



# TUALATIN CITY COUNCIL

Monday, APRIL 24, 2017

**JUANITA POHL CENTER**

**8513 SW Tualatin Road**

**Tualatin, OR 97062**

**WORK SESSION- cancelled**  
**BUSINESS MEETING** begins at 7:00 p.m.

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**Mayor Lou Ogden**

**Council President Joelle Davis**

**Councilor Robert Kellogg**

**Councilor Paul Morrison**

**Councilor Jeff DeHaan**

**Councilor Frank Bubenik**

**Councilor Nancy Grimes**

**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 your comments on its agenda, following Announcements, at which time citizens may address the Council concerning any item not on the agenda or to request to have an item removed from the consent agenda. If you wish to speak on a item already on the agenda, comment will be taken during that item. Please fill out a Speaker Request Form and submit it to the Recording Secretary. You will be called forward during the appropriate time; each speaker will be 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 City website at [www.tualatinoregon.gov/meetings](http://www.tualatinoregon.gov/meetings), the Library located at 18878 SW Martinazzi Avenue, and on file in the Office of the City Manager for public inspection. Any person with a 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. Notification thirty-six (36) hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Council meetings are televised *live* the day of the meeting through Washington County Cable Access Channel 28. The replay schedule for Council meetings can be found at [www.tvctv.org](http://www.tvctv.org). Council meetings can also be viewed by live *streaming video* on the day of the meeting at [www.tualatinoregon.gov/meetings](http://www.tualatinoregon.gov/meetings).

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

## 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. Mayor opens the public hearing and identifies the subject.
2. A staff member presents the staff report.
3. Public testimony is taken.
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When the Council has finished 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, conditional use permits, comprehensive plan changes, and appeals from subdivisions, partitions and architectural review.

1. Mayor opens the public hearing and identifies the case to be considered.
2. A staff member presents the staff report.
3. Public testimony is taken:
  - a) In support of the application
  - b) In opposition or neutral
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When 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 FOR PUBLIC HEARINGS

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 3 minutes**, subject to the right of the Mayor to amend or waive the time limits.

## EXECUTIVE SESSION INFORMATION

An Executive Session is a meeting of the City Council that is closed to the public to allow the City Council to discuss certain confidential matters. An Executive Session may be conducted as a separate meeting or as a portion of the regular Council meeting. No final decisions or actions may be made in Executive Session. In many, but not all, circumstances, members of the news media may attend an Executive Session.

The City Council may go into Executive Session for certain reasons specified by Oregon law. These reasons include, but are not limited to: ORS 192.660(2)(a) employment of personnel; ORS 192.660(2)(b) 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) information or records exempt by law from public inspection; ORS 192.660(2)(h) current litigation or litigation likely to be filed; and ORS 192.660(2)(i) employee performance of chief executive officer.



## OFFICIAL AGENDA OF THE TUALATIN CITY COUNCIL MEETING FOR APRIL 24, 2017

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### A. CALL TO ORDER

Pledge of Allegiance

### B. ANNOUNCEMENTS

1. Proclamation Declaring the Week of April 23 – April 29, 2017 as Volunteer Appreciation Week in the City of Tualatin
2. Proclamation Declaring the Week of April 30-May 6, 2017 as Construction Industry Safety Week in the City of Tualatin
3. New Employee Introduction- Andy Shaver, Desktop Technician

### C. CITIZEN COMMENTS

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

### D. CONSENT AGENDA

*The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.*

1. Consideration of Approval of the Minutes for the Work Session and Regular Meeting of April 10, 2017
2. Consideration of Approval of 2017 Liquor License Renewals, Late Submittal
3. Consideration of Approval of a New Liquor License Application for Marquis Community Center
4. Consideration of **Resolution No. 5314-17** Adopting the April 2017 Update to the Public Works Construction Code
5. Consideration of **Resolution No. 5313-17** Authorizing the Purchase of Rights-of-Way and Temporary Construction Easements for the Construction of Myslony Bridge

**E. 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.*

**F. COMMUNICATIONS FROM COUNCILORS**

**G. ADJOURNMENT**

**City Council Meeting**

**Meeting Date:** 04/24/2017

**ANNOUNCEMENTS:** Proclamation Declaring the Week of April 23 – April 29, 2017 as  
Volunteer Appreciation Week in the City of Tualatin

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**ANNOUNCEMENTS**

Proclamation Declaring the Week of April 23 – April 29, 2017 as Volunteer Appreciation Week  
in the City of Tualatin

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Proclamation

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# Proclamation

*Declaring the Week of April 23 - April 29, 2017 as  
Volunteer Appreciation Week  
in the City of Tualatin*

WHEREAS, the entire community can inspire, equip and mobilize people to take action that changes the world; and

WHEREAS, in 2016 2,700 volunteers contributed over 26,000 hours of their time, an equivalent of about 13 full time employees, to the betterment of our community; and

WHEREAS, volunteers give freely of their time, talents, and energy, and ask only for a thank you for their countless hours of service; and

WHEREAS, it has been a long standing tradition in our community for individuals, families, and local businesses to volunteer to make a difference in our community; and

WHEREAS, it is fitting to recognize our volunteers for their dedicated service;

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, Oregon that:

Section 1. The week of April 23 – April 29, 2017, to be proclaimed “Volunteer Appreciation Week” in the City of Tualatin.

Section 2. The City of Tualatin takes great pleasure in honoring the volunteers of our community and conveying our sincere gratitude and appreciation for their committed, selfless, and compassionate efforts; our volunteers truly Keep Tualatin on the Move!

INTRODUCED AND ADOPTED this 24<sup>th</sup> day of April, 2017.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

ATTEST:

BY \_\_\_\_\_  
City Recorder

**City Council Meeting**

**Meeting Date:** 04/24/2017

**ANNOUNCEMENTS:** Proclamation Declaring the Week of April 30-May 6, 2017 as Construction Industry Safety Week in the City of Tualatin

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**ANNOUNCEMENTS**

Proclamation Declaring the Week of April 30-May 6, 2017 as Construction Industry Safety Week in the City of Tualatin

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Proclamation

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# Proclamation

*Declaring the Week of April 30-May 6, 2017 as  
Construction Industry Safety Week  
in the City of Tualatin*

WHEREAS, construction is vital to our strong local economy yet remains one of the most dangerous professions; and

WHEREAS, the nature of the industry is fluid with craftspeople moving from firm to firm and project to project; and

WHEREAS, with proper planning, communication and controls, it is possible to eliminate injuries and incidents from construction sites; and

WHEREAS, no innovation in safety should be proprietary in order to send every worker across the region home safely after every shift; and

WHEREAS, local private and public owners have been national leaders in construction safety and have the opportunity to demonstrate leadership once again; and

WHEREAS, a diversity of stakeholders will enrich the dialogue and accelerate the adoption of best practices; and

WHEREAS, SafeBuild Alliance, a local non-profit advocating Zero Incidents through Collaboration has encouraged all members of the building community to share and learn in safety from one another; and

WHEREAS, every day should include a focus on safety, a coordinated annual event across the region serves to heighten awareness;

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, Oregon that: the City of Tualatin designates the week of April 30- May 6, 2017 as Construction Industry Safety Week.

INTRODUCED AND ADOPTED this 24<sup>th</sup> day of April, 2017.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

ATTEST:

BY \_\_\_\_\_  
City Recorder





# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Nicole Morris, Deputy City Recorder

**DATE:** 04/24/2017

**SUBJECT:** Consideration of Approval of the Minutes for the Work Session and Regular Meeting of April 10, 2017

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### **ISSUE BEFORE THE COUNCIL:**

The issue before the Council is to approve the minutes for the Work Session and Regular Meeting of April 10, 2017.

### **RECOMMENDATION:**

Staff respectfully recommends that the Council adopt the attached minutes.

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**Attachments:** [City Council Work Session Minutes of April 10, 2017](#)  
[City Council Regular Meeting Minutes of April 10, 2017](#)



## OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR APRIL 10, 2017

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Present: Mayor Lou Ogden; Councilor Frank Bubenik; Council President Joelle Davis; Councilor Paul Morrison; Councilor Jeff DeHaan; Councilor Robert Kellogg

Absent: Councilor Nancy Grimes

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele; Community Services Director Paul Hennon; Finance Director Don Hudson; Deputy City Recorder Nicole Morris; Teen Program Specialist Julie Ludemann; Street/Sewer/Storm Division Manager Bert Olheiser; Assistant to the City Manager Tanya Williams; Assistant City Manager Alice Cannon; Library Manager Jerianne Thompson; Parks and Recreation Manager Rich Mueller; City Engineer Jeff Fuchs; Public Works Director Jerry Postema

### A. CALL TO ORDER

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:04 p.m.

### B. ANNOUNCEMENTS

#### 1. Tualatin Youth Advisory Council's Activities for April

Members of the Youth Advisory Committee (YAC) presented a PowerPoint on their latest activities and upcoming events. Five senior YAC members attended the National League of Cities Conference. The conference focused on topics such as civic engagement, leadership development, and networking. Highlights from the conference included a workshop on the youth voice in lobbying and advocacy, learning about issues and projects other cities and youth councils are addressing, touring the US Capitol Building, and exploring Washington DC. Members presented recommendations from the conference including developing a YAC mission statement, conducting a youth survey, increasing focus on local/state/national policy issues and advocacy, and expanding YAC's social media presence.

#### 2. New Employee Introduction- Sam Cochran, Operations Utility Technician I

Public Works Director Jerry Postema introduced Operations Utility Technician I Sam Cochran. The Council welcomed him.

**C. CITIZEN COMMENTS**

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Abby Stevens and Andrea Conner presented pedestrian safety concerns on Rayborn Court. They asked the Council to take measures such as installation of a stop sign or protected pedestrian crossing in the area. Mayor Ogden directed them to work with staff to see if the issue could be resolved at a staff level before Council would need to intervene.

Chamber of Commerce Director Linda Moholt thanked City staff for clearing the paths so quickly after the storm for the Trail Trekker Race. She appreciated their quick response efforts.

**D. CONSENT AGENDA**

*The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.*

MOTION by Council President Joelle Davis, SECONDED by Councilor Frank Bubenik to adopt the consent agenda.

Aye: Mayor Lou Ogden, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Councilor Nancy Grimes (Absent)

MOTION CARRIED

1. Consideration of Approval of the Minutes for the Work Session and Regular Meeting of March 27, 2017
2. Consideration of **Resolution No. 5312-17** Authorizing the Transfer of Appropriated funds within the Building Fund for Fiscal Year 2016-2017.
3. Consideration of Approval of a New Liquor License Application for Sushi Hana
4. Consideration of Approval of a New Liquor License Application for Izumi Japanese Steakhouse

**E. SPECIAL REPORTS**

1. Tualatin Planning Commission 2016 Annual Report

Planning Manager Aquilla Hurd-Ravich and Planning Commission Chair Bill Beers presented the Tualatin Planning Commission 2016 Annual Report. Manager Hurd-Ravich stated the Commission had no quasi-judicial decisions to review this year. They did make recommendations to Council on two plan text amendments. The Commission participated in communication discussion on Basalt Creek, the Capital Improvement Plan, industrial site readiness projects, the SW Corridor project, and mobile food units. Chair Beers stated it was a light year for the Commission. He requested the Council consider allowing the Commission to review all Conditional Use Permits (CUP).

Councilor Kellogg asked what the big issues for the Commission will be this year. Manager Hurd-Ravich stated items will include the Development Code update, food carts, and the Basalt Creek area.

Councilor DeHaan stated he would support the transition of CUP reviews to the Commission.

Mayor Ogden would be open to discussing the pros and cons of moving the review of CUP to the Commission at a future work session.

## 2. Tualatin Heritage Center Annual Report

Parks and Recreation Manager Rich Mueller along with Tualatin Historical Society President Russ Baker and Tualatin Historical Society Director Larry McClure presented the Tualatin Heritage Center Annual report. Director McClure presented highlights including completion of new interpretive signs, the return of the community theater, increased social media presence, a new garden shed, and improved system for protecting artifacts, photos, and documents. The center's operating agreement and City responsibilities were reviewed. Director McClure recapped 2016 activities including history programming, cultural and environmental education, arts and enrichment programs, social gatherings, and business and community support. Upcoming activities for 2017 include welcoming new board members, making decision on how to display the restored Tualatin farm wagon, proposals for re-signing and naming local landmarks, and stepping up fundraising efforts for special projects.

## 3. Tualatin Library Advisory Committee Annual Report

Tualatin Library Manager Jerianne Thompson and Tualatin Library Advisory Committee (TLAC) Member Nicholas Schiller presented the TLAC annual report. Member Schiller reviewed the committee's roles. Committee activities for 2016 included assisting with the new Library mission statement, working on the Library strategic plan, participating in the Civic Center and Library expansion discussions, reviewing the Capital Improvement Plan, and assisting with the Tualatin Mobile Makerspace. The committee's 2017 action plan includes providing input on the Parks and Recreation Master Plan update, continued review of Library operational policies, and supporting social equity and inclusion with Library programs and services.

Councilor DeHaan asked if the Library has enough space. Manager Thompson

recommended the Council continue to look at options for a Civic Center.

**F. ITEMS REMOVED FROM CONSENT AGENDA**

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**G. COMMUNICATIONS FROM COUNCILORS**

Councilor Bubenik reminded citizens of the upcoming Vine2Wine event to be held April 22 at the Library. Tickets for the event can be purchased at the Library Foundation’s website or at the door.

Councilor Bubenik thanked Dr. Bertlesen for his continued support of the Neighbors Nourishing Communities (NNC) program. The beds at this facility were recently upgraded so he can provide an even greater contribution this year. Councilor Bubenik added NNC will be holding its Plant Start event on May 7 at Mitch Charter School.

Council President Davis invited all citizens to attend the upcoming Tualatin Community Police Foundation Lunch with the Chief event on April 25. Tickets for the event are available on their website.

Council President Davis announced this week is Public Safety Telecommunications Week. She encouraged all citizens to learn more about 911 and how to properly place a 911 call.

**H. ADJOURNMENT**

Mayor Ogden adjourned the meeting at 8:02 p.m.

Sherilyn Lombos, City Manager

\_\_\_\_\_ / Nicole Morris, Recording Secretary

\_\_\_\_\_ / Lou Ogden, Mayor



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Aye: Mayor Lou Ogden, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

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Councilor Bubenik thanked Dr. Bertlesen for his continued support of the Neighbors Nourishing Communities (NNC) program. The beds at this facility were recently upgraded so he can provide an even greater contribution this year. Councilor Bubenik added NNC will be holding its Plant Start event on May 7 at Mitch Charter School.

Council President Davis invited all citizens to attend the upcoming Tualatin Community Police Foundation Lunch with the Chief event on April 25. Tickets for the event are available on their website.

Council President Davis announced this week is Public Safety Telecommunications Week. She encouraged all citizens to learn more about 911 and how to properly place a 911 call.

**H. ADJOURNMENT**

Mayor Ogden adjourned the meeting at 8:02 p.m.

Sherilyn Lombos, City Manager

\_\_\_\_\_ / Nicole Morris, Recording Secretary

\_\_\_\_\_ / Lou Ogden, Mayor



# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Nicole Morris, Deputy City Recorder

**DATE:** 04/24/2017

**SUBJECT:** Consideration of Approval of 2017 Liquor License Renewals, Late Submittal

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### **ISSUE BEFORE THE COUNCIL:**

The issue before the Council is to approve liquor license renewal applications for 2017. The business listed below submitted their 2017 renewal application too late to be included in the renewals approved at the March 27, 2017 Council meeting. Copies have not been included with this staff report but are available at the City Offices for review.

### **RECOMMENDATION:**

Staff respectfully recommends the Council approve endorsement of the following liquor license application renewals for 2017:

- Jo's Bar and Grill

### **EXECUTIVE SUMMARY:**

Annually the Oregon Liquor Control Commission (OLCC) requires all liquor licenses be renewed. According to the provisions of City Ordinance No. 680-85, establishing procedures for liquor license applicants, applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The liquor license renewal applications are in accordance with all ordinances and the Police Department has conducted reviews of the applications.

According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license renewal requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

### **FINANCIAL IMPLICATIONS:**

A renewal fee of \$35 has been paid by the applicant.

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### **Attachments:**





# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos

**FROM:** Nicole Morris, Deputy City Recorder

**DATE:** 04/24/2017

**SUBJECT:** Consideration of Approval of a New Liquor License Application for Marquis Community Center

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### **ISSUE BEFORE THE COUNCIL:**

The issue before the Council is to approve a new liquor license application for Marquis Community Center.

### **RECOMMENDATION:**

Staff respectfully recommends that the Council approve endorsement of the liquor license application for Marquis Community Center.

### **EXECUTIVE SUMMARY:**

Marquis Community Center has submitted a new liquor license application under the category of limited on-premises sales. Under the category of limited on-premise sales, they would be permitted to sell factory-sealed containers of malt beverages, wine, and cider for on-site consumption. The business is located at 19805 SW Boones Ferry Road. The application is in accordance with provisions of Ordinance No.680-85 which establishes procedures for liquor license applicants. Applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The Police Department has reviewed the new liquor license application and recommended approval. According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

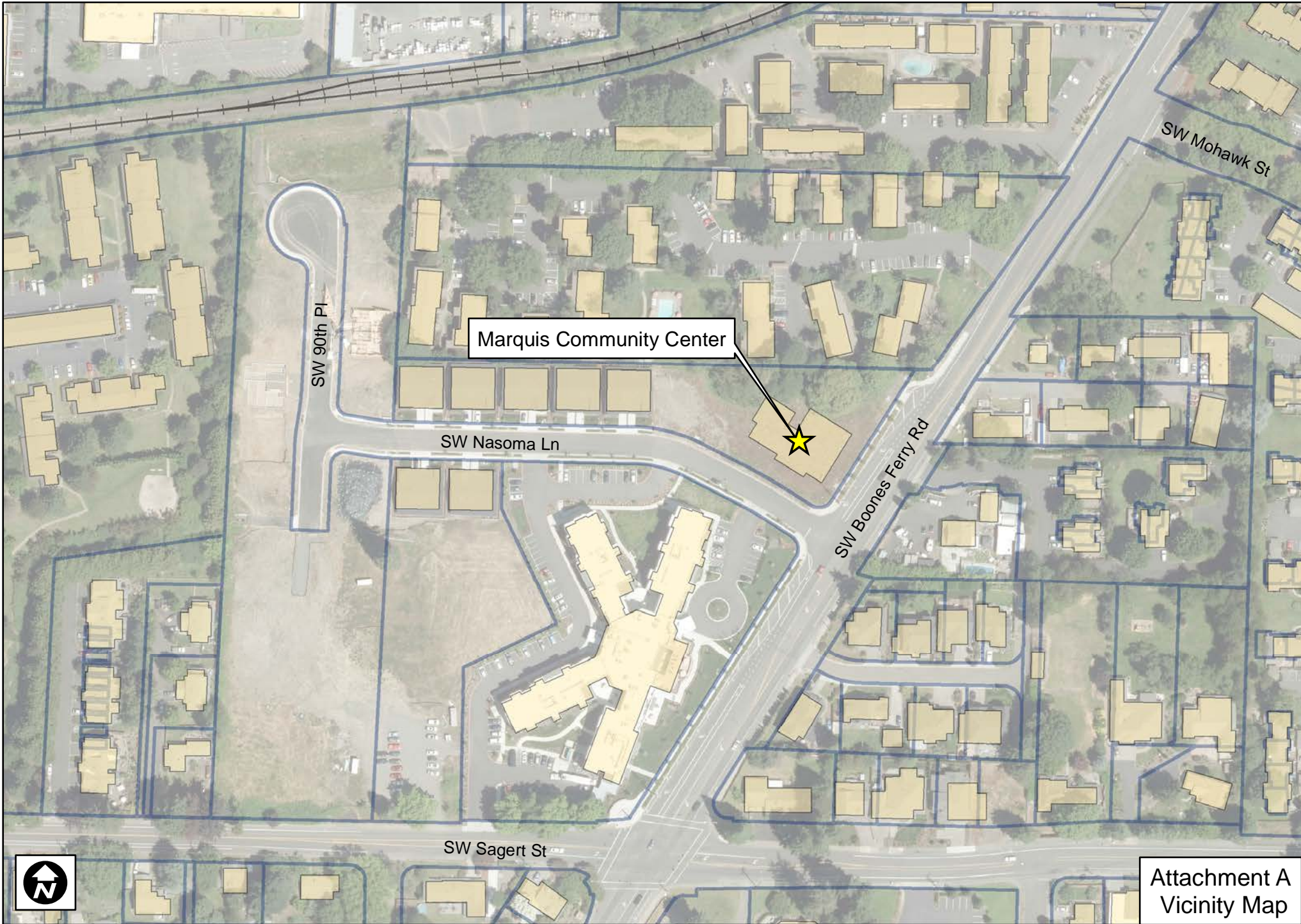
### **FINANCIAL IMPLICATIONS:**

A fee has been paid by the applicant.

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**Attachments:** [Attachment A - Vicinity Map](#)  
[Attachment B- License Types](#)

Attachment C- Application



Marquis Community Center

Attachment A  
Vicinity Map

## OREGON LIQUOR CONTROL COMMISSION

### LICENSE TYPES

#### FULL ON-PREMISES SALES

- **Commercial Establishment**  
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location (*this is the license that most “full-service” restaurants obtain*). Sell malt beverages for off-site consumption in securely covered containers provided by the customer. Food service required. Must purchase distilled liquor **only** from an Oregon liquor store, or from another Full On- Premises Sales licensee who has purchased the distilled liquor from an Oregon liquor store.
- **Caterer**  
Allows the sale of distilled spirits, malt beverages, wine, and cider by the drink to individuals at off-site catered events. Food service required.
- **Passenger Carrier**  
An airline, railroad, or tour boat may sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises. Food service required.
- **Other Public Location**  
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, where the predominant activity is not eating or drinking (for example an auditorium; music, dance, or performing arts facility; banquet or special event facility; lodging fairground; sports stadium; art gallery; or a convention, exhibition, or community center). Food service required.
- **Private Club**  
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, but only for members and guests. Food service required.

#### LIMITED ON-PREMISES SALES

Sell and serve malt beverages, wine, and cider for onsite consumption. Allows the sale of malt beverages in containers (kegs) for off-site consumption. Sell malt beverages for off-site consumption in securely covered containers provided by the customer.

#### OFF-PREMISES SALES

Sell factory-sealed containers of malt beverages, wine, and cider at retail to individuals in Oregon for consumption off the licensed premises. Eligible to provide sample tastings of malt beverages, wine, and cider for consumption on the premises. Eligible to ship manufacturer-sealed containers of malt beverages, wine, or cider directly to an Oregon resident.

#### BREWERY PUBLIC HOUSE

Make and sell malt beverages. Import malt beverages into and export from Oregon. Distribute malt beverages directly to retail and wholesale licensees in Oregon. Sell malt beverages made at the business to individuals for consumption on or off-site.

#### WINERY

Must principally produce wine or cider in Oregon. Manufacture, store, and export wine and cider. Import wine or cider *If bottled, the brand of wine or cider must be owned by the licensee*. Sell wine and cider to wholesale and retail licensees in Oregon. Sell malt beverages, wine, and cider to individuals in Oregon for consumption on or off-site.



# CITY OF TUALATIN

## LIQUOR LICENSE APPLICATION

Return Completed form to:  
City of Tualatin  
Attn: Deputy City Recorder  
18880 SW Martinazzi Ave  
Tualatin, OR 97062

Date 3/28/17 pa

IMPORTANT: *This is a three-page form. You are required to complete all sections of the form.*  
If a question does not apply, please indicate N/A. Please include full names (last, first middle) and full dates of birth (month/day/year). Incomplete forms shall receive an unfavorable recommendation.

Thank you for your assistance and cooperation.

REC'D  
CITY OF TUALATIN

MAR 29 2017

MAYOR \_\_\_\_\_ COUNCIL \_\_\_\_\_ POLICE \_\_\_\_\_ ADM \_\_\_\_\_  
FINANCE \_\_\_\_\_ COMM DEV \_\_\_\_\_ LEGAL \_\_\_\_\_ OPER \_\_\_\_\_  
COMM SVCS \_\_\_\_\_ ENG & BLDG \_\_\_\_\_ LIBRARY \_\_\_\_\_

### SECTION 1: TYPE OF APPLICATION

- Original (New) Application - \$100.00 Application Fee.
- Change in Previous Application - \$75.00 Application Fee.
- Renewal of Previous License - \$35.00 Application Fee. Applicant must possess current business license. License # \_\_\_\_\_
- Temporary License - \$35.00 Application Fee.

### SECTION 2: DESCRIPTION OF BUSINESS

Name of business (dba): MARQUIS COMMUNITY CENTER

Business address 19805 SW Boones Ferry Rd. City Tualatin State OR Zip Code 97062

Mailing address 19945 SW Boones Ferry Rd City Tualatin State OR Zip Code 97062

Telephone # 503-612-5400 Fax # 503-612-5501

Name(s) of business manager(s) First Amanda Middle Carli Last Attig-Ballard

Date of birth [redacted] Social Security # [redacted] ODL# [redacted] M \_\_\_\_\_ F X

Home address [redacted] City [redacted] State [redacted] Zip Code [redacted]  
(attach additional pages if necessary)

Type of business Community Center / Cafe (For retirement community)

Type of food served pastries, sandwiches, salads

Type of entertainment (dancing, live music, exotic dancers, etc.) live music

Days and hours of operation Sunday - Sunday (All days) 6am - 11pm

Food service hours: Breakfast 6am - 12pm Lunch 12pm - 3pm Dinner 3pm - 11pm

Restaurant seating capacity 135 Outside or patio seating capacity 20

How late will you have outside seating? 11pm How late will you sell alcohol? 11pm



How many full-time employees do you have? 4 Part-time employees? 3

**SECTION 3: DESCRIPTION OF LIQUOR LICENSE**

Name of Individual, Partnership, Corporation, LLC, or Other applicants Tualatin LTC Properties II, LLC  
Type of liquor license (refer to OLCC form) \_\_\_\_\_

Form of entity holding license (check one and answer all related applicable questions):

**INDIVIDUAL:** If this box is checked, provide full name, date of birth, and residence address.  
Full name \_\_\_\_\_ Date of birth \_\_\_\_\_  
Residence address \_\_\_\_\_

**PARTNERSHIP:** If this box is checked, provide full name, date of birth and residence address for each partner. If more than two partners exist, use additional pages. If partners are not individuals, also provide for each partner a description of the partner's legal form and the information required by the section corresponding to the partner's form.  
Full name \_\_\_\_\_ Date of birth \_\_\_\_\_  
Residence address \_\_\_\_\_  
Full name \_\_\_\_\_ Date of birth \_\_\_\_\_  
Residence address \_\_\_\_\_

**CORPORATION:** If this box is checked, complete (a) through (c).  
(a) Name and business address of registered agent.  
Full name \_\_\_\_\_  
Business address \_\_\_\_\_


(b) Does any shareholder own more than 50% of the outstanding shares of the corporation? If yes, provide the shareholder's full name, date of birth, and residence address.  
Full name \_\_\_\_\_ Date of birth \_\_\_\_\_  
Residence address \_\_\_\_\_

(c) Are there more than 35 shareholders of this corporation?      Yes      No. If 35 or fewer shareholders, identify the corporation's president, treasurer, and secretary by full name, date of birth, and residence address.  
Full name of president: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
Residence address: \_\_\_\_\_  
Full name of treasurer: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
Residence address: \_\_\_\_\_  
Full name of secretary: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
Residence address: \_\_\_\_\_

**LIMITED LIABILITY COMPANY:** If this box is checked, provide full name, date of birth, and residence address of each member. If there are more than two members, use additional pages to complete this question. If members are not individuals, also provide for each member a description of the member's legal form and the information required by the section corresponding to the member's form.  
Full name: STEVEN CHARLES FOGG Date of birth: [REDACTED]  
Residence address: [REDACTED]

Full name: Phillip Gary Fogg Jr.

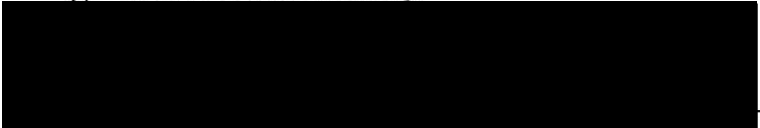
Date of birth: 

Residence address: 

**OTHER:** If this box is checked, use a separate page to describe the entity, and identify with reasonable particularity every entity with an interest in the liquor license.

**SECTION 4: APPLICANT SIGNATURE**

A false answer or omission of any requested information on any page of this form shall result in an unfavorable recommendation.



3/28/17  
Date

Signature of Applicant

For City Use Only

Sources Checked:

- DMV by BSt
- LEDS by BSt
- TuPD Records by BSt
- Public Records by BSt

Number of alcohol-related incidents during past year for location.

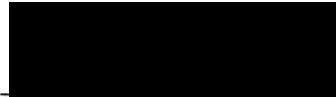
Number of Tualatin arrest/suspect contacts for \_\_\_\_\_

**It is recommended that this application be:**

**Granted**

**Denied**

Cause of unfavorable recommendation: \_\_\_\_\_



4-3-17

Signature

Date

Kent W. Barker Bill Steele  
Chief of Police  
Tualatin Police Department





# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Dominique Huffman, Project Engineer  
Jeff Fuchs, City Engineer

**DATE:** 04/24/2017

**SUBJECT:** Consideration of **Resolution No. 5314-17** Adopting the April 2017 Update to the Public Works Construction Code

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### **ISSUE BEFORE THE COUNCIL:**

Consideration of **Resolution No. 5314-17** adopting the April 2017 update to sections of the Public Works Construction Code.

### **RECOMMENDATION:**

Staff recommends that Council adopt the attached resolution for the April 2017 update to sections of the Public Works Construction Code.

### **EXECUTIVE SUMMARY:**

The Public Works Construction Code for public facilities construction and construction within the right of way sets forth uniform material and workmanship standards for construction of public facilities within the City. The City of Tualatin's Public Works Construction Code is adopted by the City Council and was last updated on December 12, 2016.

This resolution makes the following changes to the Public Works Construction Code:

- Updates standard drawings and specifications for residential and commercial driveways to be consistent with Americans with Disabilities Act (ADA) requirements
- Adds new standard drawings (441 and 443) for "drop down" commercial and residential driveways, which we have been allowing on a case by case basis
- Updates specifications for erosion control fees and water quality fees to refer to the city Fee Schedule instead of including a specific fee in the specifications
- Revises the definition of "design speed" to match standard engineering practice
- Adds a new specification for sidewalk repair and grinding that we have been using for public work
- Adds a standard drawing to explain erosion control requirements for single family home construction.

Specification updates include:

- General Specifications (Chapter 100): 102.3.3 and 102.3.4
- Design Requirement Specifications (Chapter 200): 203.2.01
- Technical Specifications (Chapter 300): 312.5.0

Standard Drawing updates include:

- 440 – Commercial Driveway Approach Curbside Planter Strip
- 441 – Commercial Driveway Approach Curbside Sidewalk
- 442 – Residential Driveway Approach Curbside Planter Strip
- 443 – Residential Driveway Approach Curbside Sidewalk
- 470 – Curb and Gutter
- 471 – Curb
  
- 001 – (NEW) Example Single Family Erosion & Sediment Control Site Plan
- 444 – (REMOVED) Approach Private Driveway

**FINANCIAL IMPLICATIONS:**

The changes to the Public Works Construction Code included in this resolution are not expected to have financial implications.

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**Attachments:**     Resolution No. 5314-17  
                          Revised Title Page  
                          Revised Standard Drawing Table of Contents

RESOLUTION NO. 5314-17

A RESOLUTION UPDATING THE PUBLIC WORKS CONSTRUCTION CODE

WHEREAS, Tualatin Municipal Code (TMC) 2-3-010 establishes the Public Works Construction Code (PWCC) as the standards, specifications and procedures used for all Public Works Construction within the City; and

WHEREAS, under Tualatin Municipal Code 2-3-020, the City Engineer has the duty to maintain and update the PWCC, subject to Council approval by resolution; and

WHEREAS, the PWCC was adopted by Council resolution on October 8, 2001, and subsequently amended on February 11, 2002; October 14, 2002; March 10, 2003; March 22, 2004; April 12, 2010; July 26, 2010; September 26, 2011; and February 25, 2013; and December 12, 2016; and

WHEREAS, the City Engineer is recommending the PWCC be amended;

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

**Section 1.** PWCC Section 102.3.3 is deleted and replaced to read as follows:

**102.3.3 Erosion Control Fees**

For all projects involving activities requiring an erosion control permit and which are not covered by a building permit, the applicant must pay the fees shown in the current version of the City of Tualatin Fee Schedule located on the City of Tualatin website.

**Section 2.** PWCC Section 102.3.4 is deleted and replaced to read as follows:

**102.3.4 Water Quality Fees**

For all projects involving activities requiring a water quality permit the applicant must pay the fees shown in the current version of the City of Tualatin Fee Schedule located on the City of Tualatin website.

**Section 3.** PWCC Section 203.2.01 is deleted and replaced to read as follows:

**203.2.01 Design Speed**

The minimum design speed for each road classification is the posted speed or as directed by the City Engineer, in accordance with Oregon Revised Statutes (ORS) 810.180.

**Section 4.** PWCC Section 312.5.0 is deleted and replaced to read as follows:

**312.5.00 Sidewalk Repair**

When sidewalk, curb, and gutter require repair, the following requirements apply.

**312.5.01 Vertical Separation**

**General.** Grind sidewalk joints and cracks with vertical discontinuities (offsets) between 1/4-inch and 1-inch to reduce trip hazards. The maximum taper of ground areas shall conform to the Americans with Disabilities Act (ADA) requirements. The minimum width of grind shall be 6”.

<b>Height of vertical offset</b>	<b>Requirement</b>
Less than 1/4-inch	No grinding is required
Between 1/4-inch and 1/2-inch	Bevel with a slope not steeper than 50 percent (1:1)
Between 1/2-inch and 1-inch	Do not exceed 8.33 percent (1:12) in the direction of travel

**Finish and Appearance.** Grind vertical offsets to produce a smooth non-skid surface closely resembling the appearance and skid resistance of the adjacent concrete. Perform grinding so the sidewalk surface has essentially the same or slightly rougher texture as the surface adjacent to either side of the joint or crack. Provide a slip-resistant surface for all ground surfaces.

Perform grinding so the shape of grind is approximately rectangular with a straight back line and no stray grinding marks. Grind bevel uniformly across entire length of vertical offset. Smooth sharp edges left by the grinding operations. Do not grind adjacent concrete. Repair all scars or damage caused by the grinding operation.

Grind and fill holes and cracks as directed in accordance with Public Works Construction Code Section 312.5.02 – Horizontal Separations.

**Hand Grinding.** Grind areas that are inaccessible to the grinding machine with a hand held grinder to the same standards as required for machine grinding.

**Dust Control.** Control visible dust from grinding operations by equipping grinding machines with a vacuum dust control system to provide a dust free work area or by using small amounts of water as a dust control agent. Size vacuum dust collection system according to the manufacturer’s recommendations with minimum suction sufficient to eliminate visible dust and a 2-inch diameter hose. Apply water to work area using an automatic water feed system designed for use with the grinding equipment or apply water to the work area by hand using a spray nozzle.

**Control and Clean up.** Throughout all phases of construction keep the work site clean and free from rubbish and debris. If water is used as a dust control agent, remove slurry using a wet-dry shop vacuum. Do not allow concrete dust or other debris to leave the work area and enter the local storm drainage system including the curb and gutter, roadside ditches, or overland flow.

**Ownership and Disposal of Grinding Residue.** Before moving on to the next vertical offset, sweep work area clean and vacuum all slurry and dust produced during grinding. Grinding residue becomes the property of the Contractor. Dispose of the residual material in accordance with State and Federal laws.

**Public convenience and safety.** Meet requirements of Public Works Construction Code Section 302.0.00. When the work requires a section of sidewalk to be closed and pedestrian traffic prohibited, place Type 1 barricades with "sidewalk closed" signs on the sidewalk facing the direction of travel and cone off the work area as need to maintain a safe environment.

**Payment.** Payment for each "Grind" and "Grind and Fill" shall be made at the unit bid price per each, regardless of the height or horizontal extents of the "Grind" and regardless of the height, horizontal extents, or depth of the "Grind and Fill".

Payment for each item will include full compensation for furnishing all labor, materials, tools, equipment and backup equipment; mobilization, traffic control, transportation and technical competence for performing all work necessary to complete each item as directed and as specified in these Contract Documents, including but not limited to obtaining all applicable certifications necessary for specialty personnel and equipment and all applicable permits; equipment and materials to be used on the job, disposal of waste materials, and restoration of each work area site.

**312.5.02     Horizontal Separation**

Sidewalk shall be repaired when the horizontal separation is ½-inch or greater by filling the void with grout.

**Section 5.** The following Standard Drawings are deleted and replaced as set forth in Exhibit A, which are attached and incorporated by reference.

- 440     (Commercial Driveway Approach – Curbside Planter)
- 441     (Commercial Driveway Approach – Curbside Sidewalk)
- 442     (Residential Driveway Approach – Curbside Planter Strip)
- 443     (Residential Driveway Approach – Curbside Sidewalk)
- 470     (Curb and Gutter)
- 471     (Curb)

**Section 6.** Standard Drawing 444 (Approach Private Driveway) is deleted.



**Section 7.** Standard Drawings 001 (Example Single Family Erosion & Sediment Control Site Plan) is added, as set forth in Exhibit B, which is attached and incorporated by reference.

**Section 8.** References in the Standard Drawings Table of Contents to the following Standard Drawings in progress are deleted.

- 044 (Ditch Inlet 27-Inch)
- 051 (Frame and Grate Ditch Inlet)
- 435 (Bicycle/Pedestrian Asphalt Concrete Path)
- 436 (Bicycle Path Concrete)
- 437 (Pedestrian Access Concrete Path)
- 438 (Pedestrian Path Crushed Rock)
- 515 (Typical Sign and Street Tree Location)
- 618 (Pressure Reducing/Sustaining Assembly)
- 619 (Pressure Reducing Assembly)

**Section 9.** The City Engineer, or designee, is authorized to change the wording of captions; rearrange sections and change reference numbers to agree with renumbered chapters, sections or other parts; substitute the proper subsection, section, chapter or other division numbers; strike out figures or words that are merely repetitious; change capitalization and style for the purpose of uniformity; and correct manifest clerical or typographical errors.

**Section 10.** To the extent this resolution conflicts with a prior resolution involving the PWCC, the provisions of this resolution control.

**Section 11.** This resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 24<sup>th</sup> day of April, 2017.

CITY OF TUALATIN OREGON

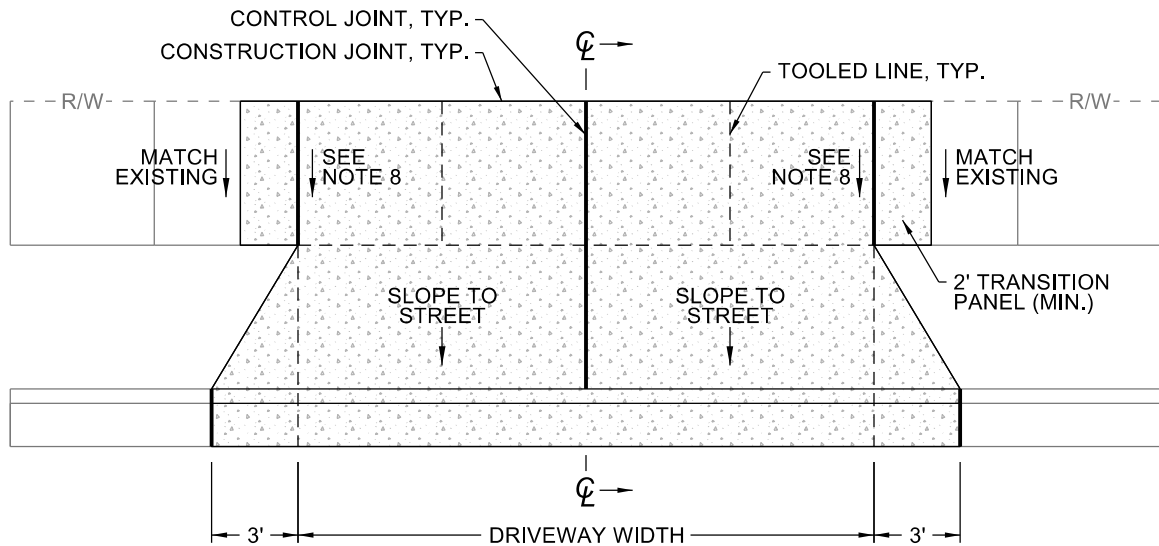
BY \_\_\_\_\_  
Mayor

APPROVED AS TO LEGAL FORM

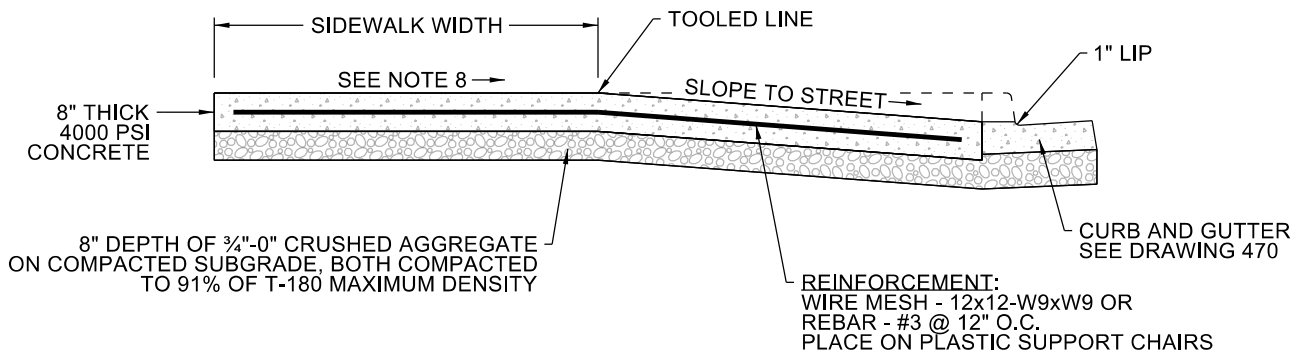
ATTEST

BY \_\_\_\_\_  
City Attorney

BY \_\_\_\_\_  
City Recorder



PLAN



SECTION

NOTES:

1. CONTROL JOINTS SHALL BE WEAKENED PLANE TYPE FORMED TO A DEPTH 2-3/4" WITH TOOLED EDGES (1/4"R EDGE, 3" FLAT) EXCEPT IN CURB AND GUTTER (1/4"R EDGE ONLY). NO MESH ACROSS CONTROL JOINTS.
2. TOOLED LINES ARE FOR COMESTIC PURPOSES ONLY, 1/4"R EDGE, 3" FLAT.
3. FOR LOCATION AND WIDTH OF DRIVEWAYS, MEET THE REQUIREMENTS OF THE TUALATIN DEVELOPMENT CODE.
4. FINISH CONCRETE APPROACH RAMP WITH BRUSH FINISH TRANSVERSE TO CENTERLINE.
5. POUR APPROACH SLAB AND WINGS (BOTH 8" THICK) MONOLITHIC WITH CURB AND GUTTER IF SO DIRECTED BY ENGINEER.
6. BEFORE OPENING TO TRAFFIC, ATTAIN 4,000 PSI COMPRESSIVE STRENGTH.
7. REMOVE THE CURB AND GUTTER IN ITS ENTIRETY AND POUR BACK AS A MONOLITHIC POUR IF AN EXISTING CURB AND GUTTER IS MODIFIED AS PART OF A DRIVEWAY APPROACH.
8. SIDEWALK CROSS SLOPE TO BE MAX 1.5% DESIGN SLOPE (2.0% MAX FINISHED SURFACE SLOPE).



**CITY OF  
TUALATIN, OR**

**COMMERCIAL DRIVEWAY  
APPROACH  
CURBSIDE PLANTER STRIP**

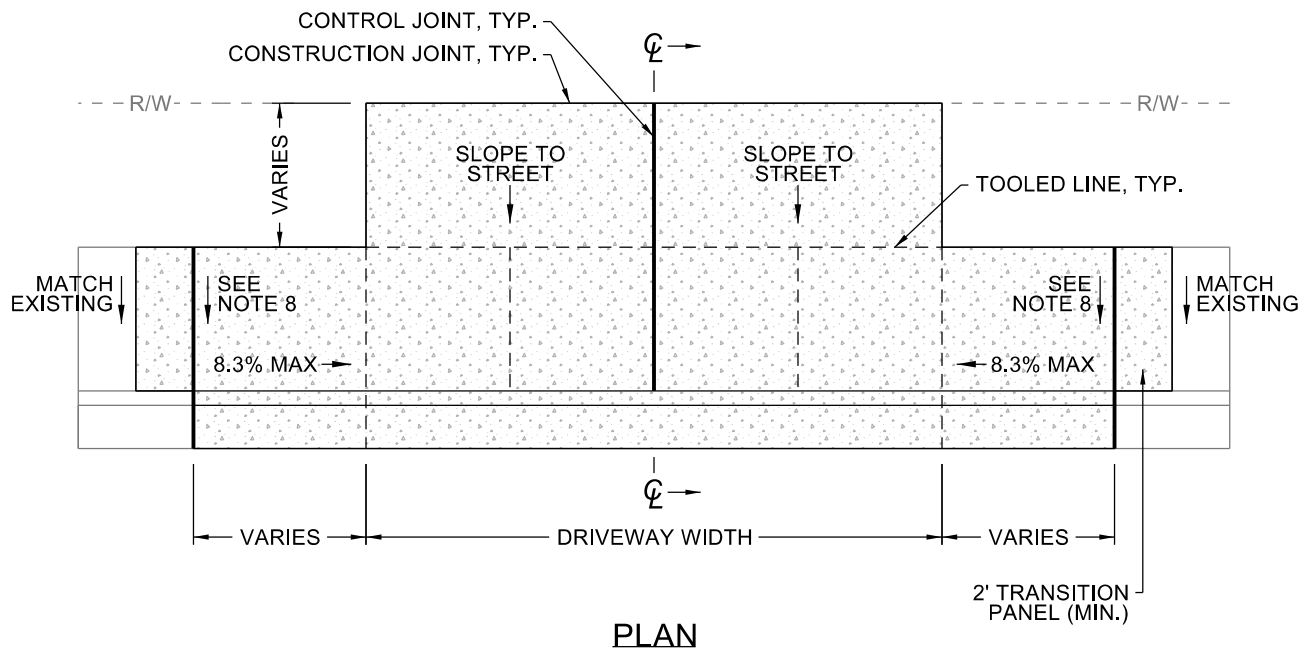
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EFFECTIVE: 04/24/2017

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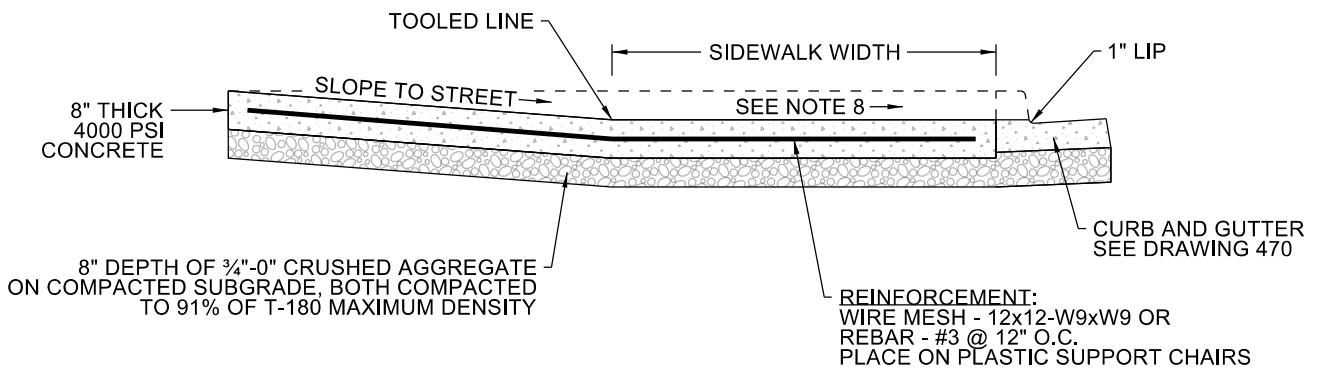
DRAFTED BY: M. PALMER  
APPROVED BY: J. FUCHS

DRAWING NO:

**440**



PLAN



SECTION

NOTES:

1. **CONTROL JOINTS** SHALL BE WEAKENED PLANE TYPE FORMED TO A DEPTH 2-3/4" WITH TOOLED EDGES (1/4"R EDGE, 3" FLAT) EXCEPT IN CURB AND GUTTER (1/4"R EDGE ONLY). NO MESH ACROSS CONTROL JOINTS.
2. **TOOLED LINES** ARE FOR COMESTIC PURPOSES ONLY, 1/4"R EDGE, 3" FLAT.
3. FOR LOCATION AND WIDTH OF DRIVEWAYS, MEET THE REQUIREMENTS OF THE TUALATIN DEVELOPMENT CODE.
4. FINISH CONCRETE APPROACH RAMP WITH BRUSH FINISH TRANSVERSE TO CENTERLINE.
5. POUR APPROACH SLAB AND RAMPS (BOTH 8" THICK) MONOLITHIC WITH CURB AND GUTTER IF SO DIRECTED BY ENGINEER.
6. BEFORE OPENING TO TRAFFIC, ATTAIN 4,000 PSI COMPRESSIVE STRENGTH.
7. REMOVE THE CURB AND GUTTER IN ITS ENTIRETY AND POUR BACK AS A MONOLITHIC POUR IF AN EXISTING CURB AND GUTTER IS MODIFIED AS PART OF A DRIVEWAY APPROACH.
8. SIDEWALK CROSS SLOPE TO BE MAX 1.5% DESIGN SLOPE (2.0% MAX FINISHED SURFACE SLOPE).



**CITY OF  
TUALATIN, OR**

**COMMERCIAL DRIVEWAY  
APPROACH  
CURBSIDE SIDEWALK**

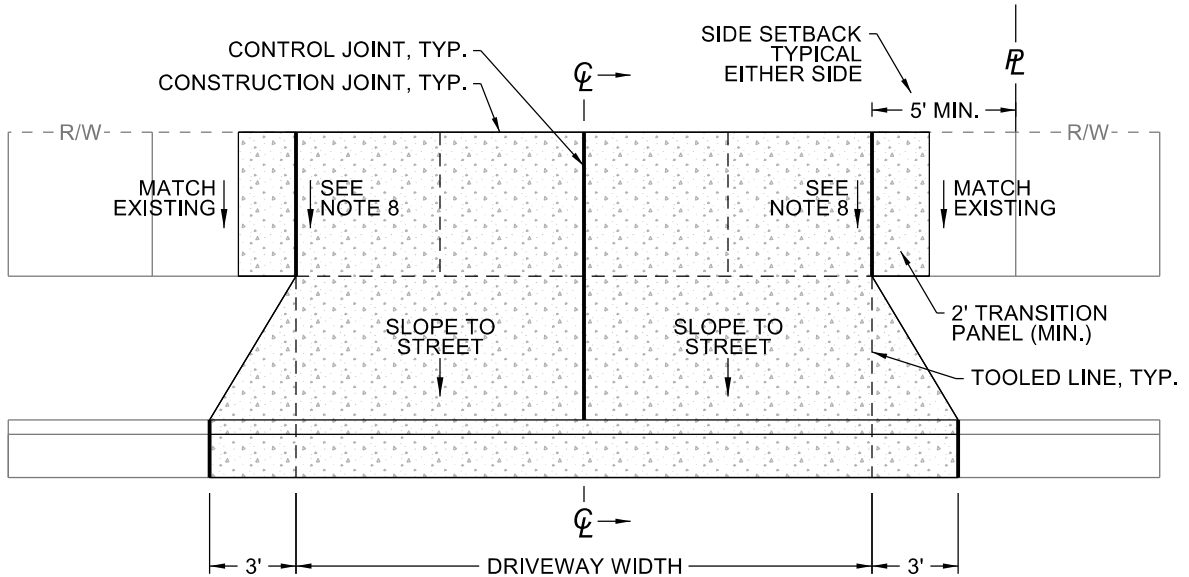
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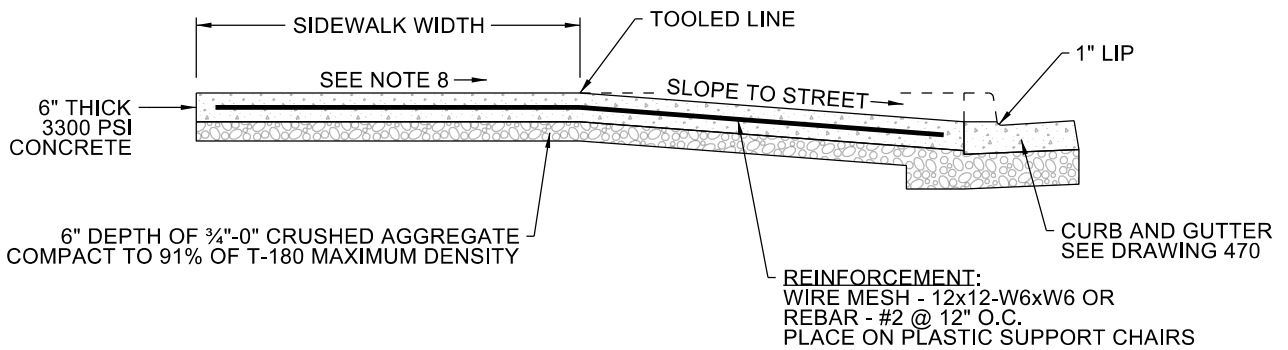
DRAFTED BY: M. PALMER  
APPROVED BY: J. FUCHS

DRAWING NO:

**441**



PLAN



SECTION

NOTES:

1. CONTROL JOINTS SHALL BE WEAKENED PLANE TYPE FORMED TO A DEPTH 2" WITH TOOLED EDGES (1/4"R EDGE, 3" FLAT) EXCEPT IN CURB AND GUTTER (1/4"R EDGE ONLY). NO MESH ACROSS CONTROL JOINTS.
2. TOOLED LINES ARE FOR COMESTIC PURPOSES ONLY, 1/4"R EDGE, 3" FLAT.
3. FOR LOCATION AND WIDTH OF DRIVEWAYS, MEET THE REQUIREMENTS OF THE TUALATIN DEVELOPMENT CODE.
4. FINISH CONCRETE APPROACH RAMP WITH BRUSH FINISH TRANSVERSE TO CENTERLINE.
5. POUR APPROACH SLAB AND WINGS (BOTH 6" THICK) MONOLITHIC WITH CURB AND GUTTER IF SO DIRECTED BY ENGINEER.
6. BEFORE OPENING TO TRAFFIC, ATTAIN 3,300 PSI COMPRESSIVE STRENGTH.
7. REMOVE THE CURB AND GUTTER IN ITS ENTIRETY AND POUR BACK AS A MONOLITHIC POUR IF AN EXISTING CURB AND GUTTER IS MODIFIED AS PART OF A DRIVEWAY APPROACH.
8. SIDEWALK CROSS SLOPE TO BE MAX 1.5% DESIGN SLOPE (2.0% MAX FINISHED SURFACE SLOPE).



**CITY OF  
TUALATIN, OR**

**RESIDENTIAL DRIVEWAY  
APPROACH  
CURBSIDE PLANTER STRIP**

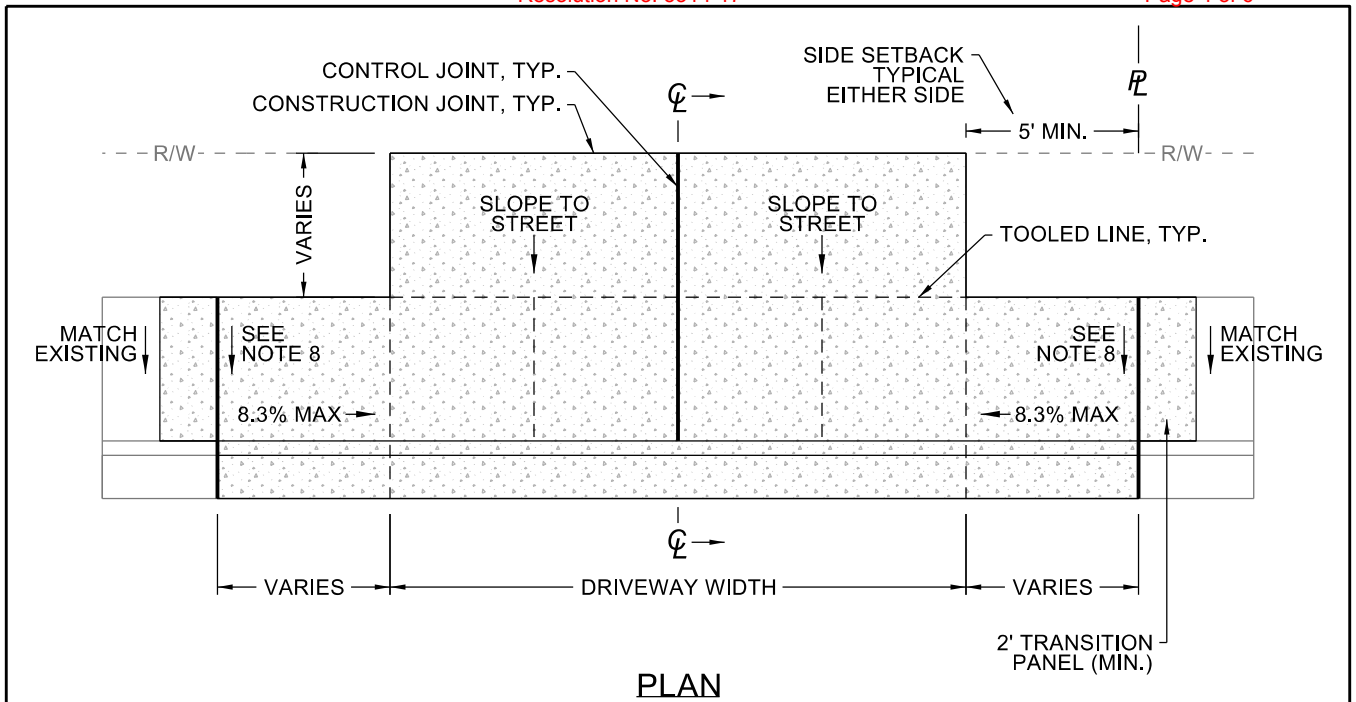
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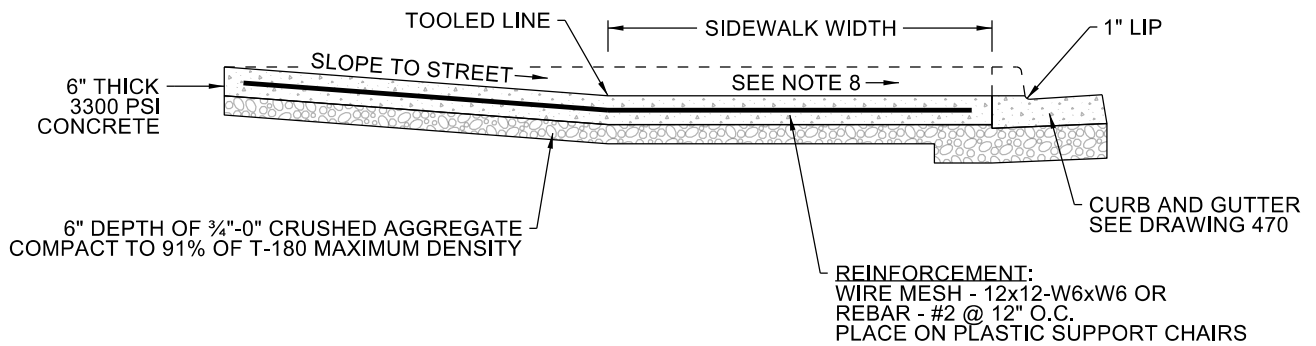
DRAFTED BY: M. PALMER  
APPROVED BY: J. FUCHS

DRAWING NO:

**442**



PLAN



SECTION

NOTES:

1. **CONTROL JOINTS** SHALL BE WEAKENED PLANE TYPE FORMED TO A DEPTH 2" WITH TOOLED EDGES (1/4"R EDGE, 3" FLAT) EXCEPT IN CURB AND GUTTER (1/4"R EDGE ONLY). NO MESH ACROSS CONTROL JOINTS.
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8. SIDEWALK CROSS SLOPE TO BE MAX 1.5% DESIGN SLOPE (2.0% MAX FINISHED SURFACE SLOPE).



**CITY OF  
TUALATIN, OR**

**RESIDENTIAL DRIVEWAY  
APPROACH  
CURBSIDE SIDEWALK**

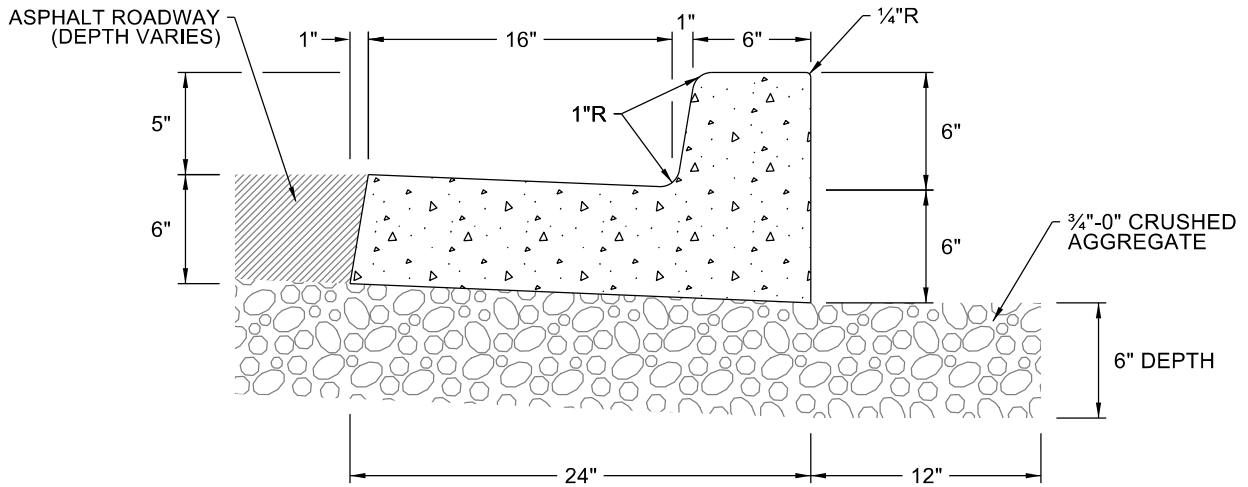
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EFFECTIVE: 04/24/2017

SCALE:

DRAFTED BY: M. PALMER  
APPROVED BY: J. FUCHS

DRAWING NO:

**443**



**NOTES:**

1. CONCRETE, 4%-7% AIR, SHALL ATTAIN 3300 PSI COMPRESSIVE STRENGTH AT 28 DAYS.
2. CONTROL JOINTS OF THE WEAKENED PLANE TYPE, DOWN THROUGH THE CURB TO HALF THE DEPTH OF THE GUTTER, SHALL BE SPACED AT 15' INTERVALS AND AT POINTS OF TANGENCY. FINISH THE EXPOSED EDGE WITH 1/4" RADIUS EDGER. DO NOT USE EXPANSION JOINTS.
3. CONSTRUCTION JOINTS SHALL BE FORMED WITH A SMOOTH FACE SQUARE TO THE CURB AND DOWN THROUGH HALF THE DEPTH OF THE GUTTER. FINISH FUTURE EXPOSED EDGE WITH 1/4" RADIUS EDGER. THE LOWER HALF OF THE GUTTER CROSS SECTION SHALL BE LEFT WITH A ROUGH EXPOSED AGGREGATE SURFACE TO INTERLOCK WITH A FUTURE EXTENSION OF THE CURB AND GUTTER.
4. BASE ROCK UNDER THE CURB AND ALSO PLACED 12" BEYOND THE BACK OF THE CURB SHALL BE COMPACTED TO 91% OF T-180 MAXIMUM DENSITY.
5. DRAINAGE WEEP HOLES OF 3" DIAMETER PVC SCHEDULE 40 PIPE SHALL BE PLACED THROUGH THE CURB 1/2" ABOVE THE GUTTER INVERT AND EXTEND 3" BEYOND THE BACK OF THE CURB AT POSITIONS SHOWN ON THE PLANS, LOW POINTS IN THE CURB, OR WHERE DETERMINED BY THE ENGINEER.
6. THE BACK OF THE CURB SHALL BE BACKFILLED NOT EARLIER THAN 7 DAYS AFTER CONCRETE PLACEMENT AND PRIOR TO THE COMPACTION OF BASE AND TOP COURSE ROCK AND PAVEMENT.
7. THE EXPOSED SURFACES SHALL BE BROOM FINISHED IN THE DIRECTION OF GUTTER FLOW.



**CITY OF  
TUALATIN, OR**

**CURB AND GUTTER**

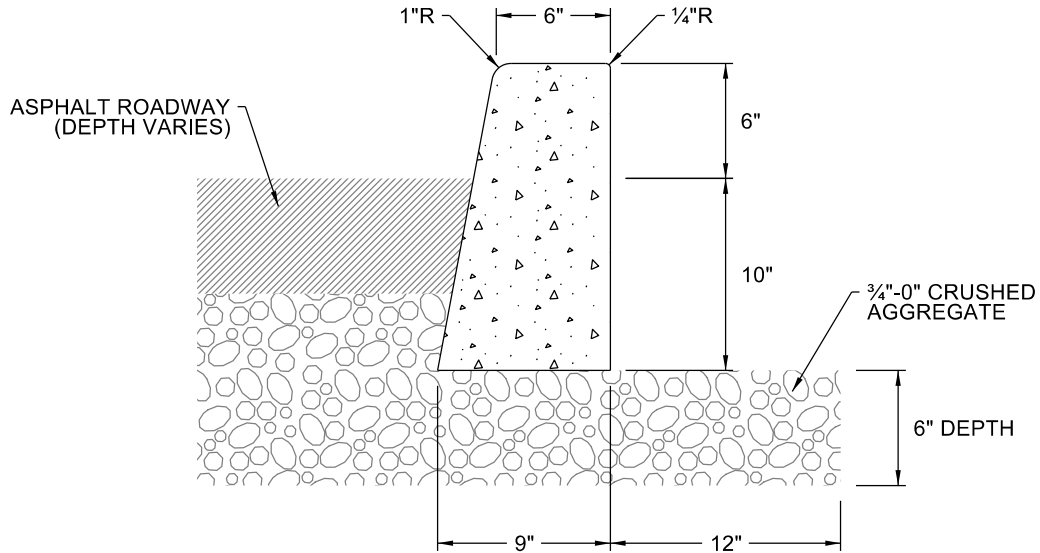
REVISED: 04/07/2017  
EFFECTIVE: 04/24/2017

SCALE:

DRAFTED BY: M. PALMER  
APPROVED BY: J. FUCHS

DRAWING NO:

**470**



**NOTES:**

1. CONCRETE, 4%-7% AIR, SHALL ATTAIN 3300 PSI COMPRESSIVE STRENGTH AT 28 DAYS.
2. CONTROL JOINTS OF THE WEAKENED PLANE TYPE, DOWN THROUGH THE CURB TO HALF THE DEPTH OF THE CURB, SHALL BE SPACED AT 15' INTERVALS AND AT POINTS OF TANGENCY. FINISH THE EXPOSED EDGE WITH 1/4" RADIUS EDGER. DO NOT USE EXPANSION JOINTS.
3. CONSTRUCTION JOINTS SHALL BE FORMED WITH A SMOOTH FACE SQUARE TO THE CURB AND DOWN THROUGH HALF THE DEPTH OF THE CURB. FINISH FUTURE EXPOSED EDGE WITH 1/4" RADIUS EDGER. THE LOWER HALF OF THE CURB CROSS SECTION SHALL BE LEFT WITH A ROUGH EXPOSED AGGREGATE SURFACE TO INTERLOCK WITH A FUTURE EXTENSION OF THE CURB.
4. BASE ROCK UNDER THE CURB AND ALSO PLACED 12" BEYOND THE BACK OF THE CURB SHALL BE COMPACTED TO 91% OF T-180 MAXIMUM DENSITY.
5. DRAINAGE WEEP HOLES OF 3" DIAMETER PVC SCHEDULE 40 PIPE SHALL BE PLACED THROUGH THE CURB WITH INVERT 5 1/2" BELOW THE CURB TOP AND EXTEND 3" BEYOND THE BACK OF THE CURB AT POSITIONS SHOWN ON THE PLANS, LOW POINTS IN THE CURB, OR WHERE DETERMINED BY THE ENGINEER.
6. THE BACK OF THE CURB SHALL BE BACKFILLED NOT EARLIER THAN 7 DAYS AFTER CONCRETE PLACEMENT AND PRIOR TO THE COMPACTION OF BASE AND TOP COURSE ROCK AND PAVEMENT.
7. THE EXPOSED SURFACES SHALL BE BROOM FINISHED LONGITUDINALLY.



**CITY OF  
TUALATIN, OR**

**CURB**

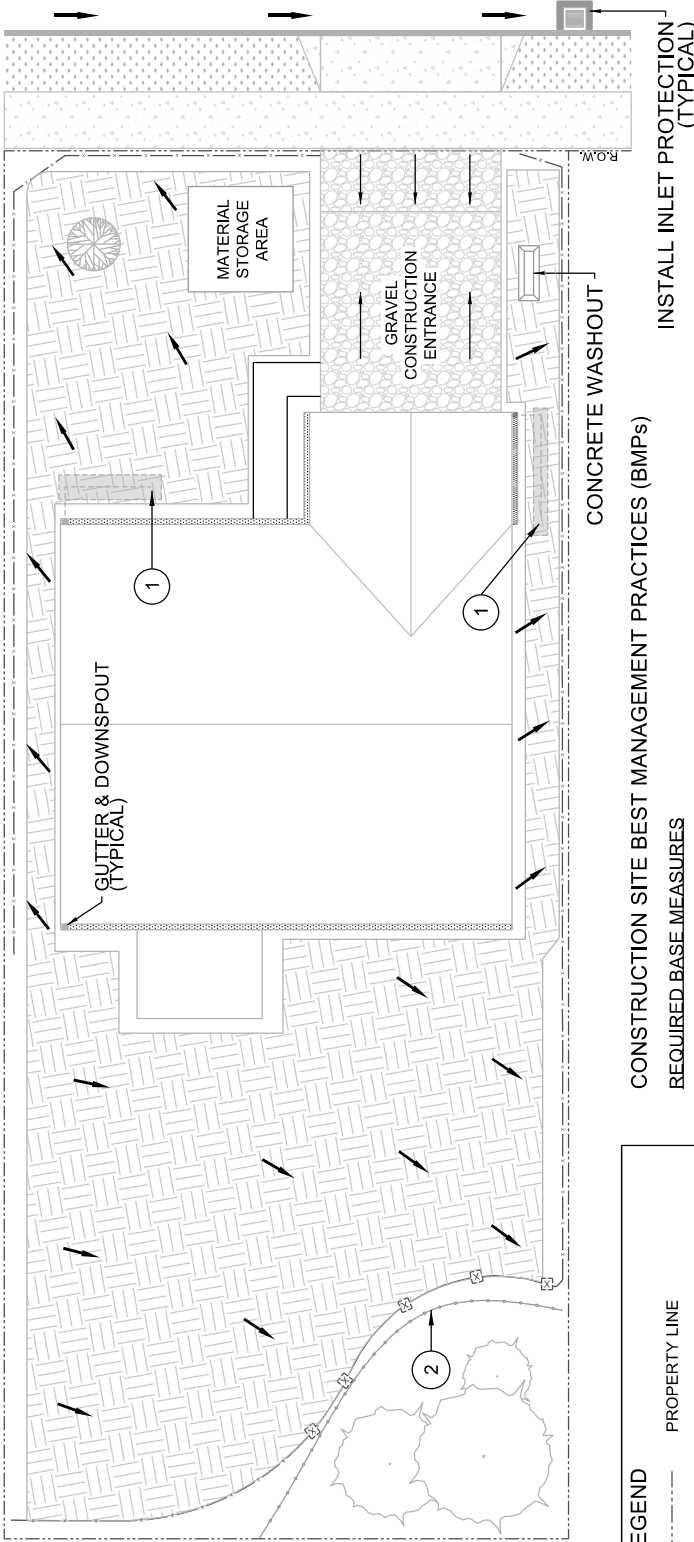
REVISED: 04/07/2017  
EFFECTIVE: 04/24/2017

SCALE:

DRAFTED BY: M. PALMER  
APPROVED BY: J. FUCHS

DRAWING NO:

**471**



**LEGEND**

- PROPERTY LINE
- - - PERIMETER SEDIMENT CONTROL
- - - TEMP CONSTRUCTION FENCE
- ↑ GROUND SLOPE DIRECTION
- [Patterned Box] EXISTING VEGETATION
- [Patterned Box] STABILIZED SOIL
- [Tree Symbol] EXISTING TREE
- [Patterned Box] EXISTING VEGETATION

- KEYNOTES:**
- ① MINIMIZE COMPACTION OF SURFACE IN INFILTRATION AREAS. INSTALL PROTECTION FENCING WHEN FEASIBLE.
  - ② IF VEGETATED CORRIDOR AND/OR OTHER SENSITIVE AREAS ARE PRESENT, INSTALL CONSTRUCTION FENCE ALONG BOUNDARY.

- CONSTRUCTION SITE BEST MANAGEMENT PRACTICES (BMPs)**
- REQUIRED BASE MEASURES**
- PERIMETER SEDIMENT CONTROL
  - CONSTRUCTION SITE ENTRANCE
  - STORM DRAIN INLET PROTECTION
- NON-STORMWATER POLLUTION CONTROL BMPs**
- STORE ALL PAINTS, STAINS, SOLVENTS, AND HAZARDOUS MATERIAL IN A COVERED STORAGE AREA.
  - DISPOSE OF ALL TRASH DEBRIS THAT COULD ENTER STORM SYSTEM IN A DUMPSTER OR TRASH CAN.
  - CLEANUP SPILLS PROMPTLY USING DRY CLEANUP METHODS.
  - DISPOSE OF CONCRETE WASHOUT IN APPROVED LOCATIONS TO REDUCE POTENTIAL FOR DISCHARGE FROM CONSTRUCTION SITE.
- ADDITIONAL CONSTRUCTION SITE BMPs**
- SWEEP STREET AND/OR HARD SURFACES DAILY AND PROPERLY DISPOSE OF ALL MATERIALS.
  - REMOVE TEMPORARY CONTROL MEASURES WHEN NO LONGER NEEDED.
  - INSTALL GUTTERS & DOWNSPOUTS AS EARLY AS POSSIBLE. CAPTURE RUNOFF TO PREVENT ADDITIONAL ON SITE EROSION (E.G. SWALE, RAIN GARDEN, FRENCH DRAIN).
  - IF EXISTING VEGETATION IN RIGHT-OF-WAY IS DISTURBED AND SOIL IS EXPOSED, INSTALL A PERIMETER SEDIMENT CONTROL TO PREVENT MATERIAL FROM ENTERING ROADWAY.

**DO NOT DUMP OR WASH ANY MATERIAL INTO THE STORM DRAIN.**

DISCLAIMER: FOR GUIDANCE ONLY. BEST MANAGEMENT PRACTICES MAY VARY DEPENDING ON CONSTRUCTION SITE CHARACTERISTICS. FOR MORE INFORMATION ON EROSION CONTROL MEASURES PLEASE SEE CLEAN WATER SERVICES D&C STANDARDS CHAPTER 6 OR THE EROSION PREVENTION & SEDIMENT CONTROL MANUAL. (VERSION 1, MAY 5, 2016)

**CITY OF TUALATIN, OR**

REVISED: 04/07/2017  
EFFECTIVE: 04/24/2017

SCALE:

**EXAMPLE SINGLE FAMILY EROSION & SEDIMENT CONTROL SITE PLAN**

DRAFTED BY: M. PALMER  
APPROVED BY: J. FUCHS

DRAWING NO: **001**





# **PUBLIC WORKS CONSTRUCTION CODE**

**CITY OF TUALATIN**

**ENGINEERING DIVISION**

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

NOVEMBER 2001

*LATEST REVISION: APRIL 24, 2017*

The selection and use of the enclosed specifications and standards, while in accordance with generally accepted engineering principles and practices, is the sole responsibility of the user and should not be used without consulting a registered professional engineer.

# REVISIONS SUMMARY

## April 24, 2017 Revisions (Adopted under Resolution No. 5314-17)

### Revised Specification Sections:

- Section 102.3.3 “Erosion Control Fees”
- Section 102.3.4 “Water Quality Fees”
- Section 203.2.01 “Design Speed”
- Section 312.5.00 “Sidewalk Repair”

### Revised Standard Drawings:

- Commercial Driveway Approach – Curbside Planter Strip (Drawing No 440)
- Commercial Driveway Approach – Curbside Sidewalk (Drawing No 441)
- Residential Driveway Approach – Curbside Planter Strip (Drawing No 442)
- Residential Driveway Approach – Curbside Sidewalk (Drawing No 443)
- Curb and Gutter (Drawing No 470)
- Curb (Drawing No 471)

### New Standard Drawings:

- Example Single Family Erosion & Sediment Control Site Plan (Drawing No 001)

### Deleted Standard Drawings:

- Approach Private Driveway (Drawing No 444)

## December 12, 2016 Revisions (Adopted under Resolution No. 5302-16)

### Revised Specification Sections:

- Section 202.1.00 “Scope”
- Section 202.2.00 “Plan View”
- Section 203.2.02 “Sight Distance”
- Section 203.2.04 “Superelevation”
- Section 203.2.08 “Intersections”
- Section 203.2.11C “Accessways”
- Section 203.2.14 “Sidewalks”
- Section 203.2.15 “Curb Ramps”
- Section 203.2.24A “Design and Installation Requirements”
- Section 203.2.25 “Traffic Signs”
- Section 203.2.27 “Traffic Marking”
- Section 311.3.05 “Control Joints”
- Section 312.3.05 “Control Joints”
- Section 312.3.07 “Finish”

Revised Standard Drawings:

- ADA Ramp – General Notes (Drawing No 460)
- ADA Ramp – Perpendicular (Drawing No 461)
- ADA Ramp – Parallel (Drawing No 462)
- ADA Ramp – Midblock (Drawing No 463)
- Concrete Sidewalk (Drawing No 475)
- Street Sign Post (Drawing No 516)

New Standard Drawings:

- ADA Ramp – Details (Drawing No 464)
- Street Name Sign (Drawing No 517)

## Standard Drawings Table of Contents

NUMBER	EFF. DATE	TITLE
001	Apr-17	EXAMPLE SINGLE FAMILY EROSION & SEDIMENT CONTROL SITE PLAN
010	Oct-01	48-INCH MANHOLE ECCENTRIC CONE TOP
011	Oct-01	48-INCH MANHOLE FLAT TOP
012	Oct-01	60-INCH MANHOLE ECCENTRIC CONE TOP
013	Oct-01	60-INCH MANHOLE FLAT TOP
014	Oct-01	72-INCH MANHOLE ECCENTRIC CONE TOP
015	Oct-01	72-INCH MANHOLE FLAT TOP
016	Oct-01	84-INCH MANHOLE ECCENTRIC CONE TOP
017	Oct-01	84-INCH MANHOLE FLAT TOP
018	Oct-01	96-INCH MANHOLE ECCENTRIC CONE TOP
019	Oct-01	96-INCH MANHOLE FLAT TOP
020	Feb-00	MANHOLE OUTSIDE DROP ASSEMBLY
021	Mar-04	MANHOLE INSIDE DROP ASSEMBLY
030	Jul-96	MANHOLE COVER AND FRAME
031	Jun-97	MANHOLE COVER AND FRAME WATERTIGHT
032	Feb-98	MANHOLE STEPS
040	Dec-01	CATCH BASIN GUTTER GRATE INLET 36-INCH
041	Dec-01	CATCH BASIN CURB INLET 30-INCH
042	Dec-01	CATCH BASIN CURB INLET 48-INCH
043	Dec-01	DITCH INLET 24-INCH
<b>044</b>	<del>xxx</del>	<b><del>DITCH INLET 27-INCH</del></b>
050	Feb-02	FRAME AND GRATE CATCH BASIN
<b>051</b>	<del>xxx</del>	<b><del>FRAME AND GRATE DITCH INLET</del></b>
060	Mar-03	MANHOLE WATER QUALITY CONTROL
100	Feb-98	SEWER CLEANOUT
240	Oct-01	PIPE TRENCH BACKFILL
270	Mar-03	CONCRETE PIPE SLOPE ANCHORS
290	Mar-04	UNDERCROSSING
300	Mar-03	SEWER BUILDING LATERAL (SERVICE)

## Standard Drawings Table of Contents

NUMBER	EFF. DATE	TITLE
310	Jan-02	SUBGRADE DRAIN
330	Mar-03	PIPELINE STREAM CROSSING
425	Jul-92	UTILITY LOCATIONS
<del>435</del>	<del>xxx</del>	<del>BICYCLE/PEDESTRIAN ASPHALT CONCRETE PATH</del>
<del>436</del>	<del>xxx</del>	<del>BICYCLE PATH CONCRETE</del>
<del>437</del>	<del>xxx</del>	<del>PEDESTRIAN ACCESS CONCRETE PATH</del>
<del>438</del>	<del>xxx</del>	<del>PEDESTRIAN PATH CRUSHED ROCK</del>
450	Oct-02	PARABOLIC SPEED HUMP CONSTRUCTION
451	Oct-02	PARABOLIC SPEED HUMP PAVEMENT MARKINGS & STREET SIGNS
452	Oct-02	SPEED TABLE HUMP CONSTRUCTION
453	Oct-02	SPEED TABLE HUMP PAVEMENT MARKINGS AND STREET SIGNS
460	Dec-16	ADA RAMP – GENERAL NOTES
461	Dec-16	ADA RAMP – PERPENDICULAR
462	Dec-16	ADA RAMP – PARALLEL
463	Dec-16	ADA RAMP – MIDBLOCK
464	Dec-16	ADA RAMP – DETAILS
470	Apr-17	CURB AND GUTTER
471	Apr-17	CURB
475	Dec-16	CONCRETE SIDEWALK
500	Oct-01	MAILBOX POST INSTALLATION
510	Feb-02	STREET BARRICADE
511	Feb-02	STREET BARRICADE SIGN
512	Mar-04	STORMWATER FACILITY SIGN
514	Feb-13	TREE WELL AND GRATE
<del>515</del>	<del>xxx</del>	<del>TYPICAL SIGN AND STREET TREE LOCATION</del>
516	Dec-16	STREET SIGN POST
517	Dec-16	STREET NAME SIGN
520	Apr-10	CENTERLINE SURVEY MONUMENT

## Standard Drawings Table of Contents

NUMBER	EFF. DATE	TITLE
600	Apr-10	GATE VALVE AND BOX
601	Apr-10	BUTTERFLY VALVE AND BOX
602	Mar-08	1-INCH AIR RELEASE VALVE
603	Mar-08	2-INCH AIR RELEASE VALVE
604	Mar-08	SAMPLE STATION
605	Mar-08	VALVE ASSEMBLY PERMANENT BLOW-OFF
606	Mar-08	VALVE ASSEMBLY TEMPORARY BLOW-OFF
607	Mar-08	OUTSIDE RPBA 2" AND SMALLER
608	Mar-08	INSIDE RPBA 2" AND SMALLER
609	Mar-08	INSIDE RPBA 3/4"- 1"
610	Mar-03	FIRE HYDRANT ASSEMBLY
611	Mar-08	INSIDE RPBA 1 1/2"- 2 1/2"
612	Mar-08	INSIDE RPBA 2 1/2"- 10"
613	Mar-08	BACKFLOW ASSEMBLY DOUBLE CHECK 3" THRU 10"
614	Mar-08	BACKFLOW ASSEMBLY FIRE PROTECTION WITHOUT FDC
615	Mar-08	BACKFLOW ASSEMBLY FIRE PROTECTION WITH FDC
616	Mar-08	BACKFLOW ASSEMBLY REDUCED PRESSURE 3/4" THRU 2"
617	Mar-08	BACKFLOW ASSEMBLY REDUCED PRESSURE 2 1/2" THRU 10"
<del>618</del>	<del>xxx</del>	<del>PRESSURE REDUCING/SUSTAINING ASSEMBLY</del>
<del>619</del>	<del>xxx</del>	<del>PRESSURE REDUCING ASSEMBLY</del>
620	Feb-02	JOINT RESTRAINT BEARING THRUST BLOCKS
621	Oct-01	JOINT RESTRAINT GRAVITY THRUST BLOCKS
622	Oct-01	JOINT RESTRAINT STRADDLE THRUST BLOCK
630	Apr-10	WATER SERVICE 5/8" x 3/4" METER
631	Mar-08	WATER SERVICE 1" METER
632	Mar-08	WATER SERVICE 1 1/2" METER
633	Mar-08	WATER SERVICE 2" METER
634	Mar-08	WATER SERVICE 3" AND LARGER METER COMPOUND TYPE
635	Mar-08	WATER SERVICE 4" AND LARGER METER FIRE SERVICE TYPE

~~xxx - Denotes drawing in progress and not included in this document~~



# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Dominique Huffman, Project Engineer  
Jeff Fuchs, City Engineer

**DATE:** 04/24/2017

**SUBJECT:** Consideration of **Resolution No. 5313-17** Authorizing the Purchase of Rights-of-Way and Temporary Construction Easements for the Construction of Myslony Bridge

---

### **ISSUE BEFORE THE COUNCIL:**

The Council will consider authorizing the City Manager to purchase rights-of-way for the construction of Myslony Bridge.

### **RECOMMENDATION:**

Staff recommends that the Council approve the attached resolution to purchase rights-of-way for Myslony Bridge project construction.

### **EXECUTIVE SUMMARY:**

This resolution enables the City Manger to execute legal documents to acquire the property needed to construct and maintain the Myslony Bridge project.

The majority of this project will occur within existing right-of-way; however, additional rights-of-way and temporary and permanent easements will need to be acquired from adjacent properties. Two properties are affected. For both properties the private property owners and lessees are willing sellers. The City's offering price was based on appraisals performed by Day Appraisal Company, Inc. and Universal Field Services, Inc.

### **Myslony, LLC**

- Property is located on the north side of Myslony Street, east of Hedges Creek
- The City is purchasing a permanent roadway easement (3,744 sq ft) and a temporary construction easement (400 sq ft)
- Acquisition amount \$14,100

### **Tualatin Yards, LLC**

- Property is located on the south side of Myslony Street, on both east and west sides of Hedges Creek
- The City is purchasing a permanent easement (12,881 sq ft) and a temporary construction easement (690 sq ft)
- Acquisition amount \$57,000

This project will include approximately 500 feet of new two lane roadway with a center left turn lane, bike lanes, sidewalks, storm drainage, water quality treatment, planter strips, and street lighting. A water main identified in the 2013 Water Master Plan will also be constructed with this project. The design of these features focused on minimizing the bridge footprint to limit impacts to right-of-way and environmentally sensitive areas.

The Myslony Bridge Project was designated in Tualatin's Transportation System Plan (TSP) and Capital Improvement Plan (CIP) to design and construct a new bridge over Hedges Creek to connect two detached sections of SW Myslony Street (major collector) between SW 112<sup>th</sup> Avenue and SW 118<sup>th</sup> Avenue. The new connection is intended to provide a critical transportation connection and provide alternative routes for industrial traffic.

**FINANCIAL IMPLICATIONS:**

Sufficient funding has been budgeted for rights-of-way acquisition for the Myslony Bridge project.

---

**Attachments:**     [Resolution No. 5313-17](#)



RESOLUTION NO. 5313-17

A RESOLUTION AUTHORIZING THE PURCHASE OF RIGHTS-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE CONSTRUCTION OF MYSLONY BRIDGE

WHEREAS, the City is authorized to purchase rights-of-way for public purposes under the authority of the City Charter and ORS 223.005 et seq., including without limitation ORS 223.930(1); and

WHEREAS, the City is constructing a bridge, adding roadway and connecting a water line on SW Myslony Street to cross Hedges Creek; and

WHEREAS, it is necessary to purchase private property to acquire rights-of-way and temporary construction easements for the construction of the bridge and related facilities; and

WHEREAS, certain private property owners have agreed to sell their private property to the City; and

WHEREAS, sufficient funding has been budgeted for rights-of-way acquisition for the Myslony Bridge project;

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

**Section 1.** The City Council finds it necessary and in the public interest to purchase easements and rights-of-way from willing private property owners for the purposes of connecting SW Myslony Street.

**Section 2.** The City Manager is authorized to execute the documents to purchase the easements and rights-of-way, as set forth in Exhibit A and Exhibit B, which is attached and incorporated by reference. The City Manager is also authorized to execute any and all other documents necessary to effectuate the purchase of the easements, rights-of-way, and other legal interests set forth in this resolution.

**Section 3.** This resolution is effective upon adoption.

Adopted by the City Council this 24th day of April, 2017.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

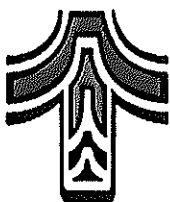
APPROVED AS TO FORM

ATTEST:

BY \_\_\_\_\_  
City Attorney

BY \_\_\_\_\_  
City Recorder

Send taxes to and  
after recording return to:  
City of Tualatin, Oregon  
18880 SW Martinazzi Ave.  
Tualatin, OR 97062-7092



**CITY OF TUALATIN, OREGON  
DEED OF DEDICATION**

Enter MYSLONY, LLC, AN OREGON LIMITED LIABILITY COMPANY ("GRANTOR"), dedicates to the public, by and through the City of Tualatin (the "CITY"), its successors and assigns, a perpetual right-of way for street, road, public utility, and pedestrian purposes, on, over, across, under, along, and within all of the following real property situated in the County of Washington, State of Oregon, and which is bounded and described as follows, to wit:

*The premises described in the legal description attached as Attachment A and as further depicted on the Map attached as Attachment B, both of which are incorporated herein*

TO HAVE AND TO HOLD, the above described and granted premises unto the public forever.

The true and actual consideration paid for this conveyance is \$<sup>14,100</sup>~~12,900~~.00 or includes other property or other value given or promised, the receipt of which is acknowledged by GRANTOR. *SS*

[Continued on next page for formatting purposes]

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

GRANTOR agrees that CITY is not accepting any liability for any release of hazardous substances onto or from the premises and that GRANTOR is not attempting to convey any such liability.

EXECUTED this 13<sup>th</sup> day of March, 2017.

Stephen Grass  
Name (print or type)  
[Signature]  
Signature  
3-13-17  
Date

\_\_\_\_\_  
Name (print or type)  
\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Date

(STATE OF OREGON )ss  
(County of Washington )

On this 13 day of March, 2017, before me, the undersigned, a Notary Public, personally appeared Stephen GRASS and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: [Signature]  
Notary Public for Oregon  
My commission expires: 4-7-2020

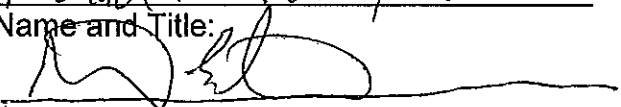


NAME OF PROJECT  
DEED OF DEDICATION  
Page 3 of 3

Name: KeyBank National Association

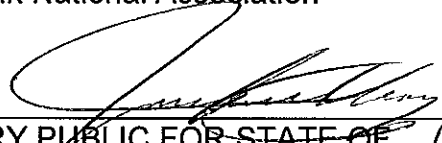
Deed of Trust: 2015-027347  
Deed of Trust: 2015-079702  
Deed of Trust: 2015-079704

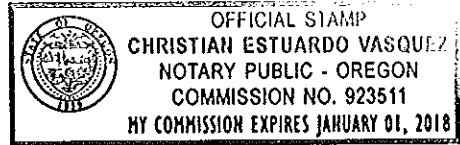
The lien holder consents to the Deed of Dedication in this document and subordinates its interest in the property to the Deed of Dedication.

Michael E Stedron, VP Date: 3/10/17  
Name and Title:  


STATE OF Oregon  
County of Washington

This instrument was acknowledged before me on 3/10/2017  
by Michael E Stedron as Vice president for  
KeyBank National Association

  
NOTARY PUBLIC FOR STATE OF Oregon  
My Commission Expires January 1st, 2018



APPROVED AS TO FORM

CITY OF TUALATIN, OREGON

By: \_\_\_\_\_ By: \_\_\_\_\_  
City Attorney City Manager

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

\_\_\_\_\_  
City Manager

EXHIBIT A - Page 1 of 1

File 002  
10/05/2016

**PARCEL 1 – Permanent Easement for Roadway Right of Way Purposes**

A parcel of land lying in Parcel 2 of Partition Plat No. 1999-024 in the City of Tualatin, Washington County, Oregon, and being a portion of that property described in that Warranty Deed – Statutory Form to Myslony, LLC an Oregon limited liability company recorded April 15, 2015 in Document Number 2015-027346 of Washington County Book of Records; the said parcel being that portion of said property included in a strip of land 40.00 feet in width, lying on the Northerly side of the Retraced center line of SW Myslony, lying between lines at right angles to said center line at Stations "M" 14+95.00 and "M" 18+75.00, which center line is described as follows:

Beginning at the Retraced center line station "M" 20+00.00 said station being North 63°14'46" West a distance of 1,031.75 feet from the South One-Quarter corner of Section 22, Township 2 South, Range 1 West, W.M.; thence North 89°38'18" East a distance of 989.31 feet to the retraced center line Station "M" 19+89.31.

Bearings based on Survey No. 32836, Washington County Surveyors Office.

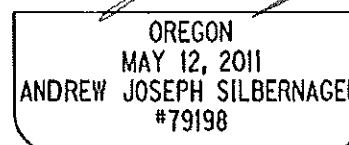
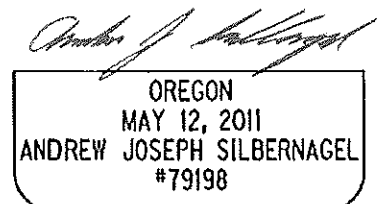
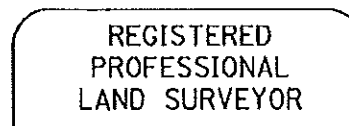
This parcel of land contains 3,744 square feet, more or less, outside the existing right of way.

**PARCEL 2 – Temporary Easement for Work Area (3 years or duration of Project, whichever is sooner)**

A parcel of land lying in Parcel 2 of Partition Plat No. 1999-024 in the City of Tualatin, Washington County, Oregon, and being a portion of that property described in that Warranty Deed – Statutory Form to Myslony, LLC an Oregon limited liability company recorded April 15, 2015 in Document Number 2015-027346 of Washington County Book of Records; the said parcel being that portion of said property included in a strip of land 50.00 feet in width, lying on the Northerly side of the Retraced center line of SW Myslony, lying between lines at right angles to said center line at Stations "M" 17+10 and "M" 17+50.00, which center line is described in Parcel 1.

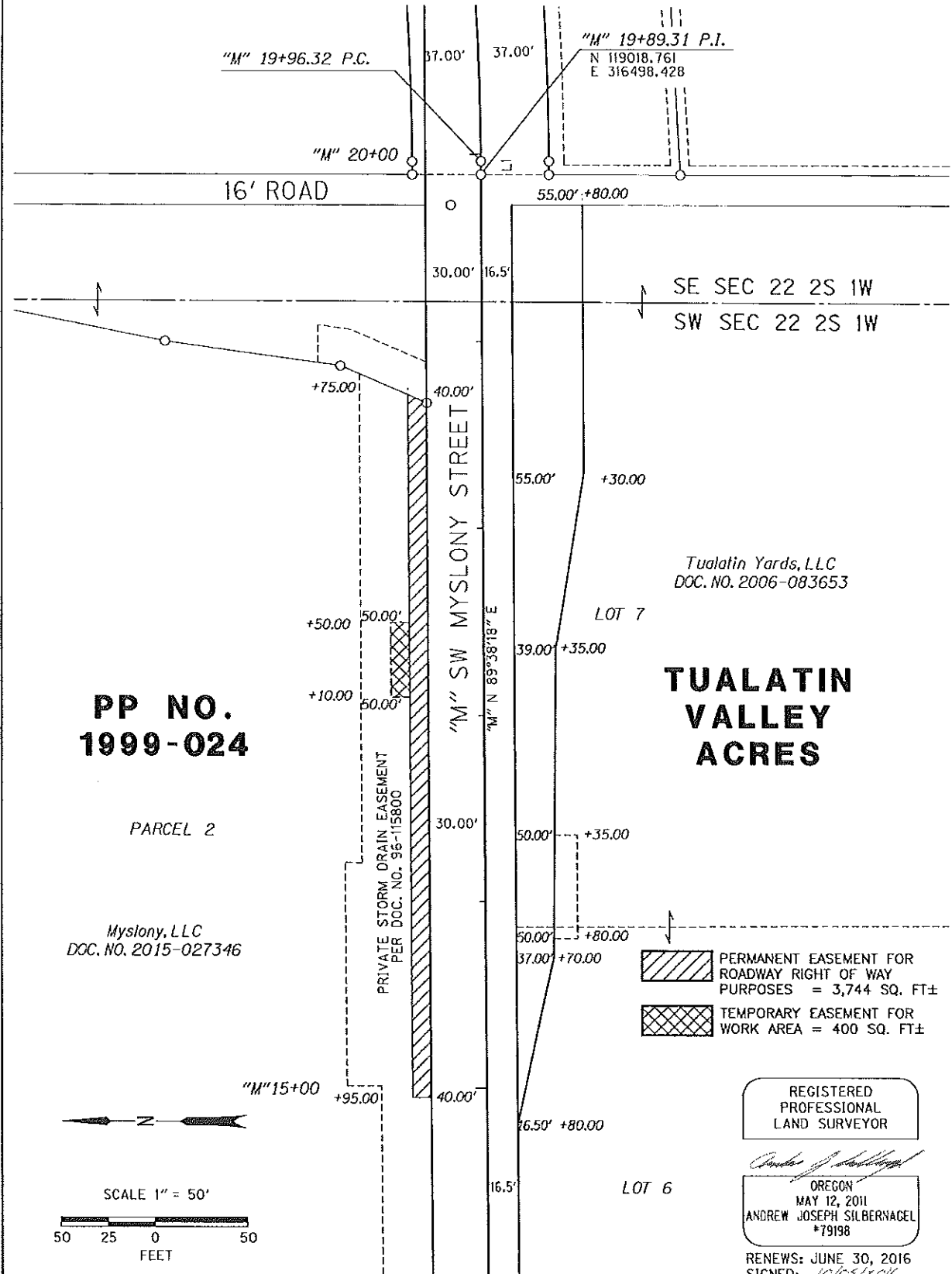
This parcel of land contains 400 square feet, more or less, outside the existing right of way.

EXCEPT therefrom Parcel 1.



RENEWS: JUNE 30, 2018  
SIGNED: 10/05/2016

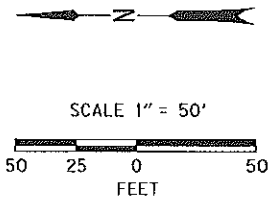
SEC. 22, T. 2S, R. 1W, W.M.



PP NO. 1999-024



PARCEL 2

Myslony, LLC  
DOC. NO. 2015-027346



Tualatin Yards, LLC  
DOC. NO. 2006-083653


TUALATIN VALLEY ACRES

-  PERMANENT EASEMENT FOR ROADWAY RIGHT OF WAY PURPOSES = 3,744 SQ. FT±
-  TEMPORARY EASEMENT FOR WORK AREA = 400 SQ. FT±

REGISTERED PROFESSIONAL LAND SURVEYOR

*Andrew Joseph Silbernagel*  
OREGON  
MAY 12, 2011  
ANDREW JOSEPH SILBERNAGEL  
#79198

RENEWS: JUNE 30, 2016  
SIGNED: *10/02/2016*

 SKETCH MAP	Section	Myslony Bridge: West of 112th Ave.		
	Highway	SW Myslony Street		
	County	Clackamas	Scale	1" = 50'
	Purpose	Bridge Construction	Date	Oct. 2016
	File	002		

Send taxes to and  
after recording return to:  
City of Tualatin, Oregon  
18880 SW Martinazzi Ave.  
Tualatin, OR 97062-7092



**CITY OF TUALATIN, OREGON  
DEED OF DEDICATION**

Enter TUALATIN YARDS LLC ("GRANTOR"), dedicates to the public, by and through the City of Tualatin (the "CITY"), its successors and assigns, a perpetual right-of-way for street, road, public utility, and pedestrian purposes, on, over, across, under, along, and within all of the following real property situated in the County of Washington or Clackamas, State of Oregon, and which is bounded and described as follows, to wit:

*The premises described in the legal description attached as Attachment A and as further depicted on the Map attached as Attachment B, both of which are incorporated herein*

TO HAVE AND TO HOLD, the above described and granted premises unto the public forever.

The true and actual consideration paid for this conveyance is \$57,000.00 or includes other property or other value given or promised, the receipt of which is acknowledged by GRANTOR.

[Continued on next page for formatting purposes]

NAME OF PROJECT  
DEED OF DEDICATION  
Page 2 of 4

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

GRANTOR agrees that CITY is not accepting any liability for any release of hazardous substances onto or from the premises and that GRANTOR is not attempting to convey any such liability.

EXECUTED this 28 day of February 2017.

Joseph Bonica, Jr.

*Joseph Bonica, Jr.*  
Signature

2-28-17  
Date

David Darrell Zimmerman

*David Darrell Zimmerman*  
Signature

2-28-17  
Date

Ronald Warren Moholt

*Ronald Warren Moholt*  
Signature

2/28/17  
Date

Linda Simmons-Moholt

*Linda Simmons-Moholt*  
Signature

2/28/17  
Date

(STATE OF OREGON )ss  
(County of Washington )

On this 28 day of February, 2017, before me, the undersigned, a Notary Public, personally appeared Joseph Bonica, Jr. as member of Tualatin Yards LLC, and acknowledged the foregoing instrument to be their voluntary act and deed.

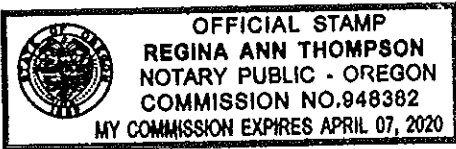
Before me: *[Signature]*  
Notary Public for Oregon  
My commission expires: 7-7-2006





(STATE OF OREGON )ss  
(County of Washington )

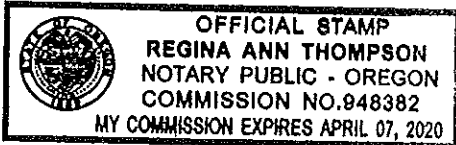
On this 28 day of February, 2017 before me, the undersigned, a Notary Public, personally appeared David Darrell Zimmerman as Member of Tualatin Yards LLC and acknowledged the foregoing instrument to be their voluntary act and deed.



Before me: Regina Ann Thompson  
Notary Public for Oregon  
My commission expires: 4-7-2020

(STATE OF OREGON )ss  
(County of Washington )

On this 20 day of February, 2017, before me, the undersigned, a Notary Public, personally appeared Ronald Warren Moholt as Member of Tualatin Yards LLC and acknowledged the foregoing instrument to be their voluntary act and deed.

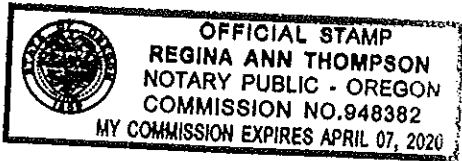


Before me: Regina Ann Thompson  
Notary Public for Oregon  
My commission expires: 4-7-2017

NAME OF PROJECT  
DEED OF DEDICATION  
Page 4 of 4

(STATE OF OREGON )ss  
(County of Washington )

On this 20 day of February, 2017 before me, the undersigned, a Notary Public, personally appeared Linda Simmons-Moholt as member of Tualatin Yards LLC and acknowledged the foregoing instrument to be their voluntary act and deed.



Before me: Regina Ann Thompson  
Notary Public for Oregon  
My commission expires: 4-7-2017

APPROVED AS TO FORM

CITY OF TUALATIN, OREGON

By: \_\_\_\_\_ By: \_\_\_\_\_  
City Attorney City Manager

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

\_\_\_\_\_  
City Manager

**PARCEL 1 – Permanent Easement for Roadway Right of Way Purposes**

A parcel of land lying in Lots 5, 6 and 7 of Tualatin Valley Acres in the City of Tualatin, Washington County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Tualatin Yards LLC recorded July 14, 2006 in Document Number 2006-083653 of Washington County Book of Records; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the Retraced center line of SW Myslony, which center line is described as follows:

Beginning at the Retraced center line station "M" 20+00.00 said station being North 63°14'46" West a distance of 1,031.75 feet from the South One-Quarter corner of Section 22, Township 2 South, Range 1 West, W.M.; thence North 89°38'18" East a distance of 989.31 feet to the retraced center line Station "M" 19+89.31.

Bearings based on Survey No. 32836, Washington County Surveyors Office.

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

Station	to	Station	Width on Southerly Side of Center Line
"M" 14+80.00		"M" 15+70.00	16.50' in a straight line to 37.00'
"M" 15+70.00		"M" 17+35.00	37.00' in a straight line to 39.00'
"M" 17+35.00		"M" 18+30.00	39.00' in a straight line to 55.00'
"M" 18+30.00		"M" 19+80.00	55.00'

This parcel of land contains 12,881 square feet, more or less, outside the existing right of way.

**PARCEL 2 – Temporary Easement for Work Area (3 years or duration of Project, whichever is sooner)**

A parcel of land lying in Lots 5, 6 and 7 of Tualatin Valley Acres in the City of Tualatin, Washington County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Tualatin Yards LLC recorded July 14, 2006 in Document Number 2006-083653 of Washington County Book of Records; the said parcel being that portion of said property included in a strip of land 50.00 feet in width, lying on the Southerly side of the Retraced center line of SW Myslony, lying between lines at right angles to said center line at Stations "M" 15+80 and "M" 16+35.00, which center line is described in Parcel 1.

This parcel of land contains 690 square feet, more or less, outside the existing right of way.

EXHIBIT A - Page 2 of 2

File 001  
10/05/2016

EXCEPT therefrom Parcel 1.

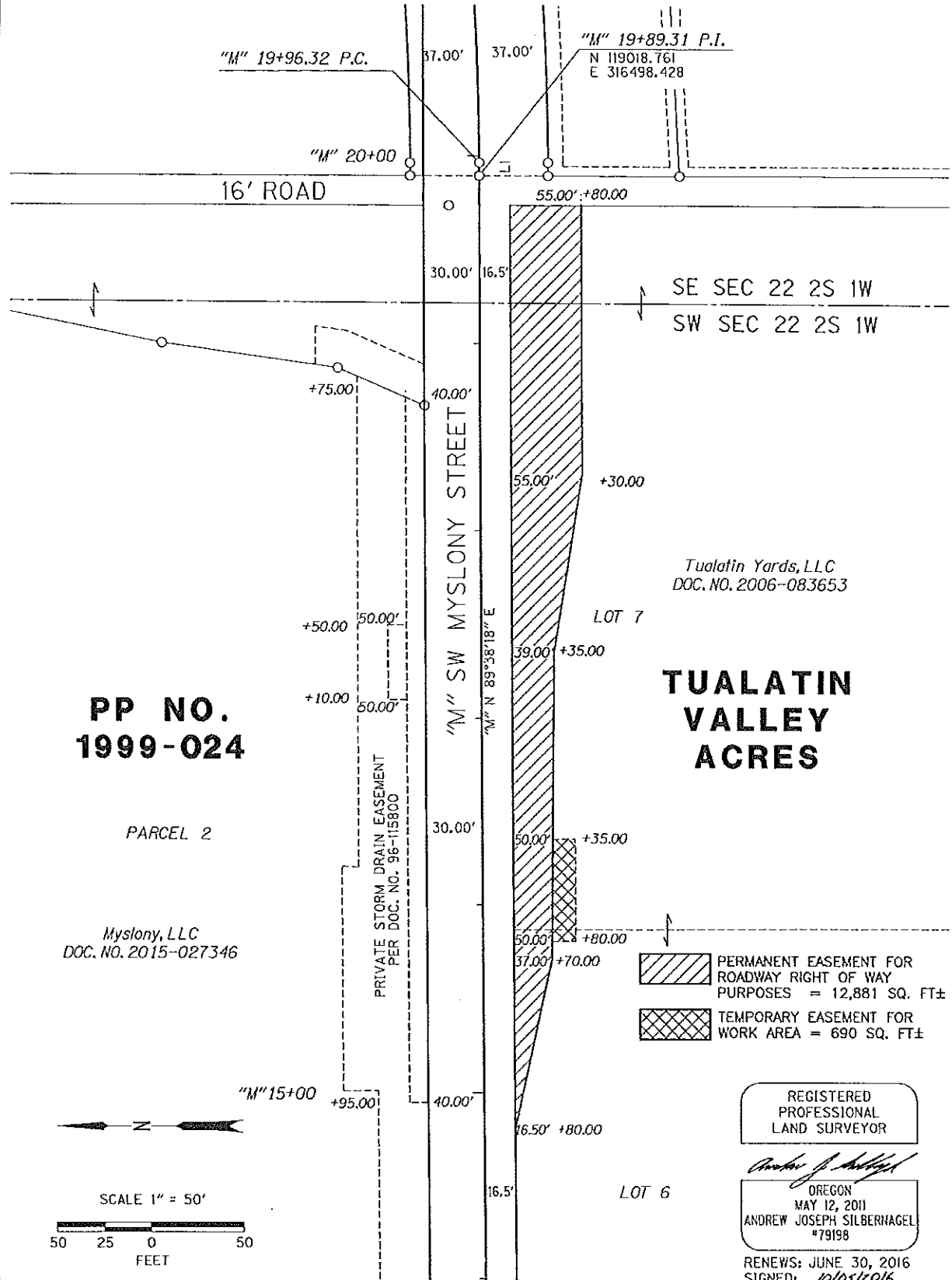
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
MAY 12, 2011  
ANDREW JOSEPH SILBERNAGEL  
#79198

RENEWS: JUNE 30, 2018  
SIGNED: 10/05/2016

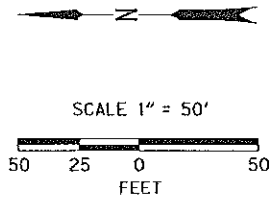
SEC. 22, T. 2S, R. 1W, W.M.



**PP NO.  
1999-024**

PARCEL 2

Myslony, LLC  
DOC. NO. 2015-027346



<p>CITY OF TUALATIN</p> <p>OBEC CONSULTING ENGINEERS</p> <p>www.obec.com</p> <p>SKETCH MAP</p>	Section	Myslony Bridge: West of 112th Ave.		
	Highway	SW Myslony Street		
	County	Clackamas	Scale	1" = 50'
	Purpose	Bridge Construction	Date	Oct. 2016
	File	001		