



TUALATIN CITY COUNCIL MEETING

MONDAY, MARCH 14, 2022

JUANITA POHL CENTER
8513 SW TUALATIN ROAD
TUALATIN, OR 97062

Mayor Frank Bubenik
Council President Nancy Grimes
Councilor Valerie Pratt Councilor Bridget Brooks
Councilor Maria Reyes Councilor Cyndy Hillier
Councilor Christen Sacco

To the extent possible, the public is encouraged to watch the meeting live on local cable channel 28, or on the City's website.

For those wishing to provide comment during the meeting, there is one opportunity on the agenda: Public Comment. Written statements may be sent in advance of the meeting to Deputy City Recorder Nicole Morris up until 4:30 pm on Monday, March 14. These statements will be included in the official meeting record, but not read during the meeting.

For those who would prefer to make verbal comment, there are two ways to do so: either by calling in using the number below or entering the meeting using the zoom link and writing your name in chat. As always, public comment is limited to three minutes per person.

Phone: +1 669 900 6833

Meeting ID: 861 2129 3664

Password: 18880

Link: <https://us02web.zoom.us/j/86121293664?pwd=SS9XZUZyT3FnMk5rbDVKN2pWbnZ6UT09>

Work Session

- 1. 5:45 p.m. (45 min) – City Council 2030 Vision Check-in and Progress Report.** City Council will review the progress towards accomplishing the 2030 vision. Staff have prepared a list of completed, ongoing, and upcoming activities that relate to each of the seven City Council 2030 Vision statements.
- 2. 6:30 p.m. (30 min) – Council Meeting Agenda Review, Communications & Roundtable.** Council will review the agenda for the March 14th City Council meeting and brief the Council on issues of mutual interest.

7:00 P.M. CITY COUNCIL MEETING

Call to Order

Pledge of Allegiance

Moment of silence for those who have lost their lives to COVID-19

Announcements

1. Proclamation Declaring April 11-15, 2022 as Community Development Week in the City of Tualatin
2. Proclamation Declaring April 2022 as Parkinson's Awareness Month in the City of Tualatin

Public Comment

This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent 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.

Consent Agenda

The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda.

1. Consideration of Approval of the Work Session and Regular Meeting Minutes of February 28, 2022
2. Consideration of Approval of Late Liquor License Renewals for 2022
3. Consideration of **Resolution No. 5606-22** Authorizing the City Manager to Execute Deeds Dedicating Right-Of-Way and Granting Easements for the Tualatin-Sherwood Road Widening Project
4. Consideration of **Resolution No. 5599-22** Authorizing the City Manager to Execute an Intergovernmental Agreement with Washington County for the Tualatin-Sherwood Road Widening Project
5. Consideration of **Resolution No. 5605-22** Authorizing the City Manager to Execute Deeds Acquiring Easements for the SW 65th / Nyberg Sanitary Sewer Trunk Main Rehabilitation Project

Special Reports

1. Tualatin Moving Forward Quarterly Update

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.

Council Communications

Adjournment

Meeting materials, including agendas, packets, public hearing and public comment guidelines, and Mayor and Councilor bios are available at www.tualatinoregon.gov/council.

Tualatin City Council meets are broadcast live, and recorded, by Tualatin Valley Community Television (TVCTV) Government Access Programming. For more information, contact TVCTV at 503.629.8534 or visit www.tvctv.org/tualatin.

In compliance with the Americans with Disabilities Act, this meeting location is accessible to persons with disabilities. To request accommodations, please contact the City Manager's Office at 503.691.3011 36 hours in advance of the meeting.



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Megan George, Deputy City Manager
DATE: March 14, 2022

SUBJECT:
City Council 2030 Vision Check-In and Progress Report

EXECUTIVE SUMMARY:

In January 2021, the City Council and Executive Management Team met to review and discuss changes to the 2030 vision and priorities for the upcoming year. Following those discussions, in March 2021, staff presented the updated language and priorities. The revised vision statements read:

- An inclusive community that promotes equity, diversity, and access in creating a meaningful quality of life for everyone
- A connected, informed, and civically engaged community that embraces our City's diversity
- A thriving and diversified economy that includes living wage jobs, increased tourism, and sustained financial stability for the whole City
- Safe, vibrant, and accessible gathering places throughout the City that build and celebrate our whole community
- An efficient, accessible, innovative, sustainable, and connected transportation system that effectively and safely meets the needs of our entire community
- Safe, desirable, welcoming, and sustainable neighborhoods with housing that is available for all
- An environmentally active, sustainable, responsible, and forward-thinking community that values and protects our natural resources, inhabitants, and habitat

Tonight, the City Council will review the organization's progress towards accomplishing the 2030 vision. Staff have prepared a list of completed, ongoing, and upcoming activities that relate to each of the seven statements.

ATTACHMENTS:

- PowerPoint Presentation

2030 Vision Midterm Check-In

City Council | March 14, 2022





CITY OF TUALATIN 2021 PRIORITIES

- HOUSING**
- Affordable
 - Supportive Services
 - Diversity
 - Smart Design/Green Construction

- TRANSPORTATION**
- Tualatin Moving Forward
 - Shuttle Program
 - I-205 Tolling
 - Regional Initiatives

- DIVERSITY, EQUITY, INCLUSION, & SOCIAL JUSTICE**
- Community Engagement
 - Zoning Inequities
 - DEI Training
 - Accessible Communications
 - Environmental Justice

- ENVIRONMENT**
- Climate Action Plan
 - Bee City USA & Tree City USA

- COMMUNITY ASSETS**
- Parks
 - Water Supply
 - City Facilities
 - Community Art

- ECONOMIC DEVELOPMENT**
- Urban Renewal
 - Comprehensive Plan/Development Code
 - Business Support

- CRISIS PREPAREDNESS**
- Crisis Management/Resiliency Plan
 - CERT



An inclusive community that promotes equity, diversity, and access in creating a meaningful quality of life for everyone

Completed

- Acknowledgement of Native Land and People Work Group
 - Delivered 94 Yard Signs to veterans
 - Over 2,100 Juanita Pohl Center participants
 - Over 400 participants in science-based learning through library outreach visits
-

Ongoing

- Organizational diversity, equity, and inclusion work
 - Pavement maintenance equity framework
 - Parks and Recreation Equity and Inclusion Plan
 - Bibliotequitas grant
 - Engagement with youth through volunteer programming
-

Upcoming

- Equity Committee Planning Group
- Restroom renovations and ADA improvements at Tualatin Commons and Community Park
- Spanish-language class for staff





A connected, informed, and civically engaged community that embraces our City's diversity



Completed

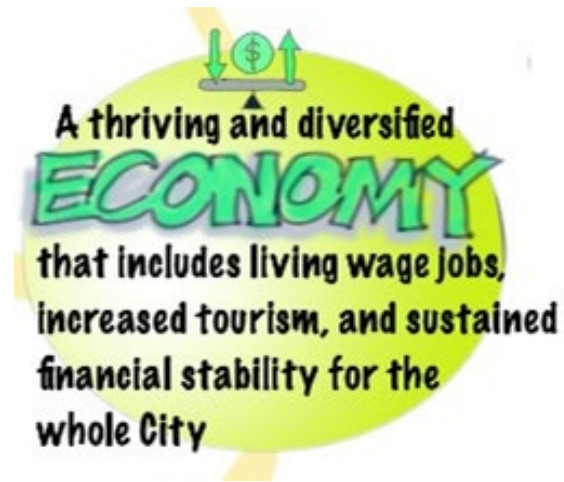
- CIO Program 10-Year Review
- Tualatin Moving Forward Annual Report
- 770 volunteers served 10,660 hours
- Enhanced emergency communication during February Snow and Ice Storm

Ongoing

- Affinity groups
- Student library cards
- Tualatin CERT, Neighborhood Ready, and CIO Program
- Tualatin Today & other e-newsletters
- Project-specific public engagement plans

Upcoming

- 2023 Tualatin Community Survey
- Washington County Emergency Drills
- Test radio equipment used during emergencies



A thriving and diversified economy that includes living wage jobs, increased tourism, and sustained financial stability for the whole City



Completed

- Southwest and Basalt Creek Development Area
 - Hispanic/Latino-owned business visits
 - Ice Age Floods Foundation Tourism Video
-

Ongoing

- American Rescue Plan Act (ARPA) Funds
 - Support Tualatin Chamber of Commerce
 - Corporate volunteer opportunities
 - Core Area Parking District
 - Business support through development services
-



Upcoming

- Prosperity planning – Core Opportunity and Reinvestment Area
- Basalt Creek Area Manufacturing Park Zoning Code Updates
- Sponsor Westside Pitch Competition



Safe, vibrant, and accessible gathering places throughout the City that build and celebrate our whole community

Completed

- Tualatin City Services building
- Remodeled City Offices building
- Replaced Juanita Pohl Center roof
- Library Makerspace
- Holiday Light Parades
- Summer Concerts
- Summer Lunch Program at the Library

Ongoing

- Basalt Creek Parks and Recreation Plan
- Traffic signal box wrap program
- Veterans Plaza
- Remodeled Lafky House
- Creative and safe programming like Viva Tualatin, DIY Volunteering, Share the Love, etc.

Upcoming

- Replace Police Department roof
- Stoneridge Park construction documents
- Parks Utility Fee projects
- Browns Ferry Boardwalk replacement
- In-person programming
- Blender Dash





An efficient, accessible, innovative, sustainable, and connected transportation system that effectively and safely meets the needs of our entire community



Completed

- Garden Corner Curves
 - 2021 Neighborhood Traffic Safety Program Projects
 - Borland Rd pavement improvements
-

Ongoing

- 95th and Avery
 - Tualatin Rd: Sweek to Community Park
 - Martinazzi Ave and Sagert St
 - Boones Ferry Corridor Sidewalk and Bike Lane Project
 - Hazelbrook Area Project
 - 65th Near Meridian Park Hospital
 - Herman Rd Improvements
 - Monitor regional transportation initiatives
 - Annual pavement maintenance program
 - Annual sidewalk/street tree program
 - Tualatin River Greenway trail extensions
-



Upcoming

- 2022 – 2023 Neighborhood Traffic Safety Program Projects



**Safe, desirable, welcoming, and sustainable
neighborhoods with housing that is available to all**

Completed

- Approved 400 unit subdivision in Basalt Creek
 - Equitable Housing Solutions Event
 - Middle housing code updates
 - Police Mental Health Response Team
-

Ongoing

- Emergency rent and energy assistance program
 - B-level water transmission line upsize project
 - Housing resources webpage for immediate housing concerns
 - Housing reporting to DLCD and PSU/PRC
 - School Resource Officer Program
 - Countywide utility billing assistance program
 - Community Partners for Affordable Housing development
 - LED street light conversion program
 - Police body-worn cameras
-

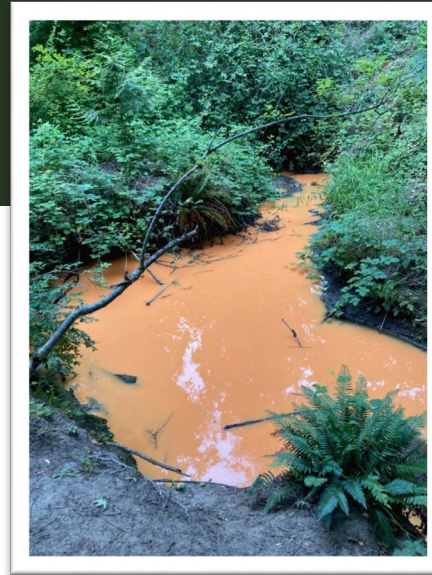
Upcoming

- Implement housing production strategy
- 2022 severely rent burdened event





An environmentally active, sustainable, responsible, and forward-thinking community that values and protects our natural resources, inhabitants, and habitat



Completed

- Updated City's emergency plan
- Water system risk and resiliency assessment and emergency response plan developed
- Responded to environmental hazards (Fanno Creek, Hedges Creek)

Ongoing

- Climate Action Plan
- Water Master Plan
- Bee City
- Tree City
- Environmental volunteering opportunities
- Regional solid waste initiatives
- Partners for a Sustainable Washington County Community
- Basalt Creek Stormwater Plan

Upcoming

- Implement lead/copper rules
- Resiliency measures to protect water infrastructure
- Solar panels at Tualatin City Services building

Proclamation

*Declaring April 11-15, 2022 as Community Development Week
in the City of Tualatin*

WHEREAS, the week of April 11-15, 2022 has been designated as National Community Development Week by the National Community Development Association to celebrate the Community Development Block Grant (CDBG) Program and the HOME Investment Partnerships (HOME) Program; and

WHEREAS, the CDBG Program provides annual funding and flexibility to local communities to provide decent, safe, and sanitary housing, a suitable living environment, and economic opportunities to low-and moderate-income people; and

WHEREAS, the HOME Investment Partnerships Program provides funding to local communities to create decent, safe, affordable housing opportunities for low-income persons. Nationally, over one million units of affordable housing have been completed using HOME funds; and

WHEREAS, over the programs' history, our community has received a total of \$1,810,617 in Community Development Block Grant funds.

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, Oregon that the week of April 11-15, 2022 is National Community Development Week in support of these two valuable programs that have made tremendous contributions to the viability of the housing stock, infrastructure, public services, and economic vitality of our community. The Council urges Congress and the Administration to recognize the outstanding work being done locally and nationally by the Community Development Block Grant Program and the HOME Investment Partnerships Program by supporting increased funding for both programs in FY2022.

INTRODUCED AND ADOPTED this 14th day of March, 2022.

CITY OF TUALATIN, OREGON

BY _____
Mayor

ATTEST:

BY _____
City Recorder

Proclamation

*Declaring April 2022 as
Parkinson's Awareness Month in the City of Tualatin*

WHEREAS, Parkinson's disease is a chronic, progressive, neurological disease and is the second most common neurodegenerative disease in the United States; and

WHEREAS, Parkinson's disease is estimated to affect approximately one million people in the United States and the prevalence will more than double by 2040; and

WHEREAS, it is estimated that the economic burden of Parkinson's disease is at least \$14.4 billion annually, including indirect costs to patients and family members of \$6.3 billion; and

WHEREAS, research suggests the cause of Parkinson's disease is a combination of genetic and environmental factors, but the exact cause and progression of the disease is still unknown; and

WHEREAS, there is no objective test or biomarker for Parkinson's disease, and there is no cure or drug to slow or halt the progression of the disease; and

WHEREAS, the symptoms of Parkinson's disease vary from person to person and can include tremors; slowness of movement and rigidity; difficulty with balance, swallowing, chewing, and speaking; cognitive impairment and dementia; mood disorders; and a variety of other non-motor symptoms; and

WHEREAS, volunteers, researchers, caregivers, and medical professionals are working to improve the quality of life of persons living with Parkinson's disease and their families; and

WHEREAS, increased research, education, and community support services such as those provided by the Parkinson's Foundation and other organizations are needed to find more effective treatments and to provide access to quality care to those living with the disease today.

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, Oregon that April 2022 is Parkinson's Awareness Month in the City of Tualatin.

INTRODUCED AND ADOPTED this 14th day of March, 2022.

CITY OF TUALATIN, OREGON

BY _____
Mayor

ATTEST:

BY _____
City Recorder



City of Tualatin

CITY OF TUALATIN
Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Nicole Morris, Deputy City Recorder
DATE: March 14, 2022

SUBJECT:

Consideration of Approval of the Work Session and Regular Meeting Minutes of February 28, 2022.

RECOMMENDATION:

Staff respectfully recommends the Council adopt the attached minutes.

ATTACHMENTS:

- City Council Work Session Meeting Minutes of February 28, 2022
- City Council Regular Meeting Minutes of February 28, 2022



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL WORK SESSION MEETING FOR FEBRUARY 28, 2022

Present: Mayor Frank Bubenik, Council President Nancy Grimes, Councilor Bridget Brooks, Councilor Valerie Pratt, Councilor Cyndy Hillier, Councilor Christen Sacco

Absent: Councilor Maria Reyes

Mayor Bubenik called the meeting to order at 5:00 p.m.

1. I-205 Tolling Project Update.

ODOT Staff Gareth Prior, Heather Wills, and Chris Wellander presented an update on the I-205 Tolling Project. Mr. Prior shared a video with information on the tolling project. Mrs. Willis shared the urban mobility strategy map. She shared project scheduling stating they are currently in the environmental review process and noted the soonest tolling could begin would be 2024. Mrs. Willis explained why I-205 tolling will be starting before the regional congestion pricing noting it will serve as proof of concept for federal review and tolling is needed to complete the improvements for the project. Mr. Wellander stated they are studying topic areas such as travel time, diversion, safety, freight and sound, climate and air quality, and equity populations. He shared the local intersection analysis that studied 50 local intersections with three being in Tualatin. Mr. Wellander stated next steps will be to work with local communities to identify where mitigation is needed to address local impacts. Mr. Prior spoke to studies being done on the impact to accessibility on locations such as schools, nursing homes, medical facilities, and parks and green spaces. Mr. Prior spoke to how programs are being evaluated that will address impacts to low income, older adults, limited English speaking, and racial and/or ethnic minorities.

Councilor Pratt stated she is glad to see ODOT addressing impacts to low-income and older adults. She asked why the models show such little affect in 2045 on the outer streets. Mr. Wellander stated it is due to rerouting and the time of day. Councilor Pratt stated it would be helpful to see the results of the study showing the impacts to diversion in 2027. She stated she would like to see the 65th and Borland intersection studied as diversion will be heavy there and mitigation will need to happen. She asked if any of the tolling dollars could be used to help fund the mitigation project. Mr. Prior stated distribution of tolling funds is still yet to be determined by ODOT.

Councilor Pratt asked why the \$400 million in federal and state funds have not been used to complete the corridor. Mr. Prior stated funds were shifted because it was determined that there are higher needs in other portions of the state requiring funding.

Councilor Brooks asked why the study map does not included the Wilsonville exits that impact Borland Road. Mr. Prior stated different studies include different footprints, he stated that specific map excluding those exits looked at traffic flow regionally.

Councilor Brooks asked about individual pricing and the impacts to people who live here. She expressed concerns with people paying taxes and then again paying tolls on top of that.

Councilor Brooks asked if the tolling project is tied to the Abernathy Bridge and the delays in the area and why Rose Quarter funds cannot be used to fund that. Mr. Prior stated the Rose Quarter dollars are not flexible within ODOT as there is legislation that has assigned those funds.

Council President Grimes asked if a map was done on the transportation analysis for I-5. Mr. Wellander stated one was done as part of the regional model and one was specially done in regards to freight movement.

Council President Grimes expressed concerns with the Borland and Stafford Intersection. Mr. Wellander stated that intersection is included in the study. He stated all the intersections in the area along Stafford Road are being studied.

Council President Grimes asked about how the trip numbers were generated. Mr. Wellander stated it is a computer model. Council President Grimes stated she would like to see actual trip counts instead of a generalized model. Mr. Wellander noted the model is calibrated using actual trip counts.

Council President Grimes expressed concerns with the tolling area being fixed in perpetuity even after the projects are completed. She does not feel right about citizens being responsible for funding transportation projects in the future that are unrelated to the area. Mr. Prior stated HB 2017 outlined projects that would be funded from the legislature with the other major funding source from tolling. He stated investment dollars from tolling will remain in the corridor.

Councilor Sacco expressed concerns with the tolling impacts on businesses and addressing impacts to intersections. She stated she has concerns with the Oregon City and Sellwood bridges and the impacts to them.

Councilor Hillier asked how the work from the accessibility report will impact the environmental reports. She asked how success will be measured. Mr. Prior stated in June reports will be available that address impacts to equity.

Mayor Bubenik wants to make sure the study is done to mitigate diversion in the area. He wants to make sure the projects are prioritized and done appropriately.

2. Prosperity Planning – The Core Opportunity and Reinvestment Area.

Economic Development Manager Jonathan Taylor and Consultant Elaine Howard presented on prosperity planning for Tualatin. Manager Taylor stated prosperity planning has been a multi-year endeavor to securely position the community for long-term economic prosperity. He stated community growth and development constraints has created long-term challenges for the community's prosperity. The availability of developable land and transportation infrastructure is limited or severely restricted. Manager Taylor stated the purpose of this is to utilize a variety of financing tools to meet community needs in alignment with the broader community vision. Consultant Howard explained the background on the project including the Economic Opportunity Analysis from 2018 and the Urban Renewal District Feasibility Studies completed in 2020. She spoke to projects in the Leveton Tax Increment District and the Basalt Creek Development Area. Consultant Howard spoke to the Core Opportunity Reinvestment Area stating several strategic plans have been done that impacted the area. She highlighted different redevelopment areas including the Tualatin Commons, Bridgeport Village, Nyberg Woods, the WES Commuter Rail, and Nyberg Rivers. Consultant Howard stated the vision for the Core Opportunity and

Reinvestment Area Plan will be to establish and fund projects to create an active civic core; redevelop areas with vibrant high-quality mixed-use developments offering a variety of additional residential dwelling and retail options; increase opportunities for living wage professional and creative employment; promote and develop recreational and cultural facilities; and integrate all efforts into the natural landscape with environmental stewardship. Manager Taylor stated values for the area will be to create more housing, leave no existing businesses behind, enhance connectivity, promote identity, and maintain and grow existing employment lands. He stated priorities include small business assistance, land acquisitions, housing, developer assistance, community identity, environmental stewardship, blight remediation, and transportation. Consultant Howard stated a survey will be sent to the Council to rank and give input on the priorities. Manager Taylor proposed a working group of ten participants that will provide feedback on existing conditions, visions, values, and objectives, provide feedback on proposed boundaries and projects, identify and recommend additional projects, and review the financial analysis and impacts. Consultant Howard presented the proposed timeline with potential adoption being in November 2022.

Consultant Howard asked if the vision is on track. Council consensus was reached that the vision incorporates prior feedback and is on track.

Consultant Howard asked if the plans values and priorities are still consistent with the vision for the area.

Councilor Pratt asked for clarification on “leaving no business behind.” Manager Taylor stated it is framed that way as concerns were presented around business displacement.

Councilor Brooks stated she is glad to see environmental stewardship included in the plan.

Councilor Sacco wants to make sure equity is highlighted as a priority.

Consultant Howard asked if the Council agrees with the proposed working group template.

Councilor Pratt would like to see the Core Area Parking District businesses be included as part of the group.

Councilor Brooks like to see residents of the buildings and owners included as well as Arts Advisory Committee members.

Councilor Hillier suggested having youth represented on the committee.

Mayor Bubenik would like to see CIO members included as part of the group.

Councilor Pratt asked who will select the committee members. Manager Taylor stated staff members will select candidates and bring the recommendations back to the council on March 28.

Council President Grimes stated she would like to hold the council member seat on the committee.

3. Council Meeting Agenda Review, Communications & Roundtable.

Mayor Bubenik asked if there is Council consensus on announcing April as Parkinson's Awareness Month. Council consensus was reached and a proclamation will be placed on a future Council agenda.

Mayor Bubenik shared a proposed proclamation supporting Ukraine. Council consensus was reached to add the proclamation to the agenda tonight.

Councilor Pratt stated she attended the C4 meeting, the Core Area Parking District Board meeting, met with Washington County Chair Harrington and Clean Water Services regarding the Basalt Creek extension, and the Tualatin Climate Action Steering Committee meeting.

Councilor Sacco stated she attended the I-205 tolling meeting.

Councilor Brooks stated she attended the Tualatin Arts Advisory Committee meeting, the Basalt Creek meeting with County Chair Harrington, and the Climate Action Planning meeting.

Mayor Bubenik stated he attended the GPI meeting, the Chamber of Commerce Board meeting, the Greater Portland Economic Development District meeting, the Westside Economic Alliance meeting, the Metro Mayors Consortium meeting, and the Small Cities Consortium meeting.

Adjournment

Mayor Bubenik adjourned the meeting at 6:55 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Frank Bubenik, Mayor



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR FEBRUARY 28, 2022

Present: Mayor Frank Bubenik, Council President Nancy Grimes, Councilor Bridget Brooks, Councilor Valerie Pratt, Councilor Cyndy Hillier, Councilor Christen Sacco

Absent: Councilor Maria Reyes

Call to Order

Mayor Bubenik called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Moment of silence for those who have lost their lives to COVID-19

Announcements

1. New Employee Introduction- Police Officer Kelsey Wilkinson

Police Chief Bill Steele introduce Police Officer Kelsey Wilkinson. The Council welcomed her.

2. New Employee Introduction- Police Officer Rey Chavolla

Police Chief Bill Steele introduced Police Officer Rey Chavolla. The Council welcomed him.

3. Proclamation Declaring Tualatin's Support for Ukraine and Condemning Russia's Aggression

Councilor Brooks read a proclamation declaring support for Ukraine and condemning Russia's aggression.

Public Comment

Tualatin Chamber of Commerce Board Chair Susan Noack stated their concerns mirror those of the City Council in regards to the I-205 Tolling Project. She stated not enough input has been asked for or received from the business community on the topic.

Consent Agenda

Motion to adopt the consent agenda made by Council President Grimes, Seconded by Councilor Pratt.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Pratt, Councilor Hillier, Councilor Sacco

MOTION PASSED

1. Consideration of Approval of the Joint Work Session Minutes with the Tigard Tualatin School District and the City of Tigard from January 31, 2022 and the Work Session and Regular Meeting Minutes of February 14, 2022

2. Consideration of Approval of Liquor License Renewals for 2022
3. Consideration of **Resolution No. 5603-22** Authorizing the City Manager to Execute Deeds Granting an Easement to PGE for Utilities Associated with the Tualatin City Services Site at 10699 SW Herman Road

Special Reports

1. Update on Diversity Equity & Inclusion Efforts in the City of Tualatin Organization

Human Resources Director Stacy Ruthrauff and TsaiComms Consultants Trudy Flores and Lillian Tsai presented an update on the Diversity, Equity, Inclusion, & Belonging (DEIB) Status Report. Consultant Tsai gave an overview of the work to date including the organizational assessment that showed a strong appreciation for leadership's commitment to DEI, employees feeling included and respected, an appreciation for the mission of serving the community, and concerns around action on equity concerns. She noted some innovated programs and proactive conversations have already began and there has been a good start on DEI trainings and engagement, but there needs to be a more strategic training approach focusing on closing gaps and implementing an actionable strategy. Consultant Flores stated themes and findings about the State of DEIB include leadership and communication, policies and practices, disparities and bias, and professional development. Consultant Tsai stated short term next steps include development and communication of a DEI Strategic Action Plan, creation of an equity lens decision-making process, consideration of employee resource groups, and additional trainings. She stated long term recommendations are to ensure staff understands the DEI vision, embed DEI into strategic planning, communicate DEI commitment, instill "shared accountability", embed DEI into employee lifecycle policies and practices, develop mindful DEI leadership, review polices and processes with an equity lens, and strategically support DEI through external relationships. Consultant Tsai stated the city is currently in phase II which focuses on the DEI Strategic Action Plan. She stated a DEI Action plan core team was formed and they have drafted a DEI vision and mission statement and are working towards a draft Strategic Action Plan.

Councilor Brooks thanked them for their work as the Council is very invested in this work.

General Business

1. Consideration of **Ordinance No. 1464-22** a Plan Map Amendment (PMA) to Rezone the Tualatin Heights Apartments Site Located at 9301 SW Sagert Street (Tax Map 2S123DC, Tax Lot 600) from the Medium Low Residential (RML) Zoning District to the Medium High Density Residential (RMH) Zoning District

PUBLIC COMMENT

Alisa Wilson-Coleman spoke in opposition of the plan map amendment. She asked about the notion of affordable housing in relation to the 2040 plan. She expressed concerns with the amount of affordable housing in the rezone.

COUNCIL DISCUSSION

Council President Grimes stated the proposal needs to meet the intent and approval of the code. She stated the applicant is supposed to explain how they comply with the approval criteria and they have come up short in doing that. She would like to see more detail on how the amendment

is in the public interest besides increases the housing stock, how the public interest is best protected, its consistency with enhancing characteristics of the city, suitability for land use in the area, the effects on property values, and the public need for safe surroundings and conditions. She believes looking into another area for density increases would better serve the community.

Councilor Brooks spoke to property value and stated the rezone of this unit would not likely disproportionately affect property values in the area. She noted this is a specific code change and the public good will be met with this as it offers an opportunity for additional housing that is needed in the community.

Councilor Pratt stated the city is obligated to deal with the concerns that were heard during the hearing the best we can.

Council President Grimes stated she doesn't feel this fits the affordable housing market based on the current rates. She stated the applicant has fell short in explaining how they will comply with the approval criteria.

Mayor Bubenik stated Republic Services has been out to the sight to re-evaluate garbage service at the site and they will be modifying their collection pickup. He stated the applicant will still have to go through the Architectural Review process and meet all applicable criteria at that level.

Motion for third reading by title only made by Councilor Sacco, Seconded by Councilor Brooks. Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Pratt, Councilor Hillier, Councilor Sacco

MOTION PASSED

Motion to adopt Ordinance No. 1464-22 a Plan Map Amendment (PMA) to rezone the Tualatin Heights Apartments site located at 9301 SW Sagert Street (Tax Map 2S123DC, Tax Lot 600) from the Medium Low Residential (RML) zoning district to the Medium High Density Residential (RMH) zoning district made by Councilor Sacco, Seconded by Councilor Brooks.

Voting Yea: Mayor Bubenik, Councilor Brooks, Councilor Pratt, Councilor Hillier, Councilor Sacco

Voting Nay: Council President Grimes

MOTION PASSED

2. Consideration of Recommendations from the Council Committee on Advisory Appointments

Councilor Pratt presented the recommendations for appointment.

Motion to approve recommendations made by Councilor Pratt, Seconded by Councilor Brooks.

Voting Yea: Mayor Bubenik, Council President Grimes, Councilor Brooks, Councilor Pratt, Councilor Hillier, Councilor Sacco

MOTION PASSED

Council Communications

Mayor Bubenik stated on March 12 he will hold a Mayor's Coffee Social at Community Park.

Councilor Brooks thanked everyone who voted on the art selection wraps for the utility boxes. Councilor Brooks stated her thoughts are with the people of Ukraine.

Councilor Hillier recognized Russian-American citizens and noted she recognizes the differences between the desires of the Russian citizens and those of their leadership.

Council President Grimes shared sentiments of her connection to Ukraine.

Councilor Sacco reminded citizens to complete the parks and recreation survey.

Adjournment

Mayor Bubenik adjourned the meeting at 8:08 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Frank Bubenik, Mayor



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Nicole Morris, Deputy City Recorder
DATE: March 14, 2021

SUBJECT:

Consideration of Approval of Late Liquor License Renewals for 2022

RECOMMENDATION:

Staff respectfully recommends the Council approve endorsement of the liquor license renewals for 2022 as listed in Attachment A.

EXECUTIVE SUMMARY:

Annually, the Oregon Liquor Control Commission (OLCC) requires that all liquor licenses are renewed. According to the provisions of City Ordinance No. 680-85, establishing 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 the Ordinance. The liquor license renewal applications are in accordance with all ordinances and the Police Department has conducted reviews of the applications.

According to the provisions of Section 5 of Ordinance No. 680-85 a member of Council or the Public may request a public hearing on any of the liquor license renewal 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 renewal fee of \$35 has been paid by each applicant.

ATTACHMENTS:

-Attachment A- Liquor License Late Renewals 2021



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Casey Ferguson, Project Engineer
Heidi Springer, City Engineer

DATE: March 14, 2022

SUBJECT:

Consideration of Resolution No. 5606-22, Authorizing the City Manager to Execute Deeds Dedicating Right-Of-Way and Granting Easements for the Tualatin-Sherwood Road Widening Project

RECOMMENDATION:

Staff recommends the Council adopt the resolution.

EXECUTIVE SUMMARY:

Resolution No. 5606-22 authorizes the City Manager to execute legal documents to grant Washington County right-of-way and easements needed to construct and maintain the utilities associated with the Tualatin-Sherwood Road Widening Project. Right-of-way and easements were proposed on the City's water quality tract located at 20663 SW 115th Avenue (See Exhibit 1). This tract of land, approximately 0.54 acres, was dedicated to the City as part of the Tualatin-Sherwood Corporate Center Development in 2003, to manage stormwater runoff from City right-of-way. The City's stormwater operations will not be impacted by the utilities or granting of these easements and right-of-way along the site's frontage.

Washington County is designing a project to widen Tualatin-Sherwood Road from SW Teton Avenue to SW Langer Farms Parkway in the City of Sherwood. This project is planned to include two travel lanes in each direction, a center turn lane, storm drainage, planter strips, and a path for walking and cycling on each side.

In order to have space for construction, and access for future maintenance of the utilities, the County needs to acquire two (2) easements, and right-of-way as follows:

City of Tualatin (Tax Lot 2S127BD00500)

- Property includes a City owned water quality tract located at 20663 SW 115th Avenue. The City's stormwater operations will not be impacted by the granting of these easements and right-of-way along the site's frontage.
- The County is requesting a Permanent Slope Easement (1,074 sq. ft.), a Permanent Slope and Drainage Easement (1,050 sq. ft.), and Right-Of-Way (189 sq. ft.)
- The true consideration for this conveyance is \$ None as shown in the deed attached hereto.

FINANCIAL IMPLICATIONS:

The granting of these easements and dedication of right-of-way would not generate funds for the City of Tualatin. The total compensation amount to the City is \$0.00.

ATTACHMENTS:

- Resolution No. 5606-22
- Exhibit 1 - 20663 SW 115th Avenue
- Deed with exhibits showing the areas to be granted on the City of Tualatin property

RESOLUTION NO. 5606-22

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE DEEDS DEDICATING RIGHT-OF-WAY AND GRANTING EASEMENTS FOR THE TUALATIN SHERWOOD ROAD WIDENING PROJECT.

WHEREAS, Washington County (County) is widening Tualatin-Sherwood Road (TSR) from SW Teton Avenue to SW Langer Farms Parkway in the City of Sherwood. This project is planned to include two travel lanes in each direction, a center turn lane, storm drainage, planter strips, and a path for walking and cycling on each side;

WHEREAS, the County has identified the need to acquire certain easements and right-of-way for utilities and road improvements from the City of Tualatin (City) in order to facilitate the construction of the TSR Widening Project; and

WHEREAS, the County has negotiated a transaction with the City to acquire a permanent slope and drainage easement, a permanent slope easement, and right-of-way. The property proposed is to be acquired for the price of \$0.00.

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

Section 1. The City Manager is authorized to execute deeds for the TSR Widening Project for the following property:

Tax Lot 2S127BD00500 – City of Tualatin

- Permanent Slope and Drainage Easement for \$0.00
- Permanent Slope Easement for \$0.00
- Right-Of-Way for \$0.00

Section 2. The City Manager is hereby authorized to execute all documents necessary to grant easements identified in Section 1.

Section 3. This resolution is effective upon adoption.

Adopted by the City Council this 14th day of March, 2022.

CITY OF TUALATIN, OREGON

ATTEST:

BY _____
Mayor

BY _____
City Recorder

After recording, please return to:

*Washington County
LUT, Right-of-Way Section
1400 SW Walnut St. Mail Stop #18
Hillsboro, OR 97123-5625*

Until a change is requested all
tax statements shall be sent to:
No Change

DEDICATION DEED

THE CITY OF TUALATIN, an Oregon municipal corporation, Grantor, grants to WASHINGTON COUNTY, a political subdivision of the State of Oregon, Grantee, on behalf of the public, for the use of the public forever, the following easements in that certain real property situated in the County of Washington and State of Oregon, described on the attached Exhibit "A," and shown on the attached Exhibit "B."

The true consideration for this conveyance is **\$ None**.

PARCEL 1 - DEDICATION OF RIGHT-OF-WAY

Including the right to construct, operate, and maintain a public road, all customary associated uses, and appurtenant facilities.

PARCEL 2 - SLOPE EASEMENT

Including the right to construct and maintain slopes necessitated by the construction, operation, and maintenance of the public road, all public facilities, and improvements in the adjacent right-of-way. Grantee shall never be required to remove the slope materials placed by it on said property, nor shall Grantee be subject to any damages to Grantor by reasons of any change of grade of the roadway abutting on said property.

PARCEL 3 - SLOPE EASEMENT

Including the right to construct and maintain slopes necessitated by the construction, operation, and maintenance of the public road, all public facilities, and improvements in the adjacent right-of-way. Grantee shall never be required to remove the slope materials placed by it on said property, nor shall Grantee be subject to any damages to Grantor by reasons of any change of grade of the roadway abutting on said property.

AND - DRAINAGE EASEMENT

Including the right to construct, operate, and maintain facilities for storm and surface drainage purposes over, under, and across said property, together with the right to enter upon said easement area for the purpose of planting, digging, cleaning, and to perform other activities that enhance and preserve the drainage function of the easement area.

This document is intended to grant easements on the property described, not to convey fee title or any interest in the underlying property except as expressly stated herein. The easements granted shall not prevent Grantors from the use of said property; provided, however, that such use shall not be permitted to interfere with the rights herein granted. Grantor shall not be permitted to endanger the lateral support of any facilities constructed within the easements granted herein.

Grantor hereby covenants to and with Grantee that it is the owner of said property, which is free from all encumbrances, except for easements, conditions and restrictions of record, and will warrant and defend the easement rights herein granted from all lawful claims whatsoever, except as stated herein.

IN WITNESS WHEREOF, the above named Grantor, by and through its _____, has caused this instrument to be duly signed.

DATED this _____ day of _____, 20__.

THE CITY OF TUALATIN
an Oregon municipal corporation

By: _____

Title: _____

STATE OF OREGON)
) ss.
County of Washington)

The foregoing instrument was acknowledged before me this _____ day of _____, 20__, by _____ (name and title of position) of

_____ The City of Tualatin an Oregon municipal corporation, on behalf of the municipal corporation.

Notary Public

Accepted on behalf of Washington County, Oregon.

By: _____

Title: _____

Dated this _____ day of _____, 20__

Approved As To Form:

Cortney D. Duke-Driessen
Sr. Assistant County Counsel
Dated & Signed: September 4, 2013



EXHIBIT "A"

SW Tualatin-Sherwood Road
SW Langer Farms Parkway to SW Teton Avenue
August 20, 2021

Project 100361
File No. 50
Tax Map 2S127BD
Tax Lot 00500

PARCEL 1 (RIGHT-OF-WAY DEDICATION)

A parcel of land lying in Tract "B", PARTITION PLAT NO. 2002-66, City of Tualatin, Washington County, Oregon, and being a portion of that property described in that Deed of Dedication to City of Tualatin, recorded January 18, 2005 as Document Number 2005-005920 of Washington County Records; said parcel being that portion of said property included in a strip of land lying on the Southerly side of the centerline of SW Tualatin-Sherwood Road, which centerline is described as follows:

The width in feet of said strip of land is as follows:

<u>Station</u>	<u>to</u>	<u>Station</u>	<u>Width on Southerly Side of Centerline</u>
148+50.19		148+74.99	49.00 along a non-tangent curve to 52.27 Radial Bearing: S 15°15'15" E Delta: 02°35'35" Radius: 559.50 Length: 25.32 Chord: N 76°02'32" E 25.32 Point of Reverse Curve
148+74.99		149+20.00	52.27 along a curve to 57.85 Delta: 04°29'31" Radius: 586.50 Length: 45.98 Chord: N 75°05'34" E 45.97

CENTERLINE DESCRIPTION OF A PORTION OF SW TUALATIN-SHERWOOD ROAD

A road centerline situated in the Northeast, Southeast, Northwest, and Southwest one-quarters of Section 29, the Northeast, Northwest, and Southwest one-quarters of Section 28, the Northeast and Northwest one-quarters of section 27, the Southeast one-quarter of Section 22, and the Southwest one-quarter of Section 23, all in Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:



Beginning at a point on the centerline of SW Tualatin-Sherwood Road (County Road No. 2737), being a punch mark in the rim of a monument box, at centerline station 43+17.71, and being a point of tangency, which bears South 08°28'04" West a distance of 2661.43 feet from a found 2 inch brass cap, stamped "1988, 20/29, 2S1, Wash. Co. Surveyor", in monument box, at the North one-quarter corner of Section 29, per USBT Book 5, Pages 143-147, Washington County Survey Records; thence South 86°30'30" East a distance of 639.11 feet to a point of curvature at centerline station 49+56.82, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box; thence along the arc of a 4000.00 foot radius curve to the left, through a central angle of 03°20'07" (the long chord of which bears South 88°10'34" East 232.82 feet) an arc distance of 232.86 feet to a point of tangency at centerline station 51+89.68, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box; thence South 89°50'37" East a distance of 2031.24 feet to a point of curvature at centerline station 72+20.92, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box; thence along the arc of a 4000.00 foot radius curve to the right, through a central angle of 01°05'30" (the long chord of which bears South 89°17'52" East 76.21 feet) an arc distance of 76.21 feet to a point of tangency at centerline station 72+97.13, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box, also which bears North 19°19'46" East a distance of 15.36 feet from a found 2 inch brass cap, stamped "T2S, R1W, 29/28, 1992, WASH. CO. SURVEYOR", in monument box, at the East one-quarter corner of Section 29, per USBT Book 7, Page 21, Washington County Survey Records; thence South 88°45'08" East a distance of 1251.95 feet to a point of curvature at centerline station 85+49.08, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box; thence along the arc of a 4000.00 foot radius curve to the left, through a central angle of 07°33'27" (the long chord of which bears North 87°28'09" East 527.24 feet) an arc distance of 527.62 feet to a point of tangency at centerline station 90+76.70, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box; thence North 83°41'25" East a distance of 4734.13 feet to a point of curvature at centerline station 138+10.83, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box; thence along the arc of a 4000.00 foot radius curve to the left, through a central angle of 29°28'00" (the long chord of which bears North 68°57'25" East 2034.56 feet) an arc distance of 2057.16 feet to a point of tangency at centerline station 158+67.99, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box; thence North 54°13'25" East a distance of 3139.10 feet to a point of curvature at centerline station 190+07.09, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box; thence along the arc of a 1700.00 foot radius curve to the right, through a central angle of 32°26'33" (the long chord of which bears North 70°26'42" East 949.78 feet) an arc distance of 962.58 feet to a point of tangency at centerline station 199+69.67, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box; thence North 86°39'58" East a distance of 328.52 feet to a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific", in monument box, at centerline station 202+98.19, which bears North 45°21'30" West a distance of 1563.57 feet from a found 2 inch brass cap, stamped "1/4, 23/26, T2S, R1W,



2005, Wash. Co. Surveyor", in monument box, at the South one-quarter corner of Section 23, per USBT 2005-001, Washington County Survey Records.

This parcel of land contains 189 square feet, more or less, excepting therefrom the existing right-of-way of SW Tualatin-Sherwood Road.

PARCEL 2 (PERMANENT SLOPE EASEMENT)

A parcel of land lying in Tract "B", PARTITION PLAT NO. 2002-66, City of Tualatin, Washington County, Oregon, and being a portion of that property described in that Deed of Dedication to City of Tualatin, recorded January 18, 2005 as Document Number 2005-005920 of Washington County Records; said parcel being that portion of said property included in a strip of land lying on the Southerly side of the centerline of SW Tualatin-Sherwood Road, which centerline is described in Parcel 1.

The width in feet of said strip of land is as follows:

<u>Station</u>	<u>to</u>	<u>Station</u>	<u>Width on Southerly Side of Centerline</u>
145+69.00		146+46.00	56.20 in a straight line to 55.50
146+46.00		147+73.50	55.50 in a straight line to 53.30

This parcel of land contains 1,074 square feet, more or less, excepting therefrom the existing right-of-way of SW Tualatin-Sherwood Road.

PARCEL 3 (PERMANENT SLOPE AND DRAINAGE EASEMENT)

A parcel of land lying in Tract "B", PARTITION PLAT NO. 2002-66, City of Tualatin, Washington County, Oregon, and being a portion of that property described in that Deed of Dedication to City of Tualatin, recorded January 18, 2005 as Document Number 2005-005920 of Washington County Records; said parcel being that portion of said property included in a strip of land, lying on the Southerly side of the centerline of SW Tualatin-Sherwood Road, which centerline is described in Parcel 1.

The width in feet of said strip of land is as follows:

<u>Station</u>	<u>to</u>	<u>Station</u>	<u>Width on Southerly Side of Centerline</u>
147+73.50		148+65.50	58.50 in a straight line to 57.00
148+65.50		149+10.00	57.00 in a straight line to 65.45



EXCEPT therefrom that portion lying within the above-described Parcel 1 (Right-Of-Way Dedication).

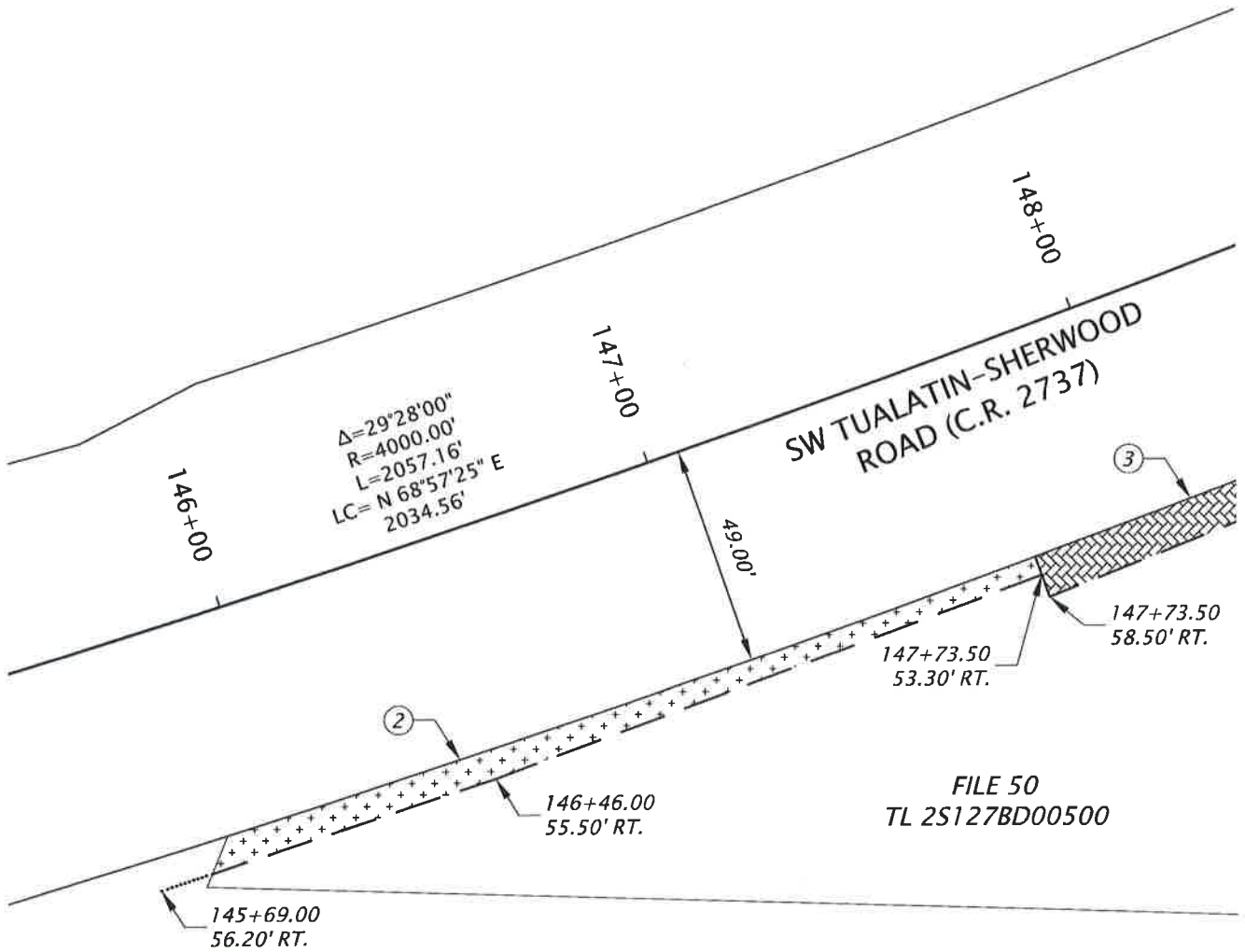
This parcel of land contains 1,050 square feet, more or less, excepting therefrom the existing right-of-way of SW Tualatin-Sherwood Road.

The bearings of this description were established on Record of Survey No. 33760, Washington County Survey Records.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
MAY 10, 2011
STEPHEN C. WILLIAMS
84070


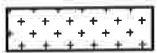

RENEWS: 06/30/22

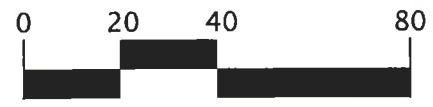


SEE SHEET 2 OF 2

FILE 50
TL 2S127BD00500

LEGEND:

-  ① RIGHT-OF-WAY DEDICATION
189 SQ. FT. ± (0.004 AC. ±)
-  ② PERMANENT SLOPE EASEMENT
1,074 SQ. FT. ± (0.025 AC. ±)
-  ③ PERMANENT SLOPE AND DRAINAGE EASEMENT
1,050 SQ. FT. ± (0.024 AC. ±)



**SW TUALATIN-SHERWOOD ROAD
SW LANGER FARMS PARKWAY TO SW TETON AVENUE**

FILE NO: 50	SUBMITTAL DATE: AUGUST 20, 2021	REV'D:
TAX LOT: 00500	ADDRESS: 20663 SW 115TH AVENUE	
TAX MAP: 2S127BD		



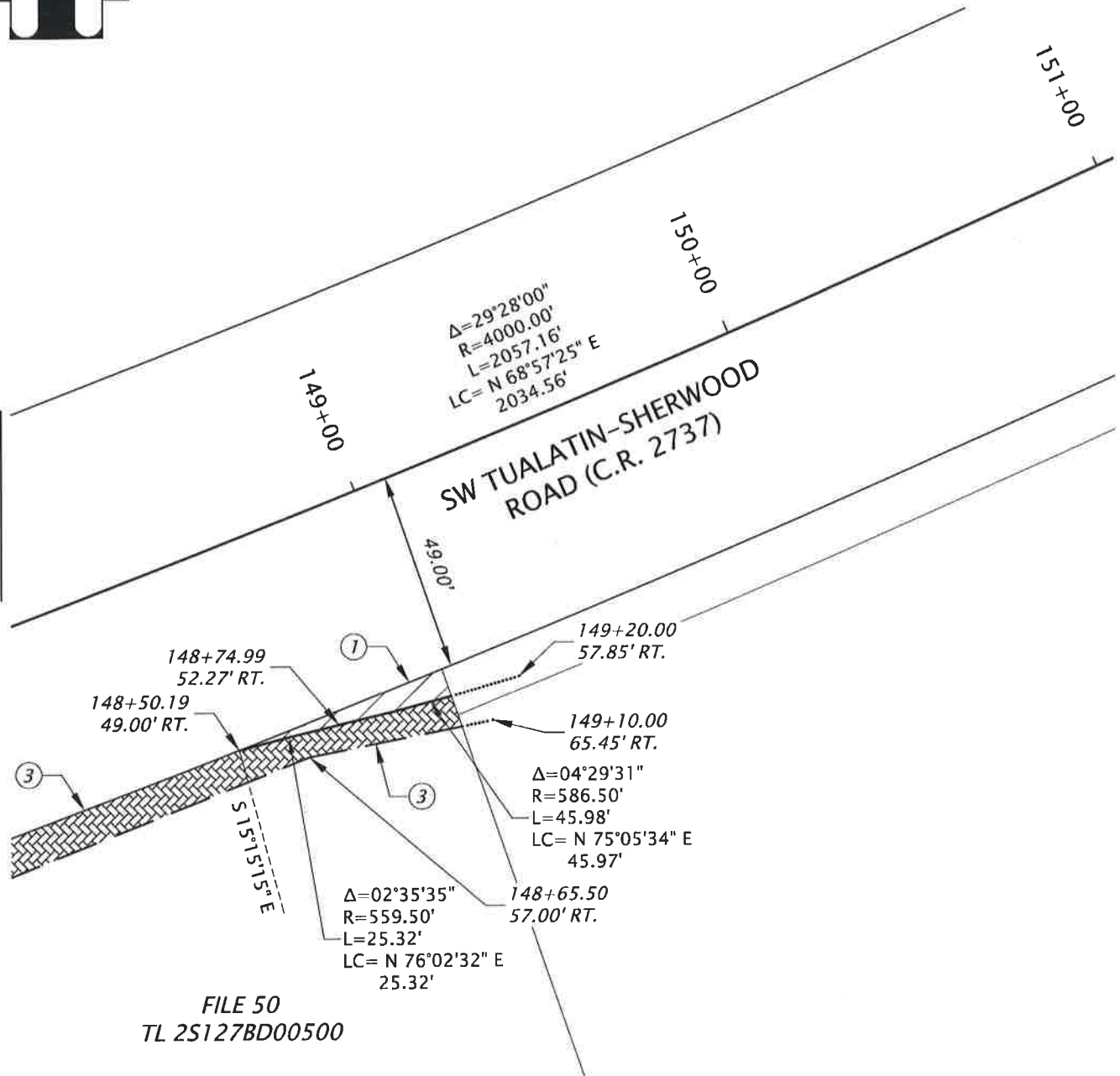
**DAVID EVANS
AND ASSOCIATES INC.**

2100 S River Parkway, Suite 100
Portland Oregon 97201
Phone: 503.223.6663

DM JK






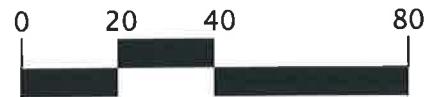
SEE SHEET 1 OF 2



FILE 50
TL 2S127BD00500

LEGEND:

-  ① RIGHT-OF-WAY DEDICATION
189 SQ. FT. ± (0.004 AC. ±)
-  ② PERMANENT SLOPE EASEMENT
1,074 SQ. FT. ± (0.025 AC. ±)
-  ③ PERMANENT SLOPE AND DRAINAGE EASEMENT
1,050 SQ. FT. ± (0.024 AC. ±)



SW TUALATIN-SHERWOOD ROAD
SW LANGER FARMS PARKWAY TO SW TETON AVENUE

FILE NO: 50	SUBMITTAL DATE: AUGUST 20, 2021	REV'D:
TAX LOT: 00500	ADDRESS: 20663 SW 115TH AVENUE	
TAX MAP: 2S127BD		



**DAVID EVANS
AND ASSOCIATES INC.**

2100 S River Parkway, Suite 100
Portland Oregon 97201
Phone: 503.223.6663

DM JK

EXHIBIT 1



Approximate Easement/ROW Location

Water Quality Tract

76 Fuel Station

SW Tualatin-Sherwood Rd 11501

20501

20663

20598

SW 115th Ave



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Casey Ferguson, Project Engineer
Heidi Springer, City Engineer

DATE: March 14, 2022

SUBJECT:

Consideration of Resolution No. 5599-22, Authorizing the City Manager to Execute an Intergovernmental Agreement with Washington County for the Tualatin-Sherwood Road Widening Project

RECOMMENDATION:

Staff recommends the Council adopt the resolution.

EXECUTIVE SUMMARY:

The Washington County Board of Commissioners established the Major Streets Transportation Improvement Program Phase 3e (MSTIP 3e) Funding Program, which identified twenty-three (23) multi-modal transportation projects. The MSTIP 3e Funding Program includes capacity enhancements on SW Tualatin Sherwood Road between SW Teton Avenue and SW Langer Farms Parkway (Project 318).

Washington County designed the project to widen Tualatin-Sherwood Road from SW Teton Avenue to SW Langer Farms Parkway. This project is planned to include two travel lanes in each direction, a center turn lane, storm drainage, planter strips, and a path for walking and cycling on each side.

The City has existing water and sewer pipes, valves, and other utility facilities in and under Tualatin-Sherwood Road that will need to be relocated to accommodate this road widening. Per existing Intergovernmental Agreements, this utility relocation is the City's responsibility.

Staff contracted AKS Engineering & Forestry LLC, a local firm on the City's Professional Services Qualified Pool List of consultants, to design this utility relocation. Construction of the designed utility relocations will be included in the County's road construction contract to be bid in March 2022.

The Intergovernmental Agreement for consideration identifies estimated City costs for construction of \$883,029 to be reimbursed to the County on a quarterly basis as construction proceeds. Construction costs will be updated following the County's construction contract award. The Intergovernmental Agreement also defines County costs associated with the project including easement acquisition at the City's A2 water storage reservoir site as described in Exhibit B and

City permit costs. County costs will be paid to the City in the form of a \$34,201.42 credit on the cost of construction.

This work is eligible for Transportation Development Tax funding as relocating utilities to accommodate road construction.

FINANCIAL IMPLICATIONS:

The City's share of the proposed project cost is \$848,827.58 upon receipt of the County's credit for City permit and easement costs as described in the executive summary of this report and shown in the attached exhibits.

ATTACHMENTS:

- Resolution 5599-22 Authorizing City Manager to execute an IGA with Washington County
- Exhibit 1 - Intergovernmental Agreement with Washington County
- Exhibit A - City Project Cost Estimate
- Exhibit B - File 32 Deed and Legal

RESOLUTION NO. 5599-22

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH WASHINGTON COUNTY FOR THE TUALATIN-SHERWOOD ROAD WIDENING PROJECT.

WHEREAS, the City of Tualatin is an Oregon municipal corporation;

WHEREAS, Washington County is a political subdivision of the State of Oregon;

WHEREAS, ORS 190.010 authorizes the City and County to enter into an intergovernmental agreement;

WHEREAS, the County designed a project to widen Tualatin-Sherwood Road from SW Teton Avenue to SW Langer Farms Parkway in the City of Sherwood. This project is planned to include two travel lanes in each direction, a center turn lane, storm drainage, planter strips, and a path for walking and cycling on each side;

WHEREAS, the City has existing water and sewer pipes, valves, and other facilities in and under Tualatin-Sherwood Road that will need to be relocated to accommodate this road widening. Per existing Intergovernmental Agreements, this relocation is the City's responsibility; and

WHEREAS, it is the mutual desire of the City and County to enter into an Intergovernmental Agreement to cooperate in construction of the Tualatin-Sherwood Road Widening Project.

WHEREAS, the City finds it necessary and desirable for the continued growth, safety and welfare of the community that the aforementioned transportation project is constructed.

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

Section 1. The City Manager is authorized to execute an Intergovernmental Agreement with Washington County for the Tualatin-Sherwood Road Widening Project, which is attached as Exhibit 1, and incorporated by reference.

Section 2. The City Manager is authorized to make administrative modifications to the Intergovernmental Agreement to fully implement its intent.

Section 3. This resolution is effective upon adoption.

Adopted by the City Council this 14th day of March, 2022.

CITY OF TUALATIN, OREGON

ATTEST:

BY _____
Mayor

BY _____
City Recorder

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
WASHINGTON COUNTY AND THE CITY OF TUALATIN**

**FOR PUBLIC UTILITY IMPROVEMENTS ON SW TUALATIN
SHERWOOD ROAD**

THIS INTERGOVERNMENTAL AGREEMENT is entered into between Washington County, a political subdivision of the State of Oregon, acting by and through its elected officials, hereinafter referred to as “COUNTY”; and the City of Tualatin, a municipal corporation, acting by and through its City Council, hereinafter referred to as “CITY.”

RECITALS

1. WHEREAS, ORS 190.010 authorizes agencies to enter into intergovernmental agreements for the performance of any or all functions and activities that a party to the agreement has the authority to perform; and
2. WHEREAS, on October 4, 2016 the Washington County Board of Commissioners approved Resolution and Order No. 16-129 establishing the MSTIP 3e Funding Program, which identified twenty-three (23) multi-modal transportation improvement projects on County facilities; and
3. WHEREAS, the MSTIP 3e Funding Program includes capacity enhancements on SW Tualatin Sherwood Road, specifically SW Tualatin Sherwood Road between SW Teton Avenue and SW Langer Farms Parkway (Project 318); and
4. WHEREAS, CITY, consistent with the powers and purposes of city government, finds it necessary and desirable for the continued growth, safety and welfare of the community that the aforementioned transportation project will be constructed as soon as practicable; and
5. WHEREAS, the CITY agrees to relocate waterline and sanitary sewer utilities to accommodate the COUNTY’s transportation improvements, and agrees to pay for such requested work; and
6. WHEREAS, the CITY and COUNTY have agreed to cooperate in the relocation and construction of the CITY’s waterline and sanitary sewer improvements and combine the CITY’S waterline and sanitary sewer improvements into a single construction project with the COUNTY’s transportation improvements to reduce construction costs and the impacts of construction on the public by reducing the number of road closures and detours needed to accomplish the work identified and by reducing the duration of construction activities; and
7. WHEREAS, under such authority, it is the mutual desire of the COUNTY and CITY to enter into this Intergovernmental Agreement to cooperate in relocation and construction of the CITY’S waterline and sanitary sewer improvements, and to allocate responsibilities as detailed below;

AGREEMENT

NOW THEREFORE, the premise being in general as stated in the foregoing recitals, and in consideration of the terms, conditions and covenants as set forth below, the parties hereto agree as follows:

1. PROJECT DESCRIPTION

- 1.1 The COUNTY SW Tualatin Sherwood Road project (Project 318) will include: design and construction of improvements including road widening, curbs, sidewalks, bike lanes, street lighting, drainage, landscaping, traffic control, water quality improvements, and all necessary permitting on SW Tualatin Sherwood Road between SW Teton Avenue and SW Langer Farms Parkway, hereinafter referred to as “COUNTY PROJECT”.
- 1.2 The CITY SW Tualatin Sherwood Road waterline project will include adjustment and relocation of existing water meters, and fire hydrants, and adjustment of blow-offs, valve lids, and other water infrastructure work to accommodate the road project. All these proposed improvements are located along SW Tualatin Sherwood Road, hereinafter referred to as “WATERLINE PROJECT”.
- 1.3 The CITY SW Tualatin-Sherwood Road sanitary sewer project will include adjustment and relocation of manholes, cleanouts, and other sanitary sewer infrastructure work to accommodate the road project. This work is hereinafter referred to as “SANITARY SEWER PROJECT”.
- 1.4 The CITY WATERLINE PROJECT and SANITARY SEWER PROJECT will collectively be referred to as CITY PROJECTS.

2. COUNTY OBLIGATIONS

- 2.1 COUNTY hereby designates Matt Meier as COUNTY Project Manager for the COUNTY PROJECT and the COUNTY representative responsible for coordination of the CITY PROJECTS with CITY pursuant to this Agreement.
- 2.2 COUNTY shall perform, or cause to be performed, all actions necessary for the design and construction of the COUNTY PROJECT, including project management, design and construction engineering, property acquisition, including right-of-way as necessary, utility relocation as necessary, regulatory and land use permits and approvals, public information related to the roadway design and construction, contract administration, inspection and construction management. COUNTY shall coordinate the design of, advertise for, award and administer the construction contract for the COUNTY PROJECT.
- 2.3 Subject to CITY obligations set forth in Article 3, Terms 3.1 – 3.11, COUNTY shall:

- 2.3.1 perform, or cause to be performed, all actions necessary for the construction of the CITY PROJECTS as part of the COUNTY PROJECT as described in Term 2.2 and
- 2.3.2 bid, construct and manage the CITY PROJECTS as part of the COUNTY PROJECT construction contract, with CITY project costs tracked separately.
- 2.4 COUNTY shall provide CITY three (3) work days following bid opening to review and approve bid results for the CITY PROJECTS. COUNTY may award the construction contract, including work for the CITY PROJECTS, unless CITY informs COUNTY in writing prior to award that it wishes to cancel construction of the CITY PROJECTS as part of the COUNTY PROJECT.
- 2.5 COUNTY shall perform all actions regarding compensation as set forth in Article 4 – Compensation.
- 2.6 COUNTY shall not acquire any right-of-way or easements for CITY PROJECTS.
- 2.7 COUNTY shall notify CITY of any request for a change order or other deviation from the costs of the construction contract associated with the CITY PROJECTS (“CITY PROJECTS change order”). COUNTY shall provide CITY five (5) work days following such notification to review and approve any CITY PROJECTS change order request. COUNTY may approve any CITY PROJECTS change order request, unless CITY informs COUNTY in writing prior to the end of the five (5) working day period that it wishes not to agree to the request. In the event the CITY provides notice that it does not approve a CITY PROJECTS change order within the applicable time, the CITY shall be responsible for all costs, including future change orders, redesign or delay claims that are a result of the CITY’s non-approval.

3. CITY OBLIGATIONS

- 3.1 CITY hereby designates Heidi Springer as CITY Project Manager for the CITY PROJECTS and the CITY representative responsible for coordination of the CITY PROJECTS with COUNTY pursuant to this Agreement.
- 3.2 CITY shall provide timely comments to COUNTY construction documents including construction plan sheets, specifications, and bid schedule for the CITY PROJECTS. Unless the CITY notifies the COUNTY as provided in Term 2.4, the CITY PROJECTS bid items shall be incorporated into the overall COUNTY PROJECT Bid Schedule.
- 3.3 CITY shall provide timely responses to bidder’s questions about CITY PROJECTS during advertisement of the COUNTY PROJECT. If necessary, CITY shall provide COUNTY with addendum no later than four (4) calendar days

prior to the bid opening if the question comes to the CITY no later than five calendar days prior to the bid opening.

- 3.4 CITY shall provide inspection of the CITY PROJECTS bid items including review and approval of shop drawings, submittals, and onsite inspections to determine compliance with the contract documents. CITY's onsite inspector shall be onsite as appropriate and responsible for enforcing all applicable CITY PROJECTS specifications during all CITY PROJECTS work. CITY's onsite inspections of the CITY PROJECTS bid items, including required night work inspections, shall be coordinated through COUNTY's lead inspector. If the COUNTY notifies CITY that CITY inspection is required but CITY inspection does not timely occur, COUNTY may proceed with PROJECT work in accordance with the PROJECT schedule and shall have no liability to CITY related to the lack of CITY inspection. CITY must approve the final acceptance of the CITY PROJECTS prior to top lift paving.
- 3.5 CITY shall assist the COUNTY lead inspector with the following construction documentation for the CITY PROJECTS bid items:
 - General daily progress reports and erosion control reports,
 - Quantity documentation used for monthly estimates, and
 - Quality documentation and test results as specified in the construction contract.
 - Change orders and extra work directives
- 3.6 CITY shall cooperate, coordinate and financially participate with COUNTY on any disagreements, disputes, delays or claims related to or as a result of the CITY PROJECTS.
- 3.7 CITY shall perform all actions regarding compensation as set forth in Article 4-Compensation.
- 3.8 CITY shall perform all necessary public involvement and notifications for water service shutdowns resulting from the CITY PROJECTS work. CITY shall assign a 24-hr emergency contact for the duration of the CITY PROJECTS construction.
- 3.9 CITY shall perform all necessary plan review and construction inspection tasks required for COUNTY PROJECT work permitted under CITY Public Works Permit, CITY Water Quality Permit, and CITY Erosion Control Permit.
- 3.10 CITY shall be responsible to obtain all necessary permits and pay all permit fees for CITY PROJECTS.
- 3.11 CITY shall grant the necessary easements as described in the separate Dedication Deeds in Exhibit B (File 32 and File 50).

3.12 CITY shall issue CITY Public Works Permit, CITY Water Quality Permit, and CITY Erosion Control Permit within 14 calendar days of payment from COUNTY as provided in Term 4.1.2.

4. COMPENSATION

4.1 COUNTY PROJECT

4.1.1 COUNTY shall be responsible for all costs to design and construct the COUNTY PROJECT as described in Term 2.2.

4.1.2 COUNTY shall pay CITY for the following COUNTY PROJECT permit fees:

i.	Public Works Permit	\$7,500
ii.	Water Quality Permit	\$7,500
iii.	Erosion Control Permit	\$11,545

The Public Works Permit fee covers all CITY costs for plan review, inspection, and materials testing of COUNTY PROJECT work within CITY right-of-way.

The Water Quality Permit fee covers all CITY costs for plan review inspection, and materials testing of COUNTY PROJECT work within CITY stormwater facility jurisdictional limits.

The Erosion Control Permit fee covers all CITY costs for plan review and inspection of COUNTY PROJECT erosion control work within CITY jurisdictional limits.

4.1.3 COUNTY shall pay CITY for necessary easements described in Exhibit B to construct COUNTY PROJECT as follows:

i.	Permanent Utility and Slope Easement	\$3,838.52
ii.	Permanent Slope Easement	\$3,817.90
TOTAL		\$7,656.42

4.2 CITY PROJECTS

4.2.1 The CITY shall pay an estimated total of \$883,029.00 for the cost of construction of the WATERLINE PROJECT and SANITARY SEWER PROJECT, as described in Section 1.2 and Section 1.3. Specific WATERLINE PROJECT and SANITARY SEWER PROJECT costs are shown in Exhibit A and are estimated as follows:

i. Waterline and Sanitary Sewer Construction Costs	\$723,795
ii. Construction Administration and Management (10% of i)	\$72,379
iii. Mobilization & Traffic Control (12% of i)	\$86,855
TOTAL	\$883,029

Items ii and iii shall be calculated as a lump sum calculation on the actual costs to the COUNTY after COUNTY makes final payment to the construction contractor for the CITY PROJECTS.

- 4.2.2 CITY and COUNTY understand that the costs outlined above are estimates and are used to determine project budgets and estimated payments amount used within this Agreement. Final costs will be based on the actual contract amount realized. Final payments made by the CITY to the COUNTY for the CITY PROJECTS shall be based on actual bid prices, construction quantities and non-construction costs.
- 4.2.3 In the event the CITY and COUNTY agree to design and construction changes that will eliminate or reduce the scope and extent of the CITY PROJECTS, the CITY will pay for COUNTY's cost for re-design and/or construction change orders.
- 4.2.4 Within sixty (60) days of execution of the COUNTY construction contract, CITY shall deposit with the COUNTY the sum of \$180,000.00. COUNTY shall send CITY quarterly statements during project construction indicating the itemized amount incurred for the CITY PROJECTS and the amount due. Quarterly statements will not be sent to the CITY if no CITY PROJECTS work is performed. Upon depletion of the \$180,000 deposited under this section, the quarterly statement shall include the itemized amount due from CITY for the CITY PROJECTS work. CITY shall pay COUNTY the amount due within thirty (30) days of its receipt of this billing. Any CITY deposited funds remaining upon completion of the CITY PROJECTS, shall be refunded to the CITY within sixty (60) days.

5. GENERAL PROVISIONS

5.1 LAWS OF OREGON

The parties shall comply with all applicable laws and regulations regarding the handling and expenditure of public funds. This Agreement shall be construed and enforced in accordance with the laws of the State of Oregon.

5.2 DEFAULT

Time is of essence in the performance of the Agreement. Either party shall be deemed to be in default if it fails to comply with any provisions of this Agreement. The non-defaulting party shall provide the other party with written notice of default and allow thirty (30) days within which to cure the defect.

5.3 INDEMNIFICATION

This Agreement is for the benefit of the parties only. Each party agrees to indemnify and hold harmless the other party, and its officers, employees, and agents, from and against all claims, demands and causes of actions and suits of any kind or nature for personal injury, death or damage to property on account of or arising out of services performed, the omissions of services or in any way resulting from the negligent or wrongful acts or omissions of the indemnifying party and its officers, employees and agents. To the extent applicable, the above indemnification is subject to and shall not exceed the limits of liability of the Oregon Tort Claims Act (ORS 30.260 through 30.300). In addition, each party shall be solely responsible for any contract claims, delay damages or similar items arising from or caused by the action or inaction of the party under this Agreement.

5.4 MODIFICATION OF AGREEMENT

No waiver, consent, modification or change of terms of this Agreement shall be binding unless in writing and signed by both parties.

5.5 DISPUTE RESOLUTION

The parties shall attempt to informally resolve any dispute concerning any party's performance or decisions under this Agreement, or regarding the terms, conditions or meaning of this Agreement. A neutral third party may be used if the parties agree to facilitate these negotiations. In the event of an impasse in the resolution of any dispute, the issue shall be submitted to the governing bodies of both parties for a recommendation or resolution.

5.6 REMEDIES

Subject to the provisions in paragraph 5.5, any party may institute legal action to cure, correct or remedy any default, to enforce any covenant or agreement herein, or to enjoin any threatened or attempted violation of this Agreement. All legal actions shall be initiated in Washington County Circuit Court. The parties, by signature of their authorized representatives below, consent to the personal jurisdiction of that court.

5.7 EXCUSED PERFORMANCE

In addition to the specific provisions of this Agreement, performance by any party shall not be in default where delays or default is due to war, insurrection, strikes, walkouts, riots, floods, drought, earthquakes, fires, casualties, acts of God, governmental restrictions imposed or mandated by governmental entities other than the parties, enactment of conflicting state or federal laws or regulations, new or supplementary environmental regulation, litigation or similar bases for excused performance that are not within the reasonable control to the party to be excused.

5.8 SEVERABILITY

If any one or more of the provisions contained in this Agreement is invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions of the Agreement will not be affected or impaired in any way.

5.9 INTEGRATION

This Agreement is the entire agreement of the parties on its subject and supersedes any prior discussions or agreements regarding the same subject.

6. TERMS OF AGREEMENT

6.1 The term of this Agreement shall be from the date of execution until the completion of the COUNTY PROJECT, but not to exceed five (5) years.

6.2 This Agreement may be amended or extended for periods of up to one (1) year by mutual consent of the parties. It may be canceled or terminated for any reason by either party. Termination or cancellation shall be effective thirty (30) days after written notice to the other party, or at such time as the parties may otherwise agree. The parties shall, in good faith, agree to such reasonable provisions for winding up the COUNTY PROJECT and CITY PROJECTS and paying for any additional costs as necessary.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have set their hands as of the day and year hereinafter written.

WASHINGTON COUNTY, OREGON

Deputy County Administrator

DATE: _____

RECORDING SECRETARY

APPROVED AS TO FORM:

COUNTY COUNSEL

CITY OF TUALATIN, OREGON

CITY MANAGER

DATE: _____

ATTEST:

CITY RECORDER

EXHIBIT A

EXHIBIT A: INTERGOVERNMENTAL AGREEMENT BETWEEN WASHINGTON COUNTY AND THE CITY OF TUALATIN FOR PUBLIC UTILITY IMPROVEMENTS ON SW TUALATIN SHERWOOD ROAD

ITEM NO.	DESCRIPTION	UNIT PRICE	UNIT	QTY	AMOUNT
ROADWORK					
6	Removal of ARV	\$ 750	EACH	4	\$ 3,000
7	Removal of Dead-End Blowoff	\$ 750	EACH	2	\$ 1,500
8	Removal of FDC	\$ 500	EACH	1	\$ 500
9	Removal of Hydrants	\$ 700	EACH	24	\$ 16,800
10	Abandon Existing Hydrant Lateral	\$ 1,500	EACH	2	\$ 3,000
11	Removal of Irrigation	\$ 500	EACH	3	\$ 1,500
12	Removal of Meter Boxes and Abandoning Services	\$ 500	EACH	15	\$ 7,500
DRAINAGE AND SEWERS					
14	CLSM at Utility Crossings	\$ 1,200	EACH	2	\$ 2,400
15	10-Inch PVC C900 Sanitary Sewer Pipe, 10-Foot Depth	\$ 120	FOOT	763	\$ 91,560
16	Concrete Manholes, 48-Inch Diameter	\$ 9,800	EACH	4	\$ 39,200
17	Minor Adjustments of Manholes	\$ 1,200	EACH	7	\$ 8,400
18	Major Adjustments of Manholes	\$ 2,600	EACH	7	\$ 18,200
19	Minor Adjustments of Cleanouts	\$ 750	EACH	1	\$ 750
20	Extra for Manholes Over Existing Sewers	\$ 1,800	EACH	1	\$ 1,800
21	Connection to Existing Structures	\$ 900	EACH	1	\$ 900
22	Filling Abandoned Structures	\$ 2,500	EACH	2	\$ 5,000
23	Capping Existing Concrete Structures	\$ 500	EACH	7	\$ 3,500
WATER SUPPLY SYSTEMS					
24	Temporary Blowoff Assembly, 12-Inch	\$ 7,500	EACH	1	\$ 7,500
25	Temporary Blowoff Assembly, 16-inch	\$ 11,500	EACH	1	\$ 11,500
26	6-Inch Connection to 6-Inch Existing Main	\$ 1,000	EACH	23	\$ 23,000
27	8-Inch Connection to 8-Inch Existing Main	\$ 2,400	EACH	6	\$ 14,400
28	10-Inch Connection to 10-Inch Existing Main	\$ 2,500	EACH	2	\$ 5,000
29	12-Inch Connection to 12-Inch Existing Main	\$ 2,600	EACH	3	\$ 7,800
30	16-Inch Connection to 16-Inch Existing Main	\$ 3,000	EACH	3	\$ 9,000
31	6-Inch Ductile Iron Pipe with Restrained Joints and Class "B" Backfill	\$ 135	FOOT	447	\$ 60,345
32	8-Inch Ductile Iron Pipe with Restrained Joints and Class "B" Backfill	\$ 150	FOOT	92	\$ 13,800
33	10-Inch Ductile Iron Pipe with Restrained Joints and Class "B" Backfill	\$ 160	FOOT	27	\$ 4,320
34	12-Inch Ductile Iron Pipe with Restrained Joints and Class "B" Backfill	\$ 160	FOOT	35	\$ 5,600
35	16-inch Ductile Iron Pipe with Restrained Joints and Class "B" Backfill	\$ 200	FOOT	33	\$ 6,600
36	Ductile Iron Pipe Mechanical Joint Bend, 12-Inch 45-Degrees	\$ 750	EACH	4	\$ 3,000
37	Ductile Iron Pipe Mechanical Joint Bend, 16-Inch 45-Degrees	\$ 1,250	EACH	4	\$ 5,000
38	Straddle Block	\$ 1,830	EACH	4	\$ 7,320
39	Relocate Cathodic Protection Test Station (±19-Feet)	\$ 3,000	EACH	3	\$ 9,000
40	Connect New FDC to Existing Fire Service	\$ 750	EACH	1	\$ 750
41	FDC Assembly	\$ 2,500	EACH	1	\$ 2,500
42	12-Inch Insertion Valve	\$ 18,000	EACH	1	\$ 18,000
43	1-Inch Combination Air Release/Air Vacuum Valve Assembly (±37-Feet)	\$ 3,500	EACH	1	\$ 3,500
44	2-Inch Combination Air Release/Air Vacuum Valve Assembly (±38-Feet)	\$ 4,000	EACH	3	\$ 12,000
45	12-Inch Tapping Sleeve and 6-Inch Valve Assembly	\$ 10,000	EACH	2	\$ 20,000
46	Minor Adjustments of Water Valve Boxes	\$ 300	EACH	43	\$ 12,900
47	Major Adjustments of Water Valve Boxes	\$ 750	EACH	23	\$ 17,250
48	Hydrant Assemblies	\$ 5,000	EACH	24	\$ 120,000
49	1-Inch Water Service Connection Piping	\$ 35	FOOT	256	\$ 8,960
50	1.5-Inch Water Service Connection Piping	\$ 50	FOOT	175	\$ 8,750
51	2-Inch Water Service Connection Piping	\$ 40	FOOT	66	\$ 2,640
52	0.75-Inch Water Meter Assembly	\$ 1,350	EACH	3	\$ 4,050
53	1-Inch Water Meter Assembly	\$ 1,700	EACH	4	\$ 6,800
54	1.5-Inch Water Meter Assembly	\$ 1,800	EACH	3	\$ 5,400
55	2-Inch Water Meter Assembly	\$ 1,900	EACH	2	\$ 3,800
56	Connect Existing Service to New 0.75-Inch Meter (Private Side)	\$ 700	EACH	3	\$ 2,100
57	Connect Existing Service to New 1-Inch Meter (Private Side)	\$ 800	EACH	4	\$ 3,200
58	Connect Existing Service to New 1.5-Inch Meter (Private Side)	\$ 900	EACH	3	\$ 2,700
59	Connect Existing Service to New 2-Inch Meter (Private Side)	\$ 1,000	EACH	2	\$ 2,000
60	Disconnect Existing Service from Fire Service	\$ 500	EACH	2	\$ 1,000
61	Connect New 1-Inch Service to Existing Meter (Public Side)	\$ 500	EACH	1	\$ 500
62	Connect New 1.5-Inch Service to Existing Meter (Public Side)	\$ 500	EACH	1	\$ 500
WATERLINE AND SANITARY SEWER SUBTOTAL					\$ 657,995
CONSTRUCTION CONTINGENCY (10%)					\$ 65,800
TOTAL WATERLINE AND SANITARY SEWER CONSTRUCTION ESTIMATE					\$ 723,795
WASHINGTON COUNTY CONSTRUCTION ADMINISTRATION AND MANAGEMENT FEE (10%)					\$ 72,379
CONTRIBUTION TOWARDS MOBILIZATION, TRAFFIC CONTROL, AND EROSION CONTROL (12%)					\$ 86,855
TOTAL ESTIMATED COST					\$ 883,029

Washington County, Oregon
03/01/2022 03:42:47 PM
D-DD Cnt=1 Stn=31 RECORDS1
\$30.00 \$5.00 \$11.00 \$60.00 - Total = \$106.00

2022-015039

After recording, please return to:

Washington County
LUT, Right-of-Way Section
1400 SW Walnut St. Mail Stop #18
Hillsboro, OR 97123-5625

Until a change is requested all
tax statements shall be sent to:
No Change



02854930202200150390060062

I, Joe Nelson, Director of Assessment and Taxation
and Ex-Officio County Clerk for Washington County,
Oregon, do hereby certify that the within Instrument of
writing was received and recorded in the book of
records of said county.

Joe Nelson, Director of Assessment and Taxation,
Ex-Officio County Clerk



DEDICATION DEED

THE CITY OF TUALATIN, an Oregon municipal corporation, Grantor, grants to **WASHINGTON COUNTY**, a political subdivision of the State of Oregon, Grantee, on behalf of the public, for the use of the public forever, the following easements in that certain real property situated in the County of Washington and State of Oregon, described on the attached Exhibit "A," and shown on the attached Exhibit "B."

The true consideration for this conveyance is **\$ None**.

PARCEL 1 - SLOPE EASEMENT

Including the right to construct and maintain slopes necessitated by the construction, operation, and maintenance of the public road, all public facilities, and improvements in the adjacent right-of-way. Grantee shall never be required to remove the slope materials placed by it on said property, nor shall Grantee be subject to any damages to Grantor by reasons of any change of grade of the roadway abutting on said property.

AND - PUBLIC UTILITIES EASEMENT

Including the right to install, maintain, and repair public utilities over, under, and across the property described.

PARCEL 2 - SLOPE EASEMENT

Including the right to construct and maintain slopes necessitated by the construction, operation, and maintenance of the public road, all public facilities, and improvements in the adjacent right-of-way. Grantee shall never be required to remove the slope materials placed by it on said property, nor shall Grantee be subject to any damages to Grantor by reasons of any change of grade of the roadway abutting on said property.

This document is intended to grant easements on the property described, not to convey fee title or any interest in the underlying property except as expressly stated herein. The easements granted shall not prevent Grantors from the use of said property; provided, however, that such use shall not be permitted to interfere with the rights herein granted. Grantor shall not be permitted to endanger the lateral support of any facilities constructed within the easements granted herein.

Grantor hereby covenants to and with Grantee that it is the owner of said property, which is free from all encumbrances, except for easements, conditions and restrictions of record, and will warrant and defend the easement rights herein granted from all lawful claims whatsoever, except as stated herein.

IN WITNESS WHEREOF, the above named Grantor, by and through its CITY MANAGER, has caused this instrument to be duly signed.

DATED this 16 day of FEBRUARY, 2022.

THE CITY OF TUALATIN
an Oregon municipal corporation

By: [Signature]

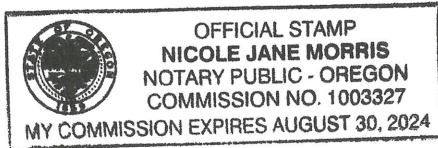
Title: City Manager

STATE OF OREGON)
) ss.
County of Washington)

The foregoing instrument was acknowledged before me this 16 day of February, 2022 by Sherilyn Lombas, City Manager (name and title of position) of

The City Of Tualatin an Oregon municipal corporation, on behalf of the municipal corporation.

[Signature]
Notary Public



Accepted on behalf of Washington County, Oregon.

By: [Signature]

Title: County Engineer

Dated this 28 day of February, 2022

Approved As To Form:

Cortney D. Duke-Driessen
Sr. Assistant County Counsel
Dated & Signed: September 4, 2013



EXHIBIT "A"

SW Tualatin-Sherwood Road
SW Langer Farms Parkway to SW Teton Avenue
September 30, 2021

Project 100361
File No. 32
Tax Map 2S128D
Tax Lot 01000

PARCEL 1 (PERMANENT SLOPE AND UTILITY EASEMENT)

A parcel of land lying in the Southwest one-quarter of the Northeast one-quarter of Section 28, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, and being a portion of that property described in that Circuit Court, Amended General Judgment to the City of Tualatin, an Oregon municipal corporation, City of, recorded July 19, 2004 as Document Number C031936CV of Washington County Records; said parcel being that portion of said property included in a strip of land, 61.00 feet in width lying on the Southerly side of the centerline of SW Tualatin-Sherwood Road, which centerline is described as follows:

CENTERLINE DESCRIPTION OF A PORTION OF SW TUALATIN-SHERWOOD ROAD

A road centerline situated in the Northeast, Southeast, Northwest, and Southwest one-quarters of Section 29, the Northeast, Northwest, and Southwest one-quarters of Section 28, the Northeast and Northwest one-quarters of section 27, the Southeast one-quarter of Section 22, and the Southwest one-quarter of Section 23, all in Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Beginning at a point on the centerline of SW Tualatin-Sherwood Road (County Road No. 2737), being a punch mark in the rim of a monument box, at centerline station 43+17.71, and being a point of tangency, which bears South 08°28'04" West a distance of 2661.43 feet from a found 2 inch brass cap, stamped "1988, 20/29, 2S1, Wash. Co. Surveyor", in monument box, at the North one-quarter corner of Section 29, per USBT Book 5, Pages 143-147, Washington County Survey Records; thence South 86°30'30" East a distance of 639.11 feet to a point of curvature at centerline station 49+56.82, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box; thence along the arc of a 4000.00 foot radius curve to the left, through a central angle of 03°20'07" (the long chord of which bears South 88°10'34" East 232.82 feet) an arc distance of 232.86 feet to a point of tangency at centerline station 51+89.68, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box; thence South 89°50'37" East a distance of 2031.24 feet to a point of curvature at centerline station 72+20.92, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box; thence along the arc of a



4000.00 foot radius curve to the right, through a central angle of $01^{\circ}05'30''$ (the long chord of which bears South $89^{\circ}17'52''$ East 76.21 feet) an arc distance of 76.21 feet to a point of tangency at centerline station 72+97.13, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box, also which bears North $19^{\circ}19'46''$ East a distance of 15.36 feet from a found 2 inch brass cap, stamped "T2S, R1W, 29/28, 1992, WASH. CO. SURVEYOR", in monument box, at the East one-quarter corner of Section 29, per USBT Book 7, Page 21, Washington County Survey Records; thence South $88^{\circ}45'08''$ East a distance of 1251.95 feet to a point of curvature at centerline station 85+49.08, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box; thence along the arc of a 4000.00 foot radius curve to the left, through a central angle of $07^{\circ}33'27''$ (the long chord of which bears North $87^{\circ}28'09''$ East 527.24 feet) an arc distance of 527.62 feet to a point of tangency at centerline station 90+76.70, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box; thence North $83^{\circ}41'25''$ East a distance of 4734.13 feet to a point of curvature at centerline station 138+10.83, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box; thence along the arc of a 4000.00 foot radius curve to the left, through a central angle of $29^{\circ}28'00''$ (the long chord of which bears North $68^{\circ}57'25''$ East 2034.56 feet) an arc distance of 2057.16 feet to a point of tangency at centerline station 158+67.99, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box; thence North $54^{\circ}13'25''$ East a distance of 3139.10 feet to a point of curvature at centerline station 190+07.09, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box; thence along the arc of a 1700.00 foot radius curve to the right, through a central angle of $32^{\circ}26'33''$ (the long chord of which bears North $70^{\circ}26'42''$ East 949.78 feet) an arc distance of 962.58 feet to a point of tangency at centerline station 199+69.67, and being a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific" in monument box; thence North $86^{\circ}39'58''$ East a distance of 328.52 feet to a 5/8" iron rod with yellow plastic cap stamped "W&H Pacific", in monument box, at centerline station 202+98.19, which bears North $45^{\circ}21'30''$ West a distance of 1563.57 feet from a found 2 inch brass cap, stamped "1/4, 23/26, T2S, R1W, 2005, Wash. Co. Surveyor", in monument box, at the South one-quarter corner of Section 23, per USBT 2005-001, Washington County Survey Records.

This parcel of land contains 2,337 square feet, more or less, excepting therefrom the existing right-of-way of SW Tualatin-Sherwood Road.

PARCEL 2 (PERMANENT SLOPE EASEMENT)

A parcel of land lying in the Southwest one-quarter of the Northeast one-quarter of Section 28, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, and being a portion of that property described in that Circuit Court, Amended General Judgment to the City of Tualatin, an Oregon municipal corporation, City of, recorded July 19, 2004 as Document Number C031936CV of Washington County Records; said parcel being that portion of said property included in a strip of land, 73.00 feet in width lying on the



Southerly side of the centerline of SW Tualatin-Sherwood Road, which centerline is described in Parcel 1.

EXCEPT therefrom that portion lying within the above-described Parcel 1 (Permanent Slope and Utility Easement).

This parcel of land contains 2,615 square feet, more or less, excepting therefrom the existing right-of-way of SW Tualatin-Sherwood Road.

The bearings of this description were established on Record of Survey No. 33760, Washington County Survey Records.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED 2021.09.30
17:18:56-07'00'

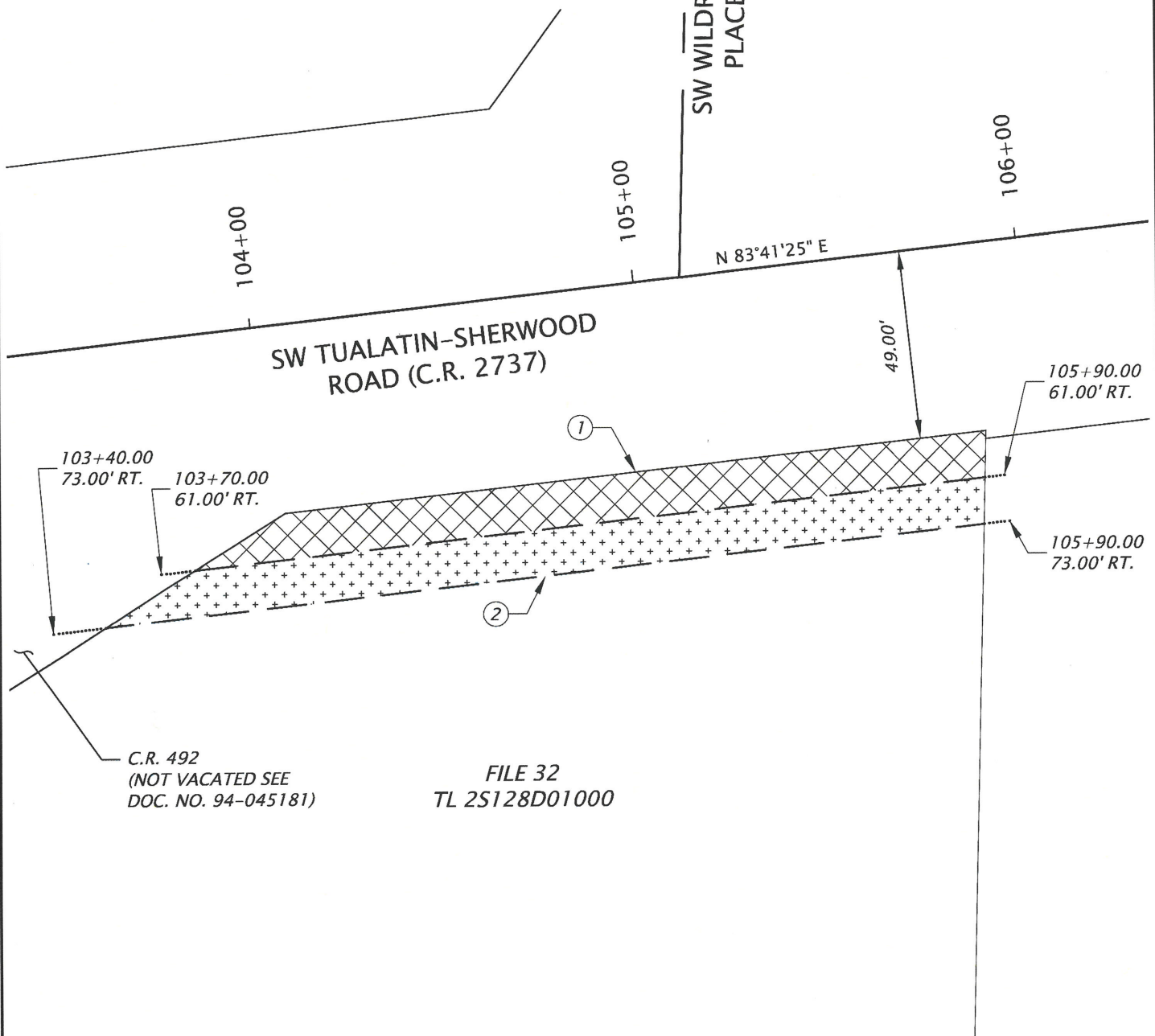
OREGON
MAY 10, 2011
STEPHEN C. WILLIAMS
84070

RENEWS: 06-30-22

EXHIBIT "B"



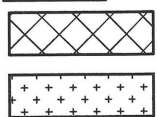
SW WILDROSE PLACE



C.R. 492
(NOT VACATED SEE
DOC. NO. 94-045181)

FILE 32
TL 2S128D01000

LEGEND:



- ① PERMANENT SLOPE AND UTILITY EASEMENT
2,337 SQ. FT. ± (0.054 AC. ±)
- ② PERMANENT SLOPE EASEMENT
2,615 SQ. FT. ± (0.060 AC. ±)



SW TUALATIN-SHERWOOD ROAD
SW LANGER FARMS PARKWAY TO SW TETON AVENUE

FILE NO: 32	SUBMITTAL DATE: SEPT. 30, 2021	REV'D:
TAX LOT: 01000	ADDRESS: 20940 SW DAHKLE LANE	
TAX MAP: 2S128D		



**DAVID EVANS
AND ASSOCIATES INC.**

2100 S River Parkway, Suite 100
Portland Oregon 97201
Phone: 503.223.6663



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Casey Ferguson, Project Engineer
Heidi Springer, City Engineer

DATE: March 14, 2022

SUBJECT:

Consideration of Resolution No. 5605-22, Authorizing the City Manager to Execute Deeds Acquiring Easements for the SW 65th / Nyberg Sanitary Sewer Trunk Main Rehabilitation Project

RECOMMENDATION:

Staff recommends the Council adopt the resolution.

EXECUTIVE SUMMARY:

Resolution No. 5605-22 authorizes the City Manager to execute legal documents to acquire the easements needed to construct and maintain the SW 65th / Nyberg Sanitary Sewer Trunk Main Rehabilitation Project.

The majority of the project is to be constructed within existing easements. However, in order to have space for construction, and access for future maintenance of the project, the City must acquire easements from private property owners surrounding the project area.

In 2011 the City experienced a Sanitary Sewer Overflow in the Nyberg wetlands due to a blockage in this sewer line. Investigation revealed that a structural defect allowed a tree root to penetrate the line and collect F.O.G (fats-oil-and grease), resulting in the blockage. As a result, the City's Sewer Division has been monitoring and maintaining this section every 6-months. Since the monitoring began, City staff has identified three separate issues with this section of sewer line. A depression in the sewer line, tree root intrusion, and stormwater erosion that has exposed a portion of the sanitary line and an adjacent manhole. The proposed easements allow permanent repair and maintenance of approximately 800 lineal feet of aging/damaged 18-inch diameter concrete sanitary sewer trunk main.

Easements were proposed on four properties. Three of the property acquisitions were authorized by the Council per Resolution No. 5597-22 on February 14, 2022. The fourth property owner, TMV, LLC, required additional negotiations. TMV, LLC operates a medical clinic and they were concerned with project construction limiting access for sensitive patients. The attached Obligation Agreement outlines the negotiation results. The City's offering price to the fourth property owner, TMV, LLC, was based on an appraisal performed by Oregon Valuation Group and recommendations from Universal Field Services, Inc. as follows:

TMV, LLC (Tax Lot 1000)

- Property includes an existing 20-foot wide sewer easement, parking spaces, and a medical clinic.
- Additional permanent utility easement area is requested to realign, repair, and maintain the sewer line. The City is requesting a temporary construction easement (12,746 square feet (sf)), and permanent utility easement (2,717 sf).
- Acquisition amount \$84,811.

FINANCIAL IMPLICATIONS:

The total acquisition cost is \$84,811. Clean Water Services has agreed to incur all costs associated with this sanitary sewer improvement through an Intergovernmental Agreement executed March 23, 2020.

ATTACHMENTS:

- Resolution No. 5605-22
- Deeds with exhibits showing the permanent utility easement and temporary construction area to be acquired on the property
- Obligation Agreement between TMV, LLC and the City

RESOLUTION NO. 5605-22

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE DEEDS ACQUIRING EASEMENTS FOR THE SW 65TH / NYBERG SANITARY SEWER TRUNK MAIN REHABILITATION PROJECT.

WHEREAS, the SW 65th / Nyberg Sanitary Sewer Trunk Main Rehabilitation Project is a fully funded project through an Intergovernmental Agreement with Clean Water Services;

WHEREAS, the City has identified the need to acquire certain easements in order to facilitate the rehabilitation of the SW 65th / Nyberg Sanitary Sewer Trunk Main Project;

WHEREAS, the City has negotiated transactions with willing property owners to acquire permanent waterline, storm drainage line, stormwater, sanitary sewer line, access easements, and a temporary construction easement; and

WHEREAS, Clean Water Services has agreed, through the Intergovernmental Agreement executed March 23, 2020, to incur the cost associated with this sanitary sewer improvement.

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

Section 1. The City Manager is authorized to acquire and execute deeds for the following property:

- A. Tax Lot 2S124DA01000 – TMV, LLC
 - Temporary Construction Easement for \$26,512.00
- B. Tax Lot 2S124DA01000 – TMV, LLC
 - Permanent Utility and Access Easements for \$58,299.00

Section 2. The City Manager is hereby authorized to execute all documents necessary to acquire easements identified in Section 1.

Section 3. This resolution is effective upon adoption.

Adopted by the City Council this 14th day of March, 2022.

ATTEST:

CITY OF TUALATIN, OREGON

BY _____
City Recorder

BY _____
Mayor

After recording return to:
City of Tualatin, Oregon
18880 SW Martinazzi Ave.
Tualatin, OR 97062-7092



**CITY OF TUALATIN, OREGON
NON-EXCLUSIVE TEMPORARY CONSTRUCTION EASEMENT**

TMV LLC, an Oregon limited liability company (“GRANTOR”), hereby grants to the City of Tualatin (“the CITY”), its successors and assigns, a temporary construction EASEMENT, and right-of-entry for the purpose of constructing the 65th and Nyberg Trunk Line project on real property located in Washington County, State of Oregon, that is more particularly described as follows:

See Attached Exhibit Map

This EASEMENT shall become effective from the date of signature and shall continue TWO YEARS for the purpose above described. The true and actual consideration paid for this transfer consists of or includes other property or other value given or promised, the receipt of which is acknowledged by the GRANTOR.

Subject to the limitations and conditions of the Oregon Constitution and Oregon Revised Statutes (“ORS”) 30.260 to 30.300, the CITY agrees to indemnify GRANTOR from all claims made for injury to person or property caused by the CITY’s negligence during the actual use by the CITY of the property for any of the above-described purposes.

[Continued on next page for formatting purposes]

The CITY shall have the right at any time during the EASEMENT period to enter upon the above-described real property for the purpose mentioned above. The CITY shall repair any damage to the property caused by The CITY's use for the purpose described above and shall restore the property to the condition reasonably similar to the previous state.

The true and actual consideration paid for this transfer consists of \$26,512.00 or includes other property or other value given or promised, the receipt of which is acknowledged by the GRANTOR.

EXECUTED this 17th day of February, 2022.

TMV LLC, an Oregon limited liability company

By Robert Tatsumi
Signature

Robert Tatsumi
Print Name and Title

(STATE OF OREGON)ss
(County of Washington)



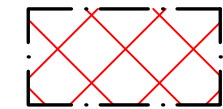
This instrument was acknowledged before me this 17th day of February
2022, by Robert Tatsumi of TMV LLC,
an Oregon limited liability company.

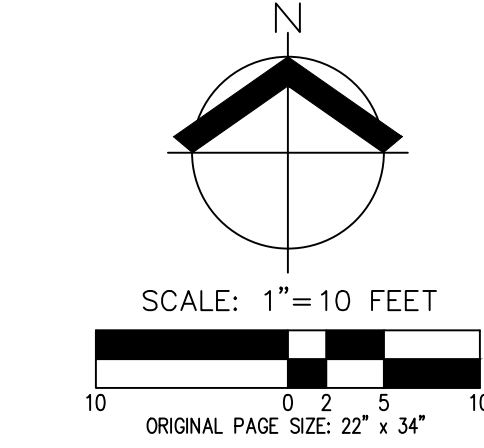
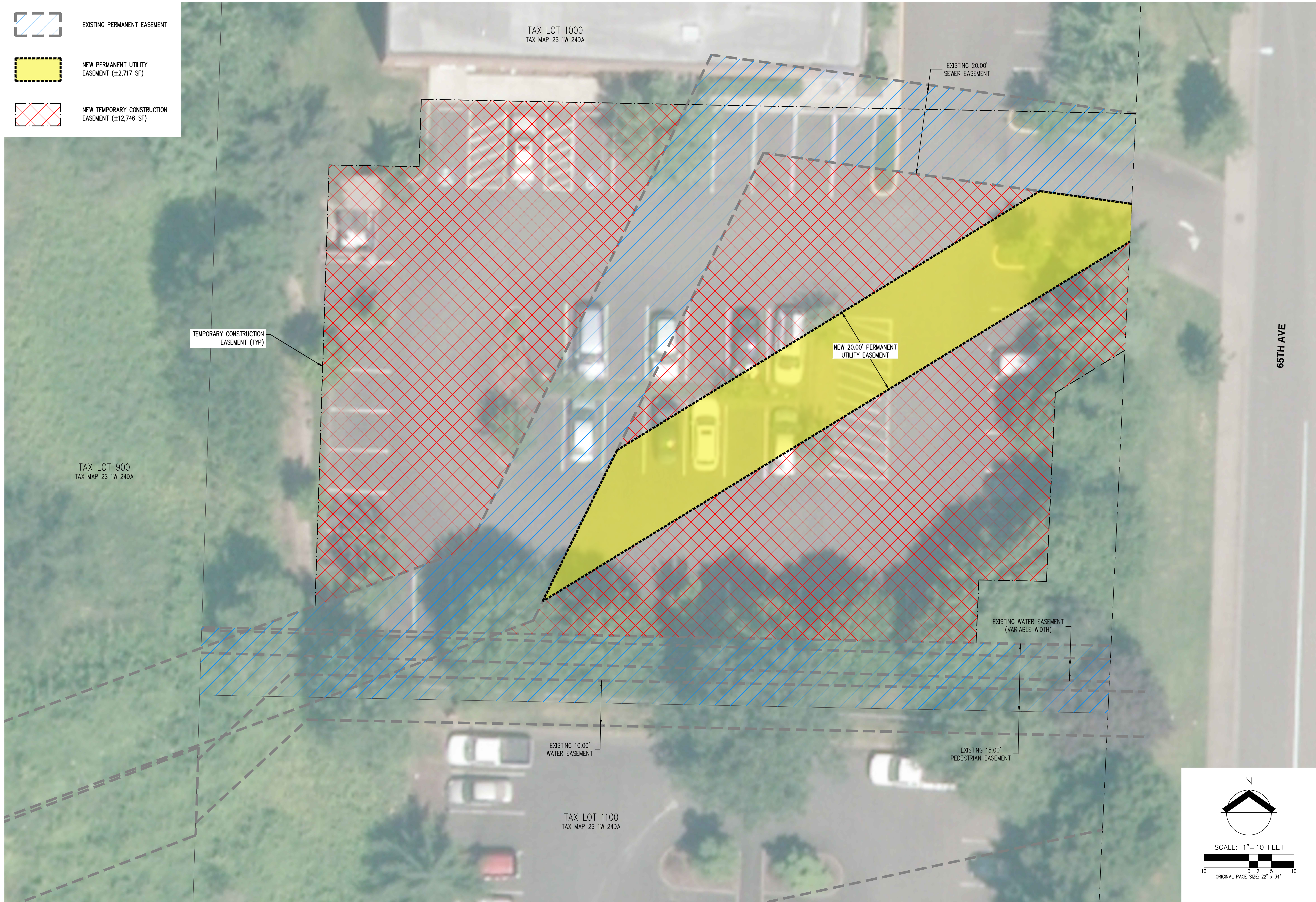
Before me: Kellie Kiss
Notary Public for Oregon
My commission expires: August 30th 2024



ACCEPTED BY THE CITY OF TUALATIN,
OREGON

By: _____
City Manager

-  EXISTING PERMANENT EASEMENT
-  NEW PERMANENT UTILITY EASEMENT (±2,717 SF)
-  NEW TEMPORARY CONSTRUCTION EASEMENT (±12,746 SF)



AKS DRAWING FILE: 5511-08 EASEMENTS.DWG | LAYOUT: TMV, LLC

AKS
 AKS ENGINEERING & FORESTRY, LLC
 12065 SW HERMAN RD., STE 100
 TUALATIN, OR 97062
 503.563.6151
 WWW.AKS-ENG.COM

ENGINEERING • SURVEYING • NATURAL RESOURCES
 FORESTRY • PLANNING • LANDSCAPE ARCHITECTURE

**NYBERG TRUNK LINE
 SEWER REHABILITATION**
 TUALATIN OREGON
 TAX LOTS 600, 700, 800, 900, 1000, 1100, AND 1200
 TAX MAP 2S 1W 24DA

**EASEMENT EXHIBIT
 TMV, LLC.**

DESIGNED BY: JAW
 DRAWN BY: DRI
 MANAGED BY: JAW
 CHECKED BY: JPC
 DATE: 10/23/2020

REVISIONS

JOB NUMBER
5511-08

SHEET
1 OF 1

**City of Tualatin
65th and Nyberg Trunk Upgrade Project**

OBLIGATION AGREEMENT

File No.: 2S124DA01000
Owner: TMV, LLC
Address: c/o Daniel Peterson, Partner
Cosgrave Vergeer Kester LLP
900 SW Fifth Ave, 24th Floor
Portland, OR 97204

Date: February 7, 2022

City and Owner have negotiated and accepted true and actual consideration of \$95,000 minus a credit to the City of Tualatin in the amount of \$10,189 for a total settlement of \$84,811.. The City will be responsible for restoring all areas disturbed to equal or better condition.

Notwithstanding the language in the City's Waterline, Storm Drainage Line, Stormwater, Sanitary Sewer Line, and Access Easement and the Temporary Construction Easement, the City agrees to:

- Impose a "late completion" penalty on the contractor for the portion of this project that will affect TMV's parking lot beyond what is needed for bypass pumping. The City agrees to reimburse TMV, LLC \$500 per day for time that would exceed the agreed timeframe of 6 weeks from the first day on site. The first day on the site is defined as the day that the contractor begins construction related activities within the parking lot outside of the existing permanent easement.
- Require the contractor to confirm possession and/or immediate availability of all necessary materials prior to breaking ground on the TMV, LLC site.
- Allow contractor to work 7 days per week during the portion of the project that affects TMV, LLC's parking lot.
- No contractor or construction worker parking or equipment storage will take place on site at the TMV, LLC lot outside of the phased construction area and laydown areas shown on the Nyberg Trunk Line Sewer Rehabilitation construction drawings, sheet C011, Site Access and Staging Plan – Tax Lot 1000.
- Make its best effort to minimize impact to the four TMV, LLC parking spaces in the southwest corner of tax lot 1000, due to the need for bypass pumping in the initial phase of construction. TMV, LLC requests the use be reduced from four spots to two or less when possible.

After recording return to:
City of Tualatin, Oregon
18880 SW Martinazzi Ave.
Tualatin, OR 97062-7092



**CITY OF TUALATIN, OREGON
WATERLINE, STORM DRAINAGE LINE, STORMWATER,
SANITARY SEWER LINE, AND ACCESS EASEMENT**

TMV LLC, an Oregon limited liability company ("GRANTOR"), grants to the City of Tualatin (the "CITY"), its successors and assigns, the permanent right to design, construct, reconstruct, operate and maintain a Waterline, Storm Drainage Line, Stormwater, Sanitary Sewer Line, and Access Easement on the following described land:

*See attached legal description and drawing,
incorporated by reference*

TO HAVE AND TO HOLD, the described EASEMENT unto the CITY, its successors and assigns, runs with the land.

The true and actual consideration paid for this conveyance is \$58,299.00 or includes other property or other value given or promised, the receipt of which is acknowledged by GRANTOR.

GRANTOR reserves the right to use the surface of the land for walkways, landscaping, parking, and other uses undertaken by the GRANTOR that are not inconsistent and do not interfere with the use of the subject EASEMENT area by the CITY. No building or utility shall be placed upon, under or within the property subject to this easement during its term without the written permission of the CITY.

Except as otherwise provided, upon completion of construction by CITY on the EASEMENT, the CITY shall restore the property's disturbed surface to the condition reasonably similar to the previous state, and shall indemnify and hold the GRANTOR harmless against all loss, costs, or damage arising out of the exercise of the rights granted. Nothing in this easement shall be construed as requiring the CITY, its successors or assigns, to maintain landscaping, walkways, parking or other surface or subsurface improvement made or constructed by or on behalf of the GRANTOR, its heirs, successors or assigns.

The GRANTOR covenants to the CITY, and its successors and assigns, that GRANTOR is lawfully seized in fee simple of the granted premises, free from all encumbrances list any exceptions and that GRANTOR, and the GRANTOR'S heirs and personal representatives, shall warrant and forever defend the premises to the CITY, its agents, successors, and assigns against the lawful claims and demands of all persons claiming by, through, or under the GRANTOR.

Executed this 17 day of February, 2022.

TMV LLC, an Oregon limited liability company

By Robert Tatsumi
Signature

Robert Tatsumi
Print Name and Title:

(STATE OF OREGON)ss
(County of Washington)

This instrument was acknowledged before me this 17th day of February, 2022, by Robert Tatsumi of TMV LLC, an Oregon limited liability company.

Before me: Kellie Kiss
Notary Public for Oregon

My commission expires: AUGUST 30, 2024



CITY OF TUALATIN, OREGON

By: _____
City Manager

The City Manager of the City of Tualatin, being duly authorized and directed by the Council of the City of Tualatin, pursuant to TMC 1-3-030, approves and accepts the foregoing document on behalf of the City of Tualatin. Dated this ___ day of _____ 20__.

City Manager



EXHIBIT A

Permanent Utility Easement Description

A tract of land located in the Southeast One-Quarter of Section 24, Township 2 South, Range 1 West, Willamette Meridian, City of Tualatin, Washington County, Oregon, and being more particularly described as follows:

Commencing at the northeast corner of the plat "Stoneridge", Washington County Plat Records, also being on the south line of Document Number 2010-086932, Washington County Deed Records; thence along said south line, South 88°57'45" East 632.71 feet to the west right-of-way line of 65th Avenue (60.00 feet from centerline); thence along said west right-of-way line, North 01°49'55" East 469.85 feet; thence continuing along said west right-of-way line, North 02°40'19" East 226.99 feet to the Point of Beginning; thence leaving said west right-of-way line, South 58°30'53" West 153.00 feet; thence North 26°14'10" East 37.45 feet; thence North 58°30'53" East 110.11 feet; thence South 82°08'15" East 20.60 feet to said west right-of-way line; thence along said west right-of-way line, South 02°40'19" West 8.38 feet to the Point of Beginning.

The above described tract of land contains 2,717 square feet, more or less.

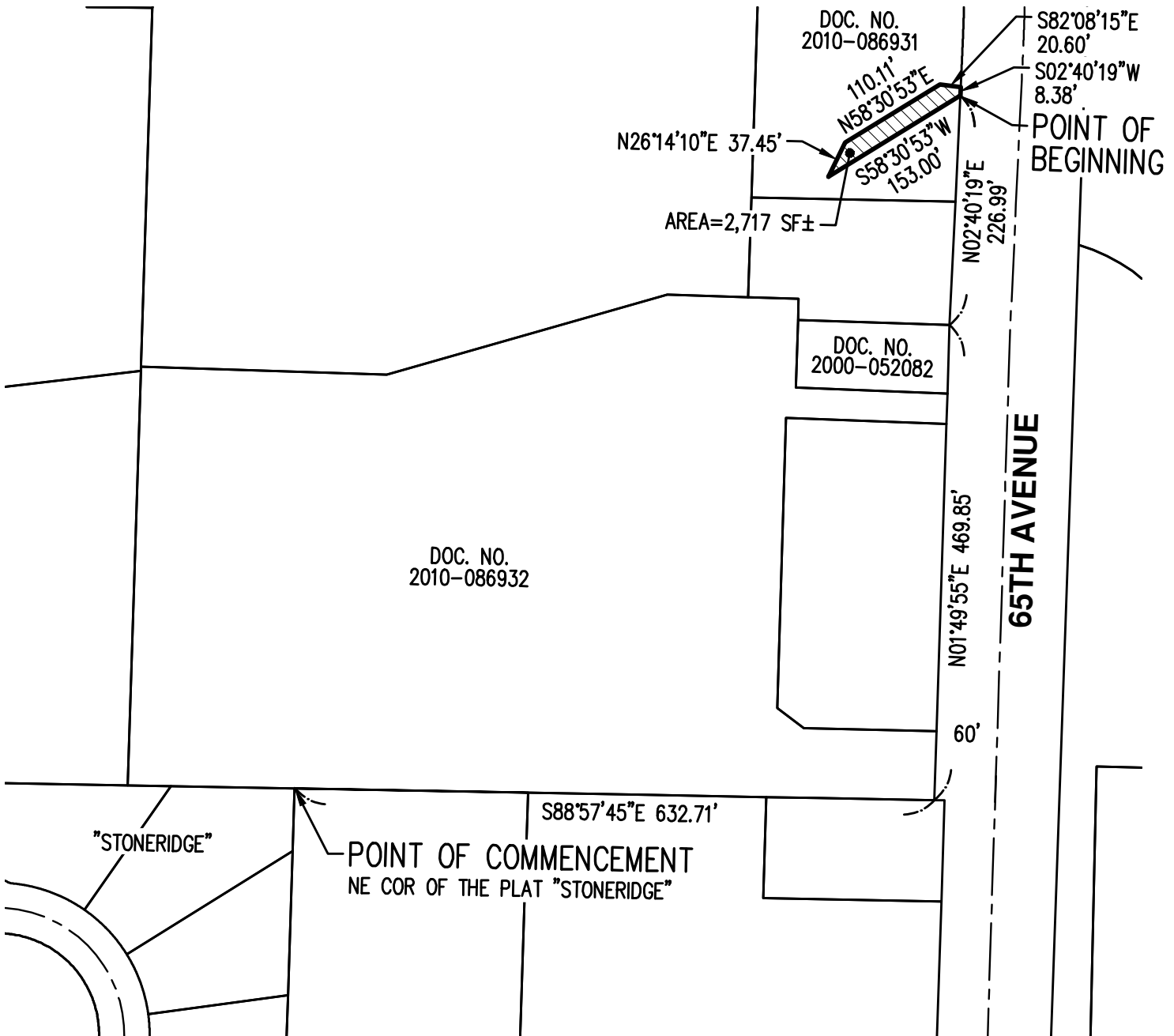
Bearings for this description are based on State Plane Grid bearing, Oregon State Plane, North Zone 3601, NAD83(2011) Epoch: 2010.0000. Distances shown are International Foot ground values.

10/13/2020



EXHIBIT B

A TRACT OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 24,
TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
CITY OF TUALATIN, WASHINGTON COUNTY, OREGON

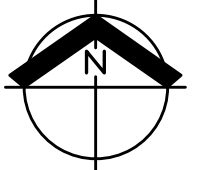
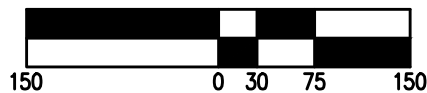


10/13/2020

PREPARED FOR

CITY OF TUALATIN
18880 SW MARTINAZZI AVENUE, SUITE 200
TUALATIN, OR 97062

SCALE: 1" = 150 FEET



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/22

PERMANENT UTILITY EASEMENT MAP

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM



EXHIBIT
B

DRWN: WCB
CHKD: NSW
AKS JOB:
5511-08



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Mike McCarthy, Principal Transportation Engineer
DATE: March 14, 2022

SUBJECT:
Tualatin Moving Forward Quarterly Update

EXECUTIVE SUMMARY:

This update describes Tualatin Moving Forward projects planned for construction in 2022 and 2023.

In May 2018, Tualatin voters approved a \$20 million bond measure to pay for projects that improve traffic flow, neighborhood safety, and provide safe access to schools and parks citywide. The Tualatin Moving Forward Program Team is committed to providing the City Council with quarterly updates in alignment with the agreed-upon communication goals to:

- Be fully transparent and commit to communicating at every stage;
- Continue to engage the community in projects;
- Use multiple channels to communicate with diverse audiences; and
- Demonstrate progress and build confidence with the community-score cards, quarterly reports, project signage and more.

ATTACHMENTS:

- Powerpoint Presentation

-



Quarterly Update

City Council
March 14, 2022

- Tonight's theme: *"Just Around the Corner"*
- Update on key projects
- Next Update: June
- Monitor progress at TualatinMovingForward.com

19 projects Built –
15 more Underway!

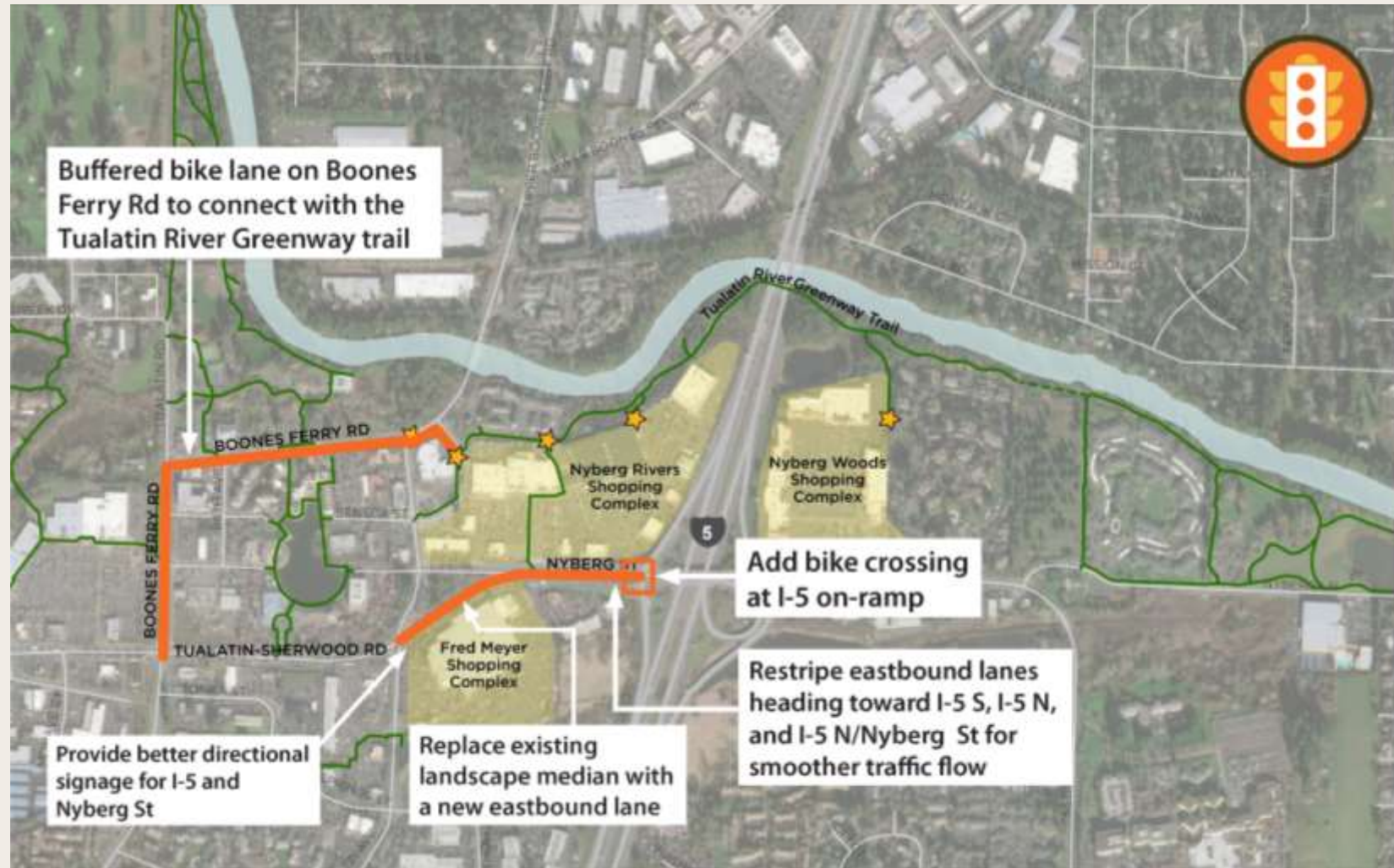


Martinazzi Ave and Sagert St *Just Around the Corner!*



Tualatin-Sherwood Rd: Martinazzi Ave to I-5

- ü Add a third eastbound lane: Martinazzi to I-5
- ü Restripe lanes for more efficient allocation of traffic
- ü Install signage



Tualatin-Sherwood Rd: Martinazzi Ave to I-5

- ü Reduce travel time at Tualatin's busiest intersection



Travel time from Boones Ferry to I-5:

Morning rush hour ✓ **Reduced** from 6.5 minutes to 4 minutes

Afternoon rush hour ✓ **Reduced** from 8.0 minutes to 6 minutes

95th Ave and Avery St (Tualatin Elementary School)

- ü Phase 1 (Orange dots) - completed
- ü Phase 2 (Brown dots) - coming Summer 2022



ü **93rd Ave and Sagert St**

- ü New mid-block crosswalk (completed)
- ü New sidewalk
- ü New pathway
- ü Water quality swale
- ü Speed humps on 93rd Ave



95th Ave and Avery St (Tualatin Elementary School)

ü 95th Ave and Avery St

- ü Buffered bike lane (completed)
- ü New left turn
- ü Safer crosswalks
- ü New sidewalk



- 136 responses to our survey
- Improve safety for people walking, biking and driving near Hazelbrook Middle School



Hazelbrook Area Project



Hwy 99W: Pony Ridge Neighborhood to 124th Ave

- ü Install new sidewalks to connect neighborhood with signalized crosswalk at 124th Ave



QUESTIONS?

