



**A. CALL TO ORDER**

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

**C. CITIZEN COMMENTS**

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

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

Page #

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

1. Approval of Minutes for the Work Session and Meeting of April 27, 2009.....88
2. Resolution No. 572-09 Approving SW Seneca Street Sanitary Sewer Extension.....93  
Project Agreement – City of Tualatin and the Tualatin  
Development Commission

**E-F. PUBLIC HEARINGS**

*None.*

**G. GENERAL BUSINESS**

*None.*

**H. ITEMS REMOVED FROM CONSENT AGENDA**

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

**I. COMMUNICATIONS FROM COMMISSIONERS**

**J. EXECUTIVE SESSION**

**K. ADJOURNMENT**



Approved by Tualatin  
Development Commission  
Date 5-11-09  
Recording Sec M. Smith

# STAFF REPORT

## TUALATIN DEVELOPMENT COMMISSION

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

**FROM:** Sherilyn Lombos, Administrator *SL*

**DATE:** May 11, 2009

**SUBJECT:** APPROVAL OF THE MINUTES FOR THE WORK SESSION AND MEETING OF APRIL 27, 2009

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### ISSUE BEFORE THE COMMISSION:

The issue before the Commission is to approve the minutes for the Tualatin Development Commission Work Session and Meeting of April 27, 2009.

### RECOMMENDATION:

Staff respectfully recommends that the Commission adopt the attached minutes.

### FINANCIAL IMPLICATIONS:

There are no financial impacts associated with this item.

**Attachments:** Minutes

## **TUALATIN DEVELOPMENT COMMISSION**

18880 S.W. MARTINAZZI AVENUE  
TUALATIN, OREGON 97062-0369

503 / 692-2000

Approved by Tualatin  
Development Commission  
Date 5-11-09  
Signature [Signature]



### **TUALATIN DEVELOPMENT COMMISSION WORK SESSION MINUTES OF APRIL 27, 2009**

**PRESENT:** Chairman Pro tem Chris Barhyte, Commissioners Monique Beikman, Joelle Davis, Jay Harris, Donna Maddux, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Doug Rux, Community Development Director; Kent Barker, Chief of Police; Dan Boss, Operations Director; Nancy McDonald, Human Resources Director; Eric Underwood, Development Coordinator; Will Harper, Associate Planner, Carina Christensen, Assistant to the City Manager; Ginny Kirby, Recording Secretary

**ABSENT:** Lou Ogden \* [\* denotes excused]

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

**A. CALL TO ORDER**

Chairman Pro tem Barhyte called the meeting to order at 5:37 p.m.

**B. CONSENT AGENDA**

The Consent Agenda was reviewed by the Commission.

**C. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS**

None.

**D. CITIZEN COMMENTS**

Not applicable.

**E. PUBLIC HEARINGS - *Legislative or Other***

Not applicable.

**F. PUBLIC HEARINGS - *Quasi-Judicial***

Not applicable.

**G. GENERAL BUSINESS**

Not applicable.

**H. ITEMS REMOVED FROM CONSENT AGENDA**

Not applicable.

**I. COMMUNICATIONS FROM COMMISSIONERS**

None.

**J. EXECUTIVE SESSION**

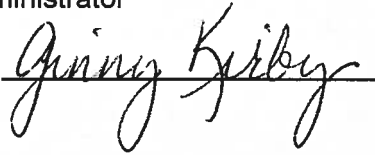
None.

**K. ADJOURNMENT**

The meeting adjourned at 5:39 p.m.

Sherilyn Lombos, Administrator

Recording Secretary

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

# **TUALATIN DEVELOPMENT COMMISSION**

18880 S.W. MARTINAZZI AVENUE

TUALATIN, OREGON 97063

503 / 692-2000

Approved by Tualatin  
Development Commission  
Date 5-11-09  
Recording Sec. W Smith



## **TUALATIN DEVELOPMENT COMMISSION MEETING MINUTES OF APRIL 27, 2009**

**PRESENT:** Chairman Pro tem Chris Barhyte, Commissioners Monique Beikman, Joelle Davis; Jay Harris, Donna Maddux, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Doug Rux, Community Development Director; Kent Barker, Chief of Police; Dan Boss, Operations Director; Paul Hennon, Community Services Director; Carina Christensen, Assistant to the City Manager; Ginny Kirby, Recording Secretary

**ABSENT:** Lou Ogden \* [*\* denotes excused*]

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

### **A. CALL TO ORDER**

Chairman Pro tem Barhyte called the meeting to order at 10:21 p.m.

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

None.

### **C. CITIZEN COMMENTS**

Not applicable.

### **D. CONSENT AGENDA**

MOTION by Commissioner Beikman, SECONDED by Commissioner Davis to adopt the Consent Agenda as read:

1. Approval of the Minutes for the Work Session and Meeting of April 13, 2009.
2. Change Order No. 1 to the Contract Documents for Construction of the SW Herman Road Project

**MOTION CARRIED.**

**E. PUBLIC HEARINGS - Legislative or Other**  
Not applicable.

**F. PUBLIC HEARINGS - Quasi-Judicial**  
Not applicable.

**G. GENERAL BUSINESS**

Not applicable.

**H. ITEMS REMOVED FROM CONSENT AGENDA**

Not applicable.

**I. COMMUNICATIONS FROM COMMISSIONERS**

None.

**J. EXECUTIVE SESSION**

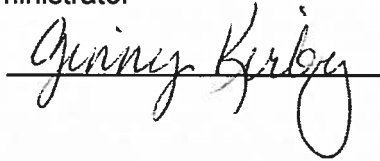
None.

**K. ADJOURNMENT**

The meeting adjourned at 10:22 p.m.

Sherilyn Lombos, Administrator

Recording Secretary

A handwritten signature in cursive script, appearing to read "Ginny Kirby", is written over a horizontal line.



Approved by Tualatin  
Development Commission  
Date 5-11-09  
Preparing Sec MS

# STAFF REPORT

## TUALATIN DEVELOPMENT COMMISSION

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

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

**FROM:** Doug Rux, Community Development Director *DR*  
Michael A. McKillip, City Engineer *McK*

**DATE:** May 11, 2009

**SUBJECT:** RESOLUTION APPROVING THE SW THE SENECA STREET  
SANITARY SEWER EXTENSION PROJECT AGREEMENT  
BETWEEN THE CITY OF TUALATIN AND THE TUALATIN  
DEVELOPMENT COMMISSION

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### ISSUE BEFORE THE COMMISSION:

Should the Tualatin Development Commission (Commission) enter into an agreement with the City of Tualatin for future reimbursement of costs to construct a sewer line in SW Seneca Street from SW 84<sup>th</sup> Avenue west to approximately SW Boones Ferry Road?

### RECOMMENDATION:

Staff recommends the Commission adopt the attached resolution.

### EXECUTIVE SUMMARY:

- This request is not a public hearing.
- This is a request for the Tualatin Development Commission (Commission) and City of Tualatin to enter into an agreement for potential reimbursement of costs for a sanitary sewer line that was not constructed as part of the Tualatin Commons West project funded by the Commission.
- Urban Renewal Block 16 - western one-half for the block bounded by SW Seneca Street, SW 84<sup>th</sup> and SW Boones Ferry Road is served by a public sanitary sewer line located in an easement which connects to a public line located in SW Seneca Street which then runs south in the ally adjacent to the Red Public Parking Lot and connects to a line in SW Nyberg Street. (Attachment A)



- To allow redevelopment of property in this area a new sanitary sewer line is necessary to maximize the redevelopment potential. The redevelopment includes the Robinson I and Robinson II projects on Block 16 and future redevelopment of Urban Renewal Block 15. (Attachment B)
- Redevelopment concepts for this area were being discussed with property owners and the City as the Tualatin Commons West project was concluding which did not allow adequate time to include the sanitary sewer project in a cost efficient manner.
- As redevelopment concepts were being finalized and land use approval obtained it was identified that a new sanitary sewer line needed to be constructed in SW Seneca Street between SW 84<sup>th</sup> Avenue and SW Boones Ferry Road. This line was identified to be approximately 195 feet in length. (Attachment C)
- The Commission does not currently have sufficient funds to construct this line and the City through its Sewer Operating Fund has adequate funds.
- The attached Agreement allows the Commission the option to reimburse the Sewer Operating Fund for constructing the sanitary sewer line if the City Council authorizes increasing the maximum indebtedness amount of the Central Urban Renewal District Plan (CURD), which is currently being evaluated.
- The Commission has not provided past direction on reimbursement associated with construction of this sanitary sewer line.
- ORS 457(5) allows an agency "To install, construct or reconstruct streets, utilities and site improvements in accordance with the urban renewal plan." ORS 457.190(1) states "An urban renewal agency may borrow money and accept advances, loans, grants and any other form of financial assistance from the federal government, the state, county or other public body, or from any sources, public or private, for the purposes of undertaking and carrying out urban renewal projects."
- There are no criteria applicable to this request.

#### **OUTCOMES OF DECISION:**

Council approval of the resolution would result in the following:

1. Approval of the Agreement allows the option for the Commission to reimburse the Sewer Operating Fund for the cost of constructing the sanitary sewer line.

Denial of the resolution would result in the following:

1. No reimbursement for construction of the sanitary sewer line would be possible.

#### **ALTERNATIVES TO RECOMMENDATION:**

The alternatives to the staff recommendation are:

1. Direct staff to return to the Commission with an alternate resolution
2. Direct staff to return to the Commission with additional information
3. Take no action.

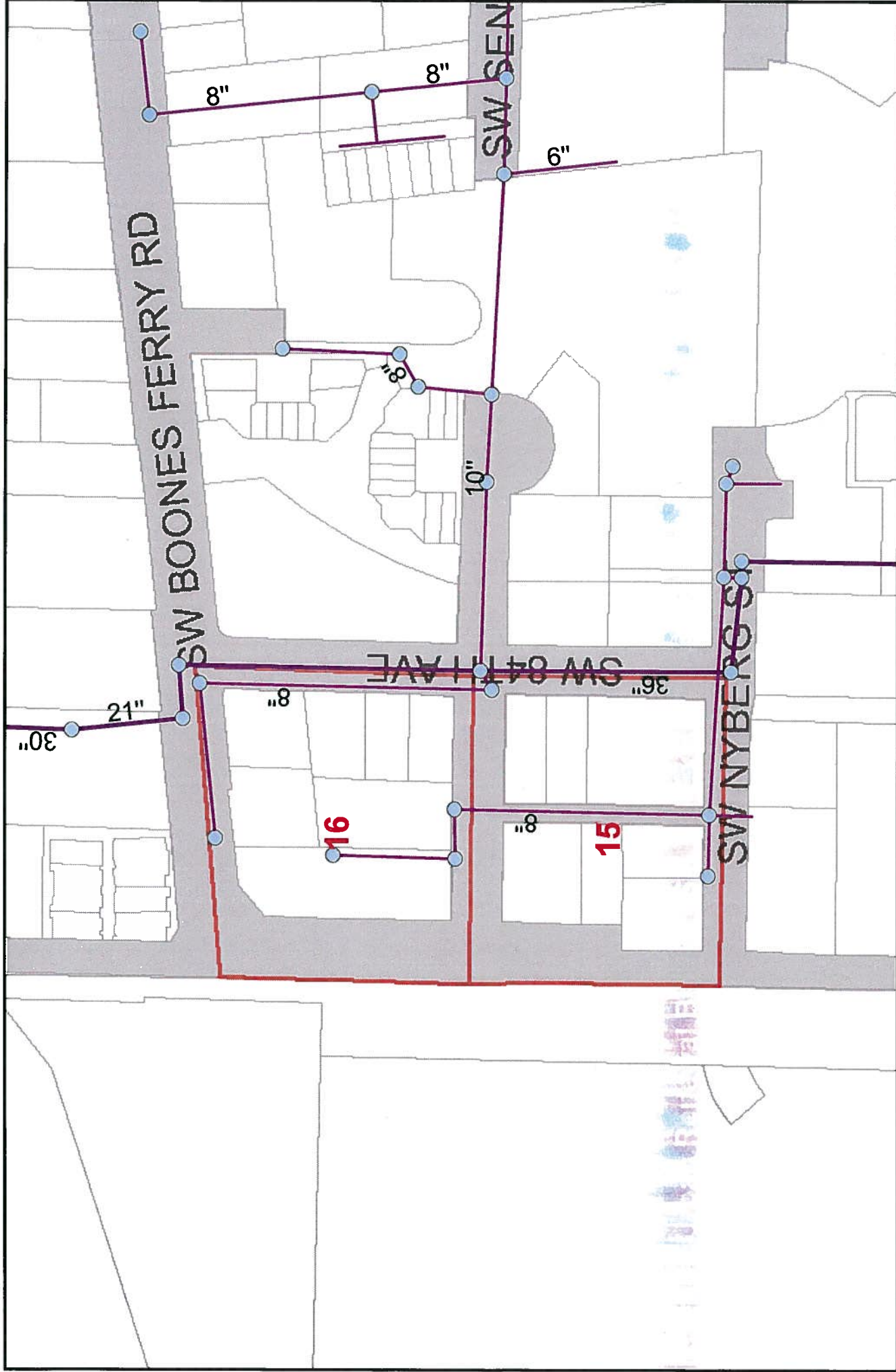


**FINANCIAL IMPLICATIONS:**

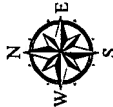
Funds have been budgeted in the Sewer Operating Fund to construct the sanitary sewer line.

- Attachments:**
- A. Existing Sewer Line Location
  - B. Urban Renewal Block 15 and 16
  - C. Proposed Sewer Line Location

# Central Urban Renewal Blocks 15 & 16: Existing Sanitary Sewer



This map is derived from various digital database sources. While an attempt has been made to provide an accurate map, the City of Tualatin, OR assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". -Engineering and Building Dept. Plotted 4/29/2009



RF 1:1,800

Parcels



Clean Water Services Sewer Line



Urban Renewal Area Blocks



City of Tualatin Sewer Line



Manhole

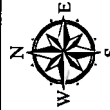




Urban Renewal Area Blocks



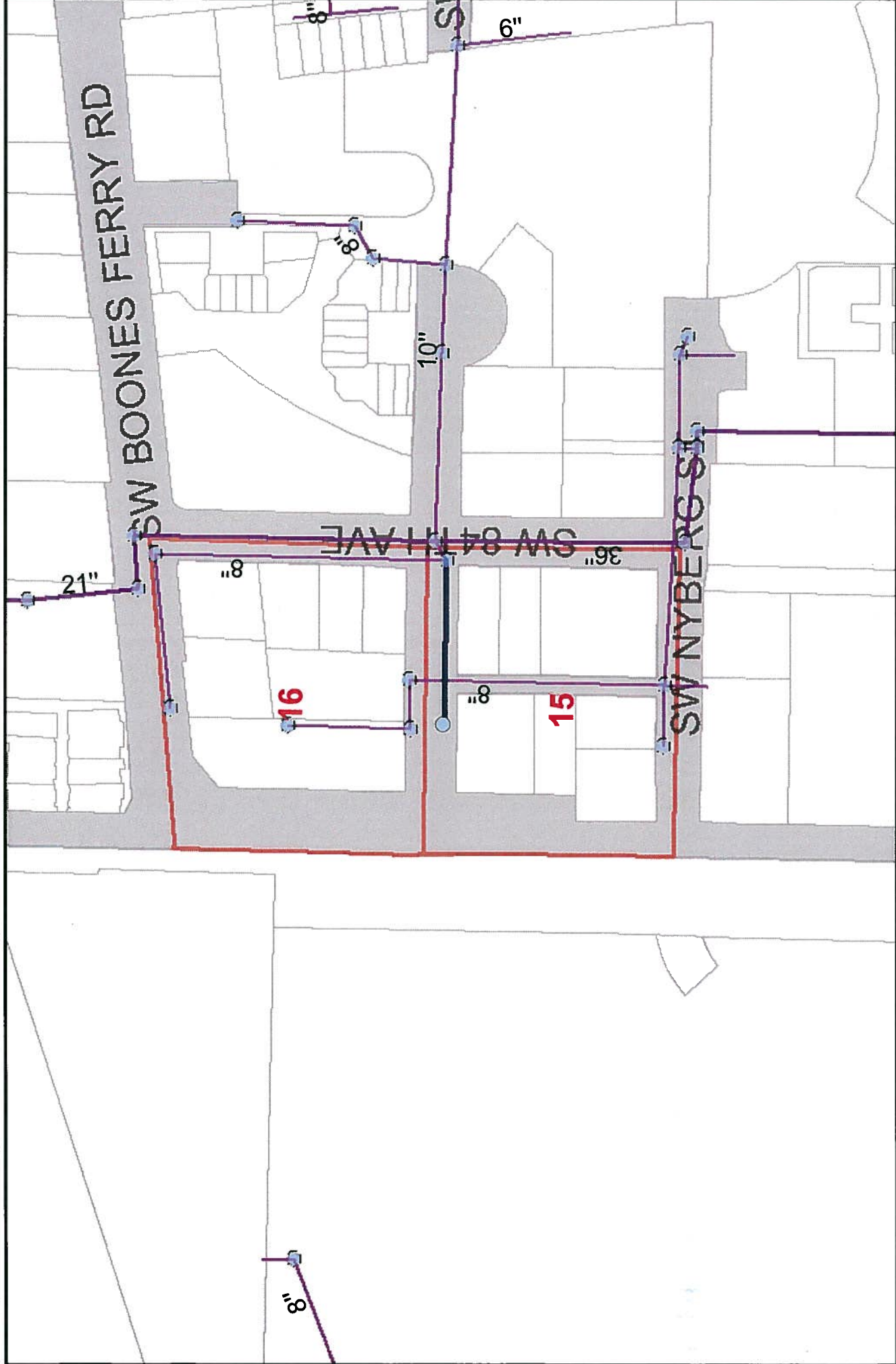
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# Central Urban Renewal Blocks 15 & 16: New Sanitary Sewer



— New Sewer Line  
— City of Tualatin Sewer Line

● Manhole

— Clean Water Services Sewer Line

Urban Renewal Area Blocks

Parcels



RF 1:1,800

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 Plotted 4/29/2009

RESOLUTION NO. 572-09

RESOLUTION APPROVING THE SW SENECA STREET SANITARY  
SEWER EXTENSION PROJECT AGREEMENT BETWEEN THE CITY  
OF TUALATIN AND TUALATIN DEVELOPMENT COMMISSION

WHEREAS the Tualatin Development Commission has reviewed the Agreement for potential reimbursement of construction costs associated with the Seneca Street Sanitary Sewer project.

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

Section 1. The Chairman is hereby authorized to sign the Agreement,  
Exhibit 1.

INTRODUCED AND ADOPTED this 11<sup>th</sup> day of May, 2009.

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

BY   
Chairman

ATTEST:

BY   
Administrator

Approved as to legal form:

  
City Attorney

RESOLUTION NO. #572-09

**SW SENECA STREET SANITARY SEWER EXTENSION PROJECT  
AGREEMENT BETWEEN THE CITY OF TUALATIN AND THE TUALATIN  
DEVELOPMENT COMMISSION**

WHEREAS, the Tualatin Development Commission, the Urban Renewal Agency for the City of Tualatin, has an uncompleted component of its Tualatin Commons West project, which is in its plan, specifically a sewer project to be installed on Seneca Street between 84<sup>th</sup> and Boones Ferry Road; and

WHEREAS, the sewer line is needed at this time for development reasons; and

WHEREAS, the Tualatin Development Commission does not currently have sufficient money to fund the project; and

WHEREAS, the City of Tualatin has money in its sewer fund that can pay for the project now; and

WHEREAS, it is in the public interest, health and safety for this project to proceed at this time; and

WHEREAS, sometime in the near future the City may decide to increase the maximum indebtedness of the Central Urban Renewal Plan.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. The City of Tualatin agrees to construct the Seneca Street sewer project referenced above on behalf of the Development Commission at this time, using sewer fund revenue to pay for the project.
2. The Tualatin Development Commission agrees that if in the future, the City increases the maximum indebtedness of the Central Urban Renewal Plan and to complete projects in the District, the Commission may reimburse the City for the costs of the Seneca Street sewer project, if allowed by law.

ENTERED INTO this 11<sup>th</sup> day of May, 2009.

CITY OF TUALATIN

By   
Mayor

TUALATIN DEVELOPMENT COMMISSION

By   
Commission Chair

ATTEST:

By   
City Recorder

ATTEST:

By   
Administrator

APPROVED AS TO LEGAL FORM

  
CITY ATTORNEY