



**A. CALL TO ORDER**

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

**C. CITIZEN COMMENTS**

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

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

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

1. Approval of Minutes for the Meeting of February 11, 2008 ..... 103  
**[item removed from agenda]**
2. Resolution No. 556-08 Authorizing Compensation for Right-of-Way and ..... 104  
Easements Associated with the SW Herman Road  
Improvement Project

**E-F. PUBLIC HEARINGS**

*None.*

**G. GENERAL BUSINESS**

*None.*

**H. ITEMS REMOVED FROM CONSENT AGENDA**

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

**I. COMMUNICATIONS FROM COMMISSIONERS**

**J. EXECUTIVE SESSION**

**K. ADJOURNMENT**



# STAFF REPORT

## TUALATIN DEVELOPMENT COMMISSION

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

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

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

**DATE:** February 25, 2008

**SUBJECT:** RESOLUTION AUTHORIZING COMPENSATION FOR RIGHT-OF-WAY AND EASEMENTS ASSOCIATED WITH THE SW HERMAN ROAD IMPROVEMENT PROJECT

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### ISSUE BEFORE THE COMMISSION:

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

### RECOMMENDATION:

Staff recommends that the Commission adopt the attached resolution.

### EXECUTIVE SUMMARY:

- This action is not a public hearing.
- The Fiscal Year 07/08 Leveton Tax Increment District Project Fund contains a capital project to design roadway improvements, and acquire rights-of-way and easements for the SW Herman Road Improvement Project.
- The project area consists of SW Herman Road from SW Teton Avenue to 124<sup>th</sup> Avenue.
- The primary purpose of constructing the roadway is to better facilitate freight mobility and industrial traffic flow within the District and to improve storm water drainage as well as overall roadway conditions.
- As part of the project, rights-of-way acquisition and utility, slope, and permanent easements have been identified.
- Once the Commission authorizes the compensation for the right-of-way and easements, the Deed of Dedications and Slope/Public Utility Easements will be forwarded to the City Council for acceptance.

## STAFF REPORT: Compensation for Rights-of-Way and Easements

February 25, 2008

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

### **OUTCOMES OF DECISION:**

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

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

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

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

### **ALTERNATIVES TO RECOMMENDATION:**

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

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

### **FINANCIAL IMPLICATIONS:**

The agreed upon compensation is \$41,886 for Right-of-Way and \$2,914 for Slope/Utility Easements and is within the amount budgeted for the project (\$1,000,000) for FY 07/08.

**PUBLIC INVOLVEMENT:**

Public involvement is not required as part of this action.

**Attachments:**      A. Rights-of-Way and Slope/Utility Easements Map  
                             B. Resolution with Exhibits

RESOLUTION NO. 556-08

RESOLUTION AUTHORIZING COMPENSATION FOR  
RIGHT-OF-WAY AND EASEMENTS ASSOCIATED WITH  
THE SW HERMAN ROAD IMPROVEMENT PROJECT

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

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

- a. Deed of Dedication from:
  - i. Hageman Development, Inc. \$16,767.00
  - ii. Hageman Properties \$ 1,483.00
  
- b. Slope/Public Utility Easements from
  - i. Hageman Development, Inc. \$25,119.00
  - ii. Hageman Properties \$ 1,431.00

INTRODUCED AND ADOPTED this 25<sup>th</sup> day of February, 2008.

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

By  \_\_\_\_\_  
Chairman

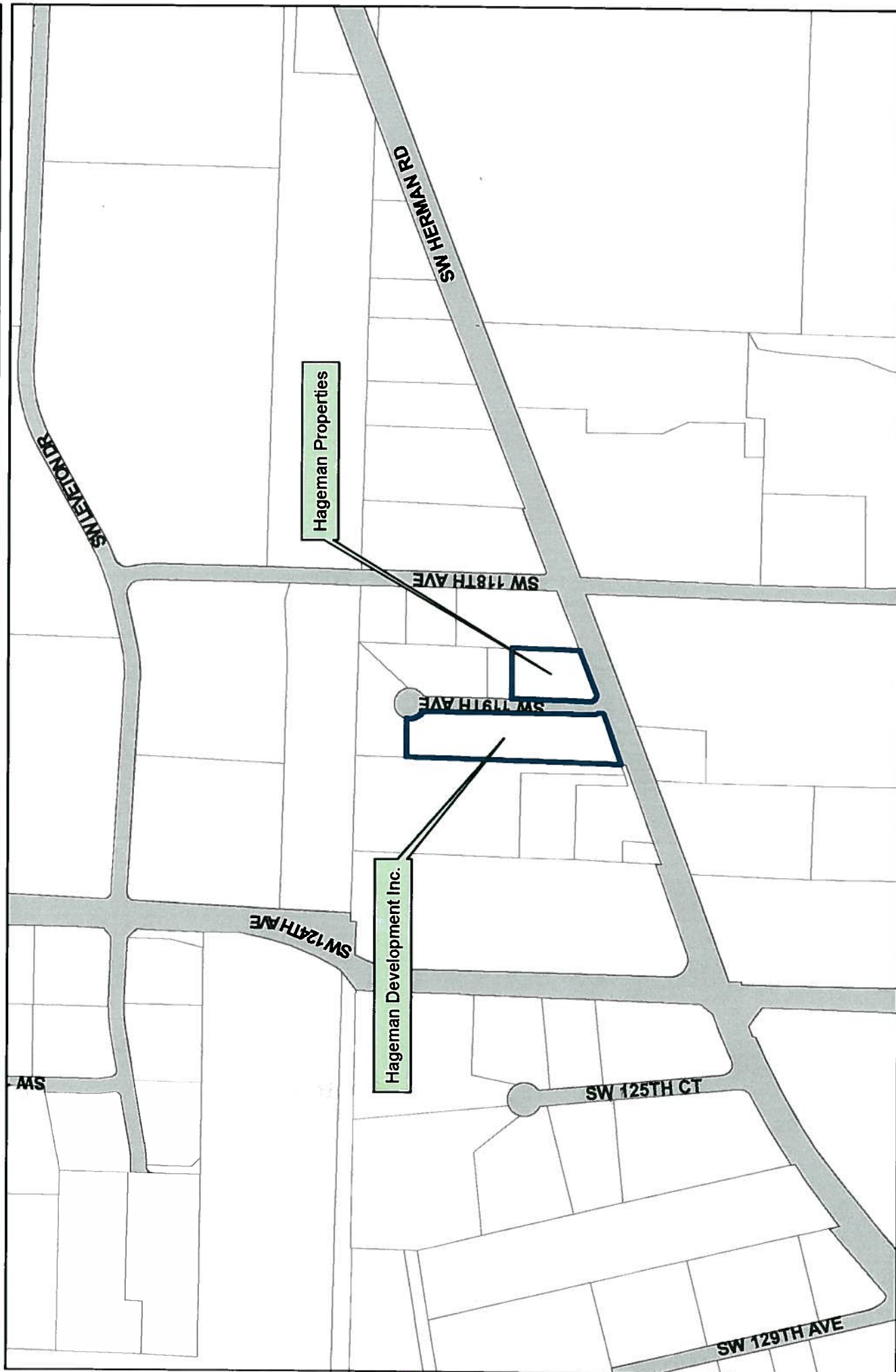
APPROVED AS TO LEGAL FORM

  
CITY ATTORNEY

ATTEST:

By  \_\_\_\_\_  
Administrator

Resolution No. 556-08



RF 1:5,800

Parcels of Interest



This map is derived from various digital database sources. The City of Tualgis, OR assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". Engineering and Building Dept. Project 20110203

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**COPIES OF THE DEEDS OF DEDICATION AND  
SLOPE & PUBLIC UTILITY EASEMENTS ARE  
CONTAINED IN CITY COUNCIL PACKET  
ITEM D.4.**

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