



A. CALL TO ORDER

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

C. CITIZEN COMMENTS

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

D. CONSENT AGENDA (Item Nos. 1 – 3)

Page #

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

1. Approval of Minutes for the Meeting of May 12, 2008.....154
2. Resolution No. 560-08 Authorizing Compensation for Right-of-Way and Easements,158
and Acceptance of a Temporary Construction Easement
Associated with the SW Herman Road Improvement
Project (Sally Lee Paulson)
3. Resolution No. 561-08 Awarding Bid for SW 124th Avenue/SW Myslony Street167
to SW Tualatin-Sherwood Road

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 May 27, 2008
Signature [Signature]

STAFF REPORT

TUALATIN DEVELOPMENT COMMISSION

TO: Honorable Chairman and Members of the Commission

FROM: Sherilyn Lombos, Administrator *[Signature]*

DATE: May 27, 2008

SUBJECT: APPROVE MINUTES FOR THE MEETING OF MAY 12, 2008

ISSUE BEFORE THE COMMISSION:

The issue before the Commission is to approve the minutes for the Tualatin Development Commission work session and meeting of May 12, 2008.

RECOMMENDATION:

Staff respectfully recommends that the Commission adopt the attached minutes.

FINANCIAL IMPLICATIONS:

There are no financial impacts associated with this item.

Attachments: Minutes

TUALATIN DEVELOPMENT COMMISSION

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

503 / 692-2000

Approved by Tualatin
Development Commission
Date May 27, 2008
Recording Sec J. Kirby



TUALATIN DEVELOPMENT COMMISSION WORK SESSION MINUTES OF MAY 12, 2008

PRESENT: Chairman Pro tem Ed Truax; Commissioners Chris Barhyte, Monique Beikman, Bob Boryska, and Jay Harris; Sherilyn Lombos, Administrator; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Doug Rux, Community Development Director; Paul Hennon, Community Services Director; Kent Barker, Police Chief; Dan Boss, Operations Director; Carina Christensen, Assistant to the City Manager; Don Hudson, Finance Director; Eric Underwood, Development Coordinator; and Maureen Smith, Recording Secretary

ABSENT: Chairman Lou Ogden*, Commissioner Donna Maddux* [** denotes excused*]

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

- A. **CALL TO ORDER**
Chairman Pro tem Truax called the work session to order at 6:37 p.m.
- B. **PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS**
None.
- C. **CITIZEN COMMENTS – N/A**
- D. **CONSENT AGENDA**
There were no comments or questions by the Commission on the Consent Agenda.
- E-F. **PUBLIC HEARINGS – N/A**
- G. **GENERAL BUSINESS – N/A**
- H. **ITEMS REMOVED FROM CONSENT AGENDA – N/A**
- I. **COMMUNICATIONS FROM COMMISSIONERS**
None.
- J. **EXECUTIVE SESSION**
None.
- K. **ADJOURNMENT**
The work session adjourned at 6:37 p.m.

Sherilyn Lombos, Administrator

Recording Secretary

Maureen Smith

TUALATIN DEVELOPMENT COMMISSION

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

503 / 692-2000



Approved by Tualatin
Development Commission
Date May 27, 2008
Recording Sec J. Kirk

TUALATIN DEVELOPMENT COMMISSION MEETING MINUTES OF MAY 12, 2008

PRESENT: Chairman Pro tem Ed Truax; Commissioners Chris Barhyte, Monique Beikman, Bob Boryska, and Jay Harris; Sherilyn Lombos, Administrator; Doug Rux, Community Development Director; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Carina Christensen, Assistant to the City Manager; and Maureen Smith, Recording Secretary

ABSENT: Chairman Lou Ogden*, Commissioner Donna Maddux* [** denotes excused*]

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

A. CALL TO ORDER

Chairman Ogden called the meeting to order at 7:55 p.m.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

None.

C. CITIZEN COMMENTS

None.

D. CONSENT AGENDA

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

1. Approval of Minutes for the Meeting of April 28, 2008

MOTION CARRIED.

E-F. PUBLIC HEARINGS

None.

G. GENERAL BUSINESS

None.

H. ITEMS REMOVED FROM CONSENT AGENDA

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

I. COMMUNICATIONS FROM COMMISSIONERS

None.

J. EXECUTIVE SESSION

None.

K. ADJOURNMENT

MOTION by Commissioner Harris, SECONDED by Commissioner Boryska to adjourn the meeting at 7:56 p.m. MOTION CARRIED.

Sherilyn Lombos, Administrator

Recording Secretary

Mareen Smith

Approved by Tualatin
Development Commission
Date May 27, 2008
Recording Sec J. Kirtley



STAFF REPORT

TUALATIN DEVELOPMENT COMMISSION

TO: Honorable Chairman and Members of the Commission

THROUGH: Sherilyn Lombos, Administrator *SL*

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

DATE: May 27, 2008

SUBJECT: RESOLUTION AUTHORIZING COMPENSATION FOR RIGHT-OF-WAY AND EASEMENTS, AND ACCEPTANCE OF A TEMPORARY CONSTRUCTION EASEMENT ASSOCIATED WITH THE SW HERMAN ROAD IMPROVEMENT PROJECT (SALLY LEE PAULSON)

ISSUE BEFORE THE COMMISSION:

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

RECOMMENDATION:

Staff recommends that the Commission adopt the attached resolution.

EXECUTIVE SUMMARY:

- This action is not a public hearing.
- The Fiscal Year 07/08 Leveton Tax Increment District Project Fund contains a capital project to design roadway improvements, and acquire rights-of-way and easements for the SW Herman Road Improvement Project.
- The project area consists of SW Herman Road from SW Teton Avenue to 124th Avenue.
- The primary purpose of constructing the roadway is to better facilitate freight mobility and industrial traffic flow within the District and to improve storm water drainage as well as overall roadway conditions.
- As part of the project, rights-of-way acquisition and utility, slope, and permanent easements have been identified.

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

OUTCOMES OF DECISION:

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

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

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

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

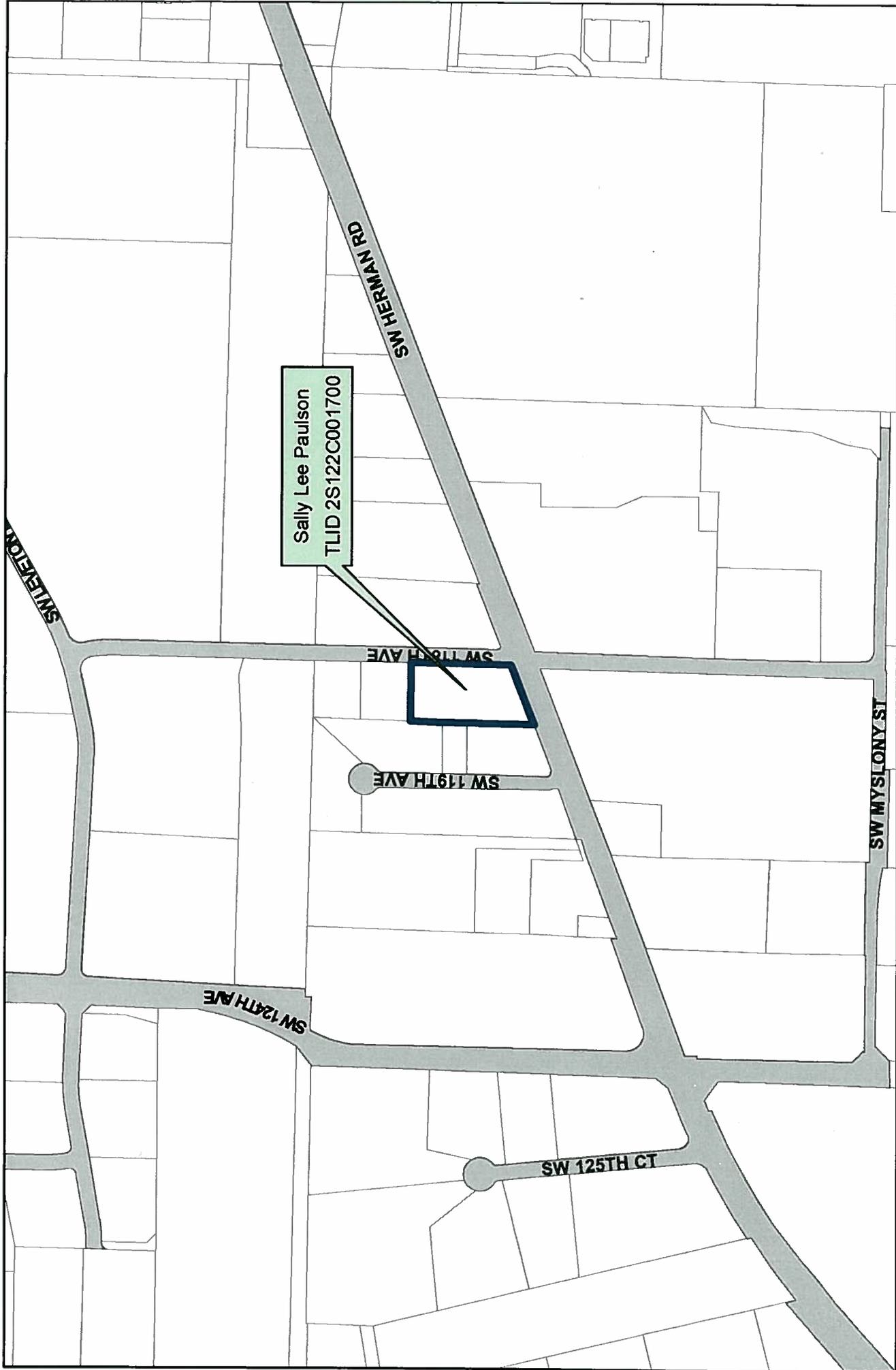
ALTERNATIVES TO RECOMMENDATION:

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

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

FINANCIAL IMPLICATIONS:

The agreed upon compensation is \$49,943 for Right-of-Way and \$2,500 for Slope/Utility Easements and is within the amount budgeted for the project (\$1,000,000) for FY 07/08.



Parcels of Interest



RF 1:5,800

This map is derived from various digital database sources. While an attempt has been made to provide an accurate map, the user should not rely on this map for any errors or omissions in the information. This map is provided "as is". Engineering and Building Dept. Potted 09/12/2008

RESOLUTION NO. 560-08

RESOLUTION AUTHORIZING COMPENSATION FOR
RIGHT-OF-WAY AND EASEMENTS, AND ACCEPTANCE
OF A TEMPORARY CONSTRUCTION EASEMENT ASSOCIATED
WITH THE SW HERMAN ROAD IMPROVEMENT PROJECT
(SALLY LEE PAULSON)

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

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

- a. Deed of Dedication from:
 - i. Sally Lee Paulson - \$49,943
- b. Slope/Public Utility Easements from
 - i. Sally Lee Paulson - \$2,500
- c. Temporary Construction Easement from:
 - i. Sally Lee Paulson - \$12,407

Section 2. The attached Temporary Construction Easement (Exhibit 1) is
accepted by the Tualatin Development Commission:

INTRODUCED AND ADOPTED this 27th day of May, 2008.

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

By  _____
Chairman

APPROVED AS TO LEGAL FORM


CITY ATTORNEY

ATTEST:

By  _____
Administrator

Resolution No. 560-08



CITY OF TUALATIN, OREGON

TEMPORARY CONSTRUCTION EASEMENT

Sally Lee Paulson, Grantor, in consideration of the sum of **Twelve Thousand Four Hundred Seven and No/100 Dollars (\$12,407.00)** and other good and valuable consideration, more specifically described in the attached Letter of Agreement, hereby grants unto the Tualatin Development Commission, Grantee, its successors and assigns, a temporary easement and right-of-entry for the purpose of constructing storm improvements on real property located in Washington County, State of Oregon, that is more particularly described as follows:

*See description and drawing attached to and
by reference made a part of this document*

This easement shall become effective from the date signed below and shall continue for a period of two years or until completion of the project whichever is earlier, for the purpose above described.

Subject to the limitations and conditions of the Oregon Constitution and ORS 30.260 to 30.300, the Grantee agrees to indemnify Grantor from all claims made for injury to person or property caused by Grantee's negligence during the actual use by Grantee of the property for any of the above described purposes.

The Grantee shall have the right at any time during the easement period to enter upon the above described real property for the purpose hereinabove mentioned. In connection therewith, Grantee may remove any trees, shrubs, or other materials necessary or convenient to accomplish said purposes. Grantee shall repair any damage to the property caused by Grantee's use for the purpose above described and shall restore the property.

Dated the last day signed below:

By: Sally Lee Paulson
Title: owner
Date: 4.18.08

EXHIBIT A -Continued

PARCEL 3 – TEMPORARY CONSTRUCTION EASEMENT

A parcel of land lying in that tract of real property in Section 22, Township 2 South, Range 1 West of the Willamette Meridian, in the City of Tualatin, Washington County, Oregon and being more particularly described in a Deed to SALLY LEE PAULSON, recorded on October 22, 1990, in Document No. 90-58216, Washington County Book of Records, said parcel being that portion of said property included in a strip of land variable in width, lying northerly of the centerline of SW Herman Road (County Road 489), said centerline described in PARCEL 1.

The widths in feet of the strip of land above referred to are as follows:

<u>SW HERMAN ROAD STATION</u>	<u>WIDTH ON NORTHERLY SIDE OF CENTERLINE</u>
From 49+30.00 To 49+65.00	57.25 feet in a straight line to 136.00 feet
From 49+65.00 To 50+82.00	136.00 feet in a straight line to 90.00 feet
From 50+82.00 To 50+92.00	90.00 feet in a straight line to 111.00 feet
From 50+92.00 To 51+67.00	111.00 feet in a straight line to 82.00 feet

EXCEPT therefrom that portion lying within the existing right-of-way of SW Herman Road (County Road 489), EXCEPT therefrom that portion lying within the existing right-of-way or SW 118th Ave., EXCEPT that portion described in PARCEL 1, EXCEPT that portion described in PARCEL 2, and EXCEPT that portion lying within the Slope Easement per Doc #89-33078

This area of land contains 10,514 square feet (0.241 acres), more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Joseph W. Hurliman
OREGON
JAN. 14, 2003
JOSEPH W. HURLIMAN
58960 LS

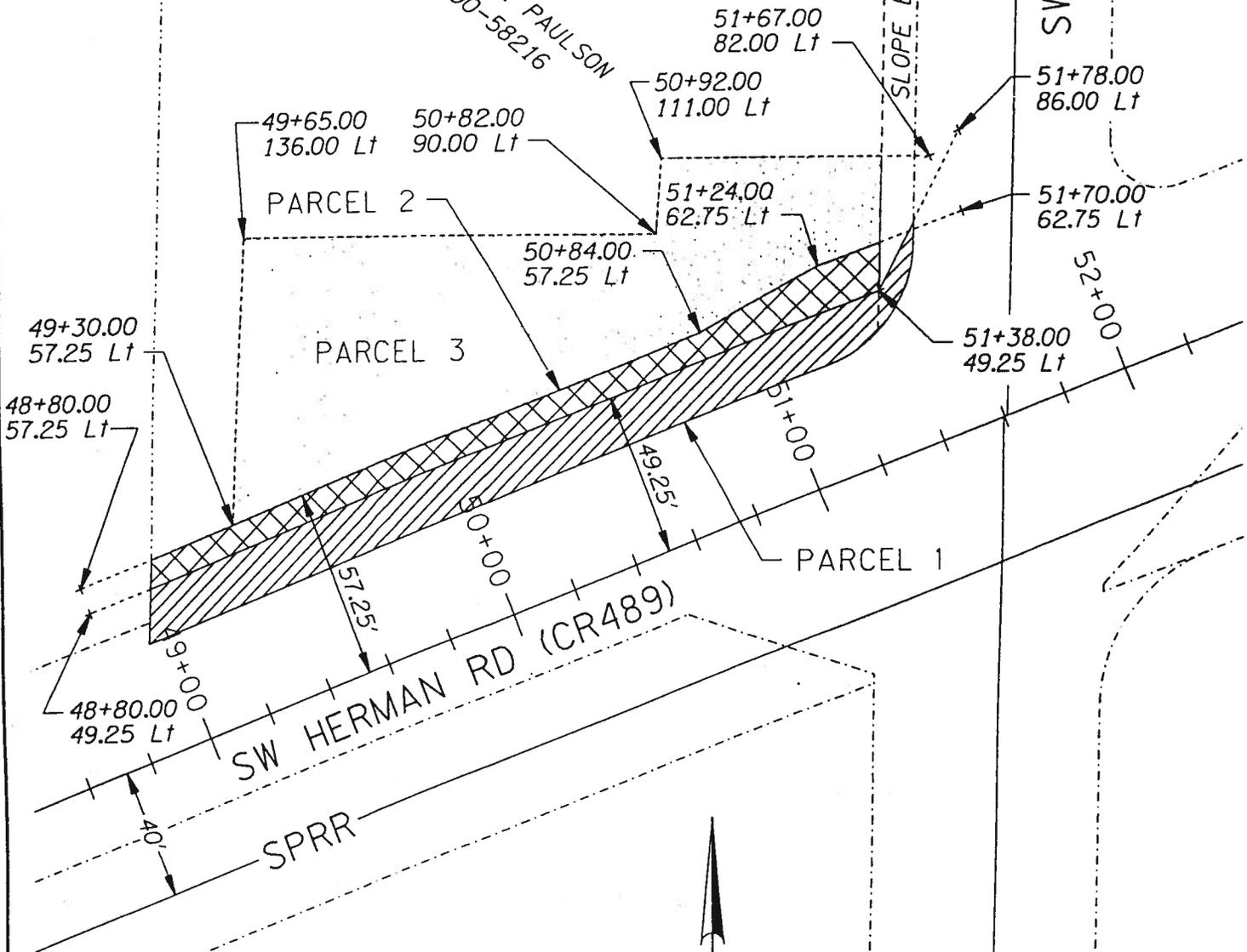
RENEWAL: 6/30/09
SIGNED: 7-13-2007

EXHIBIT B

25122C01700
SALLY LEE PAULSON
Doc No. 90-58216

SLOPE EASEMENT PER DOC #89-33078

SW 118TH AVE



-  PARCEL 1
-  PARCEL 2
-  PARCEL 3
-  RIGHT OF WAY DEDICATION
-  SLOPE AND UTILITY EASEMENT
-  TEMPORARY CONSTRUCTION EASEMENT

RIGHT OF WAY DEDICATION
CITY OF TUALATIN
HERMAN ROAD
IMPROVEMENT PROJECT
JULY, 2007

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



Approved by Tualatin
Development Commission
Date May 27, 2008
Recording Sec J. Kirby

STAFF REPORT

TUALATIN DEVELOPMENT COMMISSION

TO: Honorable Chairman and Members of the Commission

THROUGH: Sherilyn Lombos, Administrator 

FROM: Doug Rux, Community Development Director 

DATE: May 27, 2008

SUBJECT: RESOLUTION AWARDING BID FOR SW 124th AVENUE/ SW
MYSLONY STREET TO SW TUALATIN-SHERWOOD ROAD

ISSUE BEFORE THE COMMISSION:

Whether the Tualatin Development Commission should award the SW 124th Avenue/ SW Myslony Street to SW Tualatin-Sherwood Road project to Northwest Earthmovers Inc.

RECOMMENDATION:

Staff recommends that the Council adopt the attached resolution awarding the SW 124th Avenue/ SW Myslony Street to SW Tualatin-Sherwood Road project and authorizing the Chairman to execute a contract with Northwest Earthmovers Inc. in the amount of \$2,582,987.80.

EXECUTIVE SUMMARY:

- This proposal is an award of bid to construct the SW 124th Avenue/ SW Myslony Street to SW Tualatin-Sherwood Road project (Attachment A).
- The Fiscal Year 07/08 budget contains a project to construct the SW 124th Avenue/ SW Myslony Street to SW Tualatin-Sherwood Road project.
- The Invitation to Bid was published in the Daily Journal of Commerce on April 28, May 6 and 12, 2008.
- The bids for this project were opened on Tuesday, May 20, 2008 at 2:00 p.m. Twelve (12) bidders responded as follows:

Northwest Earthmovers Inc.	\$2,582,987.80
C&M Construction, Inc.	\$2,596,055.25
Eagle-Elsner, Inc.	\$2,599,944.90
Kerr Contractors, Inc.	\$2,743,743.00
Canby Excavating, Inc.	\$2,769,564.65
Coffman Excavation	\$2,851,146.70

STAFF REPORT: Resolution Awarding Bid for SW 124th Avenue

May 27, 2008

Page 2 of 2

Capital Concrete Construction, Inc.	\$2,868,114.50
L.S. Henriksen Construction, Inc.	\$2,879,693.44
Goodfellows Bros. Inc.	\$3,098,582.75
Elting Northwest, Inc.	\$3,127,292.45
Emery & Sons Construction, Inc.	\$3,164,416.75
Kodiak Pacific Construction	\$3,457,457.00

- The Engineer's Estimate for the work was \$3,812,100.00.
- The lowest responsible bidder is Northwest Earthmovers Inc. at \$2,582,987.80.

OUTCOMES OF DECISION:

Awarding of the contract will result in the following:

1. Construction of the proposed project will provide the following:
 - a. Completion of the final segment of SW 124th Avenue between SW Pacific Highway 99W and SW Tualatin-Sherwood Road.
 - b. Provide an additional transportation route for moving freight and employees into and out of the Leveton Tax Increment District.
 - c. Opening of the roadway in the Spring of 2009 for traffic.

Not awarding the contract will result in the following:

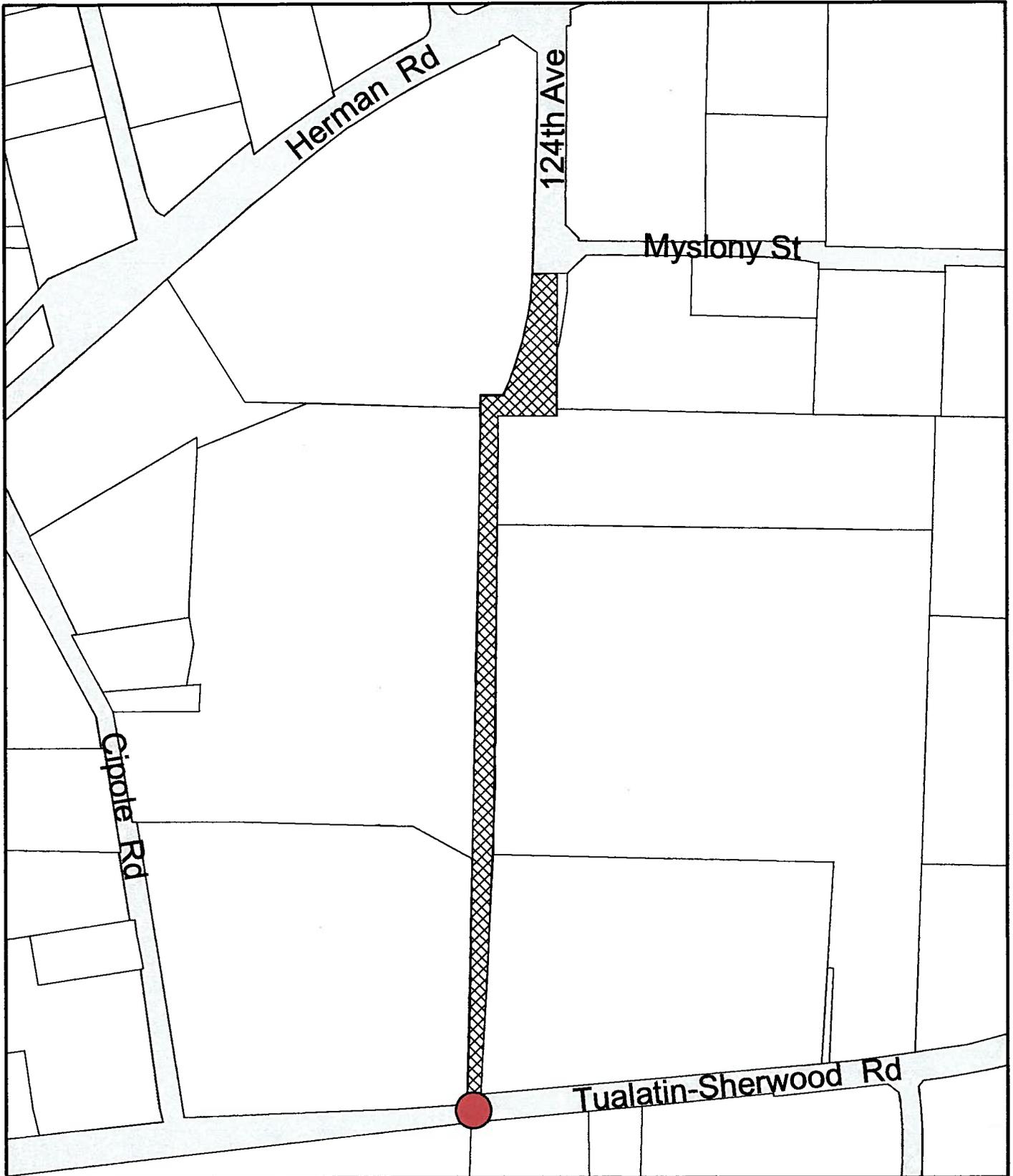
1. All work on the project will stop.

FINANCIAL IMPLICATIONS:

Funds are available for this project in the Leveton Tax Increment District Project Fund

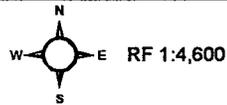
Attachments: A. Location Map
 B. Resolution

124th Ave: Myslony St to Tualatin-Sherwood Rd Project



 Possible Traffic Signal

 124th Ave Extension



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 6/2/2006

RESOLUTION NO. 561-08

RESOLUTION AWARDING BID FOR SW 124TH AVENUE/ SW
MYSLONY STREET TO SE SW TUALATIN-SHERWOOD ROAD

WHEREAS the project was advertised in the Daily Journal of Commerce on April 28, May 6 and 12, 2008; and

WHEREAS twelve (12) bids were received prior to the close of the bid period on May 20, 2008; and

WHEREAS Northwest Earthmovers, Inc. submitted the lowest responsible bid for the project in the amount of \$2,582,987.80; and

WHEREAS adequate funds have been budgeted in the FY 07/08 Leveton Tax Increment District Project Fund for this project.

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

Section 1. The contract is awarded to Northwest Earthmovers, Inc.

Section 2. The Chairman and Administrator are authorized to execute a contract with Northwest Earthmovers, Inc. in the amount of \$2,582,987.80.

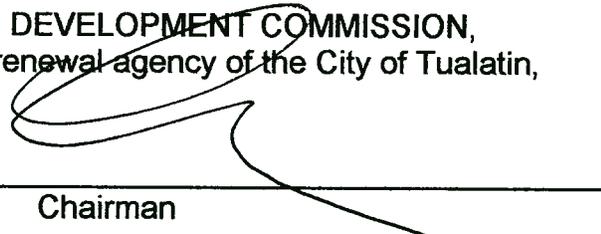
INTRODUCED AND ADOPTED THIS 27th day of May 2008.

APPROVED AS TO LEGAL FORM


CITY ATTORNEY

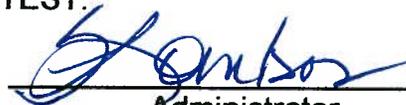
TUALATIN DEVELOPMENT COMMISSION,
the urban renewal agency of the City of Tualatin,
Oregon

BY


Chairman

ATTEST:

BY


Administrator

Resolution No. 561-08