



**TUALATIN CITY COUNCIL
AND
TUALATIN DEVELOPMENT COMMISSION**
Monday, January 14, 2008

City Council Chambers
18880 SW Martinazzi Avenue, Tualatin, Oregon

WORK SESSION begins at 5:00 p.m.

REGULAR MEETING begins at 7:00 p.m.

Mayor Lou Ogden

Council President Ed Truax
Councilor Chris Barhyte
Councilor Monique Beikman

Councilor Bob Boryska
Councilor Jay Harris
Councilor Donna Maddux

WELCOME! By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified a time for citizen comments on its agenda – Item C, following Presentations, at which time citizens may address the Council concerning any item not on the agenda, with each speaker limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the world wide web at www.ci.tualatin.or.us, at the Library located at 8380 SW Nyberg Street, and are also on file in the Office of the City Manager for public inspection. Any person who has any question concerning any agenda item may call Administration at 503.691.3011 to make an inquiry concerning the nature of the item described on the agenda.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact Administration at 503.691.3011 (voice) or 503.692.0574 (TDD). Notification thirty-six (36) hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

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Your City government welcomes your interest and hopes you will attend the City of Tualatin City Council meetings often.

- SEE ATTACHED AGENDA -

PROCESS FOR LEGISLATIVE PUBLIC HEARINGS

A “legislative” public hearing is typically held on matters which affect the general welfare of the entire City rather than a specific piece of property.

1. The Mayor opens the public hearing and identifies the subject.
2. A staff member presents the staff report.
3. Public testimony is taken.
4. The Council then asks questions of staff, the applicant or any member of the public who testified.
5. When the Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either approve, deny, or “continue” the public hearing.

PROCESS FOR QUASI-JUDICIAL PUBLIC HEARINGS

A “quasi-judicial” public hearing is typically held for annexations, planning district changes, variances, conditional use permits, comprehensive plan changes, and appeals from subdivisions, partitions and architectural review.

1. The Mayor opens the public hearing and identifies the case to be considered.
2. A staff member presents the staff report to the Council.
3. Public testimony is taken:
 - a) In support of the application
 - b) In opposition or neutral
4. The Council then asks questions of staff, the applicant or any member of the public who testified.
5. When the Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either approve, approve with conditions or deny the application, or “continue” the public hearing.

TIME LIMITS

The purpose of time limits on public hearing testimony is to provide all interested persons with an adequate opportunity to present and respond to testimony. All persons providing testimony **shall be limited to 10 minutes**, subject to the right of the Mayor to amend or waive the time limits.

EXECUTIVE SESSION INFORMATION

Executive session is a portion of the Council meeting that is closed to the public to allow the Council to discuss certain confidential matters. No decisions are made in Executive Session. The City Council must return to the public session before taking final action.

The City Council may go into Executive Session under the following statutory provisions to consider or discuss: *ORS 192.660(2)(a)* the employment of personnel; *ORS 192.660(2)(b)* the dismissal or discipline of personnel; *ORS 192.660(2)(d)* labor relations; *ORS 192.660(2)(e)* real property transactions; *ORS 192.660(2)(f)* non-public information or records; *ORS 192.660(2)(g)* matters of commerce in which the Council is in competition with other governing bodies; *ORS 192.660(2)(h)* current and pending litigation issues; *ORS 192.660(2)(i)* employee performance; *ORS 192.660(2)(j)* investments; or *ORS 192.660(2)(m)* security issues. **All discussions within this session are confidential.** Therefore, nothing from this meeting may be disclosed by those present. News media representatives are allowed to attend this session (unless it involves labor relations), but shall not disclose any information discussed during this session.



A. CALL TO ORDER

Pledge of Allegiance

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

- 1. Tualatin Youth Advisory Council Update
- 2. *New Employee Introductions* -
 Don Hudson, Finance Director
 Carina Christensen, Assistant to the City Manager
 Kevin Sachet, Information Systems Technician

C. CITIZEN COMMENTS

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

D. CONSENT AGENDA (Item Nos. 1 – 6)

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

- 1. Approval of Minutes for the Meeting of December 10, 2007 and Special Work Session Meeting of December 17, 2007..... 5
- 2. Resolution No. 4739-08 Approving the Tualatin Tomorrow Vision Implementation Committee Structure and Selection of Chairperson17
- 3. Resolution No. 4740-08 Authorizing an Intergovernmental Agreement (IGA) Between the City of Tualatin ("Tualatin") and Metro for a Southwest Tualatin Concept Plan Implementation Grant25
- 4. Resolution No. 4742-08 Accepting Public Improvements for Franklin Business Park, Building E32
- 5. Resolution No. 4743-08 Accepting Public Improvements for Nyberg Woods34
- 6. Resolution No. 4744-08 Establishing Regular Meetings of the City Council and Advisory Committees of the City and Repealing Resolution No. 4624-0736

E. PUBLIC HEARINGS – Legislative or Other

- 1. PTA-07-05 – Amend the Industrial Business Park Overlay Planning District (IBPOD) to Allow a Child Day Care Center Use in IBPOD Development Greater than 10 Acres in Size, Amending TDC 69.020 and 69.065.....39

F. PUBLIC HEARINGS – Quasi-Judicial
None.

G. GENERAL BUSINESS (Item Nos. 1 – 5)

- 1. Commuter Rail Train Horn Noise Mitigation Update [*postponed to 1/28/08*].....80
- 2. OSU Extension Services – Special Services District Proposal for Clackamas County81
- 3. City and Town Center Gateways Presentation [*postponed to 1/28/08*].....82
- 4. Creation of an Ad Hoc Committee to Study a Possible Bond Measure in 2008 for Parks and Recreation Facilities, Cultural Opportunities, and Youth and Family Activities Relating to the Tualatin Tomorrow Community Visioning Process83
- 5. Library Plaza Update [*added to agenda at meeting*].....

H. ITEMS REMOVED FROM CONSENT AGENDA
Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

I. COMMUNICATIONS FROM COUNCILORS

J. EXECUTIVE SESSION

K. ADJOURNMENT



Approved By Tualatin City Council
Date 1-14-08
Recording Secretary M. Smith

STAFF REPORT CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council
FROM: Sherilyn Lombos, City Manager
DATE: January 14, 2008
SUBJECT: APPROVE MEETING MINUTES OF DECEMBER 10, 2007 AND
SPECIAL WORK SESSION MINUTES OF DECEMBER 17, 2007

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the City Council work session and meeting of December 10, 2007 and Special Work Session minutes of December 17, 2007.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

FINANCIAL IMPLICATIONS:

There are no financial impacts associated with this item.

Attachments: A. Minutes



City of Tualatin

18880 SW Martinazzi Avenue
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Approved By Tualatin City Council

Date 1-14-08

Recording Secretary M. Smith

TUALATIN CITY COUNCIL SPECIAL WORK SESSION MINUTES OF DECEMBER 17, 2007

PRESENT: Mayor Lou Ogden; Councilors Chris Barhyte, Monique Beikman, Bob Boryska, Jay Harris, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Doug Rux, Community Development Director; Dan Boss, Interim Finance Director; Mick Wilson, Deputy Operations Director; Nancy McDonald, Human Resources Director; Paul Hennon, Community Services Director; Ginny Kirby, Recording Secretary

ABSENT: [*denotes excused]

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

A. CALL TO ORDER

Mayor Ogden called the meeting to order at 6:05 p.m.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

November 2008 Ballot Measure Discussion

Ms. Lombos noted this is a follow-up from the recent Council retreat. Interest had been expressed in a recreation center, new or upgraded sports fields, and Tualatin River Greenway development.

What is needed this evening includes the scope of the bond measure, funding mechanism, review the schedule, and discuss next steps.

It was noted that the City has spoken with Tigard-Tualatin School District (TTSD) and there is initial interest in partnering on 10 acres, minus 2 acres for other uses, which leaves 8 for the City. Discussion needs to happen regarding definition of partnering.

Regarding sports fields, all TTSD schools in Tualatin (Bridgeport, Byrom, Hazelbrook, Tualatin, and Tualatin High) are in need of new or upgraded facilities.

Recreation Center

Councilor Boryska asked about the definition of a recreation center vs. a community center and which "label" was going to be used. Community Services Director Hennon said the final "label" will be a decision for the Council to make.

Mr. Hennon said the major components usually included in a recreation center include: a gym, fitness areas, studios (aerobics), multipurpose rooms, lounge areas, wet and dry crafts area(s), racquetball, aquatics, sometimes indoor fields, and indoor ice arena.

Mr. Hennon then gave a PowerPoint presentation which showed examples of different facilities included in a variety of recreation centers. He also gave a description of the different types of aquatic facilities available for consideration.

Councilor Harris asked what building square footage is possible on the 8-acre potential site while maintaining sufficient parking. Mr. Hennon said he was guesstimating a maximum 60,000 square foot building; approximately 20,000-22,000 square feet could be in aquatic, plus parking, would fit on the 8 acre site. He note that he is looking for order of magnitude and the components desired. A 30,000-35,000 square foot facility would keep the cost at a more manageable level. Brief discussion followed regarding the potential Community Services Department staffing with the potential of a recreation center with many programs offered.

Mayor Ogden asked about the operating costs for a facility of this size; must remember it isn't just funding for building a facility and "keeping the lights on", the operating costs for staffing and running all the offered programs must be kept in mind. Mr. Hennon gave an example: if you have a 100,000 square foot facility – an approximate \$1 million operating cost associated; therefore, an approximate 50,000 square foot facility would have roughly \$500,000 in operating costs (non-aquatic facility). \$16 million capital cost for a 100,000 square foot facility does not include a pool. If a pool is added, the capital cost would be higher. Discussion followed regarding cost figures.

Councilor Barhyte said he envisioned more of an indoor/outdoor aquatic area. Mr. Hennon noted that a leisure aquatic facility would generate more revenue than a competitive aquatic facility. Councilor Truax said he wasn't opposed to an aquatic facility with the City subsidizing the facility; he got the feeling people wanted a performing arts component to be included, along with meeting space. Concerns were voiced regarding too many things being included in a facility too small to include/accommodate it all; might be better to do a mid-size facility and leave a few things out to make available a quality facility.

Survey particulars were discussed next. Mr. Hennon said one survey method would be to call and ask citizens what they would like in a facility. Then use that information to narrow down what would be included and figure the associated costs. The question was raised how to get to a "list" of what elements should be included in a recreation center. Mr. Hennon said most likely an Ad Hoc Committee would be formed to establish the list and costs of desired elements for the center. Ms. Lombos said two ways had been discussed. First, establish the Ad Hoc Committee and then towards the end of the process a survey of the citizens would be performed. A second option, start early with a broad survey that asks broad questions to then define it down; and then when the question is more defined and refined, do a second survey to test the willingness to support the "more defined and refined" facility.

An outdoor aquatic component to take advantage of the summer weather was mentioned. Also stressed was the need to be very aware of ample parking. Another possible element mentioned was an indoor sports courts with seating. It was suggested that since a recreation center would be "competitive" with a facility such as Club Sport, it would be good to speak with Club Sport to work out a potential partnering.

Two items decided to NOT include in a recreation center: a hockey ice arena and an indoor field.

The most likely site being referred to for a recreation center is the TTSD property behind (north of) Tualatin Elementary School.

Councilor Boryska suggested a multi-purpose area where there would be things such as basketball court(s) next to ping pong tables, pool tables, shuffle board, meeting room space, craft areas, and classroom spaces where you could have a good mix of components that serve the entire community – young and old. Councilor Harris suggested an indoor running facility be included. He also noted that some outdoor components should be included; don't enclose people all year long.

Mr. Hennon said he can take all the elements, "size" them, and create some options to bring back to Council for consideration. He stated that this scope of work is architectural; there are firms that do this specific type of work.

Ms. Lombos asked if there are any other items Council would like included. Mayor Ogden said he would be interested in some surveying that would cause people to react to certain "causes" - to ask people questions that would be activity based for the facility. The city should perform a survey that asks those types of questions to make sure what elements the citizens want are considered for inclusion. Brief discussion followed.

Options were discussed. One option is to move forward, get an architect, and draw up options and associated costs. Another option is to survey now to gather what activities to include and survey again after results from the first survey are formulated. It was noted that items listed in the staff report were gathered from a previous survey, then ideas were pulled from different facility options to establish the list.

Councilor Harris asked if it was possible to move ahead with the architect, but "in the background" do some limited telephone surveying of the public to make sure the City is taking the right path. More discussion followed.

Ms. Lombos said the City could engage an architect to develop a program on what was voiced for options for a facility - no specific design. And, on a different tract, a limited survey of citizenry for what elements would be desired. Brief discussion. It was then stated that Track 1 would be to poll on the list of potential elements and establish a prioritized list with some threshold of spending; this would be done within 30 days. Track 2 would be to acquire block diagram of options/elements that would show square footage of each element and the associated cost. The goal would be to have results by the end of January 2008.

[5 minute recess at 7:45 p.m.]

Mayor Ogden asked if the public would be involved between January survey and "end result" survey in May (May 8, 2008 is the deadline for filing petition with the counties). Mr. Hennon referred to the staff report that states the public involvement process would be started in December, then an Ad Hoc Committee would be established consisting of three TPARK members, three Councilors, three Tualatin Tomorrow members, and an aquatic person. It was noted that additional representatives should include three YAC members and a Senior Center representative. The purpose of the Ad Hoc Committee is to study the possibility of a recreation bond measure and operating funding.

Sports Fields

Turf field improvement would consist of approximately 1-foot of sand being added and new grass planted. Fields that drain better would be installed and used for soccer, lacrosse, and baseball. Discussion followed regarding costs for upgrading all fields at schools in town. It was noted that the cost for synthetic is roughly 8 times more than grass. Discussion followed.

Mr. Hennon showed slides of all area schools; describing the current condition of facilities and potential upgrades.

A question was asked about property for a Dog Park in town. It was stated that Brown & Wisner had property, on the north side of SW Avery Street, west of Tualatin Elementary School, that is a potential site.

A point was raised regarding Jurgens Park and Community Park - that it is cheaper to upgrade land we already own vs. purchasing land from TTSD. The City may want to upgrade fields at schools where the area doesn't have a "local" park. The possibility of partnering with Horizon School for fields was mentioned during discussion.

Next step will be to talk to users and the schools in an effort to find out how to get the "biggest bang for the buck".

Tualatin River Greenway

This consists of a path from the east Urban Growth Boundary (UGB) to the west UGB (by Pony Ridge Subdivision). Some land is already owned and some pathway exists. Mr. Hennon gave some background information on existing conditions. He noted there were possibly two more pedestrian bridges planned in the future. Discussion followed regarding crossing to the north side of the Tualatin River and going a distance on the Tigard side.

Should there be a push to buy as much land as possible to establish a continuous trail system? Council's consensus is YES.

Mr. Hennon asked if Council wanted anything else added. Councilor Harris asked about building sewer manhole access roads and using that facility as a pedestrian path. Mike McKillip, City Engineer, noted that the City has utility easements to reach manholes, and if the use were to be changed to 24-hr access/use, that may not be favorable with adjacent property owners.

It was decided staff should come back to Council at the January 14, 2008 meeting with:

- * Proposal for Ad Hoc Committee members
- * Survey data - won't be finalized, but in process
- * Block design - not finished, but architect on board
- * Funding – reimburse by the bond (Council will need to pass a Resolution allowing expenses now)

In the meantime, spending will come from Park System Development Charges.

Funding of Operating Costs

Forming a District is an option - a County Services District. Washington County would place a measure on the November 2008 election to form a County Service District to provide parks and recreation facilities within a service area boundary defined by the Tualatin UGB. Washington County and the City would enter an Intergovernmental Agreement (IGA) to have the City manage the District for Washington County whereby the District serves as a funding source only. Clackamas County similarly would act primarily as a funding source for the proposed Clackamas County District. Then the counties enter into an IGA to transfer tax revenues and management authority to the City. Concern was voiced about the possibility of ending up in compression (tax limitation cap – taxing entities would get less money). There is a timing issue – requirement of 180 days to be filed with Washington and Clackamas counties (by May 8, 2008).

Park Utility Fee

Parks Maintenance fee would pay for park maintenance; not fund the recreation center. Funds could possibly be used to pay for maintenance of the recreation center building. Discussion followed regarding how monies could be spent and the parameters of what is allowed. It was asked if going to utility fee, does that go to a vote of the public. Discussion continued.

It was decided against forming a District. It was also decided not to pursue a local operating levy.

Schedule

Staff will come back to Council with some action items at the January 14, 2008 meeting.

SPECIAL WORK SESSION

It was decided to hold another City Council Special Work Session on Wednesday, January 9, 2008, 6:00 p.m. to discuss the items that were not covered on this evening's agenda:

1. Transportation / MSTIP
2. Criteria for Allocation of Funds

C. CITIZEN COMMENTS

Not applicable.

D. CONSENT AGENDA

Not applicable.

E. PUBLIC HEARINGS - *Legislative or Other*

Not applicable.

F. PUBLIC HEARINGS - *Quasi-Judicial*

Not applicable.

G. GENERAL BUSINESS

Not applicable.

H. ITEMS REMOVED FROM CONSENT AGENDA

Not applicable.

I. COMMUNICATIONS FROM COUNCILORS

- * Library Design Meeting: scheduled for 4:30 p.m., Tuesday, December 18th.
- * Killamey Lane: based upon funding opportunities and legal ramifications, Council is interested in having this item revisited at a future work session.

J. EXECUTIVE SESSION

none

K. ADJOURNMENT

Meeting adjourned at 9:50 p.m.

Sherilyn Lombos, City Manager

Recording Secretary





City of Tualatin

18880 SW Martinazzi Avenue
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Main 503.692.2000
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Approved By Tualatin City Council

Date 1-14-08

Recording Secretary M. Smith

TUALATIN CITY COUNCIL WORK SESSION MINUTES OF DECEMBER 10, 2007

PRESENT: Mayor Lou Ogden; Councilors Chris Barhyte [*arrived at 5:58 p.m.*], Monique Beikman, Bob Boryska, Jay Harris, and Donna Maddux; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Doug Rux, Community Development Director; Paul Hennon, Community Services Director; Kent Barker, Police Chief; Mick Wilson, Deputy Operations Director; Eric Underwood, Development Coordinator; Kaaren Hofmann, Civil Engineer; and Maureen Smith, Recording Secretary

ABSENT: None.

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

A. CALL TO ORDER

Mayor Ogden called the meeting to order at 5:03 p.m.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. Tualatin Tomorrow Implementation Committee

Community Development Director Doug Rux gave a brief introduction on Tualatin Tomorrow. The Ad Hoc Implementation Committee has been meeting to develop a permanent structure for a vision implementation committee (VIC) for the "Tualatin Tomorrow" project. Co-chairs Frank Bubenik and Candice Kelley were present and gave a PowerPoint presentation. A question was asked how changes/modifications to the committee would be done, and Mr. Bubenik said if changes decided upon by the committee would be brought back to the Council for review and changes. Mr. Bubenik also mentioned there will be touch points between the committee and City Council and the Council liaison to the committee is an important part of that reporting. As it stands now, the committee would touch back once a year, but could perhaps report every six months, and will continue working with staff. It was suggested that having a youth representative for all six areas may be difficult, but rather look at having a youth involved in one of the areas and keep the door open for youth to be as involved as possible.

Staff noted a resolution will be brought back before the Council at the January 14, 2008 meeting authorizing the implementation of the VIC, and the chair.

2. Stafford Area Update

Community Development Director Doug Rux gave a PowerPoint presentation on the Stafford area. Mr. Rux reviewed the history of the area. A group of Stafford residents are asking to be included in the next round of urban growth boundary (UGB) expansion with Metro. Mr. Rux reviewed the PowerPoint presentation. The purpose at tonight's meeting is should the lower Stafford basin, which is approximately 600 acres, be in or out of the UGB, and if so does the City want the whole area or a portion of it to ultimately be part of Tualatin.

Discussion followed. The process that Metro would need to follow was discussed. If none of the jurisdictions do not want to take this on, then the County would have to step in. Discussion followed. Council did not favor a major amendment process, and wanted to continue to be observers in the Stafford "hamlet" process, continue to reach out to the jurisdictions around Tualatin, and continue with the urban rural reserve process in preparation for 2010.

3. *108th, Ibach to Nelson Project Update*

City Engineer Mike McKillip and Civil Engineer Kaaren Hofmann gave a brief presentation. Staff received clear direction on the preferred road design over the hill, and is proposing to move ahead with Option #3 and the 35 mph design. It was asked and answered about the proposed 35 mph speed limit, and Ms. Hofmann said it has the least amount of impact. Discussion followed on the speed issue. Council consensus was to proceed with staff's proposal. Councilor Harris questioned giving up the median too soon, and Ms. Hofmann said there would be acquisition of right-of-way that would need to be done. Concern was expressed about whether straightening the curve wouldn't create more speed problems. Ms. Hofmann said staff hasn't determined how to mitigate the area with regards to the 'traffic calming' piece of this, but staff is continuing to review.

Council consensus was to move forward with Option #3 and 35 mph, with the option of looking at speed mitigation as staff goes through the design.

4. *Allocation of Funds to Outside Agencies*

City Manager Sherilyn Lombos reviewed with Council the outside agencies proposals, and the funding that was doubled in the last Budget Committee approval process from \$15,000 to \$30,000. Proposals were sent out to additional non-profit agencies. Discussion followed and it was mentioned having some sort of criteria to follow for funding of these agencies. After discussion, Council consensus was to fund \$15,000 to the same agencies as last fiscal year, and increase the funding to the Food Pantry by \$2,500, for a total of \$17,500 to be allocated now, and continue to pursue establishing some sort of criteria. Council also suggested in developing a strategy that a subcommittee of Councilors Truax, Maddux and Mayor Ogden be formed to further discuss.

C. CITIZEN COMMENTS

None.

D. CONSENT AGENDA

The Consent Agenda was reviewed by the Council.

E. PUBLIC HEARINGS – Legislative or Other

None.

F. PUBLIC HEARINGS – Quasi-Judicial

None.

G. GENERAL BUSINESS

None.

H. ITEMS REMOVED FROM CONSENT AGENDA

None.

I. COMMUNICATIONS FROM COUNCILORS

Councilor Boryska noted that the Washington County Coordinating Committee (WCCC) met and he will pass information to Council at the special work session on December 17, 2007.

Councilor Harris noted Clackamas County Coordinating Committee met and talked about Measure 47. Clackamas County had 1,200 Measure 37 claims they processed. He noted the next meeting will have legislators there on January 10, 2008 at 6:45 p.m.

J. EXECUTIVE SESSION

None.

K. ADJOURNMENT

The work session adjourned at 6:50 p.m.

Sherilyn Lombos, City Manager

Recording Secretary

Maureen Smith



City of Tualatin

18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092
Main 503.692.2000
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Approved By Tualatin City Council

Date

1-14-08

Recording Secretary

M. Smith

TUALATIN CITY COUNCIL MINUTES OF DECEMBER 10, 2007

PRESENT: Mayor Lou Ogden; Councilors Chris Barhyte, Monique Beikman, Bob Boryska, Jay Harris, Donna Maddux, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Doug Rux, Community Development Director; Mike McKillip, City Engineer; Paul Hennon, Community Services Director; and Maureen Smith, Recording Secretary

ABSENT: None.

Mayor Ogden called the meeting to order at 7:08 p.m.

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

A. CALL TO ORDER

Councilor Boryska led the pledge of allegiance.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. National League of Cities Youth, Education & Families Summit Report – *presented by Jill Zurschmeide, Tigard-Tualatin School District Board, Katie Ogden, Youth Council Representative, and Councilor Monique Beikman –*
POSTPONED TO A LATER DATE
1. **Donation to “Friends of the Library”** – *presented by Renee Willer, Verizon Community Services Director* Paul Hennon introduced Renee Willer, Grants Manager from Verizon, who was present to make a donation from the Verizon Foundation to the Friends of the Library for youth programs. Ms. Willer said Verizon Foundation provides grants and in 2006 provided a grant to the Friends of the Library, and in 2007, provided another grant to expand one of the Library’s programs to include Spanish computer literacy classes. The computer literacy program was popular at the library, and Ms. Willer said she is happy to present a grant to Friends of the Library for \$6000 to continue this very important program. Mayor Ogden thanked Ms. Willer and Verizon for their generosity and good works they are doing for the community.
2. **Tualatin Youth Advisory Council Update**
Several representatives from the Youth Advisory Council (YAC) presented a brief PowerPoint reviewing recent YAC activities. Also mentioned was the recent National League of Cities conference that youth attended. (See PowerPoint).
3. **Safety Award and Wellness Award to City of Tualatin** – *presented by City/County Insurance Services (CIS)*
City/County Insurance Services representative John Zakariassen was present to present an award to the City of Tualatin. Human Resources Director Nancy McDonald noted that the City has contracted for services with CIS for 20 years. Mr. Zakariassen said the League of Oregon Cities started a safety program

approximately 30 years ago, which encompasses three levels Tualatin was presented a gold certificate for calendar year 2006 for a city of its size. Tualatin and the City of Lebanon shared the award for the lowest of ten cities in the group. Tualatin also received a bronze award for its "wellness promotion". Mr. Zakariassen said CIS sponsors a wellness program, which is their way of getting a handle on the increasing health and medical costs. Mayor Ogden and Council congratulated Human Resources and staff for their efforts in these programs.

4. **Update on Reverse Frontage Program** – *presented by Mick Wilson, Operations* City Manager Sherilyn Lombos introduced Mick Wilson, and thanked Mr. Wilson for his time as Deputy Operations Director while Dan Boss was Interim Finance Director these last months. Mr. Wilson gave a brief PowerPoint update on the City's reverse frontage program and the various areas staff has undertaken over the last year, particularly along Boones Ferry Road. Mayor Ogden and Council thanked staff for their work on this program.

C. CITIZEN COMMENTS

None.

D. CONSENT CALENDAR

MOTION by Councilor Harris, SECONDED by Councilor Maddux to adopt the Consent Agenda as read:

1. Approval of Minutes for the Meeting of November 26, 2007
2. Resolution No. 4734-07 Authorizing an Intergovernmental Agreement to Collect and Remit Construction Excise Tax Between Tigard-Tualatin School District and City of Tualatin
3. Resolution No. 4735-07 Authorizing an Intergovernmental Agreement to Collect and Remit Construction Excise Tax Between Sherwood School District and City of Tualatin
4. Resolution No. 4736-07 Authorizing an Intergovernmental Agreement to Collect and Remit Construction Excise Tax Between West Linn-Wilsonville School District and City of Tualatin
5. Resolution No. 4737-07 Authorizing the Installation of a No Truck and Trailer Parking Zone on SW Myslony Street
6. Fiscal Year 2006-07 Water System Development Charge (SDC) Report
7. Resolution No. 4738-07 Approving an Urban Services Intergovernmental Agreement Between the City of Durham and the City of Tualatin
8. Fiscal Year 2006-07 Parks System Development Charge (SDC) Report

MOTION CARRIED.

E. PUBLIC HEARINGS – Legislative or Other

None.

F. PUBLIC HEARINGS – *Quasi-Judicial*

None.

G. GENERAL BUSINESS

None.

H. EXECUTIVE SESSION

None.

I. ITEMS REMOVED FROM CONSENT AGENDA

No items were requested to be removed from the Consent Agenda.

J. COMMUNICATIONS FROM COUNCILORS

Councilor Harris congratulated the Tualatin High School football team for taking second place at the State Championship.

K. ADJOURNMENT

The meeting adjourned at 7:45 p.m.

Sherilyn Lombos, City Manager

Recording Secretary *Maureen Smith*



Approved By Tualatin City Council
Date 1-14-08
Recording Secretary M. Smith

STAFF REPORT CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Doug Rux, Community Development Director *DR*

DATE: January 14, 2008

SUBJECT: RESOLUTION APPROVING THE TUALATIN TOMORROW
VISION IMPLEMENTATION COMMITTEE STRUCTURE AND
SELECTION OF CHAIRPERSON

ISSUE BEFORE THE COUNCIL:

City Council approval of the permanent vision implementation committee structure for the Tualatin Tomorrow Community Vision and Strategic Action Plan prepared by the Tualatin Tomorrow Ad Hoc Committee and selection of the Committee Chairperson.

RECOMMENDATION:

The Ad Hoc Implementation Committee recommends the City Council approve the Tualatin Tomorrow Implementation Committee proposal.

Staff recommends City Council adopt the attached resolution.

EXECUTIVE SUMMARY:

- On October 24, 2005, the Tualatin City Council reviewed and approved the proposal for the Tualatin Tomorrow community visioning project, including the scope of work, budget, project schedule and formation of a Tualatin Tomorrow Steering Committee. The project's scope called for delivery of a Vision and Strategic Action Plan, with the Steering Committee as caretakers and custodians of the community visioning process. Seventeen months later, after several rounds of community review and input, refinements and coordination with community partners - including the City - the TTSC presented the Community Vision and Strategic Action Plan to the City Council on June 25, 2007.
- Resolution No. 4694-07 was adopted by the City Council on June 25, 2007 establishing the Tualatin Tomorrow Ad Hoc Implementation Committee to operate for 6 months.

- During the period in which the Ad Hoc Implementation Committee was active, its chief responsibilities were to review the Strategic Action Plan, to monitor and periodically report to the Tualatin City Council on its progress regarding implementation of actions in the Strategic Action Plan, to coordinate with lead and supporting partners, to coordinate and collaborate with City staff, to consider and develop suggested processes to aid in its effectiveness, to identify and report on barriers to implementation, and to document lessons learned during the period of activity.
- Tualatin Tomorrow Ad Hoc Committee Co-Chairs Frank Bubenik and Candice Kelly presented a draft of the proposal to the City Council at their Work Session on December 10, 2007 for review and to answer City Council questions.
- The Ad Hoc Committee has discussed the potential structure of a permanent implementation committee for the past 5 months. Exhibit A to the attached resolution is the committee's proposal.

ALTERNATIVES TO RECOMMENDATION:

Alternatives to the staff recommendation are to:

- Request the Tualatin Tomorrow Ad Hoc Committee to pursue an alternative course of action, with Council-suggested modifications; or
- Request the Tualatin Tomorrow Ad Hoc Committee to return with additional information; or
- Take no further action on establishing a permanent implementation committee.

OUTCOMES OF DECISION:

If the Council wishes to move forward with the Tualatin Tomorrow Vision Implementation Committee structure as proposed the attached resolution formalizes that action and the Committee will begin meeting in January 2008.

If the Council wishes to move forward with the Tualatin Tomorrow Vision Implementation Committee structure, but with modifications, staff will coordinate with the Tualatin Tomorrow Ad Hoc Committee on the modifications and return at a later date with the modifications.

If the Council chooses to not move forward with the Tualatin Tomorrow Vision Implementation Committee structure, staff will inform the Tualatin Tomorrow Ad Hoc Committee of the Council's direction.

FINANCIAL IMPLICATIONS:

Funds and staff resources were allocated to the Tualatin Tomorrow project in Fiscal Year 2007/2008.

Attachments: A. Resolution with Exhibit

RESOLUTION APPROVING THE TUALATIN TOMORROW
VISION IMPLEMENTATION COMMITTEE STRUCTURE AND
SELECTION OF CHAIRPERSON

WHEREAS On October 24, 2005, the Tualatin City Council reviewed and approved the proposal for the Tualatin Tomorrow community visioning project; and

WHEREAS the Tualatin Tomorrow Steering Committee presented the Community Vision and Strategic Action Plan to the City Council on June 25, 2007 and the City Council accepted that document; and

WHEREAS Resolution No. 4694-07 was adopted by the City Council on June 25, 2007 establishing the Tualatin Tomorrow Ad Hoc Implementation Committee to operate for 6 months and the Ad Hoc Committee has prepared a structure for a permanent implementation committee.

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

Section 1. The City Council approves the proposal, Exhibit 1, as the structure for the Tualatin Tomorrow Implementation Committee.

Section 2. The City Council appoints Frank Bubenik as the Vision Implementation Committee Chair.

INTRODUCED AND ADOPTED this 14th day of January, 2008.

CITY OF TUALATIN, OREGON

By 
Mayor

ATTEST:

By 
City Recorder

APPROVED AS TO LEGAL FORM


CITY ATTORNEY



Tualatin Tomorrow Vision Implementation Committee

Introduction

A citizen-led Tualatin Tomorrow Vision Implementation Committee (VIC) will track and facilitate the progress of the Community Vision and Strategic Action Plan to ensure its successful implementation. The VIC membership will reflect the broad interests and population of the Tualatin community, and will include a representative of any partner that has two or more items in the Action Plan. All VIC meetings are open to the public and appropriate notice will be provided.

This document describes the VIC purpose, responsibilities, and membership.

Tualatin Tomorrow Vision Implementation Committee (VIC)

Purpose

Monitor the progress of the Community Vision and Strategic Action Plan, maintain strategies, encourage implementation of actions, and recommend minor modifications as appropriate.

Responsibilities

The VIC activities will include:

- Four committee meetings per year, at a minimum
- Annual progress report to the Tualatin City Council
- By December 31, 2008:
 - Develop a clear understanding of partner roles.
 - Review and evaluate actions coordinated by Focus Area Committees.
 - Prepare an Action Plan evaluation process and criteria.
 - Develop a Memorandum of Understanding for the partners which describes their commitment to the Action Plan and respective roles.
- Host an annual Town Hall meeting for public discussion of the Community Vision and Strategic Action Plan.
- Maintain two-way communication with partners to encourage and track action implementation.
- Recommend, if necessary, proposed changes to the Community Vision and Strategic Action Plan for consideration by the City Council.

Membership

The City Council will appoint the VIC Chair who represents the public-at-large. The VIC Chair will select a Co-chair to assist the Chair and VIC as well as to act as Chair in his/her absence. Initially, terms of appointment will be staggered to ensure continuity and balance, with the Chair serving a three-year term and the Co-chair serving a two-year term.

The Chair will appoint non-partner members of the VIC that reflect the broad interests and population of the Tualatin community. The VIC will include one representative for each partner or interest, as designated below. There will be four or five public-at-large positions, not counting the Chair, to maintain an uneven number of members for voting.

1. Chair (At-Large)
2. Co-chair
3. One representative for each partner that has two or more assigned actions
4. One representative from each Focus Area:
 - Arts, Culture, Education, Youth and Family activities (ACE)
 - Growth, Housing, and Town Center (GHT)
 - Parks, Recreation, and Natural Areas (PRN)
 - Health, Safety, and Social Services (HSS)
 - Traffic, Transportation, and Connectivity (TTC)
 - Governance, Leadership, and Community Engagement (GLC)
5. Tualatin City Council Liaison
6. Four or five at-large representatives (Faith, Social Service, Youth, Disabled, Minority, and Seniors)

The City Council may reappoint the Chair. Member terms will be three years, and one third of the terms will end each year, as decided by the VIC. All positions may extend for a second term, and the Chair may reappoint members.

Tualatin Tomorrow VIC Steering Committee (VICSC)

Purpose

Act as executive advisors to the VIC, help identify issues for full committee discussion, and make recommendations for action.

Responsibilities

The VICSC will:

- Meet monthly
- Plan and coordinate VIC meetings
- Coordinate the efforts of the focus area committees

Membership

The Steering Committee will include the following VIC members:

1. VIC Chair
2. VIC Co-Chair
3. Partner with the largest number of assigned actions
4. Partner with the second largest number of assigned actions
5. One representative from each of the six Focus Areas
6. Tualatin City Council Liaison

Tualatin Tomorrow Vision Focus Area Committees

Purpose

Each of the six Focus Areas will have a committee to coordinate the implementation of action items with partners.

Responsibilities

The Focus Area Committee (FAC) will:

- Meet as needed to coordinate the implementation of action items.
- Report action item progress to the Steering Committee.

Membership

The Focus Area Committee will include:

1. FAC Lead
2. FAC Lead Alternate
3. Partners with action items currently under consideration
4. One Youth representative selected by the Youth Activity Council (YAC)

Tualatin Tomorrow Vision Partner Assistance Committee

Purpose

Provide implementation assistance to partners as needed.

Responsibilities

Convene as needed to assist partners as they implement actions.

Membership

The Partner Assistance Committee (PAC) will include:

1. VIC Chair
2. VIC Co-chair
2. Partners seeking assistance with implementation of actions
3. One representative from each Focus Area

Tualatin Tomorrow Vision Specialty Committees

It is anticipated that the following specialty committees will form as needed:

- Crawfish Festival Committee to partner with the City and Tualatin Chamber of Commerce to publicize and promote awareness of the continued efforts of Tualatin Tomorrow and recruit volunteers.
- Town Hall Committee to support the annual Town Hall meeting, and recruit volunteers to help plan and run the event.
- Publicity/Outreach Committee to guide publicity, outreach, marketing, and volunteer recruitment.

- Others as needed

Tualatin City Staff Support

The City of Tualatin will provide staff support that will include:

- Coordinate communications with committee members
- Develop and distribute committee agendas, in consultation with the Chair/Co-Chair
- Coordinate with City Council
- Provide meeting logistics, including the Town Hall
- Prepare meeting summaries
- In coordination with the Publicity/Outreach committee, assist VIC with media outreach
- Print and distribute reports and other Tualatin Tomorrow documents

Community Vision and Strategic Action Plan Updates

The Tualatin Tomorrow Community Vision and Strategic Action Plan is based upon extensive community input. Any substantive modifications may potentially impact the integrity of the entire Plan. Therefore, three update processes have been established to allow for different types of revisions while maintaining the community connection and foundation. The VIC may recommend revisions to the Tualatin City Council. Proposed revisions may originate with Tualatin citizens, businesses, organizations, or partners. Modifications will become effective upon acceptance by the City Council.

1. Minor Revisions

Annually, the VIC may recommend non-substantive Action Plan updates to the City Council.

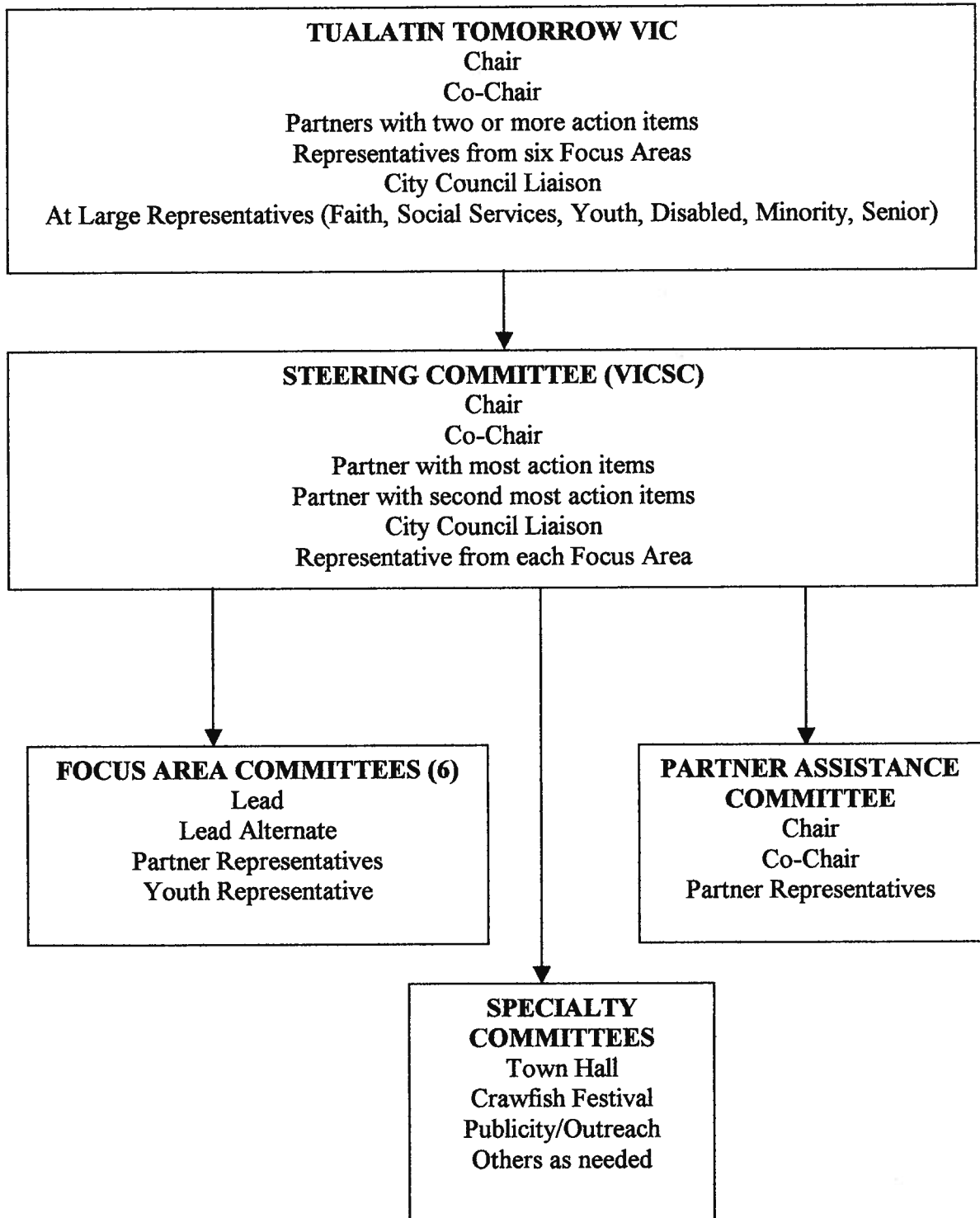
2. New/Revised Actions

Annually, the VIC may recommend new or substantially revised actions to the City Council.

3. New/Revised Strategies

Every five years, the VIC may recommend new or revised strategies to the City Council.

Tualatin Tomorrow Vision Implementation Committee (VIC) Organizational Chart







Approved By Tualatin City Council
Date 1-14-08
Recording Secretary M. Smith

STAFF REPORT CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager 

FROM: Doug Rux, Community Development Director 

DATE: January 14, 2008

SUBJECT: RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE CITY OF TUALATIN ("TUALATIN") AND METRO FOR A SOUTHWEST TUALATIN CONCEPT PLAN IMPLEMENTATION GRANT

ISSUE BEFORE THE COUNCIL:

Whether the City Council should adopt a resolution authorizing an Intergovernmental Agreement (IGA) with Metro for a Construction Excise Tax Grant for the SW Concept Plan Implementation.

RECOMMENDATION:

Staff recommends that the City Council adopt the attached resolution.

EXECUTIVE SUMMARY:

- This is a request of the City Council to enter into an Intergovernmental Agreement (IGA) between the City of Tualatin ("Tualatin") and Metro for a Construction Excise Tax (CET) Grant for the SW Concept Plan Implementation. (Exhibit 1 to Resolution).
- In 2006 Metro established the Construction Excise Tax program that imposes an excise tax throughout the Metro regional jurisdiction to fund local comprehensive planning associated with lands brought into the urban growth boundary (UGB) between 2002 and 2005.
- Tualatin prepared two concept plans in accordance with Title 11 of the Metro Functional Plan for lands brought into the UGB in 2002 and 2004. These were the NW Concept and SW Concept Plans.
- Tualatin prepared a CET grant request in October 2006 to complete work on the SW Concept. Metro earmarked grant funds to complete work activities on the SW Concept Plan in the amount of \$30,907.00.
- The IGA is the next step in the process for the City to receive the grant funds.

- The scope of work as part of the IGA is structured to be broad at this time until a consultant is brought on board to assist in conducting the necessary work tasks. After a consultant is selected by Tualatin the scope of work will be modified and replace the existing scope of work. The attached resolution authorizes the City Manager or their designee to make the necessary modifications to the scope of work without bringing the modifications back before the City Council for review and approval.

OUTCOMES OF DECISION:

Approval of the request to enter into the Intergovernmental Agreement will result in the following:

1. City of Tualatin receiving \$30,907.00 to complete the SW Concept Plan.

Denial of the request to enter into the Intergovernmental Agreement will result in the following:

1. City of Tualatin will not receive \$30,907.00 to complete the SW Concept Plan.

FINANCIAL IMPLICATIONS:

Revenue has been budgeted for the grant in the Fiscal Year 07-08 budget.

Attachments: A. Resolution with Exhibit

RESOLUTION NO. 4740-08

RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE CITY OF TUALATIN ("TUALATIN") AND METRO FOR A SOUTHWEST TUALATIN CONCEPT PLAN IMPLEMENTATION GRANT

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

Section 1. The City of Tualatin hereby authorizes the Mayor to sign the Construction Excise Tax Grant Intergovernmental Agreement (Exhibit 1).

Section 2. The City Council authorizes the City Manager or their designee to modify Exhibit A to the IGA without City Council review and approval.

INTRODUCED AND ADOPTED THIS 14th day of January 2008.

THE CITY OF TUALATIN, Oregon

BY  _____
Mayor

ATTEST:

BY  _____
City Recorder

APPROVED AS TO LEGAL FORM



CITY ATTORNEY

**CONSTRUCTION EXCISE TAX GRANT
INTERGOVERNMENTAL AGREEMENT
Metro – City of Tualatin
Southwest Tualatin Concept Plan Implementation Grant**

This Construction Excise Tax Grant Intergovernmental Agreement (“CET Grant IGA”) is effective on the last date of signature below, and is by and between Metro, a metropolitan service district organized under the laws of the state of Oregon and the Metro Charter, located at 600 Northeast Grand Avenue, Portland, OR, 97232-2736 (“Metro”), and City of Tualatin (“the City”), located at 18880 SW Martinazzi Ave., Tualatin, OR 97062-7092, collectively referred to as “Parties.”

WHEREAS, Metro has established a Construction Excise Tax (“CET”) which imposes an excise tax throughout the Metro regional jurisdiction to fund local comprehensive planning needs associated with property that was included into urban growth boundary (“UGB”) between 2002 and 2005;

WHEREAS, the CET is collected by local jurisdictions when issuing building permits, which the local jurisdictions then remit to Metro pursuant to Construction Excise Tax Intergovernmental Agreements to Collect and Remit Tax (“CET Collection IGAs”) entered into separately between Metro and the local collecting jurisdictions;

WHEREAS, in creating the purpose and amount of the CET, Metro worked with local jurisdictions, and received their estimates as to the total dollar amounts needed to fund their local comprehensive planning needs associated with new inclusions into the UGB between 2002 and 2005;

WHEREAS, the CET will expire when the total amount of CET collected by all jurisdictions and remitted to Metro is \$6.3 million dollars, which is estimated to take approximately three years from the date of its passage in July 2006; and

WHEREAS, Metro will distribute 100% of the CET expected to be remitted to Metro as grants or reimbursements to local jurisdictions, based on CET Grant Requests submitted by local jurisdictions that set forth their expected completion of certain milestones associated with Title 11 of Metro Code Chapter 3.07, the Urban Growth Management Functional Plan; and

WHEREAS, as part of the CET process Metro has met with all of the applicable local jurisdictions regarding their local comprehensive planning funding needs associated with new inclusions into the urban growth boundary between 2002 and 2005, and the total final grant requests submitted by the local jurisdictions significantly exceed the total estimates upon which the CET was based, and therefore the total CET dollars will be apportioned among the requesting jurisdictions; and

WHEREAS, Metro Code Chapter 7.04 and the CET Administrative Rules provide that the CET revenues will be distributed to provide funding towards local jurisdictions’ eligible expenses required for compliance with Title 11 of Metro Code Chapter 3.07, the Urban Growth Management Functional Plan; and

WHEREAS, the City and Metro have previously executed a separate CET Reimbursement Grant IGA for the City’s Northwest and Southwest Concept Plans which sets forth the reimbursement amounts, timing, and procedures for receiving reimbursement funds from the CET fund for those Projects; and

WHEREAS, the City has herein submitted a CET Grant Request to Metro for the Tualatin Southwest Concept Implementation Plan (“Project”), and the parties wish to set forth the funding amounts, timing, and procedures for receiving grant funding from the CET fund for some of the City’s planning expenditures for that Project.

NOW THEREFORE, the Parties hereto agree as follows:

1. Metro Grant. Metro shall provide grant funding to the City for certain approved eligible expenses associated with Title 11 compliance (Metro Code Chapter 3.07, the Urban Growth Management Functional Plan) for this Project that are associated with the City's completion of those planning milestones, in the amounts and at the times, as set forth in Exhibit A attached hereto and incorporated herein. Payments shall be in accordance with the "payment procedures" set forth below.

2. City Responsibilities. The City agrees that it shall take all actions in a timely and diligent manner that are required or necessary to complete and fulfill the milestones set forth in Exhibit A. The City also covenants and agrees that it shall use the CET funds it receives under this Agreement only for the work approved to reach the milestones set forth in Exhibit A.

a. RFP Process. The parties acknowledge that before the City can propose and agree to specific milestones and deliverables dates, the City must first engage in a Request for Proposal ("RFP") process for this Project. Metro agrees that it will earmark the amount set forth in Exhibit A for the Project, and that the City and Metro will amend Exhibit A to set forth specific milestones and deliverable dates after the City has completed its RFP process and selected a contractor for the Project and agreed to a scope of work and time line. Within thirty (30) days after completing its RFP process for the Project, or as soon thereafter as possible, the City shall propose to Metro a deliverables timeline for the Project, and Metro and the City shall negotiate an amendment to Exhibit A to reflect the new agreed-upon deliverables timeline and payment schedule.

3. Eligible Expenses. As set forth in Metro Code Chapter 7.04 Administrative Rules, the following expense categories associated with Title 11 compliance shall be considered Eligible Expenses for CET Grant consideration, up to a ceiling of the reimbursable amounts set forth in Exhibit A attached hereto: (a) materials directly related to project; (b) consultants' work on project; (c) the City staff support directly related to project; and (d) overhead directly attributable to project.

4. Payment Procedures. Within 30 days after the completion of each milestone as set forth in Exhibit A, the City shall submit to Metro a statement describing in detail the eligible and reimbursable work services performed pursuant to this Agreement. The City will furnish Metro with any other statements or reports of expenditures as may be needed to satisfy fiscal requirements. Metro shall reimburse the City for the eligible and approved reimbursable work after each milestone is reached, no later than 60 days after the date Metro receives the City's invoice. Metro shall send CET payments to:

The City of Tualatin
Attention: Doug Rux
18880 SW Martinazzi Ave.
Tualatin, OR 97062-7092

5. Project Records. The City shall maintain all records and documentation relating to the work and tasks involved in the project as set forth in Exhibit A. The City shall provide Metro with such information and documentation as Metro requires for implementation of the CET grant process. The City shall establish and maintain books, records, documents, and other evidence and accounting procedures and practices, sufficient to reflect properly all direct and indirect costs of whatever nature claimed to have been incurred and anticipated to be incurred for the performance of this Agreement.

6. Audits, Inspections and Retention of Records. Metro and its representatives shall have full access to and the right to examine, during normal business hours and as often as they deem necessary, all City records

with respect to all matters covered by this Agreement and Exhibit A. Such representatives shall be permitted to audit, examine, and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls and other matters covered by this Agreement. All documents, papers, time sheets, accounting records, and other materials pertaining to costs incurred in connection with the project shall be retained by the City and all of their contractors for three years from the date of completion of the project, or expiration of the Agreement, whichever is later, to facilitate any audits or inspection.

7. Funding From CET Funds. Metro's funding commitment set forth in this Agreement shall be fulfilled solely through the programming of CET funds. The parties recognize and agree that if the CET is ever held to be unenforceable or is terminated through no act or omission of Metro, that Metro shall not be liable in any way for funding the amounts described in Exhibit A.

8. Term. This Agreement shall be effective on the date it is executed by both parties and shall terminate when the Total Reimbursable Amount set forth in Exhibit A, representing Metro's multi-year commitment of CET funds provided herein, is fulfilled and expended, and all required documentation has been delivered, or as otherwise provided in accordance with and for the purposes set forth herein.

9. Amendment. This CET Grant IGA may be amended only by mutual written agreement of the Parties.

10. Other Agreements. This CET Grant IGA does not affect or alter any other agreements between Metro and the City.

Metro

The City of Tualatin

By: Michael Jordan

By: _____

Title: Metro Chief Operating Officer

Title: Mayor

Date: 1/22/08

Date: 1-14-08

Attachments:

Exhibit A – CET Grant IGA Milestones, Due Dates, and Reimbursement Rates

APPROVED AS TO LEGAL FORM
Brenda L. Brader
CITY ATTORNEY

Exhibit A*
CET Grant IGA
Between Metro and the City of Tualatin for
Tualatin Southwest Concept Plan Implementation Project

Milestones, Due Dates, and Reimbursement Rates*

Total Reimbursable Amount from CET funds for Title 11 Compliance:** **\$30,907.00**

<u>Milestone #:</u>	<u>Deliverable*</u>	<u>Date Due*</u>	<u>Grant Payment</u>
1.	Execution of CET Grant IGA	x date	\$1000.00
2.	The City's final accepted Concept Plan or Urban Growth Diagram, showing at least those elements set forth in Title 11	x date + __ days	\$ _____
3.	The City's recommended Comprehensive Plan or Comp. Plan amendment, addressing Title 11, the applicable conditions of addition in Metro ordinance for the new urban area, and applicable state laws and regulations	x date + __ days	\$ _____
4.	The City's adoption of Comprehensive Plan or Comp. Plan amendment, addressing Title 11, the applicable conditions of addition in Metro ordinance for the new urban area, and applicable state laws and regulations	x date + __ days	\$ _____

TOTAL REIMBURSABLE AMOUNT** **\$30,907.00**

* The parties will amend this Exhibit A and update the Deliverables and due dates set forth herein, and set forth specific grant payment dates, after the City selects a contractor pursuant to the City's RFP process for the Project.

** The Total Reimbursable Amount is the amount Metro has earmarked for this Project from CET funds, and is the maximum amount that will be reimbursed for Eligible Expenses required for Title 11 compliance as set forth in Metro Code Chapter 7.04 and Administrative Rules, subject to the terms and conditions of the attached CET Grant IGA.



Approved By Tualatin City Council

Date 1-14-08

Recording Secretary *M. Smith*

STAFF REPORT CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *sl*

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

DATE: January 14, 2008

SUBJECT: RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS
FOR FRANKLIN BUSINESS PARK, BUILDING E

ISSUE BEFORE THE COUNCIL:

Acceptance of public improvements constructed in association with Franklin Business Park, Building E, located at 11401-11409 SW Amu Street.

RECOMMENDATION:

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

EXECUTIVE SUMMARY:

All public improvements were constructed as part of Franklin Business Park, Building E.

The improvements were done as required by the Public Facilities Decision issued on June 26, 2006, and have been satisfactorily completed.

FINANCIAL IMPLICATIONS:

There are minor impacts on utility funds as a result of this work. Costs to be paid by ratepayers.

RESOLUTION NO. 4742-08

RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS
CONSTRUCTED FOR FRANKLIN BUSINESS PARK,
BUILDING E

WHEREAS the City of Tualatin, hereinafter referred to as CITY, issued MBD Development, hereinafter referred to as DEVELOPER, Public Works Construction Permit No. 07-09 to install a connection to public storm line and fire and domestic water service including water meter in association with Franklin Business Park, Building E, said improvements being required by Section IX of CITY Subdivision Ordinance No. 176-70 and the Public Facilities Decision issued on May 1, 2007; and

WHEREAS DEVELOPER has constructed said required public improvements to standards required by CITY, and now desires to have CITY accept said improvements; and

WHEREAS CITY staff has inspected and recommends approval and acceptance of all public improvements; and

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

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

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

INTRODUCED AND ADOPTED this 14th day of January, 2008.

CITY OF TUALATIN, OREGON

By _____
Mayor

ATTEST

By *[Signature]*
City Recorder

Approved as to Form:

[Signature]
City Attorney

Resolution No. 4742-08



Approved By Tualatin City Council
Date 1-14-08
Recording Secretary M. [Signature]

STAFF REPORT CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

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

FROM: Michael A. McKillip, City Engineer *[Signature]*
Mike Darby, Engineering Technician II *[Signature]*

DATE: January 14, 2008

SUBJECT: RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS
FOR NYBERG WOODS

ISSUE BEFORE THE COUNCIL:

Acceptance of public improvements constructed in association with Nyberg Woods, located on the north side of SW Nyberg Street, east of I-5.

RECOMMENDATION:

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

EXECUTIVE SUMMARY:

All public improvements were constructed as part of Public Works Construction Permit #06-21.

The improvements were done as required by the Notice of Decision issued on April 14, 2006, and have been satisfactorily completed.

FINANCIAL IMPLICATIONS:

There are minor impacts on utility funds as a result of this work. Costs to be paid by ratepayers.

RESOLUTION NO. 4743-08

RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS
CONSTRUCTED FOR NYBERG WOODS

WHEREAS the City of Tualatin, hereinafter referred to as CITY, issued CenterCal Properties, hereinafter referred to as DEVELOPER, Public Works Construction Permit No. 06-21 to install water, sanitary, and storm improvements in association with Nyberg Woods, said improvements being required by Architectural Review 06-03 and the Notice of Decision issued on April 14, 2006; and

WHEREAS DEVELOPER has constructed said required public improvements to standards required by CITY, and now desires to have CITY accept said improvements; and

WHEREAS CITY staff has inspected and recommends approval and acceptance of all public improvements; and

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

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

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

INTRODUCED AND ADOPTED this 14th day of January, 2008.

CITY OF TUALATIN, OREGON

By _____
Mayor

ATTEST

By *[Signature]*
City Recorder

Approved as to Form:

[Signature]
City Attorney



Approved By Tualatin City Council
Date 1-14-08
Recording Secretary M. Smith

STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

FROM: Sherilyn Lombos, City Manager *SL*

DATE: January 14, 2008

SUBJECT: RESOLUTION ESTABLISHING REGULAR MEETINGS OF THE CITY COUNCIL AND ADVISORY COMMITTEES OF THE CITY AND REPEALING RESOLUTION NO. 4624-07

ISSUE BEFORE THE COUNCIL:

The issue before is to adopt a resolution establishing regular meeting dates for the City Council and the various City advisory committees.

RECOMMENDATION:

Staff recommends that the Commission adopt the attached resolution establishing regular meetings of the City Council and the various City advisory committees. Committee.

FINANCIAL IMPLICATIONS:

None.

Attachments: A. Resolution

RESOLUTION NO. 4744-08

RESOLUTION ESTABLISHING REGULAR MEETINGS OF THE
CITY COUNCIL AND ADVISORY COMMITTEES OF THE CITY
AND REPEALING RESOLUTION NO. 4624-07

WHEREAS, it is a requirement that notice of regular meetings be given by resolution.

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

Section 1. During the calendar year 2008, the regular meeting of the City Council shall be held at 7:00 p.m. on the second and fourth Monday of each and every month. A work session of the City Council shall be held from 5:00 p.m. to 7:00 p.m. on the second and fourth Monday of each and every month.

(1) The regular meeting of the Tualatin Planning Advisory Committee (*TPAC*) shall be held at 7:00 p.m. on the second Thursday of each and every month.

(2) The meeting of the Architectural Review Board (*ARB*) shall be held, as needed, at 7:00 p.m. on the Wednesday not less than seven days nor more than 21 days after receiving a request for an ARB meeting.

(3) The regular meeting of the Tualatin Park Advisory Committee (*TPARK*) shall be held at 6:00 p.m. on the second Tuesday of each and every month.

(4) The regular meeting of the Core Area Parking District Board (*CAPDB*) shall be held as needed at 12:00 p.m. on the Wednesday following the third Monday of a month.

(5) The regular meeting of the Library Advisory Committee shall be held at 6:30 p.m. on the first Tuesday of each and every month.

(6) The regular meeting of the Tualatin Arts Advisory Committee shall be held at 6:30 p.m. on the third Tuesday of each and every month.

Section 2. Resolution No. 4624-07 is hereby repealed.

Section 3. The City Recorder be, and hereby is, instructed to post copies of this Resolution in accordance with the provisions of Section 2 of Ordinance No. 228-73.

INTRODUCED AND ADOPTED this 14th day of January, 2008.

CITY OF TUALATIN, Oregon

BY  _____
Mayor

ATTEST:

BY  _____
City Recorder

APPROVED AS TO LEGAL FORM


CITY ATTORNEY



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Doug Rux, Community Development Director *DR*
William Harper, AICP, Associate Planner *WH*

DATE: January 14, 2008

SUBJECT: PTA-07-05—AMEND THE INDUSTRIAL BUSINESS PARK OVERLAY PLANNING DISTRICT (IBPOD) TO ALLOW A CHILD DAY CARE CENTER USE IN IPBOD DEVELOPMENT GREATER THAN 10 ACRES IN SIZE; AMENDING TDC 69.020 & 69.065

ISSUE BEFORE THE CITY COUNCIL:

A request for a Plan Text Amendment (PTA) to the Tualatin Development Code (TDC) Chapter 69-Industrial Business Park Overlay Planning District (IBPOD), which would allow child day care center use as a permitted use when the IBPOD is applied to a property in the ML (Light Manufacturing) and selected MG (General Manufacturing) Planning District areas when the site is 10 acres or greater.

RECOMMENDATION:

The Tualatin Planning Advisory Committee (TPAC) voted 5-0 on December 13, 2007, recommending that the City Council approve PTA-07-05.

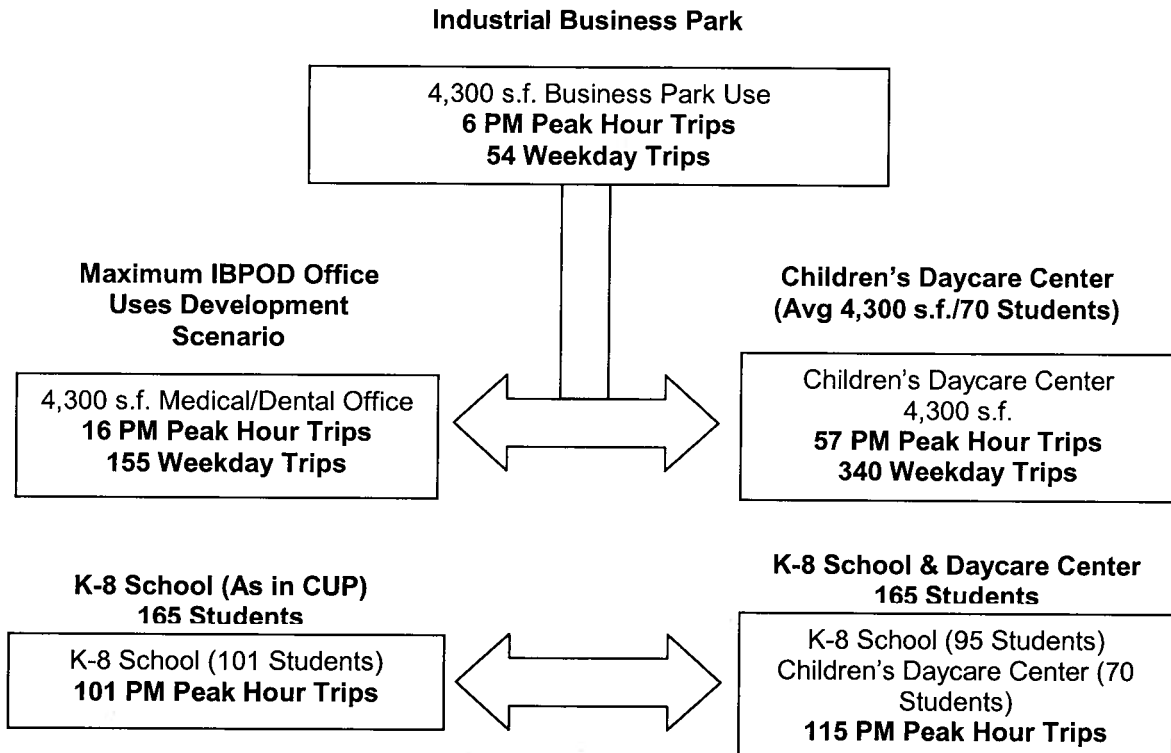
Staff recommends the City Council consider the staff report and supporting attachments and direct staff to prepare an ordinance granting PTA-07-05 based on the draft ordinance in Attachment C.

EXECUTIVE SUMMARY:

- This matter, which is a proposed amendment to the TDC and a decision by the City Council, is a legislative action.
- This matter is a Plan Text Amendment to the Tualatin Development Code.
- The applicant is Mike Berry of Berry Properties.
- Because the applicant has property that will be affected by an action on the amendment, traffic information for the nearby SW 65th Avenue/Lower Boones Ferry Road intersection is provided.

- The IBPOD was created in 1987 per Ordinance 716-87. The purpose was "...to recognize and accommodate the changing Industrial Commercial marketplace by allowing mixed uses...to recognize that it is not necessarily appropriate to assume that all industrial, office, service and retail uses are incompatible and, therefore, must be separated based on planning districts...to allow selected retail and service uses that are supportive of and secondary to the industrial and office uses." The IBPOD is allowed on developments greater than 10 acres in any ML Planning District and in three specifically noted MG Planning District areas (north of the Joe's/Safeway Marketplace, west of the intersection of Upper and Lower Boones Ferry Road and north of SW Tualatin-Sherwood Road at SW 112th Avenue).
- In addition to the uses allowed in the base ML and MG Planning Districts, the IBPOD allows various office uses as a permitted use and allows service and certain retail uses as permitted uses in IBPOD developments greater than 20 acres. A child day care center is listed as a service use and permitted in developments greater than 20 acres.
- Currently, there are two established IBPOD developments. Berry Properties (the applicant) is the owner and developer of the 17-acre Meridian Business Park IBPOD located in the ML (Light Manufacturing) and MG (General Manufacturing) Planning Districts on SW 65th Avenue, SW Rosewood Avenue and SW 63rd Avenue. The second existing IBPOD is the 35-acre Franklin Business Park located in the MG Planning District on SW 112th Avenue, SW Amu Street and SW Tualatin-Sherwood Road. A map showing the locations of existing IBPOD is included as Attachment A. The Applicant's materials are included as Attachment B.
- The applicant is the developer of the Meridian Business Park IBPOD and is in the process of constructing Buildings E and F. The applicant has a tenant (The Children's Hour Academy) moving into Building E that seeks to establish a children's daycare business in conjunction with a K-6 school approved as a conditional use in CUP-07-02. The Children's Hour intends to have about 40% of the school's student capacity as daycare age students. The traffic information for the CUP and ultimately the approval of the CUP was based on a maximum 165 students. At capacity, 65 or 66 students of the 165 students allowed by the CUP for the Children's Hour Academy would be daycare age.
- Currently, a child day care center use is allowed in the ML and MG Districts as a permitted use provided it is in a building with manufacturing, processing or warehousing [TDC 60.020(25)] and is a permitted use in the IPBOD when the development is greater than 20 acres and the service use is limited to 10% of the developments gross floor area [TDC 69.020(2)(b)]. Because the applicant's tenant is not eligible for a daycare use under current ML & MG requirements and is in an IBPOD less than 20 acres, the applicant proposes the amendment to the IBPOD standards to allow a child day care center in IBPOD developments greater than 10 acres.
- The submitted traffic analysis (Attachment B, Lancaster Engineering 11-30-07 Letter), based on a worst case development scenario, states that allowing a child day care center in a IBPOD with 10 acres or more will not reduce or worsen the performance of any existing or planned transportation facility.

- At the request of staff, the applicant provided additional traffic information describing the differential in vehicle trips associated with the day care center use in a 10-acre or greater IBPOD development in comparison to existing allowed uses (Attachment B, Lancaster Engineering 12-10-07 letter). Because the Children’s Hour Academy proposes approximately 40% of the business will be daycare students, the vehicle trips for a daycare use similar in size to the Children’s Hour Academy School/Daycare business are considered part of, not in addition to, the vehicle trips assigned to the school use in the CUP process.



The trip generation comparison shows an average day care use (of a similar size floor area to the applicant’s prospective tenant) will have more evening peak hour trips and more average weekday trips than a manufacturing use or an IBPOD office use (medical/dental office) and slightly more PM Peak trips than a school use. The City of Tualatin Engineering Division agrees with the Lancaster Engineering Transportation Planning Rule (TPR) analysis and “Near Term Operational Analysis” addressing Plan Amendment Criterion #8 (Attachment F).

- The proposed staff version of the PTA language is provided in Attachment C. The Applicant has prepared a narrative that addresses the Plan Amendment approval criteria (Attachment B), and staff has reviewed the Applicant’s material and included pertinent excerpts in the Analysis and Findings section of this report (Attachment E).

- The applicable policies and regulations that apply to the proposal include: TDC 1.032-Amendments; TDC 7.030 & 7.040-Objectives and Manufacturing Planning District Objectives; TDC 8.070-Day Care Facilities; TDC Chapter 60-Light Manufacturing Planning District; TDC Chapter 61-General Manufacturing Planning District; and TDC Chapter 69-Industrial Business Park Overlay Planning District. The Analysis and Findings section of this report (Attachment E) considers the applicable policies and regulations.
- Before granting the proposed PTA, the City Council must find that the criteria listed in TDC 1.032 are met. The Analysis and Findings section of this report (Attachment E) examines the application with respect to the criteria for a Plan Amendment.

OUTCOMES OF DECISION:

Approval of the PTA request will result in the following:

1. Allows child day care centers as a permitted use in IBPOD developments when the site is 10 acres or greater.
2. Allows the applicant's tenant to conduct a child day care use in the applicant's Meridian Business Park IBPOD development.
3. This action will not reduce the function, capacity or safety of the SW 65th Avenue and SW Lower Boones Ferry Road intersections or other transportation facilities in the vicinity of the Meridian Business Park IBPOD development.

Denial of the PTA request will result in the following:

1. The current provisions allowing a child day care center as a service use in an IBPOD development greater than 20 acres will remain unchanged.
2. The applicant or the applicant's tenants will not be allowed to operate a daycare center activity in the 17-acre Meridian Business Park development under the current IBPOD provisions.

ALTERNATIVES TO RECOMMENDATION:

The alternatives to the staff recommendation for Council are:

- Approve the proposed PTA with alterations.
- Deny the request for the proposed PTA.
- Continue the discussion of the proposed PTA and return to the matter at a later date.

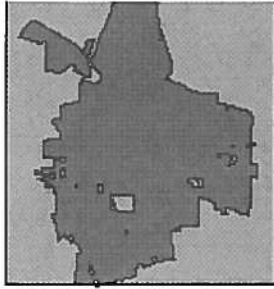
FINANCIAL IMPLICATIONS:

The Applicant paid the required application fee, which is contained in the FY 07/08 budget for revenue.

PUBLIC INVOLVEMENT:

The Applicant conducted a Neighbor/Developer meeting on September 19, 2007, at 6:00 p.m. at the Berry Properties' office on SW Rosewood Street, to explain their development and PTA proposal to neighboring property owners and to receive comments. No members of the public (nearby property owners/developers) attended the meeting.

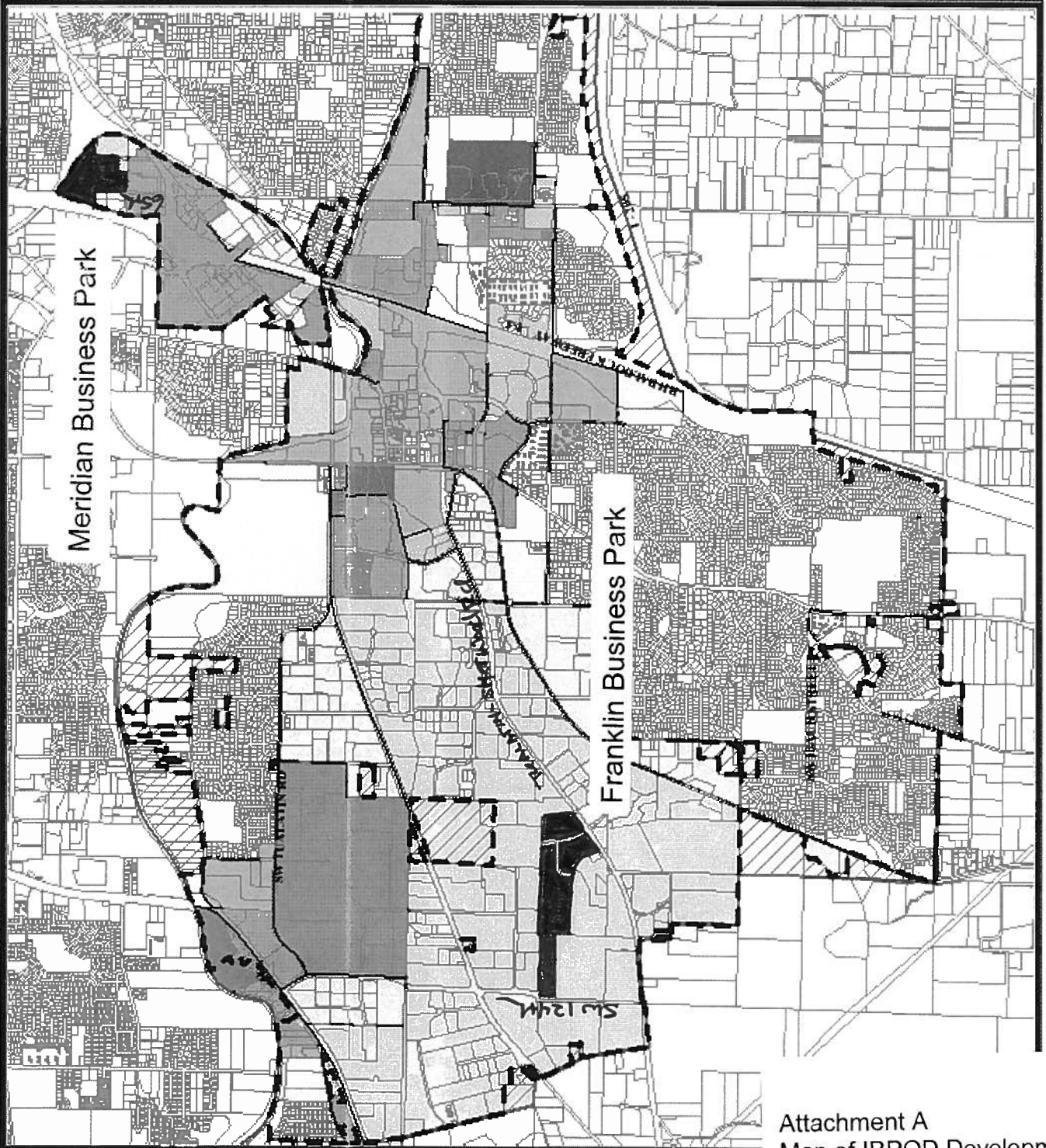
- Attachments:**
- A. Map of IBPOD Developments
 - B. Applicant's Materials and Supporting Information
 - C. Staff version of proposed Text Amendment Language-TDC 69.020 & 69.065
 - D. Background Information
 - E. Analysis and Findings
 - F. Engineering Division Memorandum



**PTA-07-05 IBPOD
Developments**

Legend

Scale 1:37,125
1 in = 3,094 ft



Attachment A
Map of IBPOD Developments



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PORTLAND, OREGON 97239
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E-MAIL: info@cidainc.com
www.cidainc.com

October 31, 2007

City of Tualatin, Planning Department
Attn: Will Harper
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062

RE: Tualatin Community Plan Text Amendment
IBPOD-Daycare in site under 20 acres
CIDA Project Number: 060018.05

Dear Will:

The following addresses the burden of proof criteria set forth by the Tualatin Development Code, Section 1.032 for approval of a Text Amendment:

We are requesting the following change:

69.020 (1) The following additional uses area permitted when the Industrial Business Park Overlay District is applied to a property in the Light Manufacturing (ML) District or to a property in one of the selected General Manufacturing (MG) District areas and the site is 10 acres or greater:

add: (g) *Child day care center, provided that all exterior walls and outdoor play areas shall be a minimum distance of 400 feet from the exterior walls and pump islands of any automobile service station, irrespective of any structures in between.*

69.020 (2) The following additional uses area permitted when the Industrial Business Park Overlay District is applied to a property in the Light Manufacturing (ML) District or to a property in one of the selected General Manufacturing (MG) District areas and the site is 20 acres or greater:

remove: (b) *Service Use:*
(i) *Child day care center, provided that all exterior walls and outdoor play areas shall be a minimum distance of 400 feet from the exterior walls and pump islands of any automobile service station, irrespective of any structures in between.*

A. Is granting the amendment in the public interest?

Child day care centers provide a support service to employment areas, including industrial and commercial districts. By locating the day care centers in these employment areas, parents are able to be closer to their children during their workday. Employees who commute to the industrial business park district can minimize their use of the public transportation infrastructure by utilizing services provided close to their place of employment. It is also better for childhood education to minimize child travel time and to maximize proximity to parents. Permitting a daycare in a smaller IBPO district allows the beneficial juxtaposition of the daycare and employment for a greater number of parents.

Attachment B
Applicant's Materials &
Supporting Information

Daycare centers are already directly allowed as a permitted use in the underlying ML zone, *'provided they are in a building with manufacturing, processing, assembling, warehousing or wholesaling uses...'*. Allowing a daycare that is in a separate building would only serve to provide a safer proximity within the industrial zones.

B. Is the public interest protected by granting the plan text amendment at this time?

The public interest is protected and improved by this proposal. Although child day care centers are currently allowed in IBPO districts 20 acres or greater, these usage areas are unique in that they include varied employment uses, from industrial, to office, to commercial in close proximity.

The mixed employment usage creates a day care demand of similar nature to day care centers located in larger sites. The benefits to the public interest are protected as most of the usage areas adjacent to the IBPO districts are developed and operating at this time. Providing a day care facility on a smaller IBPO site provides the same public benefits as on larger sites as defined in the code.

There are no known or anticipated harmful impacts to the public interest due to reducing the required size of the Overlay district. The public interest is definitely enhanced by allowing this use in terms of safe access, educational diversification options, proximity of current employment use, and the current lack of local day care education facilities serving existing commercial/industrial uses.

Further, the conditions already outlined in 69.020 will still be in effect, namely allowing the daycare use only if it is a minimum of 400 feet of any automobile service station. Approval of this proposal also serves to support the purpose of 69.010 due to the existing employment uses, by accommodating the changing industrial commercial marketplace by offering employees with children, an opportunity for safe, diversified childhood day care near the working environment. Allowing this service use at a smaller site would also enhance the compatibility of industrial commercial office uses by providing services not currently present or allowed.

C. Is the proposed plan text amendment in conformity with the applicable objectives of the Tualatin Community Plan?

Section 8.070 states: 'Because day care is needed both by residents and employees who commute into the City, day care facilities should be located in areas convenient for commuters, residential, and some industrial areas.'... 'Day care facilities should not be located close to automobile service stations, or where they will be surrounded by industrial uses. However, industrial perimeter areas where they can easily serve both residential and employees of nearby firms are suitable.'

Section 8.070 (1) states: 'Accordingly, day care centers should be allowed as permitted uses in commercial and light industrial areas.'

The Community plan indicates that day care facilities are suitable for 'industrial perimeter areas'. Allowing day care facilities to be located in a smaller Industrial Business Park Overlay only reduces the likelihood that they would in fact be 'surrounded by industrial uses.' The existing usages in the IBPOD areas are currently quite diverse and do not present the 'standard' homogeneous industrial usage condition.

The IBPOD can only be applied to Light Manufacturing and select General Manufacturing areas. Because of the nature of the Business Park Overlay, the designation generally results in a light industrial area. The Community plan indicates that day care centers should be allowed as permitted uses in such areas.

The purpose of Section 60.010 stresses that the ML district to provide industrial uses that are compatible with adjacent commercial and residential uses. Allowance of day care centers would provide services that enhance this compatibility between the light industrial and commercial uses by providing educational day care for employees of both types of facilities *fairly adjacent* them.

D. Explain how each of the factors listed below was consciously considered. If a particular factor is not applicable, state the reason why it is not applicable.

(1). The various characteristics of the area.

This factor would generally apply to a map amendment rather than a text amendment. The proposed text amendment would apply to a variety of sites that are eligible for or have implemented the Industrial Business Park Overlay District designation; therefore there is not a single area or set of characteristics to address.

(2). The suitability of the area for the particular land use and improvements.

Again, this factor would generally apply to a map amendment. The proposed text amendment would apply to a variety of sites and not a single area. In general, the IBPOD eligible areas have presumably been selected based on their suitability for office, retail and services uses, of which day care is included.

(3). Trends in land improvement and development.

The need and practicality of large scale developments is gradually diminishing as property costs rise. Companies are necessarily becoming more efficient with their use of space, resulting in increased density. Subsequently, the number of employees which would be serviced by a day care facility in a 10 + acre industrial business district is on the rise, and this proposal directly addresses this upsurge.

(4). Property values.

A day care facility located closely in a residential neighborhood could have the potential to negatively impact residential property values. However, this is not the case in the proposed industrial area where the proximity of a service use directly benefits the employees in the area. Integration of this facility into the proposed development will provide an asset to an industrial commercial area utilized during the general working hours, and not located nearer a residential land use. Due to a broader day care service being closely available, industrial commercial property values should be enhanced by approval of this proposal.

(5). The needs of economic enterprises and the future development of the area.

The needs of the industrial commercial land uses in the IBPOD's should be accommodated by presenting current and future industrial commercial parent/employees a full service day care education facility near their work place. This provides these employees a service that is not being addressed at this time. Any limitation of day care facilities would not serve the current economic needs, much less those of the future.

(6). Needed right-of-way and access for and to particular sites in the area.

The sites that are eligible for the IBPOD designation are generally located in existing areas with good access, appropriate and safe for such uses. Allowing a day care use in a smaller industrial business district would not adversely impact the availability of needed right-of-way, as local traffic areas are currently succinct and developed to provide both regional and interstate accesses.

(7). *Natural resources of the City and the protection and conservation of said resources.*

Allowing an integrated day care use in a smaller industrial business district would not have any negative impact on the City's natural resources, and it would in fact serve to eliminate the potential development of 'free-standing' day care at another location closer to natural resources.

(8). *Prospective requirements for the development of natural resources in the City.*

Allowing a day care use in a smaller industrial business district would only serve to reduce the likelihood of any prospective development nearer natural resources in the City.

(9). *The public need for healthful, safe, aesthetic surroundings and conditions.*

Day cares are needed by employees who commute into the City and should be located in areas convenient for employees, and healthful for the education of the children. The public need for healthful and safe conditions and aesthetic surroundings is served by being able to locate day cares within the Industrial Business Park Overlay districts, regardless of their size, and takes the intent of the development code and further refines the general intent of the development code to provide affordable, safe, and available day care to the Industrial Commercial community.

(10). *Proof of change in a neighborhood or area.*

The proposed text amendment does not apply to a specific neighborhood or area.

(11). *A mistake in the Community Plan or plan text for the property under consideration.*

The proposed text amendment is not a result of a mistake in the Community Plan or plan text.

In addition, below is a summary of how the proposed text amendment addresses Oregon's Statewide Planning Goals:

1. ***CITIZEN INVOLVEMENT*** Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.

The proposed text amendment does not impact any opportunities for citizens to be involved in the planning process.

2. ***LAND USE PLANNING*** Goal 2 outlines the basic procedures of Oregon's statewide planning program. It says that land use decisions are to be made in accordance with a comprehensive

plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information"; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation.

The proposed text amendment does not impact the City's ability to implement a comprehensive plan. The amendment does comply with the City's adopted comprehensive plan as outlined above.

3. **AGRICULTURAL LANDS** *Goal 3 defines "agricultural lands." It then requires counties to inventory such lands and to "preserve and maintain" them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, Division 33.*

The proposed text amendment does not impact any agricultural lands as defined.

4. **FOREST LANDS** *This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will "conserve forest lands for forest uses."*

The proposed text amendment does not impact any forest lands as defined.

5. **OPEN SPACES, SCENIC AND HISTORIC AREAS AND NATURAL RESOURCES** *Goal 5 covers more than a dozen natural and cultural resources such as wildlife habitats and wetlands. It establishes a process for each resource to be inventoried and evaluated. If a resource or site is found to be significant, a local government has three policy choices: preserve the resource, allow proposed uses that conflict with it, or strike some sort of a balance between the resource and the uses that would conflict with it.*

Allowing an integrated day care use in a smaller industrial business district would not have any negative impact on any open spaces, scenic or historic areas, or natural resources. It would in fact serve to eliminate the potential development of 'free-standing' day care at another location closer to one of these resources.

6. **AIR, WATER AND LAND RESOURCES QUALITY** *This goal requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.*

The proposed text amendment will only serve to allow a use with less air, water and land resources quality issues than those in a typical industrial area.

7. **AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS** *Goal 7 deals with development in places subject to natural hazards such as floods or landslides. It requires that jurisdictions apply "appropriate safeguards" (floodplain zoning, for example) when planning for development there.*

The proposed text amendment does not impact areas known to be subject to natural hazards such as floods or landslides.

8. **RECREATION NEEDS** *This goal calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expedited siting of destination resorts.*

The proposed text amendment does not impact areas that would be suitable for community recreation development or destination resorts.

9. **ECONOMY OF THE STATE** *Goal 9 calls for diversification and improvement of the economy. It asks communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.*

The proposed text amendment contributes to the diversification of uses, which will improve the economic viability of the area. The economic needs of the industrial commercial land uses in the IBPOD's should be accommodated by presenting current and future industrial commercial parent/employees a full service day care education facility near their work place. This provides these employees a service that is not being addressed at this time. Any limitation of day care facilities would not serve the current economic needs, much less those of the future.

10. **HOUSING** *This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.*

The proposed text amendment does not impact land suitable for residential development.

11. **PUBLIC FACILITIES AND SERVICES** *Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should to be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.*

The areas impacted by the proposed text amendment are already served by adequate public services such as law enforcement and fire protection. Impacted areas that do not have utilities in the immediate vicinity, have access to adequate services in the proximity that will be extended as needed.

12. **TRANSPORTATION** *The goal aims to provide "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged."*

Child day care centers provide a support service to employment areas, including industrial and commercial districts. By locating the day care centers in these employment areas, parents who commute to the industrial business park district can minimize their use of the public transportation infrastructure by utilizing services provided close to their place of employment. Approval of the text amendment will not restrict the provision for a safe, convenient and economic transportation system.

13. **ENERGY** *Goal 13 declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."*

Other than energy as it relates to transportation, the proposed text amendment will not impact the energy utilization. As discussed above, allowing a daycare to be located in a smaller overlay zone will provide a convenient service for the surrounding businesses, thus potentially reducing the overall energy used for transportation.

14. **URBANIZATION** *This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.*

The proposed amendment will not impact the future growth and land zoning in the area or the UGB.

15. **WILLAMETTE GREENWAY** *Goal 15 sets forth procedures for administering the 300 miles of greenway that protects the Willamette River.*

The proposed text amendment will not impact lands along the Willamette Greenway.

16. **ESTUARINE RESOURCES** *This goal requires local governments to classify Oregon's 22 major estuaries in four categories; natural, conservation, shallow-draft development, and deep-draft development. It then describes types of land uses and activities that are permissible in those "management units."*

The proposed text amendment will not impact any of Oregon's 22 estuaries.

17. **COASTAL SHORELANDS** *The goal defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and resources there are to be managed: major marshes, for example, are to be protected. Sites best suited for unique coastal land uses (port facilities, for example) are reserved for "water-dependent" or "water related" uses.*

The proposed text amendment will not impact any of Oregon's coastal shore lands.

18. **BEACHES AND DUNES** *Goal 18 sets planning standards for development on various types of dunes. It prohibits residential development on beaches and active foredunes, but allows some other types of development if they meet key criteria. The goal also deals with dune grading, groundwater drawdown in dunal aquifers, and the breaching of foredunes.*

The proposed text amendment will not impact any of Oregon's Beaches or Dunes.

19. **OCEAN RESOURCES** *Goal 19 aims "to conserve the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf." It deals with matters such as dumping of dredge spoils and discharging of waste products into the open sea. Goal 19's main requirements are for state agencies rather than cities and counties.*

The proposed text amendment will not impact any of Oregon's Ocean Resources.

In summation, the integration of day care usages in the smaller IBPOD's, with respect to all other code requirements, will improve the purpose of the overlay districts as defined in the code. In addition, it adheres to the principals outlined in Oregon's statewide planning goals.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tara W. Lund', written over a horizontal line.

Tara W. Lund
Project Manager



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COMMUNITY DEVELOPMENT
PLANNING DIVISION

DEC 3 2007

CITY OF TUALATIN
RECEIVED

November 29, 2007

City of Tualatin Planning Division
Attn: Will Harper
18880 SW Martinazzi Ave
Tualatin, OR 97062-7092

RE: Text Amendment Addenda
MRF Plan Criteria
CIDA Project Number: 060018.03

Dear Mr. Harper:

Per your request, following is an analysis on how the proposed Text Amendment meets the following Metro criteria:

- **Granting the amendment is consistent with the Metropolitan Service District's Urban Growth Management Functional Plan.**

The Metro Functional Plan, Title IV, deals with Industrial and Employment land. It limits non-industrial development in Regionally Significant Industrial Areas. None of the areas that would be impacted by the proposed text amendment have been identified on the 'Employment and Industrial Areas' map as a Regionally Significant Industrial Area.

Title IV, also limits non-industrial uses in Industrial Areas to less than 20,000 square feet or 10% of the Industrial Area. The TDC addresses this restriction in another section (Section 60.021), which will not be precluded by the propose text amendment.

Title IV, limits retail uses in Employment Areas to less than 60,000 square feet. The proposed text amendment does not involve retail uses.

In short, the proposed text amendment is consistent with the Metropolitan Service District's Urban Growth Management Functional Plan.

Sincerely,

Tara W. Lund,
Project Architect



November 30, 2007

William Harper
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97062



*RE: Industrial Business Park Overlay District: Proposed Text Amendment
Transportation Planning Rule (TPR) Analysis and Near-Term Operational Analysis*

Dear Will,

This letter is intended to address the potential traffic concerns associated with a proposed Tualatin Development Code text amendment. The discussion in this document addresses the Transportation Planning Rule (TPR) as it relates to the proposed text amendment to allow a child day care center within the Industrial Business Park Overlay District for sites of 10 acres or greater. The primary references for this letter are the City of Tualatin's Community Development Code and the TPR as established by the Oregon Administrative Rules (OAR) 660-012-0060.

Transportation Planning Rule

The primary test of the TPR is to determine if an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation will "significantly affect" an existing or planned transportation facility. The definition of significant affect is addressed in the following sections of this letter. The proposed text amendment is not an amendment to a functional plan or acknowledged comprehensive plan; however it does include a change to a land use regulation. As such, the TPR is addressed here.

OAR 660-012-0060

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



William Harper
November 30, 2007
Page 2 of 3

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

The proposed text amendment will not change or necessitate changes to the functional classification of any area roadways.

(b) Change standards implementing a functional classification system; or

The proposed text amendment will not change the standards underlying the City's functional classification system.

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

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

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Under the current text of Tualatin Development Code, 60.020(25), a child day care center is permitted in a Light Manufacturing (ML) District, "provided it is in a building with manufacturing, processing, assembling, warehousing or wholesaling uses and provided all exterior walls and outdoor play areas shall be at least 400 feet from the exterior walls and pump islands of any automobile service station, irrespective of any structures in between." Since child day care center is already a permitted use, the result of the text amendment would not be to allow a child day care center in a district where one would have otherwise been prohibited, but rather to allow a child day care center to be constructed outside of a building containing manufacturing, processing, assembling, warehousing or wholesaling uses.

For traffic analysis under the Transportation Planning Rule, we evaluate the potential impacts of a proposed change based on the "reasonable worst-case" analysis. This means we must compare the maximum traffic that could be generated under existing conditions to the maximum that could be generated upon implementation of the proposed change. In this case, the "reasonable worst-case" scenario includes a child day care center either with or without the proposed text amendment. Since no limits on the size of child day care facilities are included in the current code language, there will be no change in traffic volumes for the "reasonable worst-case" analysis with the proposed text amendment. Since there is no change in the maximum number of



William Harper
November 30, 2007
Page 3 of 3

trips that can be generated within the district, the proposed text amendment will not reduce or worsen the performance of any existing or planned transportation facilities.

Near-Term Traffic Impacts

Although the proposed text amendment would result in no change for a “reasonable worst-case” analysis of surrounding transportation facilities, there will likely be near-term traffic impacts if the text amendment is approved. The text amendment was proposed in order to allow a previously-approved conditional-use school located on SW 65th Avenue to include child day care facilities within the school building. Since a child day care center generates slightly more traffic than the approved school during the evening peak hour, we examined the operation of the intersection of SW Lower Boones Ferry Road at SW 65th Avenue in order to ensure that the intersection will continue to operate acceptably if a day care operates within the school building. The morning peak hour was not examined since day care trip generation rates are lower than private school rates during the morning peak hour.

Although the day care center is intended to represent only a small portion of the building, our operational analysis assumed that a successful day care center within the school building could operate comparably to a free-standing day care center. Based on data provided in the ITE Trip Generation Manual, it was determined that the average free-standing day care center accommodates 70 students. The approved school can accommodate a total of 165 students, so for this analysis 70 students were assumed to be enrolled in the day care and the remaining 95 students were assumed to attend the school.

Based on the analysis a net increase of 14 trips is expected during the evening peak hour. These trips were added to the intersection of SW Lower Boones Ferry Road at SW 65th Avenue, with the trips distributed as they were for the school analysis. The results of the operational analysis indicate that the intersection is projected to operate at level of service D during the evening peak hour. Upon full build-out of the surrounding district, the intersection is projected to continue to operate at level of service D. This operation is acceptable, and no mitigations are recommended.

If you have any questions regarding this analysis, please do not hesitate to call.

Yours truly,

Michael Ard, PE
Senior Transportation Engineer



TRIP GENERATION CALCULATIONS

Land Use: Private School (K-8)
Land Use Code: 534
Variable: Students
Variable Value: 165

AM SCHOOL PEAK HOUR

Trip Rate: 0.9

	Enter	Exit	Total
Directional Distribution	61%	39%	
Trip Ends	91	58	149

PM SCHOOL PEAK HOUR

Trip Rate: 0.61

	Enter	Exit	Total
Directional Distribution	41%	59%	
Trip Ends	41	60	101

Source: TRIP GENERATION, Seventh Edition



TRIP GENERATION CALCULATIONS

Land Use: Day Care Center
Land Use Code: 565
Variable: Students
Variable Value: 70

AM PEAK HOUR

Trip Rate: 0.80

	Enter	Exit	Total
Directional Distribution	53%	47%	
Trip Ends	30	26	56

PM PEAK HOUR

Trip Rate: 0.82

	Enter	Exit	Total
Directional Distribution	47%	53%	
Trip Ends	27	30	57

WEEKDAY

Trip Rate: 4.48

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	157	157	314

SUNDAY

Trip Rate: 0.37

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	13	13	26



TRIP GENERATION CALCULATIONS

Land Use: Private School (K-8)
Land Use Code: 534
Variable: Students
Variable Value: 95

AM SCHOOL PEAK HOUR

Trip Rate: 0.9

	Enter	Exit	Total
Directional Distribution	61%	39%	
Trip Ends	52	34	86

PM SCHOOL PEAK HOUR

Trip Rate: 0.61

	Enter	Exit	Total
Directional Distribution	41%	59%	
Trip Ends	24	34	58

Source: TRIP GENERATION, Seventh Edition

HCS+™ DETAILED REPORT

General Information				Site Information			
Analyst	MTA			Intersection	Lower Boones Ferry/65th Avenue		
Agency or Co.	Lancaster Engineering			Area Type	All other areas		
Date Performed	11/30/2007			Jurisdiction	ODOT		
Time Period	PM Peak Hour			Analysis Year	2008 BK + Site (Mitigated)		
				Project ID	Hale - Meridian Private School/Day Care		

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N _l	1	2	1	1	3	0	1	1	0	0	1	1
Lane Group	L	T	R	L	TR		L	LTR			LT	R
Volume, V (vph)	314	990	549	128	1182	62	421	39	31	166	67	400
% Heavy Vehicles, %HV	2	2	2	2	2	2	2	2	2	2	2	2
Peak-Hour Factor, PHF	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Pretimed (P) or Actuated (A)	A	P	P	A	P	P	A	A	A	A	A	A
Start-up Lost Time, l ₁	2.0	2.0	2.0	2.0	2.0		2.0	2.0			2.0	2.0
Extension of Effective Green, e	2.0	2.0	2.0	2.0	2.0		2.0	2.0			2.0	2.0
Arrival Type, AT	3	3	3	3	3		3	3			3	3
Unit Extension, UE	3.0	3.0	3.0	3.0	3.0		3.0	3.0			3.0	3.0
Filtering/Metering, I	1.000	1.000	1.000	1.000	1.000		1.000	1.000			1.000	1.000
Initial Unmet Demand, Q _b	0.0	0.0	0.0	0.0	0.0		0.0	0.0			0.0	0.0
Ped / Bike / RTOR Volumes	0	0	72	0	0	1	0	0	0	0	0	72
Lane Width	12.0	12.0	12.0	12.0	12.0		12.0	12.0			12.0	12.0
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N	-4	N
Parking Maneuvers, N _m												
Buses Stopping, N _b	0	0	0	0	0		0	0			0	0
Min. Time for Pedestrians, G _p	3.2			3.2			3.2			3.2		
Phasing	Excl. Left	EB Only	Thru & RT	04		NB Only	SB Only	07		08		
Timing	G = 6.0	G = 12.5	G = 27.5	G = 0.0		G = 22.5	G = 11.0	G = 0.0		G = 0.0		
	Y = 4	Y = 4	Y = 4.5	Y = 0		Y = 4	Y = 4	Y = 0		Y = 0		
Duration of Analysis, T = 0.25							Cycle Length, C = 100.0					

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v	320	1010	487	131	1268		430	72			237	335
Lane Group Capacity, c	398	1561	697	106	1385		398	391			202	606
v/c Ratio, X	0.80	0.65	0.70	1.24	0.92		1.08	0.18			1.17	0.55
Total Green Ratio, g/C	0.22	0.44	0.44	0.06	0.28		0.22	0.22			0.11	0.38
Uniform Delay, d ₁	36.7	21.9	22.6	47.0	35.1		38.8	31.3			44.5	24.6
Progression Factor, PF	1.000	1.000	1.000	1.000	1.000		1.000	1.000			1.000	1.000
Delay Calibration, k	0.35	0.50	0.50	0.50	0.50		0.50	0.11			0.50	0.15
Incremental Delay, d ₂	11.4	2.1	5.7	163.8	10.9		68.4	0.2			117.9	1.1
Initial Queue Delay, d ₃	0.0	0.0	0.0	0.0	0.0		0.0	0.0			0.0	0.0
Control Delay	48.1	24.0	28.4	210.8	46.1		107.1	31.6			162.4	25.7
Lane Group LOS	D	C	C	F	D		F	C			F	C
Approach Delay	29.4			61.5			96.3			82.4		
Approach LOS	C			E			F			F		
Intersection Delay	54.8			X _c = 0.96			Intersection LOS			D		

HCS+™ DETAILED REPORT

General Information				Site Information			
Analyst	MTA			Intersection	Lower Boones Ferry/65th Avenue		
Agency or Co.	Lancaster Engineering			Area Type	All other areas		
Date Performed	11/30/2007			Jurisdiction	ODOT		
Time Period	PM Peak Hour			Analysis Year	2009 BK + Site + Bus. Park		
				Project ID	Hale - Meridian Private School/Day Care		

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N _i	1	2	1	1	3	0	1	1	0	0	1	1
Lane Group	L	T	R	L	TR		L	LTR			LT	R
Volume, V (vph)	324	1009	549	128	1205	64	421	40	31	171	71	434
% Heavy Vehicles, %HV	2	2	2	2	2	2	2	2	2	2	2	2
Peak-Hour Factor, PHF	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Pretimed (P) or Actuated (A)	A	P	P	A	P	P	A	A	A	A	A	A
Start-up Lost Time, l _i	2.0	2.0	2.0	2.0	2.0		2.0	2.0			2.0	2.0
Extension of Effective Green, e	2.0	2.0	2.0	2.0	2.0		2.0	2.0			2.0	2.0
Arrival Type, AT	3	3	3	3	3		3	3			3	3
Unit Extension, UE	3.0	3.0	3.0	3.0	3.0		3.0	3.0			3.0	3.0
Filtering/Metering, I	1.000	1.000	1.000	1.000	1.000		1.000	1.000			1.000	1.000
Initial Unmet Demand, Q _b	0.0	0.0	0.0	0.0	0.0		0.0	0.0			0.0	0.0
Ped / Bike / RTOR Volumes	0	0	72	0	0	1	0	0	0	0	0	72
Lane Width	12.0	12.0	12.0	12.0	12.0		12.0	12.0			12.0	12.0
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N	-4	N
Parking Maneuvers, N _m												
Buses Stopping, N _b	0	0	0	0	0		0	0			0	0
Min. Time for Pedestrians, G _p	3.2			3.2			3.2			3.2		
Phasing	Excl. Left	EB Only	Thru & RT	04		NB Only	SB Only	07		08		
Timing	G = 9.4	G = 9.0	G = 27.5	G = 0.0		G = 22.7	G = 10.9	G = 0.0		G = 0.0		
	Y = 4	Y = 4	Y = 4.5	Y = 0		Y = 4	Y = 4	Y = 0		Y = 0		
Duration of Analysis, T = 0.25							Cycle Length, C = 100.0					

Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v	331	1030	487	131	1294		430	73			246	369
Lane Group Capacity, c	396	1437	641	166	1385		402	395			200	602
v/c Ratio, X	0.84	0.72	0.76	0.79	0.93		1.07	0.18			1.23	0.61
Total Green Ratio, g/C	0.22	0.40	0.40	0.09	0.27		0.23	0.23			0.11	0.37
Uniform Delay, d ₁	37.0	24.9	25.6	44.3	35.4		38.7	31.2			44.6	25.5
Progression Factor, PF	1.000	1.000	1.000	1.000	1.000		1.000	1.000			1.000	1.000
Delay Calibration, k	0.37	0.50	0.50	0.34	0.50		0.50	0.11			0.50	0.20
Incremental Delay, d ₂	14.4	3.1	8.3	22.1	12.9		64.7	0.2			139.3	1.9
Initial Queue Delay, d ₃	0.0	0.0	0.0	0.0	0.0		0.0	0.0			0.0	0.0
Control Delay	51.5	28.0	33.8	66.4	48.2		103.3	31.4			183.8	27.3
Lane Group LOS	D	C	C	E	D		F	C			F	C
Approach Delay	33.8			49.9			92.9			89.9		
Approach LOS	C			D			F			F		
Intersection Delay	53.6			X _c = 0.98			Intersection LOS			D		



December 10, 2007

William Harper
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97062

RE: Trip Generation of Day Care Centers vs. Business Park Land Uses

Dear Will,

This letter is intended to describe the trip generation characteristics of day care centers and provide a comparison to other potential business park land uses of similar size.

The average day care center accommodates about 70 students and has a gross floor area of about 4,300 square feet. A day care facility of this size generates about 55 trips during the morning peak hour, 57 trips during the evening peak hour and 340 trips during an average weekday.

A similarly-sized business park building would be expected to generate about 6 trips during the morning peak hour, 6 trips during the evening peak hour and 54 trips during an average weekday. A similarly-sized medical/dental office building would be expected to generate about 11 trips during the morning peak hour, 16 trips during the evening peak hour and 155 trips during the average weekday.

If you have any questions regarding this analysis, please do not hesitate to call.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Michael Ard'.

Michael Ard, PE
Senior Transportation Engineer



TRIP GENERATION CALCULATIONS

Land Use: Day Care Center
Land Use Code: 565
Variable: 1000 Sq Ft Gross Floor Area
Variable Value: 4.3

AM PEAK HOUR

Trip Rate: 12.79

	Enter	Exit	Total
Directional Distribution	53%	47%	
Trip Ends	29	26	55

PM PEAK HOUR

Trip Rate: 13.18

	Enter	Exit	Total
Directional Distribution	47%	53%	
Trip Ends	27	30	57

WEEKDAY

Trip Rate: 79.26

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	170	170	340

SATURDAY

Trip Rate: 6.21

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	13	13	26



TRIP GENERATION CALCULATIONS

Land Use: Business Park
Land Use Code: 770
Variable: 1000 Sq Ft Gross Floor Area
Variable Quantity: 4

AM PEAK HOUR

Trip Rate: 1.43

	Enter	Exit	Total
Directional Distribution	84%	16%	
Trip Ends	5	1	6

PM PEAK HOUR

Trip Rate: 1.29

	Enter	Exit	Total
Directional Distribution	23%	77%	
Trip Ends	1	5	6

WEEKDAY

Trip Rate: 12.76

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	27	27	54

SATURDAY

Trip Rate: 2.56

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	6	6	12



TRIP GENERATION CALCULATIONS

Land Use: Medical-Dental Office Building
Land Use Code: 720
Variable: 1,000 Sq Ft Gross Floor Area
Variable Quantity: 4.3

AM PEAK HOUR

Trip Rate: 2.48

	Enter	Exit	Total
Directional Distribution	79%	21%	
Trip Ends	8	2	11

PM PEAK HOUR

Trip Rate: 3.72

	Enter	Exit	Total
Directional Distribution	27%	73%	
Trip Ends	4	12	16

WEEKDAY

Trip Rate: 36.13

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	78	78	155

SATURDAY

Trip Rate: 8.96

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	19	19	39

**PROPOSED PLAN TEXT AMENDMENT PTA-07-05
CITY OF TUALATIN**

Staff Proposed Tualatin Development Code Amendments (12-6-07)

Added Text shown in ***Bold Italic***/ Deleted text shown in ~~Strikethru~~.

Chapter 69 Industrial Business Park Overlay Planning District

Section 69.020 Permitted Uses.

(1) The following additional uses are permitted when the Industrial Business Park Overlay District is applied to a property in the Light Manufacturing (ML) District or to a property in one of the selected General Manufacturing (MG) District areas and the site is 10 acres or greater:

- (a) Business offices.
- (b) Commercial offices.
- (c) Branch banks and banking kiosks.
- (d) General offices, but not government offices.
- (e) Medical and healing arts offices.
- (f) Real estate offices.

(g) Child day care center, provided that all exterior walls and outdoor play areas shall be a minimum distance of 400 feet from the exterior walls and pump islands of any automobile service station, irrespective of any structures in between.

(2) The following additional uses are permitted when the Industrial Business Park Overlay District is applied to a property in the Light Manufacturing (ML) District or to a property in one of the selected General Manufacturing (MG) District areas and the site is 20 acres or greater:

- (a) Retail Uses:
 - (i) Food store of less than 4,000 square feet of gross floor area.
 - (ii) Restaurant, without drive-up or drive through facilities.
- (b) Service Uses:
 - ~~(i) Child day care center, provided that all exterior walls and outdoor play areas shall be a minimum distance of 400 feet from the exterior walls and pump islands of any automobile service station, irrespective of any structures in between.~~
 - (ii) Correspondence, trade and vocational schools, except vocational high schools.
 - (iii) Health or fitness facility.
 - (iv) Job training and related services.
 - (v) Mailing operations.
 - (vi) Reproduction, photocopying.

Section 69.065 Mixed Use Percentage.

(1) When the Industrial Business Park Overlay District site size is 10.00 to 19.99 acres, the ***combined*** gross floor area of office ***and child day care center*** uses shall not be greater than 50 percent of the total gross floor area of buildings on the site. ***The gross floor area of a child day care center use listed in TDC 69.020(1)(g) may occupy up to***

10 percent of the total gross floor area of buildings on the site, except as provided in TDC 69.065(2)(a).

(2) When the site size is 20.00 acres or greater:

(a) The gross floor area of office, service and retail buildings combined shall not be greater than 50 percent of the total gross floor area of buildings on the site.

(b) The gross floor area of office uses listed in TDC 69.020(1) may occupy up to 50 percent of the total gross floor area of buildings on the site, except as provided in TDC 69.065(2)(a).

(c) The gross floor area of retail uses listed in TDC 69.020(2)(a) may occupy up to 10 percent of the total gross floor area of buildings on the site, except as provided in TDC 69.065(2)(a).

(d) The gross floor area of service uses listed in TDC 69.020(2)(b) ***and a child day care center use listed in TDC 69.020(1)(g)*** may occupy up to 10 percent of the total gross floor area of buildings on the site, except as provided in TDC 69.065(2)(a).

(3) The percentages in (1) and (2) of this section shall not be exceeded and may be reduced in the Architectural Review decision when information shows the impact, or the cumulative impact, of the development generated by the uses allowed through the Industrial Business Park Overlay District exceed the capacity of the onsite or offsite public infrastructure to support the development.

END OF PROPOSED AMENDMENT

ATTACHMENT D

PTA-07-05: BACKGROUND INFORMATION

Pertinent background information obtained from the submitted application for PTA-07-05 and other supporting documents is summarized in this section.

The applicant is Mike Berry of Berry Properties, the owner of the 17-acre Meridian Business Park development located on SW 65th Avenue, SW Rosewood Street and SW 63rd Avenue located in the ML (Light Manufacturing) and MG (General Manufacturing) Planning Districts. The Meridian Business Park is an Industrial Business Park Overlay District (IBPOD) development. Currently, there are two established IBPOD developments. The second existing IBPOD is the 35-acre Franklin Business Park located in the MG Planning District on SW 112th Avenue, SW Amu Street and SW Tualatin-Sherwood Road. A map showing the locations of existing IBPOD developments is included as Attachment A.

The applicant is in the process of constructing Meridian Business Park Buildings E and F. The applicant has a tenant (The Children's Hour Academy) preparing to occupy Building E that seeks to establish a children's daycare business in conjunction with a K-8 school approved as a conditional use in CUP-07-02. Currently, a child day care center use is allowed in the ML and MG Districts as a permitted use provided it is in a building with manufacturing, processing or warehousing [TDC 60.020(25)] and is a permitted use in the IBPOD when the development is greater than 20 acres [TDC 69.020(2)(b)]. Because the applicant's tenant is not eligible for a daycare use under current ML & MG requirements and is in an IBPOD less than 20 acres, the applicant proposes the amendment to the IBPOD standards to allow a child day care center in IBPOD developments greater than 10 acres.

The submitted traffic analysis (Attachment B, Lancaster Engineering Letters), based on a worst case development scenario, allowing a child day care center in a IBPOD with 10 acres or more will not reduce or worsen the performance of any existing or planned transportation facility. The trip generation comparison shows an average day care use (of a similar size to the applicant's prospective tenant) will have more evening peak hour trips and more average weekday trips than a manufacturing use or an IBPOD office use (medical office). The City of Tualatin Engineering Division agrees with the Lancaster Engineering Transportation Planning Rule (TPR) analysis and "Near Term Operational Analysis" addressing Plan Amendment Criterion #8 (Attachment F).

ATTACHMENT E

PTA-07-05: ANALYSIS AND FINDINGS

The approval criteria of the Tualatin Development Code (TDC) 1.032 must be met if the proposed PTA is to be granted. The Applicant has prepared a narrative that addresses the criteria (Attachment B), and staff has reviewed the Applicant's material and included pertinent excerpts below.

A. Granting the amendment is in the public interest.

The proposed amendment to the Tualatin Development Code (TDC) Chapter 69 Industrial Business Park Overlay Planning District section 69.020-Permitted Uses, to allow to allow a child day care center in IBPOD developments greater than 10 acres. The public interest is to allow office and selected service and retail uses to mix with industrial uses in an IBPOD in a manner that is flexible and responsive to the Industrial/Commercial marketplace. The public interest is to allow selected service uses that are supportive of and secondary to the industrial and office uses allowed in IBPOD developments. The public interest is to ensure the impacts of the development generated by the uses allowed through the IBPOD will not exceed the capacity of the public infrastructure to support the development.

The purpose of the IBPOD as stated in TDC 69.010 is *"...to recognize and accommodate the changing Industrial Commercial marketplace by allowing mixed uses within the context of an enforceable Master Plan reviewed and approved during Architectural Review. Industrial uses are emphasized, but office and selected service and retail uses are allowed through the operation of the Industrial Business Park Overlay District. A second purpose of this district is to recognize that it is not necessarily appropriate to assume that all industrial, office, service and retail uses are incompatible and, therefore, must be separated based on planning districts."* In an IBPOD, a child daycare center is one of the service uses allowed and is a permitted use in ML and MG when occupying the same building as an industrial use. Allowing a child daycare center as a service use in a 10-acre or greater IBPOD development is a very minor expansion of an industrially compatible and supportive service use that is already allowed in larger (+ 20 acres) IBPOD. The proposal creates additional flexibility and is responsive to the market for daycare services in industrial/commercial employment areas, meeting the public interest.

The applicant states, "Child daycare centers provide a support service to employment areas, including industrial and commercial districts. Permitting a daycare in a smaller IBPOD allows the beneficial juxtaposition of the daycare and employment for a greater number of parents." (Attachment B, pp. 1-2) The IBPOD provisions of TDC Chapter 69 establish a service such as a child daycare center as secondary and supportive to the industrial and office uses allowed in an IPBOD development. Allowing a daycare in a 10-20 acre IPBOD development will be supportive of the industrial and office uses in that size development, meeting the public interest.

At the request of staff, the applicant provided additional traffic information describing the differential in vehicle trips associated with the day care center use in a 10-acre or greater IBPOD development in comparison to existing allowed uses (Attachment B, Lancaster Engineering 12-10-07 letter). Because the Children's Hour Academy proposes approximately 40% of the business will be daycare students, the vehicle trips for a daycare use similar in size to the Children's Hour Academy School/Daycare business are considered part of, not in addition to, the vehicle trips assigned to the school use in the CUP process. The trip generation comparison shows an average day care use (of a similar size floor area to the applicant's prospective tenant) will have more evening peak hour trips and more average weekday trips than a manufacturing use or an IBPOD office use (medical/dental office) and slightly more PM Peak trips than a school use. The City of Tualatin Engineering Division notes that a similar size stand-alone daycare use (proposed for the IBPOD 10 acre plus development) will create no more trips than a daycare located in a building with industrial uses (Attachment F).

The trip generation potential of IBPOD uses as well as ML or MG uses are considered in Architectural Review when evaluating the traffic impacts of a new IBPOD development building. The proposed amendment would limit a child day care use to a maximum of 10% of the IBPOD gross floor area (based on the combined gross floor areas of the buildings in an IBPOD development). The IBPOD provisions in TDC 69.065 allow the amount of office and service use area to be limited in the AR process when staff review determines the impact or cumulative traffic impact of the mix of uses in an IBPOD development exceeds the capacity of the infrastructure to support the development. Without an AR for a new facility (child care tenant moving into an existing IBPOD facility), the traffic impacts of a child daycare use will be considered with all other IBPOD uses in the applicable AR for the facility. Because the vehicle trip differential between child daycare facility uses and other IBPOD uses will have a minimal impact on the overall vehicle trips associated with a IBPOD development and because an evaluation of the development's traffic impact considers the range of IBPOD uses in an AR process, the safety and capacity of the public infrastructure including the street system is retained and the public interest is met.

Granting the amendment is in the public interest. Criterion "A" is met.

B. The public interest is best protected by granting the amendment at this time.

The applicant notes that areas eligible for IBPOD development "...include varied employment uses, from industrial, to office, to commercial in close proximity." and "Providing a daycare facility on a smaller IBPOD site provides the same public benefits as on larger sites as defined in the code." There are no known or anticipated harmful impacts to the public interest due to reducing the required size of the Overlay District. The public interest is definitely enhanced by allowing this use in terms of safe access, educational diversification options, proximity to current employment use, and the current lack of local daycare education facilities serving existing commercial industrial uses." (Attachment B, Applicant's Response, pg. 2).

The applicant seeks to amend the IBPOD standards to allow a child daycare center use to occupy Building E of the Meridian Business Park IPBOD development (currently under construction and approved for a K-6 school conditional use). The opportunity to allow the Children's Hour Academy tenant to occupy the Meridian Business Park Building E exists in the current development conditions.

If adopted at this time, the proposed amendment would allow the applicant and a Meridian Business Park IBPOD tenant to establish a daycare use with the approved K-6 school consistent with the applicant's development schedule and in the current development conditions.

The public interest is best protected by granting the amendment at this time.

Criterion "B" is met.

C. The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.

The applicable objectives of the Tualatin Community Plan are presented below.

TDC 8.070: "Because daycare is needed both by residents and employees who commute into the City, daycare facilities should be located in areas convenient for commuters as well as residents, including commercial, residential, and some industrial areas. Daycare centers should be located with good access to arterial or collector streets, and should be close to the City's park areas. Daycare facilities should not be located close to automobile service stations, or where they will be surrounded by industrial uses. However, industrial perimeter areas where they can easily serve both residents and employees of nearby firms are suitable."

The proposed amendment will allow daycare centers in IBPOD developments greater than 10 acres, increasing the opportunity for the use to serve employment areas of Tualatin. The proposed amendment conforms to TDC 8.070.

TDC 8.070(1) "Facilitate creation of adequate childcare facilities within the community by limiting local requirements, recognizing the role of the State's Children's Services Division in certifying such facilities. Accordingly, daycare centers should be allowed as permitted uses in commercial and light industrial areas."

The proposed amendment will allow daycare centers in IBPOD developments greater than 10 acres as a permitted use in light industrial and mixed commercial areas. The proposed amendment conforms to TDC 8.070(1).

The proposed amendments conform to the applicable objectives of the Tualatin Community Plan.

Criterion "C" is met.

D. The factors listed in Section 1.032(4) were consciously considered:

The various characteristics of areas in the City.

The characteristics of the area of the City affected by this amendment are the industrial developments eligible for an IBPOD and the two existing IBPOD developments (Shown on Attachment A). The character of the IBPOD areas are primarily industrial uses with a mix of office uses and service and limited commercial uses allowed in developments greater than 20 acres. The IBPOD requires increased landscaping amounts and developments are more employment and campus in style. A child daycare use serves industrial employment uses and is appropriate in IBPOD developments.

The suitability of the area for particular land uses and improvements.

As indicated above, the proposed amendment will allow a child daycare center use in 10-acre and greater IBPOD developments such as the existing Meridian Business Park. The IBPOD standards anticipate mixing office, service and retail uses with primarily industrial activities in a more campus-style development. IBPOD developments are suitable for a daycare center use.

Trends in land improvement and development.

The applicant states, "Increased employee density is a trend in development, and the number of employees served by a daycare facility in a 10+ acre IBPOD development is on the rise." Allowing a daycare center in 10-acre or larger IBPOD developments responds to this trend (Attachment B, pg. 3).

Property values.

IBPOD developments are allowed in ML and certain MG Planning Districts locations and are not residential properties. Residential property values will not be affected. The applicant states, "Due to a broader daycare service being closely available, industrial commercial property values should be enhanced by approval of this proposal." (Attachment B, pg. 3) Allowing daycare uses in IBPOD developments larger than 10 acres will not negatively affect the suitability of areas for particular land uses and improvements and therefore not negatively affect property values.

The needs of economic enterprises and the future development of the area.

The applicant states, "The needs of the industrial commercial land uses in the IBPODs should be accommodated by presenting current and future industrial commercial parent/employees a full service daycare education facility near their work place." (Attachment B, pg. 2) Staff concurs.

Needed right-of-way and access for and to particular sites in the area.

The applicant states, "The sites that are eligible for the IBPOD designation are generally located in existing areas with good access, appropriate and safe for such uses." (Attachment B, Applicant's Response, pp.3-4). Access for existing IBPOD developments or other industrial developments is addressed in Architectural Review or Subdivision. The proposed plan amendment will not affect needed right of way and access associated with IBPOD and neighboring developments.

Natural resources of the City and the protection and conservation of said resources.

Not applicable because the child daycare center amendment does not impact or alter natural resources associated with a development.

Prospective requirements for the development of natural resources in the City.

Not applicable because the child daycare center amendment does not impact or alter natural resources associated with a development.

The public need for healthful, safe, aesthetic surroundings and conditions.

The applicant states, "Day cares are needed by employees who commute into the city and should be located in areas convenient for employees, and healthful for the education of the children. The public need for healthful and safe conditions and aesthetic surroundings is served by being able to locate day cares within the IBPOD districts, regardless of their size." (Attachment B, pg. 2) Staff concurs.

Proof of a change in a neighborhood or area.

The IBPOD amendment does respond to a change or represent a change in a neighborhood or area.

A mistake in the plan map or text.

None is alleged.

The factors listed in Section 1.032(4) were consciously considered.

Criterion "D" is met.

E. The criteria in the Tigard-Tualatin School District Facility Plan were considered.

The criteria in the Facility Plan were considered and found to not be applicable to this amendment regarding child daycare centers in the IBPOD, because the provision does not apply to existing school sites and does not represent a constraint or conflict with land available for future school sites.

F. Oregon Statewide Planning Goals

Of the 14 Statewide Goals, each of the goals were considered and found to not be applicable to this amendment regarding child daycare centers in IBPOD developments. The applicant comments on the Goals in Attachment B, pp 4-8. The applicant briefly addresses Goal 12-Transportation and the Transportation Planning Rule in the traffic analysis (Attachment B, Applicant's Response, Lancaster Engineering November 30, 2007 Letter).

Statewide Planning Goal 12, Transportation is implemented by the Transportation Planning Rule (TPR) in OAR-660-012-060. The TPR requires that any amendment to comprehensive plans or land use regulations (such as this Plan Text Amendment) that "significantly affect a transportation facility..." must assure that the allowed land uses..."are consistent with the identified function, capacity and performance standards of the facility." The affected transportation facilities associated with the two IBPOD developments are SW 65th Avenue and Lower Boones Ferry Road (Meridian Business Park) and SW 112th Avenue and SW Tualatin Sherwood Road (Franklin Business Park).

The traffic information submitted with the application states that the proposed child daycare center amendment to the IBPOD standards will not result in significant impacts to the transportation facilities associated with the applicant's Meridian Business Center development (Attachment B, Lancaster Engineering Letter). The function, capacity and performance of SW 65th Avenue and SW Lower Boones Ferry Road are not significantly affected. Goal 12 and the TPR are satisfied. The City of Tualatin Engineering Division agrees with the Lancaster Engineering Transportation Planning Rule (TPR) analysis. (Attachment F).

G. Metro's Urban Growth Management Functional Plan (UGMFP).

The UGMFP and TDC Map 9-4 Design Type Boundaries, identify the Meridian Business Park IBPOD development as "EA Employment Area" and the Franklin Business Park IBPOD development as "IA-Industrial Area". TDC 7.040(2)(b)(i) and 7.404(2)(b)(i) provide standards for sizes of retail, service and professional uses in ML and MG industrial/employment areas and exempt IBPOD Districts uses such as a child daycare center. The applicant addresses the UGMFP in Attachment B, Tara Lund Letter. The proposed amendment allowing child daycare centers on IBPOD developments greater than 10 acres is consistent with the type and intensity of development expected and allowed in the EA and IA classifications.

H. (Criterion 8) Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's Planning Area.

The traffic information submitted with the application that the proposed child daycare center amendment to the IBPOD standards will not result in significant impacts to the transportation facilities associated with the applicant's Meridian Business Center development (Attachment B, Lancaster Engineering November 30, 2007, Letter). The traffic information determined that function, capacity and performance of SW 65th Avenue and SW Lower Boones Ferry Road are not significantly affected, and Criterion 8 is met. The City of Tualatin Engineering Division agrees with the Lancaster Engineering "Near Term Operational Analysis" addressing Plan Amendment Criterion #8 (Attachment F).

At the request of the City of Tualatin Engineering Division and the Planning Division the applicant provided additional traffic information assessing the differential in vehicle trips associated with the daycare center use in a 10-acre or greater IBPOD development (Attachment B, Applicant's Response, Lancaster Engineering December 10, 2007 Letter). The information states that an average day care center will generate more trips during the AM and PM peak hours than other uses within an IBPOD, but no more than a day care center use located in a building with other industrial uses (currently allowed in ML and MG developments). The information was discussed at the December 13, 2007 TPAC meeting. The Engineering Division reviewed the trip generation in Attachment F.

MEMORANDUM

DATE: December 28, 2007

TO: Will Harper, AICP
Associate Planner

FROM: Dayna Johnson, PE
Project Engineer *DJ*

SUBJECT: **PTA-07-05, Allow a Stand Alone Daycare in the Industrial Business Park Overlay District (IBPOD) in development 10-20 acres in size**

On November 6, 2007 the Engineering Division received Plan Text Amendment Application Notice PTA 07-05 to allow a stand-alone daycare in the Industrial Business Park Overlay Districts (IBPOD) in developments 10-20 acres in size. On November 30, 2007 we received from Lancaster Engineering, Industrial Business Park Overlay District: Proposed Text Amendment Transportation Planning Rule (TPR) Analysis and Near-Term Operational Analysis. Additionally, on December 10, 2007 a Trip Generation of Day Care Centers vs. Business Park Land Uses was received from Lancaster Engineering.

A child day care facility is currently permitted in Light Manufacturing (ML) District provided it is in a building with manufacturing, processing, assembling, warehousing or wholesaling uses and provided all exterior walls and outdoor play areas shall be at least 400 feet from the exterior walls and pump islands of any automobile service station, irrespective of any structures in between.

Since the child day care center is already a permitted use, the result of the text amendment would not be to allow a child day care center in a district where one would have otherwise been prohibited, but rather to allow a child day care center to be constructed outside of a building containing manufacturing, processing, assembling, warehousing or wholesaling uses.

The applicant submitted an Industrial Business Park Overlay District: Proposed Text Amendment Transportation Planning Rule (TPR) Analysis and Near-Term Operational Analysis from Lancaster Engineering dated November 30, 2007. The analysis conclusion states the following:

- Since the child day care center is already a permitted use, the result of the text amendment would not be to allow a child day care center in a district where one would have otherwise been prohibited, but rather to allow a child day care center to be constructed outside of a building containing

- manufacturing, processing, assembling, warehousing or wholesaling uses.
- Based on the analysis a net increase of 14 trips is expected during the evening peak hour. These trips were added to the intersection of SW Lower Boones Ferry Road at SW 65th Avenue, with the trips distributed as they were for the school analysis. The results of the operational analysis indicate that the intersection is projected to operate at level of service D during the evening peak hour. This operation is acceptable, and no mitigations are recommended.

TDC 1.032 Burden of Proof (6) Granting the amendment is consistent with the applicable State of Oregon Planning Goals and applicable Oregon Administrative Rules.

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

Based on the following review and analysis, the proposed text amendment will not significantly affect any transportation facilities in the area.

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

SW 65th Avenue adjacent to the site is a City of Tualatin facility, and is designated a Local-Commercial Industrial street.

SW Lower Boones Ferry Road east of SW 65th Avenue is a Clackamas County facility, and is designated as a Major Arterial. SW Lower Boones Ferry Road west of SW 65th Avenue is an Oregon Department of Transportation facility, and is designated as a District Highway. The City of Tualatin designates SW Lower Boones Ferry Road adjacent to the subject site as a Major Arterial.

As shown in the Industrial Business Park Overlay District: Proposed Text Amendment Transportation Planning Rule (TPR) Analysis and Near-Term Operational Analysis from Lancaster Engineering the additional traffic created by the proposed stand alone Day Care Center will maintain an acceptable LOS and v/c ratio. The proposed Plan Text Amendment will not necessitate a change in the functional classification of an existing or planned transportation facility.

(b) Change standards implementing a functional classification system

The proposed Plan Text Amendment will not necessitate changes to the standards implementing the functional classification system.

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

The City of Tualatin designates SW Lower Boones Ferry Road as a Major Arterial, and our TSP states, "Primary function is to serve both local and through traffic as it enters and leaves the urban area; connects the minor arterial and collector street system to freeways and expressways; provides access to other cities and communities; serves major traffic movements; access control through medians and/or channelization; restricted on-street parking; sidewalks and bicycle facilities required; may allow a right-turn pocket if warranted; will be used by public transit."

Under the current text of the Tualatin Development Code, 60.050(25), a child day care center is permitted in a Light Manufacturing Districts, provided it is located in a building with industrial land uses. Based on this, the stand alone day care center is consistent with the types of land uses and levels of development that would typically be found adjacent to a Local Commercial-Industrial street, and will not result in types or levels of travel or access that is inconsistent with the functional classification of an existing or planned transportation facility.

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

ODOT established a mobility standard of volume-to-capacity (v/c) ratio of 0.99 for intersections.

The minimum acceptable performance standards identified in the City of Tualatin TSP states that intersections should be improved to operate at a LOS of at least D and E for signalized and unsignalized intersections, respectively.

The Industrial Business Park Overlay District: Proposed Text Amendment Transportation Planning Rule (TPR) Analysis and Near-Term Operational Analysis from Lancaster Engineering shows that all intersections will operate within acceptable levels of service and v/c ratios in 2009.

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

No study intersections are projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

TDC Section 1.032 Burden of Proof: (8) Granting the amendment is consistent with

Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's planning area.

Based on TDC Map 9-4 the site is located in EA (Employment Area) Design Type. The submitted Analysis shows that the study intersections are forecast to operate acceptably during the weekday p.m. peak hour assuming "reasonable maximum" build-out under the proposed zone change. The proposed zoning designation would result in future traffic volumes that are consistent with the functional classifications of the roadways in the study area. The Lancaster Analysis shows that the SW Lower Boones Ferry Road/SW 65th Avenue signalized intersection will operate at a Level of Service D, which exceeds the required Level of Service E for the p.m. peak hour.

Agency Comments

Clackamas County submitted comments stating they had no comments.

At this time, no comments have been received from Oregon Department of Transportation or Washington County regarding the proposed Plan Text Amendment.

Trip Generation

Lancaster Engineering submitted a Trip Generation Letter comparing trips generated by a day care centers compared to other allowed uses in the Industrial Business Park Overlay District. An average day care center will generate more trips during the AM and PM Peak Hours, than other uses within the IBPOD. A similar sized stand alone day care center will create no more trips than a day care center located within a building with other industrial uses.

Near-Term Traffic Impacts

Although the proposed text amendment would result in no change for a "reasonable worst-case" analysis, there will likely be near-term traffic impacts. The proposed day care center will generate slightly more traffic than the approved school during the evening peak hour, approximately 14 additional trips. The SW Lower Boones Ferry Road/SW 65th Avenue intersection will continue to operate at an acceptable level.

Based on the above information, the City Engineer generally supports the proposed Plan Text Amendment and agrees with the submitted Industrial Business Park Overlay District: Proposed Text Amendment Transportation Planning Rule (TPR) Analysis and Near-Term Operational Analysis from Lancaster Engineering dated November 30, 2007 and Trip Generation of Day Care Centers vs. Business Park Land Uses, dated December 10, 2007.

Please let me know if you have questions, ext 3036.



STAFF REPORT CITY OF TUALATIN

POSTPONED/ to future Mtg.

~~Approved By Tualatin City Council~~

Date 1-14-08

Recording Secretary M Smith

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Michael A McKillip, City Engineer *MCK*
Dayna Johnson, Project Engineer *DJ*

DATE: January 14, 2008

SUBJECT: COMMUTER RAIL TRAIN HORN NOISE MITIGATION UPDATE

ISSUE BEFORE THE COUNCIL:

Staff update on the Commuter Rail Train Horn Noise Mitigation.

RECOMMENDATION:

This is an informational item for Council.

EXECUTIVE SUMMARY:

After the October 29, 2007 Council Work Session on Commuter Rail Noise and Safety, staff followed up by hosting a meeting with all affected parties, including Federal Rail Administration, Oregon Department of Transportation, Portland & Western Railroad, Tri-Met and Washington County. At this time we learned about the Oregon process for Quiet Zones and Wayside Horns. Staff has reviewed each crossing and will meet with all affected parties to conduct a Diagnostic Team Review late January to review detailed requirements at each crossing to implement Quiet Zones and/or Wayside Horns.

OUTCOMES OF DECISION:

Not Applicable.

FINANCIAL IMPLICATIONS:

None at this time.




Approved By Tualatin City Council
Date 1-14-08
Recording Secretary M. Smith

STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager 

DATE: January 14, 2008

SUBJECT: OSU EXTENSION SERVICES – SPECIAL SERVICES DISTRICT PROPOSAL FOR CLACKAMAS COUNTY

ISSUE BEFORE THE COUNCIL:

The Council will hear a presentation regarding a proposal for the formation of a Special Services District in Clackamas County to fund the Oregon State University Extension Service program.

RECOMMENDATION:

Staff recommends that the City Council accept this presentation and discuss whether or not to support the proposal through a resolution of support.

EXECUTIVE SUMMARY:

Clackamas County intends to form a special services district with a permanent tax rate of \$0.05 per thousand dollars of assessed valuation, to fund education outreach programs for county residents through Extension Services. Extension Service is the off-campus outreach arm of Oregon State University. Extension education is informal, not-for-credit, practical learning that is designed to address questions of local people. Today, about 50,000 Clackamas County residents participate in Extension education each year through programs such as 4-H, the Master Gardeners program, Family Food Educators, Master Woodland Manager, Master Watershed Stewards, Oregon Food & Nutrition Program, Tree School and the North Willamette Research and Extension Center in Charbonneau.

Mike Bondi, Extension Staff Chair in Clackamas County will provide a presentation at tonight's meeting to discuss in more detail about Extension Services, the benefits of Extension Services especially to residents of Tualatin, and the next steps in the formation of a district.



POSTPONED/to future Mtg.
~~Approved By Tualatin City Council~~
Date 1-14-08
Recording Secretary M. Smith

STAFF REPORT CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Doug Rux, Community Development Director *DR*
Cindy Hahn, AICP, Assistant Planner *CH*

DATE: January 14, 2008

SUBJECT: CITY AND TOWN CENTER GATEWAYS PRESENTATION

ISSUE BEFORE THE COUNCIL:

Presentation on possible locations and concepts for gateway features at entrances into the City of Tualatin and Tualatin Town Center area.

RECOMMENDATION:

Staff recommends the City Council consider the material presented and provide direction on possible locations and components for gateway features.

EXECUTIVE SUMMARY:

- The City Council at the November 2008 retreat identified gateways as a priority for 2008.
- Staff has prepared a presentation identifying 11 possible locations for gateways at entrances into the community and 5 locations into the Town Center area.
- Various gateway concepts are outlined including landscaping, streetscaping, signs, water features, flags, art and arches.

FINANCIAL IMPLICATIONS:

Funds have been budgeted in the Planning Division for FY 07/08 to conduct preliminary analysis on a gateway program.


Attachments: A. Power Point Presentation




Approved By Tualatin City Council
Date 1-14-08
Recording Secretary M. Smith

STAFF REPORT CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager 

FROM: Paul Hennon, Community Services Director 

DATE: January 14, 2008

SUBJECT: CREATION OF AN AD HOC COMMITTEE TO STUDY A POSSIBLE BOND MEASURE IN 2008 FOR PARKS AND RECREATION FACILITIES, CULTURAL OPPORTUNITIES, AND YOUTH AND FAMILY ACTIVITIES RELATING TO THE TUALATIN TOMORROW COMMUNITY VISIONING PROCESS

ISSUE BEFORE THE COUNCIL:

Council will consider creation of an ad hoc committee to follow through with action steps identified in the Tualatin Tomorrow Community Vision and Strategic Action Plan by studying a possible bond measure in November 2008 for parks and recreation facilities, cultural opportunities, and youth and family activities.

RECOMMENDATION:

Form an Ad Hoc Committee to Study a Possible Bond Measure in 2008 for Parks and Recreation Facilities, Cultural Opportunities, and Youth and Family Activities Relating to the Tualatin Tomorrow Community Visioning Process with membership as shown on the attached committee roster, and designate councilors to serve as members of the committee.

EXECUTIVE SUMMARY:

On June 25, 2007, Council accepted the Tualatin Tomorrow Community Vision and Strategic Action Plan as the final product of the Tualatin Tomorrow Community Visioning project. At the same time, the Council set in motion a number of actions to begin implementation of the vision and strategic plan. The vision and strategic plan includes six major focus areas.

To move forward with bringing the community vision for the focus areas that include parks and recreation, cultural opportunities, and youth and family activities to reality, the

STAFF REPORT: CREATION OF AN AD HOC COMMITTEE TO STUDY A POSSIBLE BOND MEASURE IN 2008

January 14, 2008

Page 2 of 3

Council has directed staff to conduct a process, including the formation of an ad hoc committee, to study the facilities that could be included in a bond measure on the November 2008 election. The City has entered into a personal services agreement with Cogan Owens Cogan and sub consultants to assist in completing this study.

Scope of Study: The scope of the study follows:

- An indoor multipurpose community center, possibly located on land owned by the Tigard/Tualatin School District at the new Tualatin Elementary School site on Avery St. and 95th Avenue
- Sports field improvements in several existing Tualatin parks and on property owned by the Tigard/Tualatin School District and the Horizon Christian High School through joint use and development partnerships
- Pedestrian and bicycle trails within the Tualatin River Greenway and other planned greenways throughout the community
- Park improvements including replacement and renovation of aging facilities and minor enhancement at various Tualatin parks, and creation of a new park on property owned by the city for use as a water reservoir site located on 108th Avenue near Helenius Road in the southern part of Tualatin
- Potential capital and operating costs, and funding sources

Schedule: The study will begin in January and be completed by the summer 2008.

OUTCOMES OF DECISION:

Formation of the ad hoc committee will initiate the public involvement component of the study. The committee will be active between January and the summer of 2008.

If Council does not form this ad hoc committee, that component of the planned public involvement opportunities would not occur, and Council would not receive the related citizen participation as outlined in this report unless some other format was directed by Council.

FINANCIAL IMPLICATIONS:

The study process will cost between \$90,000 and \$100,000 and will be funded through the Park Development Fund with park system development fees. There are adequate funds within the Park Development Fund to cover the costs of this project. These study costs can be reimbursed by a future bond measure that funds the related facilities.

STAFF REPORT: CREATION OF AN AD HOC COMMITTEE TO STUDY A POSSIBLE BOND MEASURE IN 2008

January 14, 2008

Page 3 of 3

PUBLIC INVOLVEMENT:

A public involvement process is incorporated into this study. The public will have opportunities to participate and comment on the type, scope, scale, and location of proposed facilities, capital and operating costs, and funding sources.

The public involvement process will center on the formation of an ad hoc committee to assist the staff, consultants, and potential partners, consider public comment, and forward a recommendation to Council regarding a possible bond measure on the November 2008 election.

A public opinion survey will be conducted in January to help determine the types of spaces to include in a multipurpose community center and to gauge willingness to financially support such as facility. Additionally, the Tualatin Youth Advisory Council (YAC) will be obtaining information from students at local schools to determine the types of indoor recreation and cultural activities they desire to have available. Lastly, the Council will also consider survey findings obtained in 2002 as part of the Facilities Visioning process that pertains to the types of spaces needed to accommodate indoor recreational activities.

A second survey will be conducted in the spring near the end of the study as a reality check of the community's support of the mix of facilities and funding under final consideration. This information will be used by the ad hoc committee in making its recommendation to Council and by the Council in its consideration for placement of a measure on the November 2008 ballot.

Information on the study will be posted on the city's web site at key benchmarks.

Attachments: A. Ad Hoc Committee Roster

c: Rob Saxton, Superintendent, Tigard/Tualatin School District
 John Pries, Senior Associate Pastor, Horizon Christian High School

**AD HOC COMMITTEE TO STUDY A POSSIBLE BOND MEASURE IN 2008
FOR PARKS AND RECREATION, CULTURAL OPPORTUNITIES,
AND YOUTH AND FAMILY ACTIVITIES RELATING TO THE
TUALATIN TOMORROW COMMUNITY VISIONING PROCESS**

COMMITTEE MEMBERS

1. Member of TPARK
2. Member of TPARK
3. Member of TPARK
4. Member of Tualatin Tomorrow VIC
5. Member of Tualatin Tomorrow VIC
6. Member of YAC
7. Member of YAC
8. Member of YAC
9. Member of Tualatin Organization of Sports
10. Member of Tualatin Organization of Sports
11. Member of Tualatin Organization of Sports
12. Member of Senior Center Steering Committee
13. Member of Tualatin Historical Society
14. Citizen representing Tualatin Swim Club
(if aquatics is included in Multipurpose Community Center)
15. Citizen
16. Citizen
17. Citizen
18. Tualatin Riverkeepers
19. Member of Council
20. Member of Council
21. Member of Council

STAFF

1. Sherilyn Lombos, City Manager
2. Paul Hennon, Community Services Director
3. Carl Switzer, Parks and Recreation Coordinator

PARTICIPATE AS NEEDED

1. Staff from most other departments
2. Tigard/Tualatin School District
3. Horizon Christian High School
4. City of Tigard
5. Metro Greenspaces
6. Tualatin River National Wildlife Refuge



A. CALL TO ORDER

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

C. CITIZEN COMMENTS

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

D. CONSENT AGENDA (Item Nos. 1 – 3)

Page #

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

1. Approval of Minutes for the Meeting of December 10, 2007
2. Resolution No. 553-08 Establishing Regular Meetings of the Tualatin Development Commission, the Urban Renewal Agency of the City of Tualatin and the Urban Renewal Advisory Committee
3. Change Order No. 1 to the Contract Documents for Construction of the Green Lot Expansion 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



Approved by Tualatin
Development Commission
Date 1-14-08
Recording Sec M. Smith

STAFF REPORT

TUALATIN DEVELOPMENT COMMISSION

TO: Honorable Chairman and Members of the Commission
FROM: Sherilyn Lombos, Administrator *SL*
DATE: January 14, 2008
SUBJECT: APPROVE MEETING MINUTES OF DECEMBER 10, 2007

ISSUE BEFORE THE COUNCIL:

The issue before the Commission is to approve the minutes for the Tualatin Development Commission work session and meeting of December 10, 2007.

RECOMMENDATION:

Staff respectfully recommends that the Commission adopt the attached minutes.

FINANCIAL IMPLICATIONS:

There are no financial impacts associated with this item.

Attachments: A. Minutes

TUALATIN DEVELOPMENT COMMISSION

18880 S.W. MARTINAZZI AVENUE
P.O. BOX 369
TUALATIN, OREGON 97062-0369

503 / 692-2000



Approved by Tualatin
Development Commission
Date 1-14-08
Recording Sec M. Smith

TUALATIN DEVELOPMENT COMMISSION WORK SESSION MINUTES OF DECEMBER 10, 2007

PRESENT: Chairman Lou Ogden; Commissioners Chris Barhyte, Monique Beikman, Bob Boryska, Jay Harris, Donna Maddux, and Ed Truax; Sherilyn Lombos, Administrator; Brenda Braden, City Attorney; Doug Rux, Community Development Director; Mike McKillip, City Engineer; Paul Hennon, Community Services Director; and Maureen Smith, Recording Secretary

ABSENT: None.

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

A. CALL TO ORDER

Chairman Ogden called the work session to order at 6:50 p.m.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS – N/A

C. CITIZEN COMMENTS – N/A

D. CONSENT AGENDA

There were no comments or questions by the Commission on the Consent Agenda.

E-F. PUBLIC HEARINGS

Not applicable.

G. GENERAL BUSINESS

Not applicable.

H. ITEMS REMOVED FROM CONSENT AGENDA

Not applicable.

I. COMMUNICATIONS FROM COMMISSIONERS

Commissioner Harris commented on the holiday tree lighting ceremony held at the Commons on December 7th. He said it was a great event and well attended, and also said it would be good to see more expanding programs held at the Commons.

Commissioner Truax asked to have a continued discussion on social services funding at the December 17, 2007 special work session. Discussion followed on whether the issue should be continued on the allocation of remaining funds. Commission consensus was to add a third agenda item to the December 17th special work session agenda on formulating criteria, etc. for social services funding.

J. EXECUTIVE SESSION

None.

K. ADJOURNMENT

The work session adjourned at 7:03 p.m.

Sherilyn Lombos, Administrator

Recording Secretary

Maureen Smith

TUALATIN DEVELOPMENT COMMISSION

18880 S.W. MARTINAZZI AVENUE
P.O. BOX 369
TUALATIN, OREGON 97062-0369

503 / 692-2000



Approved by Tualatin
Development Commission
Date 1-14-08
Recording Sec M. Smith

TUALATIN DEVELOPMENT COMMISSION MEETING MINUTES OF DECEMBER 10, 2007

PRESENT: Chairman Lou Ogden; Commissioners Chris Barhyte, Monique Beikman, Bob Boryska, Jay Harris, Donna Maddux, and Ed Truax; Kent Barker, Acting Administrator; Brenda Braden, City Attorney; Doug Rux, Community Development Director; Mike McKillip, City Engineer; and Maureen Smith, Recording Secretary

ABSENT: None.

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

A. CALL TO ORDER

Chairman Ogden called the meeting to order at 7:45 p.m.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

None.

C. CITIZEN COMMENTS

None.

D. CONSENT AGENDA

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

1. Approval of Minutes for the Meeting of November 26, 2007

MOTION CARRIED.

E-F. PUBLIC HEARINGS

None.

G. GENERAL BUSINESS

None.

H. ITEMS REMOVED FROM CONSENT AGENDA

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

I. COMMUNICATIONS FROM COMMISSIONERS

Commissioner Harris mentioned the recent holiday tree lighting ceremony at the Tualatin Commons on December 7, 2007 was well attended and a great success.

J. EXECUTIVE SESSION

None.

K. ADJOURNMENT

The meeting adjourned at 7:48 p.m.

Sherilyn Lombos, Administrator


Recording Secretary Maureen Smith



STAFF REPORT

TUALATIN DEVELOPMENT COMMISSION

TO: Honorable Chairman and Members of the Commission

FROM: Sherilyn Lombos, Administrator 

DATE: January 14, 2008

SUBJECT: RESOLUTION ESTABLISHING REGULAR MEETINGS OF THE TUALATIN DEVELOPMENT COMMISSION – THE URBAN RENEWAL AGENCY OF THE CITY OF TUALATIN AND THE URBAN RENEWAL ADVISORY COMMITTEE

ISSUE BEFORE THE COMMISSION:

The issue before is to adopt a resolution establishing regular meeting dates for the Development Commission and the Urban Renewal Advisory Committee.

RECOMMENDATION:

Staff recommends that the Commission adopt the attached resolution establishing regular meetings of the Development Commission and the Urban Renewal Advisory Committee.

FINANCIAL IMPLICATIONS:

None.

Attachments: A. Resolution

RESOLUTION ESTABLISHING REGULAR MEETINGS OF
THE TUALATIN DEVELOPMENT COMMISSION – THE
URBAN RENEWAL AGENCY OF THE CITY OF TUALATIN
AND THE URBAN RENEWAL ADVISORY COMMITTEE

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

Section 1. During the calendar year 2008, the regular meetings of the Tualatin Development Commission – the Urban Renewal Agency of the City of Tualatin, shall be held at 7:00 p.m. on the second and fourth Monday of each and every month. A work session of the Commission shall be held from 5:00 p.m. to 7:00 p.m. on the second and fourth Monday of each and every month.

(1) The regular meeting of the Urban Renewal Advisory Committee (*URAC*) shall be held as needed at 7:30 p.m. on the third Thursday of a month.

Section 2. The Administrator be, and hereby is, instructed to post copies of this Resolution in four (4) conspicuous public places within the area of the Tualatin Development Commission – the Urban Renewal Agency of the City of Tualatin.

INTRODUCED AND ADOPTED this 14th day of January, 2008.

APPROVED AS TO LEGAL FORM


CITY ATTORNEY

TUALATIN DEVELOPMENT COMMISSION
the Urban Renewal Agency of the City of
Tualatin, Oregon

BY 
Chairman

ATTEST:

BY 
Administrator



Approved by Tualatin
Development Commission
Date 1-14-08
Recording Sec M. Smith

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: January 14, 2008

SUBJECT: CHANGE ORDER NO. 1 TO THE CONTRACT DOCUMENTS FOR
CONSTRUCTION OF THE GREEN LOT EXPANSION PROJECT

ISSUE BEFORE THE COMMISSION:

Whether the Tualatin Development Commission should approve Change Order No. 1 for construction of the Green Public Parking Lot expansion project.

RECOMMENDATION:

Staff recommends that the Commission approve the attached change order and that the Chairman and Administrator be authorized to execute said Change Order No. 1.

EXECUTIVE SUMMARY:

- This action is not a public hearing.
- This change order covers the cost of additional work resulting from:
 - Extra costs for the addition of C-curb as a continuation of C-curb associated with the parking lot islands at the end of the parking rows for the purposes of consistency and functionality. Extruded curb was previously planned and did not match the C-curb portion of the islands.
 - Extra costs required to adjust forms for alignment and elevation so that proper storm drainage and access to pedestrian facilities associated with the parking lot can be met.
 - Extra costs for providing powder coating to the planned bike rack for preservation purposes.
 - Extra cost for the addition of topsoil in the parking lot islands so that landscaping may be installed as required by City of Tualatin Design Standards.
- Before proceeding with the next stage of this project, the Commission needs to approve Change Order No. 1 for the project.

- The expectation for project completion is by the end of March 2008.
- The Green Lot will remain open with lighting, temporary striping and curbing until weather conditions are deemed conducive to paving.
- There has been no action previously taken by the Commission on change orders for this project.
- There are no criteria to apply to this request.

OUTCOMES OF DECISION:

Approval of Change Order No. 1 for the Green Lot expansion will result in the following:

1. Enables the contractor to move forward on the construction of the Green Lot.
2. Enables the contractor to be paid in a timely manner.
3. Allows the Green Lot to be constructed in a manner that satisfies City design standards.
4. Allows the Green Lot to meet minimum engineering and building standards.

Not approving Change Order No. 1 for the Green Lot expansion will result in the following:

1. Delay payment to contractor.
2. Delay construction of the Green Lot.
3. Provide opportunity for negotiation of unit pricing and lump sum amounts initially invoiced by the contractor.

ALTERNATIVES TO RECOMMENDATION:

Alternatives evaluated to approval of Change Order No. 1 for the Green Lot expansion project are as follows:

1. Reject the change orders proposed by the contractor.
2. Negotiate costs of change order items.

FINANCIAL IMPLICATIONS:

The cost for Change Order No. 1 is \$8,893.58. The current project cost is \$214,568.08, which is 104% of the original bid cost. This is within budgets for this project.

PUBLIC INVOLVEMENT:

Public involvement is not required as part of this action.

Attachments: A. Change Order No. 1

CHANGE ORDER NO. 1

TO THE CONTRACT DOCUMENTS FOR CONSTRUCTION OF THE BOONES FERRY ROAD GREEN LOT EXPANSION PROJECT

This Change Order No. 1 modifies the agreement by and between Parker Northwest Paving Company, hereinafter referred to as the Contractor, and the Tualatin Development Commission, hereinafter referred to as the Owner, for the Construction of SW BOONES FERRY ROAD GREEN LOT EXPANSION PROJECT, to the extent described below:

1. For the additional work to add C-curb as a continuation of curb associated with the parking lot islands at the end of the parking rows for consistency and functionality, it is agreed that the Owner will pay the Contractor the following unit price amounts per quantity actually incorporated into the project:

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASURE	UNIT PRICE
	Additional C-curb to conform to planned C-curb – End of parking row islands`	LF	\$13.00

2. For the additional work to adjust forms for alignment and elevation in the Green Lot to correct initial engineered calculations and will result in over excavation, it is agreed that the following items in the Proposal will be modified as shown below. The Owner will pay the Contractor the following lump sum amounts and unit price amounts per quantity actually incorporated into the project:

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASURE	UNIT PRICE
	Additional costs to adjust forms for alignment & elevation	LS	\$1,198.58
	Over Excavation	Cu Yd	\$15.00

3. For the additional work to add for powder coating on the bike rack to better preserve its condition over the long-term, it is agreed that the Owner will pay the Contractor the following lump sum amount:

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASURE	UNIT PRICE
	Add for Powder Coating – Bike Rack	LS	\$200.00

4. For the additional work to add top soil in the landscaped islands within the parking lot so that actual landscaping can be installed, it is agreed that the Owner will pay the Contractor the following unit price amounts per quantity actually incorporated into the project:

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASURE	UNIT PRICE
	Top Soil – Landscaped Islands	Cu Yd	\$35.00

Except as herein modified, the terms of the basic contract between the Tualatin Development Commission and Parker Northwest Paving Company shall remain in full force and effect.

Dated this 14th day of January 2008.

Parker Northwest Paving Company.

By 

Date 12/18/07

TUALATIN DEVELOPMENT COMMISSION

By  Chairman

ATTEST:  Administrator