchasing contract be exempt from the City's rules.
3. Staff further recommends that the City Council authorize the City Manager to sign a contract in the amount of \$149,950 with Integra Telecom for the purchase and installation of a Mitel Voice Over Internet Protocol (VOIP) telephone system.

EXECUTIVE SUMMARY:

Issue 1. The City's existing nine-year-old Nortel telephone system, comprised of three separate systems (City Hall, Police and Operations) has been experiencing voice mail and port issues for quite some time. Two months ago the entire system went down and

has limped along since then. In addition, the current system is completely maxed out with no ability to add new lines or numbers. Due to those problems and the desire to reduce operational costs, staff decided to evaluate new telephone systems. Staff also sought a single system that would allow staff to transfer calls to any extension in the City without having to have the customer hang-up and redial if trying to reach an employee on another system (i.e. a citizen calling the main City number and needing an Operations employee).

In an effort to assure that a new system would perform and had good, responsive technical support, staff researched a number of quality systems, then focused on four: Mitel, ShoreTel, Cisco, and 3-Com. Each of the four companies representing these systems examined the City's current telephone system, and presented a demonstration of its product to staff. The City asked each to provide a written quotation based on the same criteria and features so that Staff could determine whether purchasing a new system was feasible and whether it could potentially save money.

All four companies estimated an annual cost savings to the City of at least \$24,000, based on current use with the City's existing telephone system.

Mitel submitted the lowest responsive proposal and the following benefits:

- Lowest purchase cost, as well as lowest annual maintenance/software costs
- Ease of use
- Free training
- Five-year warranty
- Local company
- Positive references (Loaves and Fishes is one of many).

Issue 2. Because a new system, if approved would exceed \$50,000 in price, the City's purchasing rules would generally require the City to follow a formal Request for Proposal process. That process would require the City to decide what equipment it wished to purchase, then advertise for a request for proposals, then make a determination based on the paperwork submitted for each system. The purpose to assure that the City allows competition in its purchasing process.

It was necessary for Staff to do extensive research and investigation before Staff could determine whether to propose such a purchase to Council. That investigation involved evaluating whether a more efficient telephone service was available, whether such service, with attendant maintenance, would actually serve the City's needs, what features the City needed, and whether such a purchase was financially feasible. Thus, a number of companies were investigated before Staff invited the four companies to demonstrate their phone systems so the systems could be evaluated for performance and information obtained regarding potential cost.

ORS 279B.070 allows an intermediate process for purchases up to \$150,000 that involves obtaining three informally submitted competitive quotes. It requires that the agency award the contract to the offeror whose quote will best serve the interests of the

contracting agency, taking into account price, experience, expertise, product functionality, suitability for a particular purpose and contractor responsibility. Staff exceeded those requirements during its investigation of the systems.

ORS 279B085 (4) allows a local contract review board (the City Council fulfills this role in Tualatin) to use an alternative procurement procedure when the board finds that:

- (a) It is unlikely to encourage favoritism in the awarding of public contracts or substantially diminishes competition for public contracts; and
- (b) (A) Is reasonably expected to result in substantial cost savings to the contracting agency or to the public; or
(B) Otherwise substantially promotes the public interest in a manner that could not be practicably be realized by complying with the requirements that are applicable under ORS 279B.055, 279B.065 or 279B.070 or under any rules adopted thereunder. (Emphasis added. The City's rules are adopted under ORS 279B and others.)

Staff investigated a number of companies prior to narrowing the in-depth investigation to four, which did not encourage favoritism or diminish competition. The process Staff utilized was focused on selecting only the equipment needed, rather than having to buy a system with expensive, unnecessary features, to save costs. The process also substantially promoted the public interest by taking every step possible to thoroughly investigate the systems, rather than just reading about a system that might or might not perform as advertised. Thus, Staff's process complied with the intermediate process allowed by state law.

OUTCOMES OF DECISION:

1. Some immediate benefits of purchasing a new telephone system would include:
 - An estimated annual cost savings of at least \$24,000
 - Added user capacity
 - Having one system that connects all city offices
 - Resiliency - back-up systems will be installed at Police and Operations for emergencies
 - Improved features:
 - ⇒ Eight-user conference calling
 - ⇒ Integration with Microsoft Outlook
 - ⇒ Capability to store voicemails in folders and forward as email attachments
 - ⇒ Mobile extension "find me / follow me" technology
 - ⇒ "Any desk is yours" remote login

If the City keeps the existing system:

- The City does not incur a capital expenditure at this time.
- The City continues to pay the same higher annual operational costs.

- An additional voice mail module will have to be purchased for the Library/City offices to expand user capacity in the near future
2. If the City Council determines that a telephone system should be purchased, then sitting as the Contract Review Board, exempts the contract from the City purchasing rules and allows the intermediate process under state law to be utilized.
- If the Council determines that the phone system should be purchased but the contract should not be exempt, Staff will put together a formal Request for Proposals and follow that process to obtain offers.
3. If Council authorizes the City Manager to purchase the Mitel system, the purchase may be finalized without further action of the Council.

FINANCIAL IMPLICATIONS:

The City currently spends over \$50,000 per year on telephone service. All companies contacted have identified a savings to be a minimum of \$24,000 per year. Staff proposes to use these savings, along with remaining funds from the City Center Remodel project, to pay for the new system over the next three years.

The funding plan for this \$149,950 purchase calls for an \$80,000, three-year interfund loan, at an interest rate equal to the rate earned through the State of Oregon, Local Government Investment Pool. The current rate is 2.5%. The monthly payment on this loan would be approximately \$2,300, or \$27,600 per year. Total interest costs for the interfund loan are estimated at \$3,120, significantly less than the interest cost of a lease purchase for the equipment.

The remaining \$69,950 will be paid for using remaining funds in the City Center Remodel fund, which is ready to be closed out upon final payment to the contractor. Resolutions related to the closing out of the fund, as required by Local Budget Law, and the interfund loan will be presented to the Council at a future Council meeting.

Attachment: Resolution

RESOLUTION NO. 4854-08

RESOLUTION EXEMPTING A CONTRACT FROM THE CITY'S PURCHASING RULES AND AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT WITH INTEGRA TELECOM FOR THE PURCHASE AND INSTALLATION OF A MITEL VOICE OVER INTERNET PROTOCOL (VOIP) TELEPHONE SYSTEM

WHEREAS the City's telephone system has been experiencing problems for some time and has been limping along for the past two months since it broke down completely; and

WHEREAS the current City system is completely maxed out and can not accommodate additional lines or numbers; and

WHEREAS Staff began investigating options to determine whether it might be financially feasible to try to purchase a new system; and

WHEREAS Staff's investigation was necessary to determine what features the City would need in a new system, what features would not be necessary, and to assure that a new system would actually perform in an efficient manner; and

WHEREAS Staff researched a number of companies, then asked four companies to demonstrate their systems for City staff and provide written, competitive quotes; and

WHEREAS ORS 279B.070 allows the State to use an intermediate process for procurements of up to \$150,000 that allows its agencies to obtain three written competitive quotes but does not require a formal Request for Proposal or sealed competitive bids; and

WHEREAS Staff's investigation resulted in the City receiving four written competitive quotes; and

WHEREAS the City's purchasing rules generally require contracts for more than \$50,000 to be put out to bid or formal requests for proposals; and

WHEREAS the City's telephone system should be replaced.

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

Section 1. The City Council finds that a new telephone system should be purchased by the City Manager.

Section 2. The City Council finds that Staff's investigation of telephone systems did not encourage favoritism or substantially diminish competition for public contracts.

Section 3. The City Council finds that Staff's process substantially promoted the public interest that could not be practically realized by complying with a formal process in that it allowed Staff to understand what telephone systems were available, the systems' features, and propose the purchase of only features that are actually needed for the City.

Section 4. The City Council hereby exempts the contract with Integra for the purchase of a new telephone system from the City's purchasing rules.

Section 5. The City Manager is authorized to purchase a new Mitel telephone system from Integra for \$149,950.

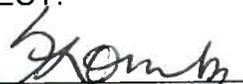
Section 6. The City Manager is authorized to sign the referenced contract after the City Attorney has reviewed and approved the contract terms.

INTRODUCED AND ADOPTED this 8th day of December 2008.

CITY OF TUALATIN, OREGON

By  _____
Mayor

ATTEST:

By  _____
City Recorder

APPROVED AS TO LEGAL FORM



CITY ATTORNEY



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager 

FROM: Doug Rux, Community Development Director 
William Harper, Associate Planner 

DATE: December 8, 2008

SUBJECT: INDUSTRIAL MASTER PLAN REQUEST FOR MITTLEMAN
PROPERTIES IN THE MANUFACTURING PARK (MP) PLANNING
DISTRICT (IMP-08-01)

ISSUE BEFORE THE CITY COUNCIL:

A request for approval of an Industrial Master Plan (IMP) proposed by Mittleman Properties for an existing 32.4 acre/3 building development in the Manufacturing Park (MP) Planning District at SW 124th Avenue/SW Tualatin Road/SW Leveton Drive (Assessors Map 2S122B Tax Lot 500). The application proposes a site plan with three new (future) buildings and alternate development standards allowing reduced building and parking setbacks to the development's interior lot lines and the adjoining SW 124th Avenue and SW Leveton Drive public streets, shared parking, loading & circulation, and reduced minimum lot sizes to allow separate ownerships within the subject site.

RECOMMENDATION:

Staff recommends the City Council consider the staff report and supporting attachments and direct staff to prepare a resolution granting approval with the conditions recommended by staff in Attachment F.

EXECUTIVE SUMMARY:

- This matter is a quasi-judicial public hearing.
- This matter is a request for approval of an Industrial Master Plan.
- The applicants are Kelly Niemeyer of Group MacKenzie and Henry Haimsohn of Mittleman Properties. Mittleman Properties developed and owns the 32.4 acre-3 building property currently occupied by GE Security, Partners on Demand and VWR located at 12100 & 12350 SW Tualatin Road and 12345 SW Leveton Drive (2S1 22B, Tax Lot 500) in the MP (Manufacturing Park) Planning District. A Vicinity Map, a Tax Map and the proposed IMP Site Plan are included as Attachments A, B & C respectively. The applicant's materials are included as Attachment D.

- Chapter 37 of the Tualatin Development Code establishes the process for Council review and approval of an Industrial Master Plan (IMP) for development in the MP Planning District and in the Leveton Tax Increment District (LTID). Approval of an IMP allows a MP Planning District property owner to plan and develop the property with certain alternate development standards. An IMP proposal is subject to meeting the IMP approval criteria in TDC 37.030 for adequate supporting public facilities, compatible building design, and suitable site design, improvements and dimensions in accordance with MP Planning District standards. As provided in TDC 37.020(4), an IMP can specify alternate standards for:
 - Setbacks for buildings, loading, parking that are more or less than allowed in the MP Planning District;
 - Building heights and building placement in respect to property boundaries;
 - Building location and orientation;
 - Lot dimensions subject to a 15 acre minimum north of SW Leveton (40 acres in MP) and 5 acre minimum south of Leveton (15 acres in MP);
 - Minimum landscaping coverage reduced to 20% (25% in MP)
 - Number of off-street parking spaces and loading docks;
 - Allow shared parking, loading, and access improvements.
- The Mittleman Properties site is currently improved with the three leased buildings (GE Security 138,824 sq. ft./ Partners on Demand 59,690 sq. ft./ VWR 56,400 sq. ft.), landscaping, shared accesses onto SW Tualatin Road and SW Leveton Drive and 789 shared parking spaces. Mittleman Properties is in the process of seeking new tenants for the buildings, planning new buildings for light industrial/flex office on the site and considering the sale of a building to an existing tenant. An IMP is not required for Mittleman Properties to continue developing the property. Development of the property can occur under the requirements of the MP Planning District and the Architectural Review Process.
- The IMP proposes a plan for three (3) new single and two-level buildings on undeveloped portions of the site with additional shared parking spaces and loading areas, shared access and circulation, additional landscaping improvements, reduced building setbacks to property lines and public streets and reducing the minimum parcel size from 40 acres to 15 acres to allow dividing the property into two parcels. If approved, the IMP would allow the possible sale of one of the two lots and to further develop the property with three new buildings (1-story Bldg. B 42,800 sq. ft.; 2- story Bldg. C 20,000 sq. ft.; 2- story Bldg. D 20,000 sq. ft.) with supporting parking (approximately 329 new spaces and a total of 1,118 spaces for two parcels) and landscaping improvements. No change to the maximum building height standard, the minimum 25% landscape standard or other MP Planning District development standards are proposed. (Attachment D, Site Plan and Narrative pp. 1-15)
- If modifications to the alternative standards approved in IMP-08-01 are necessary or if the total building floor area or total number of parking spaces approved in IMP-08-01 are to be exceeded, a condition of approval requires a new IMP application be submitted for review.

- The Applicant has prepared a narrative that describes the Mittleman Properties development and proposed IMP and addresses the IMP approval criteria (Attachment D). Attachment E is the Background Information and staff has reviewed the Applicant’s material and included pertinent excerpts in the Analysis and Findings section of this report (Attachment F).
- The Engineering Division reviewed the Applicant’s submitted traffic information that showed the proposed IMP will result in a decrease in the Mittleman Properties site’s developable area, from 463,400 s.f. down to 369,300 s.f. This is due to partition of the property into two parcels with minimal change to the 50 and 100 ft. building setback standards required in the MP Planning District. The decrease in the site’s developable area under the IMP reduces the potential building floor area the site can support and reduces resultant “worst case” traffic generation. The TIA estimates a reduction of 1,213 Average Daily Trips. The Engineering Division agreed that the IMP will not result in an increase in the Level of Service (LOS) for SW 124 Avenue, SW Tualatin Road and SW Leveton Drive intersections. The Oregon Department of Transportation agreed there will be no significant impacts on State Highway facilities (Hwy 99W). The table below shows the Trip Generation Summary presented in the Mittleman Properties IMP November 24, 2008 Letter:

MITTLEMAN REASONABLE WORST CASE TRIP GENERATION					
Land Use (ITE Code)	Scenario	Potential Development (Square Feet)	ADT	Weekday PM Peak Hour	
				Enter	Exit
Business Park - 770	Current MP	463,400	5,913	137	460
	Proposed IMP	368,300	4,700	109	366
Difference		95,100	1,213	28	94

- The Council approved an IMP for Novellus Systems in 2000. The Novellus IMP (IMP-00-01) allowed Novellus to partition their site into 3 parcels, master plan long-term development of the site with four phases, identify the current and future infrastructure improvement needs and establish the basis for a long-term development of a manufacturing campus. The Novellus IMP reduced minimum lot size from the 40 acre minimum required in TDC 62.050(1) to 15 acres (Partition PAR-00-04), reduced building, parking and circulation setbacks, determined methods for shared parking, circulation, site access and truck loading, and modified parking area standards.

- The applicable policies and regulations that apply to the proposed Mittleman Properties IMP for property in the MP Planning District include: TDC 7.040 Manufacturing Planning District Objectives; TDC Chapter 37-Industrial Master Plan; TDC Chapter 62- MP Planning District; and TDC Chapter 73-Community Design. The Analysis and Findings (Attachment F) considers the applicable policies and regulations.
- Before granting the proposed IMP, the City Council must find that the criteria listed in TDC 37.030 are met: The Analysis and Findings (Attachment F) examines the application in respect to the criteria for granting IMP approval and recommends conditions of approval necessary to meet the criteria.

OUTCOMES OF DECISION:

Approval of the Mittleman Properties Industrial Master Plan request will result in the following:

1. Allows the applicant to partition the property into two parcels with a minimum 15 acre size and proceed with further development of the property consistent with the IMP considering a proposed layout for three existing and three new buildings, additional landscaping, shared access, circulation parking and loading facilities and alternative building and parking setbacks.
2. Other development standards for the MP Planning District will not be changed and continue to apply.

Denial of the Industrial Master Plan request will result in the following:

1. The applicant will not be allowed to partition the property from its existing 32.5 acre size. No alternative development standards will be allowed.

ALTERNATIVES TO RECOMMENDATION:

The alternatives to the staff recommendation for the Council are:

- Approve the proposed Industrial Master Plan with conditions the Council deems necessary to protect the best interests of the surrounding property, or neighborhood or the City as a whole.
- Deny the request for the proposed IMP.
- Continue the discussion of the proposed IMP and return to the matter at a later date.

FINANCIAL IMPLICATIONS:

Revenue for Industrial Master Plan applications has been budgeted for Fiscal Year 08/09.

PUBLIC INVOLVEMENT:

The Applicant conducted a Neighbor/Developer meeting at the Tualatin/Durham Senior Center on August 28, 2008, to explain the Industrial Master Plan proposal to neighboring property owners and to receive comments. One nearby business/property owner representative attended the meeting. The application materials state the attendee did not indicate any objection to the IMP proposal.

- Attachments:**
- A. Vicinity Map
 - B. Plat Map of Site
 - C. IMP Site Plan showing 2 Parcels with existing and proposed improvements
 - D. Applicant's Materials and Supporting Information including Group MacKenzie Traffic Information
 - E. Background Information
 - F. Analysis and Findings
 - G. Engineering Division Memorandum

SCALE 1"=200'

FOR ASSESSMENT PURPOSES
ONLY. DO NOT RELY ON
FOR ANY OTHER USE.



SEE MAP 2S115C

SEE MAP 2S115CC

SEE MAP 2S128B

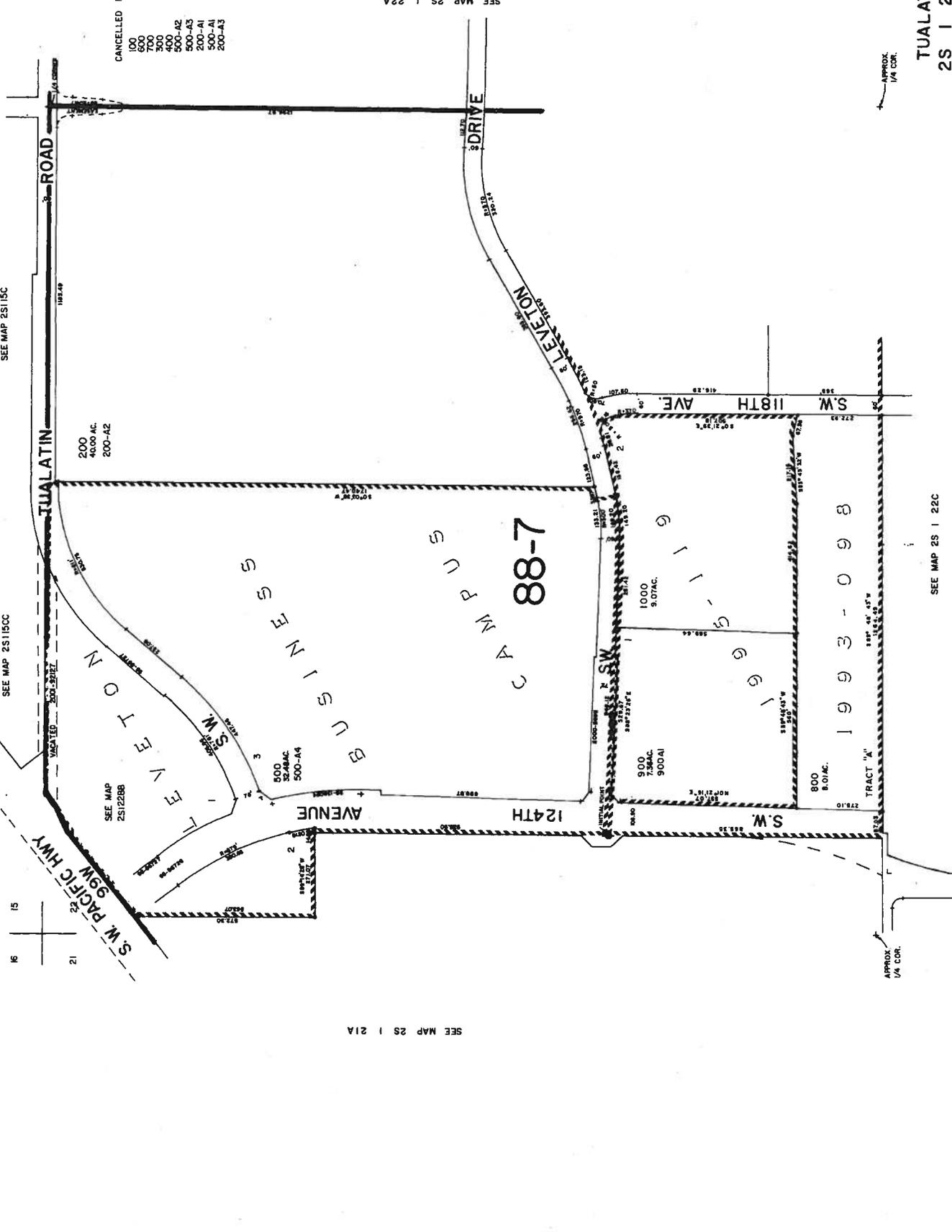
SEE MAP 2S 1 21A

SEE MAP 2S 1 22A

SEE MAP 2S 1 22C

CANCELLED NO'S.

- 100
- 200
- 300
- 400
- 500-A2
- 900-A3
- 200-A1
- 900-A1
- 200-A5



APPLICATION FOR INDUSTRIAL MASTER PLAN

Community Development Department
Planning Division (503-691-3026)
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092

Case No. IMP-08-01
Fee Rec'd 1565 -
Receipt No 4093
By [Signature]

PLEASE PRINT IN INK OR TYPE

Code Section 37 Industrial Master Plan Planning District MP

Owner's Name Mittleman Properties Phone _____

Owner's Address 621 S.W. Morrison Port. Ora. 97205
(street) (city) (state) (zip)

Owner recognition of application: [Signature]

Signature of Owner(s)

Applicant's Name Kelly Niemeyer

Applicant's Address 1515 SE Water Ave Portland OR 97293
(street) (city) (state) (zip)

Applicant is: Owner _____ Contract Purchaser _____ Developer _____ Agent _____
Other Representative

Contact Person's Name Kelly Niemeyer

Contact Person's Address 1515 SE Water Ave Portland OR 97293
(street) (city) (state) (zip)

Assessor's Map Number T25 R1W 22B Tax Lot Number(s) 500

Address of property 12350 SW Tualatin Road Lot area 32.48 acres

Existing Buildings (Number and Type) 3 manufacturing office / Industrial Buildings

Current use Manufacturing and Office

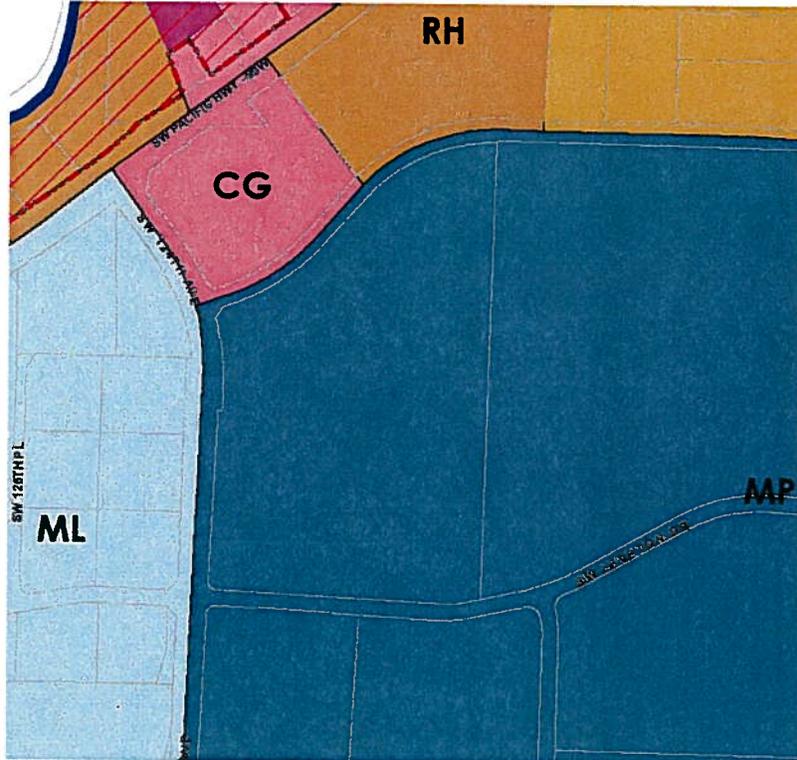
As the person responsible for this application, I, the undersigned hereby acknowledge that I have read the above application and its attachments, understand the requirements described herein, and state that the information supplied is as complete and detailed as is currently possible, to the best of my knowledge.

Name Kelly Niemeyer Date 9/24/08 Phone 503-224-9560 X380

Address 1515 SE Water Ave Portland OR 97293

I. INTRODUCTION

This narrative supports the application for an Industrial Master Plan on a 32.48-acre site located at 12345 SW Leveton Drive. Per City of Tualatin Plan District Map (Map 1), the site is identified as Manufacturing Park. The site, owned by Mittleman Properties, Inc., is located north of Leveton Drive, south of Tualatin Road, and east of SW 124th Avenue (see Map 2) and is currently one legal lot of record (2S 1W Sec 22B Tax Lot 500).



Map 1: City of Tualatin Community Plan Map 9.1 Planning Districts

The site is currently developed with three buildings. As shown on Attachment B, the Sentrol Building is 138,824 SF, the SMMS Building is 59,690 SF, and Building A is 56,400 SF. Access points are located along SW Tualatin Road, SW 124th Avenue and SW Leveton Road. The remainder of the southern half of this site comprises landscaped and vacant areas. The vacant areas include fields with mixed coniferous and deciduous trees. The southern portion of the site and vacant pad to the east are mostly open grassy field with sparse trees. Generally the entire site has rolling topography increasing in elevation from south to north, with a significant 35-foot increase in elevation at the south.

II. PROJECT DESCRIPTION

The attached site plan shows the planned future full site build-out. As shown on the site plan, the IMP includes:

Building	Use	Footprint (SF)	Parking Stalls	Parking Ratio (per 1000 SF)
Sentrol Building	Existing Manufacturing	138,824	417	3.00
SMMS Building	Existing Manufacturing	59,690	189	3.16
Building A	Existing flex-industrial	56,400	166	2.94
Building B	Future flex-industrial	42,800	100	2.33
Building C	Future Office	20,000	100	5.00
Building D	Future Office	20,000	83	4.15
Total		337,714	1,055	3.13

Overall Landscape Area	490,085 SF (11.25 acres)
Overall Landscape Percentage	34.6%
Overall Impervious Area	924,843 SF (21.23 acres)
Overall Pavement Area	587,129 SF (13.48 acres)
Required Parking Lot Landscape	27,950 SF (25 SF/Space)

The IMP will not result in an increased development density beyond what the MP District already allows. The three additional buildings proposed on the site plan are consistent with the MP District as well. The IMP is being requested with the ultimate goal of a site partition and modifications to setback requirements which will create a unified and aesthetically pleasing Business Park.

As such, under separate application, a minor partition will be requested. The goal of the minor partition will be to locate the Sentrol building on a lot separate from the other five buildings. The proposed lot configuration, while somewhat irregular, is a consequence of the need to provide sufficient lot area and parking. As such, the site is proposed to be divided into two parcels with the following building area and parking stalls:

Parcel	Area	Building Area	Parking Stalls
Parcel 1	15.03 acres	138,824 SF	421
Parcel 2	17.45 acres	198,890 SF	638
Total	32.48 acres	337,714 SF	1,059

The partition will include access and utility easements that will be presented with the partition application. Partitioning the subject property will not undermine the campus atmosphere or the function of shared circulation patterns and accesses. Regardless of the location of the lot lines, the site plan is intended to convey a unified design theme and provide shared parking and circulation areas. Access points are located along SW Tualatin Road, SW 124th Avenue, and SW Leveton Road. These access points are proposed to be retained and to serve additional parking areas in the site's southern portion. Significant site landscaping has already been installed, and additional landscaping will be provided for all future buildings.

Surface parking areas will be situated on the perimeter of the building areas. With a larger parking area located within the center of the site. The site's overall parking ratio is approximately 3.32 spaces per 1,000 SF. Consequently, some 1,059 parking spaces will be provided throughout the subject property and will serve the existing and future development.

III. INDUSTRIAL MASTER PLAN (CHAPTER 37)

As indicated above, Mittleman Properties is requesting approval of a site Industrial Master Plan (IMP). An IMP is intended to “achieve a campus-like setting within an Industrial Master Plan Area, while allowing development to occur on a number of smaller parcels within the area.” The following excerpts from Chapter 37 indicate that the project proposal meets the intent of Chapter 37, meets the technical requirements for application submittal and also meets the criteria for City Council approval. Furthermore, the IMP process is intended to address the broader conceptual issues, including modification of setbacks, related to large lot development prior to applying for Architectural Review. By applying for the Industrial Master Plan approval, the minimum lot size may be partitioned to no less than 15 acres rather than the standard 40-acre minimum lot size in the Manufacturing Park Planning District.

37.010 Purpose

The Tualatin City Council may approve an Industrial Master Plan within the Manufacturing Park Planning District that sets particular standards for development within the Industrial Master Plan Area defined by such plan, in accordance with the Tualatin Community Plan and the Leveton Tax Increment Plan. Such approved plans are intended to achieve a campus-like setting within an Industrial Master Plan Area, while allowing development to occur independently on a number of smaller parcels within that area. It is the intent of this chapter to provide procedures and criteria for the submission and review of such Industrial Master Plan applications.

Response: The proposed site layout shows the expansion of an existing business park campus. The site is currently developed with three manufacturing buildings. As shown on the site plan, three additional buildings are proposed – one for flex industrial use and two for office use. Each new building will be consistent with the existing development and efficient for both the site and the type of uses proposed. Two parcels are shown within this Industrial Master Plan, creating parcels of not less than 15 acres in order to comply with the minimum lot size requirements of TDC 62.050. These proposed lots are configured to provide a sufficient number of parking stalls for each building and their constituent use(s), while also maintaining the continuity of the physical site layout. The partition request will be submitted subsequent to the IMP application submittal.

The main site entrance is located off SW Leveton Drive and includes design features intended to emphasize that entrance. Three other access points are located off of SW Tualatin Road. The proposed internal vehicle circulation area is designed to allow any one of these entrances to provide access to the entirety of the site. Exterior views of parking areas are deemphasized by locating such areas around and behind building. Loading areas are separated from vehicle parking areas so that any potential conflicts between trucks and passengers vehicles are minimized. The existing pedestrian walkway system will be enhanced to provide full site access for those walking from the public sidewalks or between buildings. A unified landscaping theme will be maintained throughout. Given the nature and degree of site design unification and shared pedestrian and vehicle facilities, the proposed IMP clearly meets the intent cited above.

37.020 Application Requirements

- (1) *A request for an Industrial Master Plan... shall be initiated by the owner or owners of all properties within the Industrial Master Plan area... The applicant shall discuss the proposed use and site plans with the Planning Director and City Engineer in a pre-application conference prior to submitting an application. Prior to the submittal of an application, an applicant shall conduct a Neighborhood/Developer Meeting subject to TDC 31.063. Following the pre-application conference, the applicant may submit a written application addressing applicable review criteria...*

Response: A pre-application conference was held with the City of Tualatin on August 6, 2008. The preliminary site plan and code requirements for this project were discussed. Also, a neighborhood meeting was held on September 4, 2008. Neighborhood meeting materials are included as Attachment H.

- (2) *An Industrial Master Plan...shall be conditioned on creation of the proposed parcels through the subdivision or partition process or may be the subject of a concurrent land division application....*

Response: A partition application will be submitted subsequent to the submittal of this Industrial Master Plan. The partition application will request the creation of two parcels (15.03 and 17.45 acres). We request that the proposed IMP be reviewed and approved on that basis.

- (3) *In addition... the following information shall be included in the application or on accompanying drawings:*

Response: All of the specific site plan requirements identified in Chapter 37 and within the IMP application packet have been shown on the site plans and/or included within the application packet.

- (4) *An Industrial Master Plan may specify, for the entire Industrial Master Plan Area as a whole or for each individual parcel therein, the following alternate development standards which shall supersede conflicting provisions otherwise applicable:*

- (a) *Setbacks from each lot line to buildings, parking areas and circulation areas. Required setbacks may be exact, or minimum and maximum ranges may be specified. Required setbacks may be greater than or less than those required under TDC 62.060.*

Response: Pursuant to TDC 62.060, setbacks may be determined through the IMP process. Where such a process is not proposed, the setbacks specified in TDC 62.060(2)-(5) apply. In this case, we are proposing setbacks specifically designed to accommodate the existing development and the undeveloped portion of the site. Setbacks between the proposed parking area and abutting street all exceed the 100-foot minimum of the MP base zone with the exception of Building D, for which a 50-foot street setback to Leveton Drive and SW 124th Avenue is proposed due to topographical constraints and building locations. Where existing Building A is adjacent to a nearby lot line between proposed parcels 1 and 2, the proposed setback is 43 feet. Similarly, the proposed setback between the south line of Parcel 1 and future Building D is 28 feet. Site aesthetics will be maintained as the yard setback is occurring internal to the site and sufficient landscaping will maintain the site's external aesthetic. Additionally, both of these setbacks are necessary so that the minimum lot size of 15 acres for Parcel 1 can be maintained, and in that context are justifiable pursuant to TDC 62.060(1).

Existing and proposed setbacks between the parking area and adjacent property to the east are a minimum of 25 feet and a maximum of 120 feet. Nearly all required parking has already been constructed. Where new parking adjacent to rights of way is proposed, the only instance where it exceeds 25 feet is where a stormwater quality/detention swale is planned along the south end of the subject property.

In summary, very generous landscaped setback areas are provided to ensure adequate separation between buildings, parking areas, and streets. The proposal is consistent with this provision.

(b) Locations of shared parking and circulation areas and access improvement, including truck maneuvering and loading areas and common public or private infrastructure improvements.

Response: The configuration of surface parking areas is shown on the enclosed plans. Parking areas are disbursed around buildings and also located within the center of subject property. Loading areas are located between buildings and are thereby screened from external view. In general, the existing and proposed elements of the IMP are consistent with the parking design standards set forth in TDC 73.370.

(c) Building heights and placement and massing of buildings with respect to parcel boundaries.

Response: The style of existing and proposed buildings is generally similar to the surrounding business park environment. The massing and placement of these buildings will accommodate the existing topography, while also de-emphasizing the proposed parking areas by centrally locating on-site parking. Generous setbacks will be used to ensure that the site has ample site landscaping, consistent with the industrial park concept.

(d) Location and orientation of building elements such as pedestrian ways or accesses, main entrances and off-street parking or truck loading facilities, including the number of off-street parking spaces and loading docks required.

Response: Complete pedestrian and vehicle circulations systems are proposed to allow reasonably safe and direct access for multiple transportation modes.

(e) Lot dimensions and area provided that no individual parcel shall be less than 15 acres north of SW Leveton Drive and five acres south of SW Leveton Drive unless otherwise provided under TDC 62.050(1).

Response: A partition of the subject property into two lots of 15.03 and 17.45 acres, as shown on the enclosed plans, will be requested subsequent to IMP application submittal. The proposed configuration is consistent with the lot size parameters cited above.

(f) Location of required building and parking facility landscaped areas.

Response: Attachment B shows the proposed site plan for the buildings and parking facilities. The proposed project overall, and each future partition lot, will exceed the 20% landscape requirement.

37.030 Criteria for Review

The City Council shall approve an Industrial Master Plan, after a hearing conducted pursuant to TDC 32.040, provided that the applicant demonstrates that the following criteria are met:

(1) Public facilities and services, including transportation, existing or planned, for the area affected by the use are capable of supporting the proposed development or will be made capable by the time development is completed.

Response: The entire site is serviced by existing public facilities. Three boundary streets, Leveton Road, 124th Avenue and Tualatin Road, abut the exterior of the subject property. Four separate driveways provide access to these streets. Note that all of these access points already exist, and no new street accesses are proposed. The attached traffic letter (Attachment G) reviews the potential transportation implications of the proposed IMP and finds that, since the IMP is not creating an increase in the site's development potential, it will not result in additional trips over what the MP District already allows. As such, the implications of this application request do not warrant further traffic analysis. Further analysis will occur during the Architecture Review phase of future development.

Transit service is available on 99W near its intersection with SW 124th Avenue, and is designated Route 12. These north/south bound stops are both within 1/4 mile of the subject property. Other public utilities to serve the subject property are shown in the enclosed site plan and are summarized below:

Facility	Size	Location
Water Lines	12"	Leveton Road
	16"	124 th Avenue
Sanitary Sewer Lines	8"	Within Leveton Road, stubbed to southeast corner of property
Storm Sewer	24"	Runs to south along 124 th Avenue from 99W, continues south past Leveton Road

For sanitary sewer, the existing parcel is served by the Public Sanitary Sewer Main within Leveton Road. With the construction of the first building, a sanitary sewer main was constructed to public standards to be dedicated to the City of Tualatin at a future date. This line will undergo various proscribed tests, and some rerouting will occur to allow for future Building C. Following any necessary repairs, the line will be dedicated to the City of Tualatin with a 15-foot public sanitary sewer easement.

All storm drainage generated on the subject property will be accommodated by onsite facilities, including major storm water quality/detention swales located along 124th Avenue and Leveton Road. These will include LID type BMPs to help filter and sequester stormwater, while also allowing integration of these facilities into the overall landscaping design.

As all necessary public facilities are available to the subject property and will be extended to serve future buildings at the time of development, this criterion is met.

- (2) *The location, design, size, color and materials of the exterior of all structures for the proposed development and use is compatible with the character of other developments within the same general vicinity.*

Response: The proposed project has been designed to be compatible with existing surrounding development. The subject site is surrounded on three sides (south, east and west) by existing industrial developments and vacant industrially zoned land. This existing industrial development is characterized by large-scale manufacturing buildings with associated buildings and parking areas and are generally similar in nature to the proposed project. The location and sizes of the buildings are all shown on Attachment B.

Over 55 feet of landscaping between the nearest residential area to the north (separated by a street) and the northerly parking area has been provided, which will provide ample buffering between residential and employment activities. The only reduced street setbacks are located between Building D and its frontage roads, SW 124th Avenue and Leveton Road. The proposed 50-foot setback is necessary to accommodate the topography of the subject property and the overall grading plan (this portion of the site is significantly lower than the northerly section). Given that this reduced setback is adjacent to a roadway and not other buildings, it presents no potential adverse impacts and attractive landscaping shall be provided along Leveton consistent with the overall vision for that corridor. There are also two instances where side or rear yard setbacks do not meet the 50-foot minimum MP standard. Where existing Building A is adjacent to a nearby lot line between proposed parcels 1 and 2, the proposed setback is 43 feet. Similarly, the proposed setback between the south line of Parcel 1 and future Building D is 28 feet. These proposed setback

adjustments are not adjacent to lots outside of the subject property and the site will continue to function efficiently and effectively.

Additionally, no parking will be located between this building and the street, further mitigating any drawbacks to a reduced setback in this area. With the exception of Building D, all other structures and parking areas meet applicable minimum setbacks.

The buildings will have different orientations depending on the nearest access, parking and loading areas, and their locations on the lot. The two highly visible proposed office buildings will feature considerable window glazing and will be multi-story. None of the proposed buildings will exceed the maximum permitted height of 70 feet. Materials will include brick and other varieties of masonry, with selective use of parapet walls, belt coursing, and vertical articulation. Building will be designed to emphasize their entrances by providing a vertical emphasis of those areas. In summary, the proposed buildings will project considerable visual interest through the use of detailing, articulation, and window glazing. Except along portions used as loading areas, blank masonry walls will not be used.

As the proposed development will substantially conform to the character of surrounding properties while providing buffers from incompatible uses (such as residences), this criterion is met.

- (3) *The internal circulation, building location and orientation, street frontage, parking, setbacks, building height, lot size and access are in accordance with TDC Chapter 62 unless otherwise approved through the Industrial Master Plan process.*

Response: The future elements of the IMP generally meet the provisions of TDC Ch. 62. Both proposed lots exceed the minimum required lot area and exceed the minimum street frontage of 250 feet. Access considerations do not apply in this case as all access points have already been established and are not proposed to be changed.

Buildings will have different orientations depending on the nearest access, parking and loading areas, and their locations on the lot. Although the buildings are considered industrial (and are thus not specifically encouraged to be oriented towards pedestrian circulation), a complete pedestrian circulation system will be provided which connects buildings, streets, and parking areas. This is an expansion on an existing circulation system that utilizes 5-foot-wide walkways; for this reason, future walkways are also proposed to be 5 feet. Raised and/or visually distinct crosswalks will be provided where walkways cross drive aisles or parking areas.

Setbacks are generally consistent with standard code requirements except in the case of Building D, which must have a reduced setback due to the topography and existing layout of the subject property, and two instances where side or rear yard setbacks do not meet a 50-foot minimum standard. Where existing Building A is adjacent to a nearby lot line between proposed parcels 1 and 2, the proposed setback is 43 feet. The lot line is proposed between two existing buildings and will not impact their functionality. Similarly, the proposed setback between the south line of Parcel 1 and future Building D is 28 feet. Both of these setbacks are internal and will not impact surrounding lots. The reduced setbacks will not deduct from the site's aesthetic quality and will actually enhance the corner of 124th and Leveton because an attractive office building versus parking area will be displayed.

Parking areas are consistent with the common requirements of TDC 73.370-390, as shown on the enclosed site plan, and the proposed partition will result in sufficient parking dedicated to the uses on both lots. In addition to the pedestrian circulation system, a complete internal vehicle circulation plan is designed to allow any one of these entrances to provide access to the entirety of the site. Exterior views of parking areas are deemphasized by locating such areas around and behind buildings. Loading areas are separated from vehicle parking areas so that any potential conflicts between trucks and passengers vehicles are minimized.

In summary, the proposed IMP has demonstrated consistency with nearly every design standard implemented by TDC Chapter 63, and where deviations from specific standards are requested, the proposed development respects the intent and objectives of those standards. Therefore, this criterion is met.

IV. MANUFACTURING PARK PLANNING DISTRICT (CHAPTER 62)

The subject site is located within the Manufacturing Park Planning District (MP) which is outlined in Chapter 62 of Tualatin's Development Code. The intent of the MP District is to allow for larger scale industrial development and promoting planned developments specifically for modern and/or specialized manufacturing. This project, as presented, promotes that goal as discussed in detail below.

62.010 Purpose

The purpose of this district is to provide an environment exclusively for and conducive to the development and protection of modern, large-scale specialized manufacturing and related uses and research facilities. Such permitted uses shall not cause objectionable noise, smoke, odor, dust, noxious gases, vibration, glare, heat, fire hazard or other wastes emanating from the property. The district is to provide for an aesthetically attractive working environment with park or campus like grounds, attractive buildings, ample employee parking and other amenities appropriate to an employee oriented activity. It also is to protect existing and future sites for such uses by maintaining large lot configurations or a cohesive planned development design and limiting uses to those that are of a nature so as to not conflict with other industrial uses or surrounding residential areas. It also is intended to provide for a limited amount of commercial uses designed exclusively for the employees of the primary uses and is intended to allow the retail sale of products manufactured, assembled, packaged or wholesaled on the site provided the building area used for such retail selling is no more than 5% of the gross floor area of the building not to exceed 1,500 square feet.

Response: The existing business park is currently utilized by several industrial manufacturing businesses whose uses are consistent with the MP District's purpose. Although specific future tenants have not yet been determined, the uses of the future buildings will be consistent with the uses permitted in the MP zone and will be compatible with the manufacturing park itself. The existing and proposed elements of the IMP combine to create an attractive and inviting employment space for users and passersby alike, with liberal use of landscaping, integration of stormwater facilities into landscaping, and site circulation plans. As detailed on the enclosed plans and described herein, this proposal is entirely consistent with the purpose of the MP district.

62.020 Permitted Uses.

Uses permitted in the MP zone are listed in the zoning code and are not reproduced here. Please refer to section 62.020 for a complete list.

Response: No uses shall be proposed other than those which are determined by the Director to be permitted within the MP district. Separate from this application, a use confirmation will be requested and used to better define permitted uses. The activities of any future tenants will be consistent with the outcome of any official interpretations or confirmation. This standard can be met by the proposal.

62.050 Lot Size.

(1) *North of SW Leveton Drive (including its westerly extension to the western edge of the Planning District) the minimum lot area shall be 40 acres, except the minimum lot area may be reduced to 15 acres pursuant to an approved industrial master plan as provided under TDC Chapter 37...*

Response: Two separate lots are proposed, consisting of 15.03 and 17.45 acres respectively. This standard is met.

(2) *The average lot width shall be 250 feet.*

Response: As shown on the enclosed site plan(s), the proposal far exceeds the minimum average lot width of 250 feet. This standard is met.

(3) *The minimum lot width at the street shall be 250 feet.*

Response: The minimum lot width at the street is nearly 600 feet for Parcel 1 and over 1,000 feet for Parcel 2. This standard is met.

(4) *For flag lots...*

Response: Not applicable.

(5) *The minimum lot width at the street shall be 50 feet on a cul-de-sac bulb.*

Response: As a cul-de-sac bulb is not proposed, this standard is not applicable.

(6) *Lots or remnant areas created by the location of public streets...*

Response: Not applicable.

(7) *No minimum lot size, width or frontage requirement shall apply to wetland conservation lots.*

Response: Not applicable.

62.060 Setback Requirements.

(1) *Industrial Planned Development Properties subject to an Industrial Master Plan approved by the Tualatin City Council in accordance with the Leveton Tax Increment Plan, as amended, shall be subject to setback requirements as contained in the Industrial master Plan. Where no setback requirement is specified in an Industrial Master Plan, TDC 62.060(2)(3) shall apply.*

Response: The proposed building and parking area setbacks are shown on the site plan(s). As previously discussed, and discussed below, a street setback modification is requested for Building D and two internal yard setback modifications are requested. Please see below for further detail. The proposal is consistent with this provision.

(2) *Yards adjacent to Streets or Alleys.*

Response: All proposed setbacks between buildings and streets are consistent with the requirements of 62.060, with the exception of Building D. In this case a lesser setback of 50 feet from 100 feet is proposed to accommodate site topography. Per City Staff, no additional right-of-way is required for Leveton Drive or SW 124th Avenue. This setback reduction is consistent with the IMP provisions.

(3) *Side and Rear Yards Not Adjacent to Streets or Alleys.*

(a) *... The minimum setback for parcels north of Leveton Drive is 50 feet.*

Response: There are two instances where side or rear yard setbacks fail to meet this standard. Where Building A is adjacent to a nearby lot line between proposed Parcels 1 and 2, the proposed setback is 43 feet. Similarly, the proposed setback between the south line of Parcel 1 and future Building D is 28 feet. Both of these setbacks are internal and will not impact surrounding development. The site will continue in its function and aesthetic quality and in this context, the setbacks are justifiable pursuant to TDC 62.060(1).

(b) *Except as otherwise provided in TDC Chapter 37, all parking and circulation areas shall be set back a minimum of 5 to 25 feet from the property line, as determined through the Architectural Review process. However no setback is required from lot lines lying within ingress and egress areas shared by two or more abutting properties in accordance with TDC 73.400(2).*

Response: As shown on the attached plans, parking and circulation areas will meet the setback requirements of the MP Planning District or shared easements will be provided.

(c) *No spur rail track shall be permitted within 200 feet of an adjacent residential district.*

Response: As no rail service is available or proposed, this standard does not apply.

(d) *No setbacks are required at points where side or rear property lines abut a railroad right-of-way or track.*

Response: No railroad tracks or rights-of-way abut the subject property. This standard does not apply.

(4) *No fence shall be constructed within 50 feet of a public right-of-way.*

Response: No additional fencing is proposed on-site.

(5) *Setbacks for a wireless communication facility shall be established...*

Response: Not applicable.

62.080 Structure height

(1) *Except as provided in TDC 62.080(2) or (3), no structure shall exceed a height of 70 feet, except for flagpoles . . .*

Response: No portion of any structure is proposed to exceed 70 feet in height.

(2) *Height Adjacent to a Residential District. Except as otherwise provided in TDC Chapter 37, where a property line, street or alley separates MP land from land within a residential district, a building, . . . shall not be greater than 28 feet in height at the required 50 foot or 100 foot setback line. No building or structure, including flagpoles, shall extend above a plane beginning at 28 feet in height at the required 50 foot or 100 foot setback line and extending away from and above the setback line at a slope of 45 degrees, subject always to the maximum height limitation in TDC 62.080(1)*

Response: A residential district is lies to the easternmost 530 feet of, and across Tualatin Road from, the north lot line of future Parcel 2. The nearest existing building is located more than 200 feet south of this lot line. Based on the calculation set forth above, a maximum height of 70 feet can be reached with a setback of approximately 140 feet. As no existing or proposed buildings exceed the maximum height, this standard is met.

(3) *Wireless Communication Support Structure.*

Response: Not applicable.

62.090 Access.

Except as otherwise provided in TDC Chapter 37 and as provided below, no lot shall be created without provision for access to the public right-of-way in accordance with TDC 73.400 and TDC Chapter 75. Such access may be provided by lot frontage on a public street, or via permanent access easement over one or more adjoining properties, creating uninterrupted vehicle and pedestrian access between the subject lot and the public right of way . . .

Response: No new existing access points are proposed as part of this IMP. This standard does not apply.

62.100 Off-street parking and loading.

Except as otherwise provided under TDC Chapter 37, refer to Chapter 73.

Response: The proposed overall parking ratio is approximately 3 spaces per 1,000 SF for Parcel 1. The ratio for the buildings to be located on Parcel 2 is 3.2 spaces per 1,000 SF. Consequently, approximately 1,059 parking spaces will be provided throughout the subject property. Among the uses permitted in the MP zone, “general office” requires the highest minimum parking rate, at 2.7 spaces per 1000. The proposed number of parking spaces is therefore sufficient to accommodate the broadest range of potential uses that might be established within the proposed development. As demonstrated on the enclosed site plan(s), the parking lot designs are consistent with applicable standards related to passenger

vehicle parking/circulation and freight loading. The proposal is consistent with all standards and provisions related to off-street parking and loading.

62.110 Environmental Standards

Except as otherwise provided under TDC Chapter 37, refer to Chapter 63.

Response: Noise and air quality will meet the Oregon Department of Environmental Quality standards as applicable. The proposed uses are conducted indoors with the exception of loading and unloading activity. No activity on-site will exceed standards for noise, air quality or vibration. The site layout will ensure that all exterior loading activities will be separated from public rights of way by buildings. Additionally, as the attached Traffic Impact Letter illustrates, the IMP will not create additional traffic above what is allowed per the MP district.

62.120 Community Design Standards

Except as otherwise provided under TDC Chapter 37, refer to Chapter 73.

Response: Structure design, landscaping and parking will all comply with the Community Design Standards of Chapter 73 and will be specifically addressed during the Architectural Review process.

62.130 Landscape Standards.

Except as otherwise provided under TDC Chapter 37, refer to Chapter 73.

Response: While the current development meets landscape standards, all proposed landscaping for the over all site and for the future 2 lot configuration, will meet the 20% landscape requirement for approved Industrial Master Plan. Furthermore, landscaping will meet or exceed the requirements of 73.230 – 73.310, 73.320, 73.340, and 73.360 – 73.410. Landscaping will be designed around the perimeters of future buildings at a minimum of feet in depth (except where loading areas are proposed) and around the perimeter of future parking areas and circulation areas at a depth of at least 25 feet. Landscaped areas within parking lots will meet the minimum 25 SF per parking stall and will be dispersed throughout the parking areas. Entrances to parking areas will be landscaped and overall landscaping will exceed the minimum requirements for the entire site with landscape emphasis at the centralized entrance and along the property lines with specific emphasis on the northern and southern property lines.

V. SUMMARY

In summary, the Industrial Master Plan application for the development of an industrial campus for Mittleman Properties meets the applicable review criteria and merits approval as presented.

GROUP MACKENZIE

September 29, 2008

City of Tualatin
Attention: Doug Rux – Community Development Director
18876 SW Martinazzi Avenue
Tualatin, OR 97062

Re: **Mittleman IMP**
Transportation Impact Letter
Project Number 2080267.02

Dear Mr. Rux:

This letter accompanies the Industrial Master Plan (IMP) application for 12345 SW Leveton Drive. The purpose of this letter is to satisfy City of Tualatin Development Code Chapter 37.030(1) by evaluating potential transportation impacts associated with the modifications proposed by the IMP. As this letter will show, the IMP does not increase development area. Rather the IMP allows for a reduction in the Manufacturing Park (MP) Planning District minimum lot size and modifies minimum setback requirements in specific areas.

According to Staff, the City of Tualatin treats the IMP process much like a Zone Change. If the proposed modifications (minimum lot size, specific setback locations) to the MP Planning District would increase the amount of development potential, then an evaluation of Tualatin Transportation System Plan (TSP) and Plan Year transportation infrastructure would be required for all intersections significantly affected by the IMP. If the proposed modifications decrease development potential and allowed land uses in the MP Planning District remain unchanged, then no additional analysis is necessary because the IMP will not affect existing or planned transportation facilities.

Specifically, this letter addresses the following issues in this review:

1. Tualatin Development Code Requirements
2. Existing and Proposed Conditions
3. Developable Area
4. Conclusions

TUALATIN DEVELOPMENT CODE

This letter addresses the City of Tualatin Development Code (TDC) Chapter 37 – Industrial Master Plan (IMP) and Chapter 62 – Manufacturing Park Planning District (MP). The current MP zoning has a minimum lot size of 40 acres north of SW Leveton Drive. However, through the IMP process, the lot size can be reduced to 15 acres (TDC Sec. 62.050). A preliminary partition plan application will be submitted concurrently with the IMP application. The purpose of the IMP and partition request is to allow site partition, which will place the existing Sentrol building on a separate lot.

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The IMP approval criteria for transportation are found in TDC 37.030(1): "*Public facilities and services, including transportation, existing or planned for the area affected by the use are capable of supporting the proposed development or will be made capable by the time of development is completed.*" The June 2001 City of Tualatin TSP provided the necessary transportation analysis for the 2020 planning horizon. To meet the requirements of the statewide Transportation Planning Rule (TPR) (OAR 660-012-0015) the TSP was required to "*Establish a system of transportation facilities and services to meet identified local needs that are consistent with adopted elements of regional and state TSPs.*" Therefore, the public transportation facilities (existing or planned) have been designed (or planned) to accommodate anticipated growth based on existing land uses. So, it can be concluded if the proposed IMP conceptual development is consistent with (or less than) the current land uses allowed in the MP zone (i.e., land use assumptions made for the TSP), then the approval criteria of TDC 37.030(1) are met.

EXISTING AND PROPOSED CONDITIONS

Existing Conditions

The 32.48-acre site is located in the corner formed by Tualatin Road, SW 124th Avenue, and SW Leveton Road. The property is zoned City of Tualatin MP. There are three buildings on the site totalling 254,914 SF of manufacturing uses with associated parking.

There are three existing driveways to Tualatin Road and one existing driveway to SW Leveton Road. There is no access directly to SW 124th Street. No new access points are proposed with the IMP.

Proposed Master Plan

The proposed IMP will create two separate lots: Lot 1 (15.03 acres) and Lot 2 (17.45 acres). Lot 1 will encompass the existing 138,824 SF Sentrol building and associated parking. Lot 2 will encompass the existing 59,690 SF Simms building, the existing 56,400 SF flex manufacturing building, and three proposed new buildings: two 20,000 SF office buildings and one 42,800 SF flex manufacturing building.

All proposed uses are permitted outright within the existing MP planning district (TDC 62.020). The resulting lot coverage for Lots 1 and 2 are 21.2% and 26.2%, respectfully.

DEVELOPABLE AREA

Minimum building setback from the street for parcels north of Leveton Road is 100 feet (TDC 62.060). However, a setback reduction can be established via an IMP. The setback reduction, in and of itself, does not alter the trip potential of a given building. The IMP proposes a street setback reduction for the 20,000 SF Building 'D' only, as shown on the preliminary site plan layout. The setback modification is being requested to minimize grade issues and improve

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aesthetics at the SW 124th Avenue/SW Leveton Road intersection. The minimum parking area setback from SW Leveton Drive is 50 feet. The setback reduction allows the building, instead of parking area to sit closer to the SW 124th Avenue/SW Leveton Drive intersection. The parking area is then tucked behind and further out of view from the road. This setback modification applies to the south and west side of Building 'D' only.

The MP Planning District minimum building setback from lot lines not adjacent to a street is 50 feet. The IMP proposed land partition of the site into two lots creates a new property line with a new building setback. The new property line is approximately 3,500 feet long; a new building setback area is created. This new building setback area is greater than the reduced setback request for the proposed Building 'D'.

Therefore, based on the above identified modifications, the proposed IMP will not have a significant affect on transportation facilities and no additional analysis is necessary.

It is important to note this IMP does not allow land use approval for future development. The development of conceptual Buildings B, C, and D require City of Tualatin Architectural Review and will be required to address transportation impacts as part of the application process. Any identified off-site impacts identified through the Architecture Review process will be address at that time.

CONCLUSIONS

The modifications proposed by the IMP will not significantly impact the surrounding transportation infrastructure. As this letter details, no changes to the allowed uses in the MP zone are proposed; no new access points are proposed; and through the creation of a new lot line, potential development area is decreased. As a result, the proposed IMP has less development potential than existing conditions, and therefore, has no significant affect on existing or planned transportation facilities.

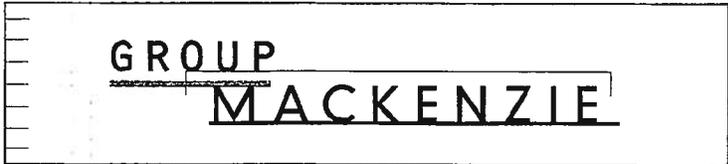
We trust this satisfies the Chapter 37.030(1) code criterion. Should you have any questions, please do not hesitate to call me or Kelly Niemeyer.

Sincerely,



Sean Morrison, P.E., Transportation Engineer
Associate

Enclosures: Preliminary Site Plan (August 20, 2008)



November 24, 2008

City of Tualatin
Attention: Will Harper – Associate Planner
18880 SW Martinazzi Avenue
Tualatin, OR 97062-7092

Re: **Mittleman Properties IMP – 08-01**
Transportation Completeness Letter
Project Number 2080267.02

Dear Mr. Harper:

Thank you for your initial completeness comments (dated October 14, 2008) and for meeting with us October 31, 2008 regarding the transportation information submitted in support of the Mittleman Properties Industrial Master Plan (Mittleman IMP). This letter clarifies the September 29, 2008 Group Mackenzie transportation impact letter, addresses staff concerns, and addresses the City of Tualatin Development Code Chapter 37.030(1) approval criteria. As discussed in our October 31st meeting, specifically, this letter describes the proposed IMP and its reduced trip generation potential.

Mittleman IMP Modifications

Per City of Tualatin Development Code, an IMP is intended to “achieve a campus-like setting within an Industrial Master Plan Area, while allowing development to occur independently on a number of smaller parcels within that area.” The IMP does not permit land use approval for development. This is accomplished at the Architecture Review phase. The IMP request allows modifications to the setback and lot size development standards but does not allow additional development density or a change in uses that the MP District permits. As such, if the site development’s trip generation potential is less with the proposed IMP scenario than under the existing allowed development scenario, then the approval criterion is addressed.

The City of Tualatin’s Development Code (TDC) Chapter 37.030(1) states:

The City Council shall approve an Industrial Master Plan, after a hearing conducted pursuant to TDC 32.040, provided that the applicant demonstrates that the following criteria are met:

- (1) Public facilities and services, including transportation, existing or planned, for the area affected by the use are capable of supporting the proposed development or will be made capable by the time development is completed.*

Group Mackenzie has had various email and telephone exchanges with City staff. Subsequent to your August 28, 2008 email to Kelly Niemeyer, and at your suggestion, I spoke with Tony Doran regarding the specifics of the Mittleman IMP traffic analysis. Tony and I discussed the specific nature of the proposed IMP and the lot partition it allows. We discussed the IMP modifications; specifically the Mittleman IMP requests:

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Group Mackenzie, Incorporated

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Locations:

- Portland, Oregon
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- Vancouver, Washington

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- A reduction in the MP District's minimum lot size.
- A reduction to the minimum setback in specific, identified locations.

Tony and I concluded that if initial analysis showed the proposed Mittleman IMP, its modifications, and subsequent partition did not increase potential development, then a Transportation Impact Analysis (TIA) would not be necessary. An example similar to this IMP application would be a zone change application. Where the traffic impacts of a proposed zone designation's development potential are shown to be equal to or less than the existing zone designation's development potential, the resultant finding is "no significant effect" on the transportation system.

Mittleman IMP Trip Generation Potential

In an email dated September 18, 2008, Mr. Doran raised two issues during a preliminary review of transportation findings.

1. Reasonable worst-case traffic based on ITE is needed.
2. Additional information for LOS and streets is needed based on an increase in traffic.

An evaluation of site generated "reasonable worst-case" traffic with and without the IMP based on ITE Trip Generation rates follows. The subject site is 32.48 acres and, under MP District standards, is not large enough in area to allow a division. However, with an IMP, the minimum lot size is reduced to 15 acres. Accordingly, the Mittleman IMP application proposes a reduction to the minimum lot size in order to allow a future partition which will create two lots. Therefore, the proposed IMP will actually *decrease* the total site development area by creating a new internal property line setback (as shown in the enclosed Figure 1). The net decrease in area is as follows:

- The existing overall site area is 32.48 acres.
- With street and side yard setbacks the existing net developable area is 23.64 acres.
- The Mittleman IMP creates a new internal lot line and setbacks resulting in a new net developable area of 18.79 acres, a difference of 4.85 acres.

For the purposes of quantifying the "reasonable worst-case" traffic generation, the following table presents potential trip generation with and without the proposed Mittleman IMP. To determine potential traffic, a total building to developable area ratio of 45% and the ITE Land Use Category "Business Park" were assumed. Potential development is the product of net developable area and the building to developable area ratio (0.45).

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MITTLEMAN REASONABLE WORST CASE TRIP GENERATION					
Land Use (ITE Code)	Scenario	Potential Development (Square Feet)	ADT	Weekday PM Peak Hour	
				Enter	Exit
Business Park - 770	Current MP	463,400	5,913	137	460
	Proposed IMP	368,300	4,700	109	366
Difference		95,100	1,213	28	94

As shown in the above table, the IMP reduces potential trip generation by 1,213 daily and 122 PM peak hour trips. Therefore, because total site development area and the reasonable worst-case traffic decreases, additional LOS information for specific intersections is not necessary.

The Mittleman IMP proposed modifications reduce “reasonable worst-case” trip generation and do not affect public transportation facilities. Therefore, the approval criteria of TDC 32.040 (1) are met. Should you have any questions, please do not hesitate to call me or Kelly Niemeyer.

Sincerely,



Sean Morrison, P.E., Transportation Engineer
 Associate

Enclosures: Figure 1 – Preliminary Partition Plan

- C: Tony Doran – City of Tualatin
 Kelly Niemeyer, Tom Wright – Group Mackenzie
 Henry Haimsohn – Mittleman Properties
 Stephen Pfeiffer – Perkins Coie LLP

ATTACHMENT E

IMP-08-01: BACKGROUND INFORMATION

Pertinent background information obtained from the submitted application for IMP-08-01 and other supporting documents is summarized in this section.

The applicants are Kelly Niemeyer of Group MacKenzie and Henry Haimsohn of Mittleman Properties. Mittleman Properties developed and owns the 32.4 acre-3 building property currently occupied by GE Security, Partners on Demand and VWR located at 12100 & 12350 SW Tualatin Road and 12345 SW Leveton Drive (2S1 22B, Tax Lot 500) in the Manufacturing Park (MP) Planning District. A Vicinity Map, a Tax Map and a Site Plan are included as Attachments A, B & C respectively. The applicant's materials including an Industrial Master Plan (IMP) site plan are included as Attachment D.

Chapter 37 of the Tualatin Development Code establishes the process for Council review and approval of an IMP for development in the Manufacturing Park (MP) Planning District and in the Leveton Tax Increment District (LTID). Approval of an IMP allows a MP Planning District property owner to plan and develop the property with certain alternate development standards subject to meeting IMP criteria for adequate supporting public facilities, compatible building design, and suitable site design, improvements and dimensions in accordance with MP Planning District standards.

As explained in TDC 62.010, the MP Planning District is intended to "...provide an environment exclusively for and conducive to the development and protection of modern, large-scale specialized manufacturing and related uses and research facilities." In the MP Planning District, development standards for larger lot sizes, taller buildings, greater setbacks for building, parking & loading, a 25% minimum landscape area result in larger, campus-style site development and facilities. The MP District includes existing industrial business facilities such as Fujimi Corporation, Novellus Systems Inc., JAE Oregon, DPI Northwest and the future "Phight Campus" development. Also in the MP Planning District is the existing 3-building complex owned by Mittleman Properties occupied by GE Security, Partners on Demand and VWR.

The IMP process was created in 1999 (PTA-99-07) at the request of Oki Semiconductor to facilitate the marketing and sale of the 58 acre Oki property following the plant's closure. The Council approved IMP-00-01 for Novellus on the former Oki Campus. The IMP process allows Council to approve alternate development standards for a particular MP Planning District property that allows development to occur independently on smaller parcels within the master plan area. An IMP can specify alternate standards for:

- Setbacks for buildings, loading, parking that are more or less than allowed in the MP Planning District;
- Building heights and building placement in respect to property boundaries;
- Building location and orientation;
- Lot dimensions subject to a 15 acre minimum north of SW Leveton (40 acres in MP) and 5 acre minimum south of Leveton (15 acres in MP);
- Minimum landscaping coverage reduced to 20% (25% in MP)
- Number of off-street parking spaces and loading docks;
- Allow shared parking, loading, and access improvements.

Approving an IMP does not allow more intensive development on a property. The list of allowed uses in the MP Planning District is not altered in the IMP process and the minimum 25% landscape requirement and the 70 ft. maximum building height are fixed. New development proposed under an IMP remains subject to Architectural Review with all other MP Planning District and TDC standards applying, including accounting for traffic impacts and providing adequate on-site parking based on use and building size.

The applicants of IMP-08-01 seek approval of an Industrial Master Plan that proposes a site plan with three future buildings with reduced building and parking setbacks to an adjoining public street or interior lot line, shared parking, loading & circulation, and reduced minimum lot sizes to allow separate ownerships within the subject site.

ATTACHMENT F

IMP-08-01: ANALYSIS AND FINDINGS

The approval criteria of the Tualatin Development Code (TDC) 37.030 must be met if approval of the proposed Mittleman Properties Industrial Master Plan (IMP) is to be granted. The Applicants prepared a narrative that explains the proposed IMP and addresses the IMP criteria (Attachment D). Staff has reviewed the Applicants' material and included pertinent excerpts below.

ALTERNATIVE DEVELOPMENT STANDARDS

TDC 37.020(4) states "An Industrial Master Plan may specify, for the Industrial Master Plan Area as a whole or for each individual parcel therein, the following alternate development standards which shall supersede conflicting provisions otherwise applicable:"

The following analysis addresses alternative development standards requested:

TDC 37.020(4)(a) Setbacks from each property lot line to buildings, parking areas and circulation areas. Required setbacks may be exact, or minimum and maximum ranges may be specified. Required setbacks may be greater than or less than those required under TDC 62.060.

TDC 62.060 Setback Requirements. States in pertinent part: (1) The setbacks set forth in an Industrial Master Plan approved in accordance with TDC Chapter 37 apply. Where setbacks are not specified in an Industrial Master Plan, TDC 62.060(2) - (5) apply.

The applicant has provided a narrative and drawings addressing setback issues. The base setback in TDC 62.060 is 100 feet for a building to a public street and 50 feet for parking and circulation areas to a public street. The setback to an interior yard for parcels north of SW Leveton Drive is 50 feet for a building and 5-25 ft. for parking and circulation as approved in the AR process. Alternative setbacks have been requested in the Mittleman Properties IMP application based on the location of the proposed buildings and parking areas on the site and a proposal to divide the property into two parcels. The minimum building setbacks proposed are:

- IMP Building D to SW Leveton Drive - 50 feet (versus 100 ft.)
- IMP Building D to SW 124th Avenue - 50 feet (versus 100 ft.)
- IMP Interior side yard building setbacks are proposed from 28 feet to greater than 50 feet depending on the location of proposed buildings and lot lines (versus 50 ft.).

Parking and circulation setbacks are proposed as follows:

Existing Parking area to East Property Line - 25 feet. (as approved in prior ARs)
(5-25 ft. as determined in AR)

The applicant explains and justifies the alternative building and parking setbacks on pp. 5 -7 of the narrative (Attachment D). The applicant states "In this case we are proposing setbacks specifically designed to accommodate the existing development and the undeveloped portion of the site." The proposed alternative building setbacks are a result of the varied topography of the Mittleman Properties site, the location of existing and proposed buildings, trees and other physical features and the configuration of the lot lines of the two parcels proposed in the IMP. Interior parking and circulation lot line setbacks range from zero feet to 5 ft. or more. This is due to the industrial campus site design approach to development on multiple parcels and as proposed in the IMP. Proposed parking and circulation setbacks establish potential shared arrangements for parking and circulation between the two proposed parcels and a 25 ft. setback to the common property line with JAE on the east.

Upon review, staff agrees with the applicant's setback modifications.

TDC 37.020(4)(b) Locations of shared parking and circulation areas and access improvement, including truck maneuvering and loading areas and common public or private infrastructure improvements.

In conjunction with approval of the IMP, Mittleman Properties may apply to partition the 32.4 acres into two lots. A partition will create the need for shared parking and crossing circulation easements. "Shared parking" in the TDC is generally defined as one parcel having excess parking and another parcel being deficient in parking. The existing 789 surface parking spaces are for the existing three buildings located on one parcel. Because of the IMP layout, the development phasing could require shared parking be established between the two lots; Parcel 1 with the GE Security Building and Parcel two with the Partners on Demand Building and Buildings A-D.

The IMP shows site ingress/egress access shared between the proposed 2 parcels via the three existing site accesses to SW Tualatin Road and SW Leveton Drive. Cross use and circulation between the two parcels is proposed that allows circulation between the access drives, the buildings and shared parking and loading areas.

Private infrastructure including sewer, water and storm drainage are identified on the IMP Plans. The existing private stormwater detention and treatment facilities on the site are common to the three buildings and site improvements. With IMP approval and a subsequent partition, the common public and private infrastructure improvements may be shared or cross the two parcels. Because of the IMP layout, a partition and proposed improvements on the Mittleman Properties site will require shared parking and circulation, access, loading areas and common public and private infrastructure. To ensure the adequate provision of facilities between the two parcels allowed by the IMP,

shared parking, circulation, common access and common facility shall be addressed and evaluated through the Partition and Architectural Review processes. Where necessary, shared parking and circulation easements, access easements and common facility agreements and easements shall be established.

No alternative public infrastructure development methods are proposed in the Mittleman Properties IMP submittal.

TDC 37.020(4)(c) Building heights and placement and massing of buildings with respect to parcel boundaries.

Building heights are limited to 70 feet under the base MP Planning District standards (TDC 62.80) with a variable height of 28 ft.-70 ft. allowed beginning at the building setback where an MP Planning District development property line is adjacent to a residential district. The existing Mittleman Properties development meets the TDC 62.080 standards.

Reduced building setbacks are requested for Building D to the SW Leveton Drive and SW 124th Avenue public streets and for Partners on Demand and Buildings C & D to the site's interior property lines created in a two lot configuration that were addressed previously on pg. 1. The future one and two story buildings (B, C & D) proposed in the Mittleman Properties IMP do not adjoin a residential district and also meet the 62.080 standards for height and placement. No IMP alternative standard to TDC 32.020(4) is proposed.

TDC 37.020(4)(d) Location and orientation of building elements such as pedestrian ways or access, main entrances and off-street parking or truck loading facilities, including the number of off-street parking spaces and loading docks required.

The existing three buildings and site improvements including pedestrian connections, off-street parking and truck loading facilities on the Mittleman Properties site were approved in Architectural Reviews. The proposed IMP does not propose alternative methods of locating and orienting pedestrian ways or access, main entrances and off street parking for the existing buildings, the proposed Buildings B, C & D or for the two proposed lots. The IMP proposes providing 1,118 parking stalls to serve 6 buildings with up to 337,714 gross sq. ft. of floor area for a mix of manufacturing, "flex industrial" and office uses which would exceed the minimum off-street parking requirement of 646 spaces for the proposed mix of uses [TDC 73.370(2) 386 spaces for manufacturing/260 spaces for office]. Each lot will have shared or building-specific loading docks that meet TDC 73.390. The existing loading and truck maneuvering area between the GE Security Building on the IMP proposed Parcel 1 and Building A on proposed Parcel 2 will be shared as addressed under TDC 37.020(4)(b).

TDC 37.020(4)(e) Lot dimensions and area provided that no individual parcel shall be less than 15 acres north of SW Leveton Drive and five acres south of SW Leveton Drive unless otherwise provided under TDC 62.050(1).

Mittleman Properties IMP proposes dividing the existing 32.4 acre parcel into 2 lots as follows (Attachment 4, pp. 3, 5-7, IMP Site Plan Tab #3):

Parcel 1 15.03 acres GE Capital Bldg.

Parcel 2 17.45 acres Partners On Demand and Buildings A, B, C & D

The average lot widths of IMP Parcels 1 & 2 exceed the 250-foot requirement of TDC 62.050(2). The minimum lot widths at the street exceed the 250-foot requirement of TDC 62.050(3). There are no flag lots or cul-de-sac streets proposed, no remnant areas created by the location of public streets and no wetlands on the site.

The two proposed Mittleman IMP parcels would meet the minimum lot size required under 37.020(4)(e) as part of the IMP review process. To ensure compliance with the IMP, all parcels created in a partition of the Mittleman Properties IMP site shall have a minimum lot size of 15 acres and meet the lot dimension requirements of TDC 37.020(4) and TDC 62.050. The applicant shall submit a partition application to the City to partition the site into the proposed two individual parcels.

TDC 37.020(4)(f) Location of required building and parking facility landscape areas.

The proposed IMP does not propose alternative methods of locating required building and parking facility landscaping. The application narrative states that each partition lot will exceed the minimum 20% landscape requirement and will meet or exceed the landscape requirements of 73.230-73.210, 73.320, 73.340 and 73.360-410 (Attachment 4, pp. 7, 14, IMP Site Plan Tab #3). In a review of the IMP plan, staff concurs that the landscaping associated with the buildings and parking areas with the two parcels and proposed Buildings B, C and D will meet the required landscaping standards.

TDC 37.020(5) Except as specifically provided in subsection (4) above, all other provisions of this Code shall apply within an Industrial Master Plan Area.

The proposed IMP does not propose alternative methods beyond those identified and discussed in this report. The applicant has not identified any future need to amend an IMP approval. To ensure compliance with the TDC, when building or site improvements to the Mittleton Properties site are proposed, the applicant shall submit an Architectural Review application meeting the requirements of the TDC and the alternative methods approved in IMP-08-01.

If modifications to the alternative standards approved in IMP-08-01 are necessary or if the total building floor area or total number of parking spaces approved in IMP-08-01 are to be exceeded, a new IMP application shall be submitted for review.

INDUSTRIAL MASTER PLAN CRITERIA

37.030(1) Public facilities and services, including transportation, existing or planned, for the area affected by the use are capable of supporting the proposed development or will be made capable by the time development is completed.

Transportation

The Engineering Division reviewed the Applicant's submitted traffic information that showed the proposed IMP will result in a decrease in the Mittleman Properties site's developable area, from 464,400 s.f. down to 368,300. (Attachment G, pp 1-2) This is due to partition of the property into two parcels with minimal change to the 50 and 100 ft. building setback standards required in the MP Planning District. The decrease in the site's developable area under the IMP reduces the potential building floor area the site can support and reduces resultant "worst case" traffic generation. The TIA estimates a reduction of 1,213 Average Daily Trips. The table below shows the Trip Generation Summary presented in the Mittleman Properties IMP November 24, 2008 Letter:

MITTLEMAN REASONABLE WORST CASE TRIP GENERATION					
Land Use (ITE Code)	Scenario	Potential Development (Square Feet)	ADT	Weekday PM Peak Hour	
				Enter	Exit
Business Park - 770	Current MP	463,400	5,913	137	460
	Proposed IMP	368,300	4,700	109	366
Difference		95,100	1,213	28	94

The Engineering Memo (Attachment G, pp 1-3) concludes:

"Due to the decrease in developable area, the proposed IMP will not necessitate changes to the standards implementing the functional classification system."

"As the current TSP was based on acceptable LOS, a decrease in traffic generation potential will not increase LOS for this development, therefore will not significantly affect any transportation facilities in the area, reduce performance of streets as planned in the TSP, or necessitate changes to the standards implementing the functional classification system."

In summary, this IMP is consistent with the City of Tualatin transportation plan and meets TDC Section 1.032 Burden of Proof (8).

The applicant's narrative states "The entire site is served by existing public facilities." As all necessary public facilities are available to the subject property and will be extended to serve future building at the time of development, this criterion is met." (Attachment D, pp 7-8)

The Engineering Division Memo states: "As developable area is proposed to be decreased, the potential impact on all public utilities decreases. Public sanitary sewer, stormwater, and water lines exist in surrounding public right-of-way in accordance with Master Plans that accommodated existing developable area. As such, public utility capacity for a reduction in developable area exists." (Attachment G, pp 1-3)

The Engineering Memo (Attachment G, pp 1-3) concludes:

Water

An existing water line on site connects to the public line in SW Leveton Drive. The determination of appropriate easements and meters will be determined in a Partition or Architectural Review process.

Sanitary Sewer

An existing private sanitary sewer line on site connects to the public line in SW Leveton Drive. This private line was designed and inspected in 1994 to public standards in anticipation of a potential future partition that would necessitate a public line to cross private lots. In order to change the private line to public, the line will require an inspection, improvement to current public standards (as needed), maintenance bond, and dedication of the line and 15-foot public sanitary sewer & access easement.

Storm Drainage

Stormwater and water quality facilities are able to be shared among lots with appropriate private easements & agreements. Access to public right-of-way can be provided across lots with appropriate private shared access easements. A future partition along the lines shown in this IMP will require a shared stormwater easement & agreement and shared access agreement.

TDC 37.030(2) The location, design, size, color and materials of the exterior of all structures for the proposed development and use is compatible with the character of other developments within the same general vicinity.

The general vicinity identified for this review is the Manufacturing Park (MP) Planning District and the Light Manufacturing (ML) District located to the west of the Mittleman Properties site along SW 124th Avenue. Across SW Tualatin Road to the north is the newly completed Birtcher Office Building (In CG-General Commercial) and the Woodridge Apartments (in RH-High Density Residential). Within the vicinity industrial developments and the Birtcher Office development have located buildings to meet required setbacks, and orienting building entrances and office components towards SW Leveton Drive, SW Tualatin Road or SW 124th Avenue. The Woodridge Apartments are

2-story wood-frame apartments with frontage on SW Tualatin Road and SW Pacific Hwy.

The typical industrial buildings in the vicinity of the Mittleman Properties site are generally 1-3 stories in height with an overall height of 22' to 46' and have flat roofs. Office components of the buildings are typically 1-2 stories and manufacturing buildings are 1-3 stories. Windows in manufacturing areas are generally associated with the office components. The exceptions to the above described character of the vicinity include the 4-story Novellus Systems Technical Services Building and 3-story Novellus Engineering/R&D Building that have a height of 68 ft., and the approved 3-story Phight Campus Computer Graphic (CG) Building that has a height of 56 ft. The two Novellus buildings located near SW Leveton Drive and the Phight CG building are multi-story buildings that have the appearance of Class A office buildings with strong masonry or architectural metal exterior features and extensive ribbon windows on each floor.

Parking areas and loading docks are typically oriented or buffered to reduce visibility from public rights-of-way and to residential areas located north of the vicinity in accordance with TDC Chapter 73.

Because the proposed Mittleman Properties IMP requests alternative methods for lot size and building setbacks for Buildings C & D (Attachment D, pp 1-15), the location of the buildings on the site is altered respective to public streets and to other developments in the vicinity. Building B is proposed as a single story "flex"/Light Industrial building located interior to the site and Buildings C & D are two story "office" style buildings located at the southeast and south west corners of the property will be oriented to SW Leveton Drive with multi-level windows on the street side elevations.

Building sizes vary based on parcel size and stage of overall development. The following Table gives a breakdown of existing (and anticipated) development from Architectural Review files or projections for anticipated building coverage:

Manufacturing Park Planning District

Business	Acres	Existing s.f. Building	Future expansion s.f.	Anticipated Total s.f.	FAR
Fujimi	12	161,120			.28
DPI	7.36			137,715	.43
DPI #II	7.2	181800			.46
Mittleman Properties (GE Security, Partners on Demand, VWR)	32.48	254,784		337,714	.24
JAE	40	114,150	170,850	285,000	.16
Phight Campus Phase I	29.6	0		240,000	.19

Business	Acres	Existing s.f. Building	Future expansion s.f.	Anticipated Total s.f.	FAR
Novellus Phase I Property	23.1 acres Develop	373,875			.33
Novellus/OkI Mfg. Parcel III Property	19.56 acres	74,000			.09

The existing and proposed Mittleman Properties buildings have the following estimated sizes identified:

- Existing GE Security – 138,824 s.f.
- Existing Partners On Demand – 59,560 s.f.
- Existing VWR – 56,400 s.f.
- Building B - 42,800 s.f.
- Building C Offices – 20,000 s.f.
- Building D Offices – 20,000 s.f.
- Total – 337,714 s.f.

The three existing and three proposed Mittleman Properties buildings are one- and two story structures that have building floor areas and Floor Area Ratios (FAR) (Total site is .28 at IMP build-out)(Parcel 1 FAR .21)(Parcel 2 FAR .26) that favorably compare to the other campus-style development in the MP Planning District.

The palette of building materials on the three existing Mittleman Properties Buildings and other buildings in the vicinity include:

- Brick or masonry veneer
- Finished concrete tilt panels
- Architectural Metal treatments on exterior walls
- Extensive metal frame window treatments.
- Earth tone colors

The palette of materials proposed for the three new buildings in the Mittleman Properties IMP are described as : “Materials will include brick and other varieties of masonry, with selective use of parapet walls, belt coursing, and vertical articulation. Buildings will be designed to emphasize their entrances by providing vertical emphasis of those areas. Except along portions used as loading areas, blank masonry walls will not be used.” (Attachment 4, pp. 8-9) Use of multi-level buildings with masonry treatments on the visible exteriors, multi-level bands of windows, and an office appearance rather than a plain “warehouse box” appearance is consistent with the materials and design of other developments in the MP Planning District vicinity.

The materials and design of the existing and proposed Mittleman Properties development is similar to other development within the vicinity as described previously. To ensure the materials and design of buildings B, C & D meet the requirements of TDC

37.030(2), an Architectural Review application shall be presented for approval showing building design and materials based on the palette of materials identified in the Industrial Master Plan.

With the condition requiring building design and materials to be consistent with the approved Mittleman Properties IMP, the location, design, size, color, and materials of the proposed Buildings B, C and D are compatible with other development within the identified vicinity.

TDC 37.030(3) The internal circulation, building location and orientation, street frontage, parking, setbacks, building height, lot size, and access are in accordance with TDC Chapter 62 unless other wise approved through the Industrial Master Plan.

Internal circulation for the 32.4 acre Mittlemen Properties IMP development concept is provided by 3 existing access points that will be shared between the two parcels and six buildings. The one existing access on SW Leveton Drive and the two accesses off SW Tualatin Road will remain. These access locations connect to a network of shared internal drive aisles serving existing and proposed buildings, parking areas and loading areas on the site. The access and circulation standards proposed in the IMP is consistent with TDC standards.

The proposed Building B is internal to the site and not oriented to the public streets. The locations of proposed Buildings C and D are near the SW Leveton Drive frontage on the south while the building entries are oriented to the adjacent parking areas on the north and east respectively. The IMP proposes a 49 ft. setback for Building D to SW 124th Avenue and 50 ft. to SW Leveton Drive that is compensated by an office building design and substantial landscaping in the street frontage yards. The proposed Building D location with the alternative setback standard proposed in the IMP and the existing or proposed location and orientation of the other five Mittleman Properties buildings are in conformance with TDC Chapter 62.

The street frontage for the two proposed lots meets the minimum requirements required in TDC 62.050 for width, and street frontage.

The Mittleman Properties IMP proposes a total of 1,118 parking spaces as surface parking. The number of spaces proposed in the Master Plan concept exceeds the minimum requirement of 646 total spaces based on the concept of 337,800 square feet of building space with a mix of manufacturing, "flex space" and industrial office tenants. Parcel #1 (GE Security Bldg.) will have 417 spaces (222 required) and Parcel #2 (Buildings A-D & Partners on Demand Bldg.) will have 701 spaces at build out (424 required).

The Mittleman Properties IMP does not propose an alternative building height. The building height maximum is 70 feet allowed by TDC 62.080(1) except for the Partners on Demand Building located on Parcel #2 adjoining SW Tualatin Road across from the RH residential Planning District where a maximum 28 ft. building height is in effect at the 100 ft. setback line (extending up to the maximum 70 ft. at a 1:1 rate) [TDC 68.020(2)]. Existing building heights range from 22 feet to 46 feet. The height of Buildings B, C and D is not provided. Rooftop mechanical units do not apply to building height limitations based in the TDC definitions. Mechanical units and screening create an additional 6 -8 feet of height and are acceptable.

The proposed street frontage setbacks for Building D are a deviation from the base setbacks contained in TDC 62.060. This deviation is allowed through the IMP process. The proposed setbacks as previously analyzed and with recommended conditions are acceptable.

Lot sizes are proposed at 15.03 acres and 17.48 based on IMP approval. This is allowed through the IMP process and meets the requirements of TDC 62.62.050.

Site accesses, as previously discussed, are located off of SW Leveton Drive and SW Tualatin Road. The existing locations meet the requirements of TDC 62.090. No alternate locations are proposed.

RECOMMENDED CONDITIONS

The proposed Mittleman Properties IMP-08-01 will satisfy the IMP approval criteria of TDC 37.030 with the following recommended conditions:

1. To ensure the adequate provision of facilities between the two parcels allowed by the IMP, shared parking, circulation, common access and common facility shall be addressed and evaluated through the Partition and Architectural Review processes. Where necessary, shared parking and circulation easements, access easements and common facility agreements and easements shall be established.
2. To ensure compliance with the IMP, all parcels created in a partition of the Mittleman Properties IMP site shall have a minimum lot size of 15 acres and meet the lot dimension requirements of TDC 37.020(4) and TDC 62.050. The applicant shall submit a partition application to the City to partition the site into the proposed two individual parcels.
3. To ensure compliance with the TDC, when building or site improvements to the Mittleton Properties site are proposed, the applicant shall submit an Architectural Review application meeting the requirements of the TDC and the alternative methods approved in IMP-08-01.

4. If modifications to the alternative standards approved in IMP-08-01 are necessary or if the total building floor area or total number of parking spaces approved in IMP-08-01 are to be exceeded, a new IMP application shall be submitted for review.
5. To ensure the materials and design of buildings B, C & D meet the requirements of TDC 37.030(2), an Architectural Review application shall be presented for approval showing building design and materials based on the palette of materials identified in the Industrial Master Plan.



City of Tualatin

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MEMORANDUM

DATE: November 19, 2008

TO: Will Harper, AICP
Associate Planner

FROM: Tony Doran, EIT
Engineering Associate

SUBJECT: **IMP 08-01, Mittleman Properties**

Will,

On October 1, 2008 the engineering department received Industrial Master Plan Notice IMP 08-01 for a property designated Manufacturing Park Planning District (MP). This IMP would allow reduced lot sizes and setbacks in order to partition the existing Sentrol Building from the other existing structures as well as three future structures.

TRANSPORTATION

The applicant submitted a Traffic Impact Letter and Transportation Completeness Letter from Group Mackenzie dated September 29, 2008 and November 12, 2008, respectively. These letters provide the following key points:

- The current developable area is 23.64 acres (360,415 square feet)
- The IMP proposed lot lines and setbacks decrease developable area by 5.34 acres (81,413 square feet) to 18.30 acres (279,002 square feet)
- The decrease in developable area reduces traffic generation:
 - ADT by 946 from 4,596 to 3,650
 - Weekday PM Peak Hour by 105 from 467 to 357
- As the current TSP was based on acceptable LOS, a decrease in traffic generation potential will not increase LOS for this development

Comments have been submitted by ODOT indicating a determination of no significant impacts. Additional ODOT review and response will occur with future Architectural Reviews and associated submitted traffic analysis.



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OAR 660-012-0060 (1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility.

(a) Change the functional classification of an existing or planned transportation facility

(b) Change standards implementing a functional classification system

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan

TDC Section 1.032 Burden of Proof: (8) Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's planning area.

Near the subject area is SW Pacific Highway, an ODOT facility, and adjacent to the subject area is SW 124th Avenue, SW Tualatin Road, & SW Leveton Drive, all City of Tualatin facilities. SW Pacific Highway is classified by ODOT as a Statewide Urban highway. Due to the decrease in developable area, the proposed IMP does not change the functional classifications of SW Pacific Highway for ODOT.

The City of Tualatin classifies SW Pacific Highway & SW 124th Avenue as Major Arterials, SW Tualatin Road as a Major Collector, and SW Leveton Drive as a Minor Collector. Due to the decrease in developable area, the proposed IMP does not change the functional classifications of SW Pacific Highway, SW 124th Avenue, SW Tualatin Road, or SW Leveton Drive for the City of Tualatin.

Due to the decrease in developable area, the proposed IMP will not necessitate changes to the standards implementing the functional classification system.

As the current TSP was based on acceptable LOS, a decrease in traffic generation potential will not increase LOS for this development, therefore will not significantly affect any transportation facilities in the area, reduce performance of streets as planned in the TSP, or necessitate changes to the standards implementing the functional classification system.

In summary, this IMP is consistent with the City of Tualatin transportation plan and meets TDC Section 1.032 Burden of Proof (8).



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PUBLIC UTILITIES AND ACCESS

TDC 37.030 Criteria for Review

The City Council shall approve an Industrial Master Plan, after a hearing conducted pursuant to TDC 32.040, provided that the applicant demonstrates that the following criteria are met:

- (1) Public facilities and services, including transportation, existing or planned, for the area affected by the use are capable of supporting the proposed development or will be made capable by the time development is completed.**

As developable area is proposed to be decreased, the potential impact on all public utilities decreases. Public sanitary sewer, stormwater, and water lines exist in surrounding public right-of-way in accordance with Master Plans that accommodated existing developable area. As such, public utility capacity for a reduction in developable area exists.

An existing private sanitary sewer line on site connects to the public line in SW Leveton Drive. This private line was designed and inspected in 1994 to public standards in anticipation of a potential future partition that would necessitate a public line to cross private lots. In order to change the private line to public, the line will require an inspection, improvement to current public standards (as needed), maintenance bond, and dedication of the line and 15-foot public sanitary sewer & access easement.

An existing water line on site connects to the public line in SW Leveton Drive. The determination of appropriate easements and meters will be determined after submittal of a land use application.

Stormwater and water quality facilities are able to be shared among lots with appropriate private easements & agreements. Access to public right-of-way can be provided across lots with appropriate private shared access easements. A future partition along the lines shown in this IMP will require a shared stormwater easement & agreement and shared access agreement.

Specific requirements for public infrastructure and private easements & agreements will be determined in Partition and Architectural Review decisions.



STAFF REPORT CITY OF TUALATIN

Approved By Tualatin City Council
Date 12-8-08
Recording Secretary M. Smith

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager 

FROM: Donald A. Hudson, Finance Director 

DATE: December 8, 2008

SUBJECT: RESOLUTION APPOINTING MUNICIPAL COURT JUDGE AND JUDGE PRO TEM

ISSUE BEFORE THE COUNCIL:

Whether to appoint Jack Morris as the Municipal Court Judge and James Shartel and Scott Morrill as Judge Pro Tems.

RECOMMENDATION:

Staff recommends adoption of the attached resolution.

EXECUTIVE SUMMARY:

Earlier this year, the City Council approved expanding the Municipal Court to include traffic violations. The plan is to start the expanded court in January 2009. The City's charter calls for the Mayor to appoint, and the Council to confirm, the Municipal Court Judge and pro tem judges to hold office at the pleasure of the Council. Our current judge is unable to take on the additional duties, but is able to serve as a Pro Tem, when needed. The City Attorney and Finance Director met with Jack Morris and James Shartel and recommend that the Mayor appoint, and the Council confirm, Jack Morris as the presiding Municipal Court Judge, with James Shartel and Scott Morrill acting as Judge Pro Tems.

OUTCOMES OF DECISION:

This action allows for the City to begin its expanded Municipal Court in January 2009.

FINANCIAL IMPLICATIONS:

Costs associated with the Municipal Court, including the judge, are contemplated in the Municipal Court budget that was approved earlier this year by the City Council.

Attachments: A. Resolution

RESOLUTION NO. 4855-08

A RESOLUTION APPOINTING MUNICIPAL COURT JUDGE AND JUDGE PRO TEM

WHEREAS the Charter for the City of Tualatin allows for appointment of a Municipal Court Judge and pro tem judges; and

WHEREAS the City desires to expand the current Municipal Court to include hearing traffic violations; and

WHEREAS the Charter calls for the Mayor to appoint, and the Council to confirm, the Municipal Court Judge and Judge Pro Tems.

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

Section 1. Jack Morris be appointed as Municipal Court Judge, to serve at the pleasure of the City Council.

Section 2. James Shartel and Scott Morrill be appointed as Judge Pro Tems.

INTRODUCED AND ADOPTED this 8th day of December, 2008.

CITY OF TUALATIN, OREGON

BY



Mayor

ATTEST:

BY



City Recorder

APPROVED AS TO LEGAL FORM



CITY ATTORNEY