

RESOLUTION NO. 498

A RESOLUTION SPREADING AND LEVYING PREASSESSMENTS ON PROPERTY BENEFITED BY THE COST OF CONSTRUCTION OF STREETS, STORM DRAINAGE, WATER SYSTEM, SANITARY SEWER, SIDEWALK, BIKE PATH, SIGNING AND TRAFFIC CONTROL DEVICE, STREET LIGHTING, LANDSCAPING AND OTHER UTILITIES CONSTRUCTED FOR THE PROJECT DESIGNATED AS TOWN CENTER LOOP/PARKWAY AVENUE STREET AND UTILITY IMPROVEMENTS LOCAL IMPROVEMENT DISTRICT NO. 5, HEREINAFTER REFERRED TO AS LID #5; AND DIRECTING THE CITY RECORDER TO GIVE NOTICE FOR THE PUBLIC HEARING DATE, TIME AND PLACE FOR THE BOARD OF EQUALIZATION TO EQUALIZE AND ADJUST THE PRELIMINARY PREASSESSMENT ROLL ACCORDING TO SECTION 3.212 OF THE WILSONVILLE CODE; AND DIRECTING THE CITY RECORDER TO MAIL AND POST THE NOTICE OF PROPOSED PREASSESSMENTS AS REQUIRED BY SECTION 3.212 OF THE WILSONVILLE CODE.

WHEREAS, on April 15, 1985, the City Council, at its regularly scheduled meeting thereof, commencing at 7:30 o'clock p.m. Pacific Daylight Savings Time, in the Council Chambers at City Hall, 30000 SW Town Center Loop East, did review and approve Resolution No. 472 titled "A Resolution Adopting the Revised Preliminary Engineer's Report for LID No. 5, Dated February 28, 1985; Declaring Formation of Local Improvement District No. 5 as Modified in Said Report; and Directing the City's Engineer to Prepare Detailed Plans, Specifications and Cost Estimates for the Proposed Improvements"; and

WHEREAS, on April 15, 1985, at its regularly scheduled meeting, the Wilsonville City Council did review and approve

Section VI, Continuing Business - Item D "Appointment of the Board of Viewers - LID #5", appointing Earl White, J. Michael Gleeson and Dr. Robert Sorlein as the Board of Viewers for LID #5; and

WHEREAS, the Board of Viewers, hereinafter referred to as B.V., did meet on the following days to discuss the preliminary preassessments for LID #5:

DATE	TIME	PLACE	DISCUSSION TOPICS
*5/9/85	6:00 pm	City Council Chambers	Input by the LID #5 property owners regarding the benefits to their property(s).
*5/14/85	6:00 pm	City Council Chambers	Input by the LID #5 property owners regarding the benefits to the property and other information regarding proposed assessments.
5/21/85	7:00 pm	Public Works Conference Room	Reviewed with the B.V. the different types of assessment formulas commonly used for utilities and streets. Made suggestion to the B.V. who recommended modifications for assessment to water and sanitary sewer installations.
5/29/85	7:00 pm	Public Works Conference Room	Reviewed the street assessment formula, other utility assessment formula, storm drainage assessment formula.
6/6/84	5:00 pm	Public Works Conference Room	Reviewed assessment formula for entire LID #5, made minor adjustment. Analyzed storm drainage assessment in detail.

<u>DATE</u>	<u>TIME</u>	<u>PLACE</u>	<u>DISCUSSION TOPICS</u>
6/13/85	5:00 pm	Public Works Conference Room	Completed final modification to the formula, determined a meeting for property owners input to the proposed LID #5 Praassessment Formula at 7:30 pm, June 18, 1985.
*6/18/85	7:30 pm	City Council Chambers	B.V. recommended adoption of Praassessment Formula (See Exhibit "A"). Property owners responded for Proposed Formula (See Exhibit "B").

\*Denotes meetings which were taped.

The property owners attending the meeting held June 18, 1985, agreed with the proposed praassessment formula as recommended for adoption by the B.V. For its statements, see Exhibit "B"; and

WHEREAS, the B.V. in making its final recommendation for the praassessment for LID #5, considered the items listed below as taken from Exhibit "A", for payback projects as provided by Section 3.116 of the Wilsonville Code.

<u>Item</u>	<u>Estimated Cost</u>
1) Storm Drainage Improvements	\$ 52,311
2) Water System Improvements	34,416
3) Other Utility Improvements (Gas, telephone, electric, cable TV)	116,918

and

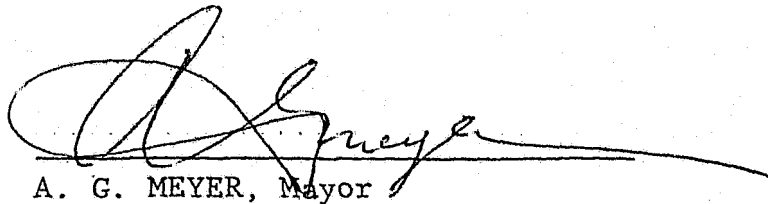
WHEREAS, the B.V. has recommended to the City Council, the Preliminary Praassessment Roll as identified in Exhibit "A", attached hereto and incorporated by reference as if fully set forth herein for the Council's consideration; and

WHEREAS, the City Council shall, according to Section 3.212 of the Wilsonville Code, establish a date, place and time to meet for equalization and adjustment of the Preliminary Preassessment Roll by the Board of Equalization, if necessary, and direct the City Recorder to mail and post the notice of the date, place and time of the meeting of the Board of Equalization.

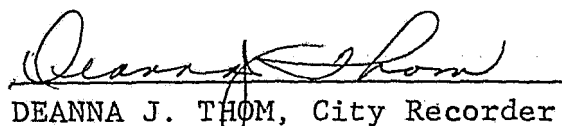
NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Wilsonville that:

1. It acknowledges the Preliminary Preassessment Roll as prepared by the Board of Viewers for LID #5, and as indicated in Exhibit "A" for review by the Board of Equalization.
2. It establishes the date, place and time for the Board of Equalization to meet to equalize and adjust the Preliminary Preassessment Roll. The meeting shall be held July 15, 1985, in City Hall at 30000 SW Town Center Loop East, commencing at 7:30 o'clock p.m., Pacific Daylight Savings Time.
3. It directs the City Recorder to mail and post the meeting date, place and time at which the Board of Equalization shall meet as herein before mentioned in item 2 above.

ADOPTED by the Wilsonville City Council at its regular meeting thereof this 1st day of July, 1985, and filed with the Wilsonville City Recorder this same date.

  
A. G. MEYER, Mayor

ATTEST:

  
DEANNA J. THOM, City Recorder

# ● EXHIBIT "A" ●

LID NO. 5

## DESCRIPTION OF PROPOSED ASSESSMENT METHOD

The total proposed assessment package for the City of Wilsonville's LID No. 5 has been established by analyzing the cost of each improvement and the nature of the associated benefits. The following discussion is a summary of the theory behind the computation of assessments for each type of improvement.

The term "net" acres, on which several assessments are based, excludes street right-of-way areas to be dedicated for Town Center Loop East, Town Center Loop West, the relocation of Parkway and the proposed Vlahos Drive, and includes the area of Parkway to be vacated within LID No. 5.

### Streets

Two street sections are viewed to be of general benefit to the entire LID; Town Center Loop West south of the LID boundary, and the new, five-lane, section of Parkway just north of the intersection with Town Center Loop. The cost of these improvements are distributed uniformly over the entire LID area.

The Parkway Avenue reconstruction section is viewed to be of specific benefit to properties in the north half of sections 13 and 14. The LID share of these improvements is distributed uniformly over the area of benefitted properties.

Three options are considered for the improvement of Town Center Loop East and West to address the three alternate scopes requested by the City Council in a motion attached to Resolution No. CBR-124-85. The options are defined as follows:

Option 1 - Full development of both Town Center Loop East and West, two 24-foot traveled ways plus landscaped median.

Option 2 - Full development of Town Center Loop East and partial development (one 24-foot traveled way) of Town Center Loop West.

Option 3 - Partial development of both Town Center Loop East and West.

Town Center Loop West is viewed to specifically benefit adjacent properties and its costs are distributed over the area of adjacent properties.

Town Center Loop East is viewed to specifically benefit adjacent properties. The benefit to property within 500 feet of the right-of-way (Level 1) is viewed to be greater than property more than 500 feet from the right-of-way (Level 2). On an area basis, the ratio of the benefit is judged to be 3:1.

#### Drainage

Drainage improvements are basically segregated into three main drainage areas.

Area 1 is tributary to or includes drainage improvements on Parkway Avenue. The cost of these improvements is distributed uniformly over the properties in Area 1.

Area 2 is tributary to or includes drainage improvements on the west end of Town Center Loop East and the northerly portion of Town Center Loop West. The cost of these improvements is distributed uniformly over the properties in Area 2.

Area 3 consists of most of the remaining area within the LID. The area is tributary to the main storm sewer on Town Center Loop East. The cost of these improvements is distributed to properties on the basis of estimated impervious areas. The commercial areas are assumed to be 85 percent impervious (i.e. causing runoff), while the high density residential area is assumed to be 65 percent impervious. For the purpose of assessments, the Board of Viewers has assumed that all properties in

Area 3, except Tax Lot 2700, are intended for commercial use. The impervious area outside the LID boundary is computed as an additional assessment item for Area 3 LID properties, which is recommended to be paid back.

A special drainage area at the south end of Town Center Loop West is computed to accrue to one-half of T.L. 101 and T.L. 201, 50 percent as a specific benefit and 50 percent as a payback item.

### Water

Water improvements are viewed to benefit only properties in the south half of sections 13 and 14, basically those properties adjacent to Town Center Loop East and West.

The loop connection segments are viewed to be of general benefit and the cost of these segments is distributed uniformly over the entire benefitted area.

The loop connection segment on Town Center Loop East south of the LID boundary is recommended to be a payback item. The cost of this segment is also distributed uniformly over the entire benefitted area.

The remaining water improvements are viewed to specifically benefit the properties of concern. The specific benefit is viewed to accrue at two levels. The first level is estimated to be within 250 feet of the right-of-way. The second level is outside the first level. On an area basis, the ratio of the benefit is judged to be 2:1.

A portion of T.L. 404 is omitted from both levels because partial fire protection and water service is available from an existing water main.



### Sewer

The collector sewer computed as an assessment item is viewed to specifically benefit the properties it is intended to serve, with the estimated cost distributed over the estimated service area. The connecting collector sewer on Town Center Loop East outside the LID boundary is recommended to be a payback item.

### Other Utilities

The two sections of other utilities (power, telephone, gas, cable) outside of LID boundaries are viewed to be of general benefit to the entire LID. The cost of these improvements is distributed uniformly over the entire LID area and is recommended to be treated on a payback basis.

The Parkway section is viewed to benefit properties in the north half of sections 13 and 14. The cost of these improvements is distributed uniformly over the benefitted properties.

A distinction is also made between properties adjacent to Town Center Loop East and West, with the cost of improvements in each section distributed uniformly over the area in each section.

### Miscellaneous

The Board of Viewers recommend that the submittal of early-on administrative costs for right-of-way dedication, etc. for the Mala properties be reviewed by the City Council for possible inclusion in LID No. 5 administrative costs.

## ASSESSMENTS

Tables containing preliminary assessment computations follow as well as a summary of proposed assessments. The net construction cost estimates from the Engineer's Report are converted to total project cost estimates by adding 10 percent for contingencies and 20 percent for engineering, administration, and inspection costs.



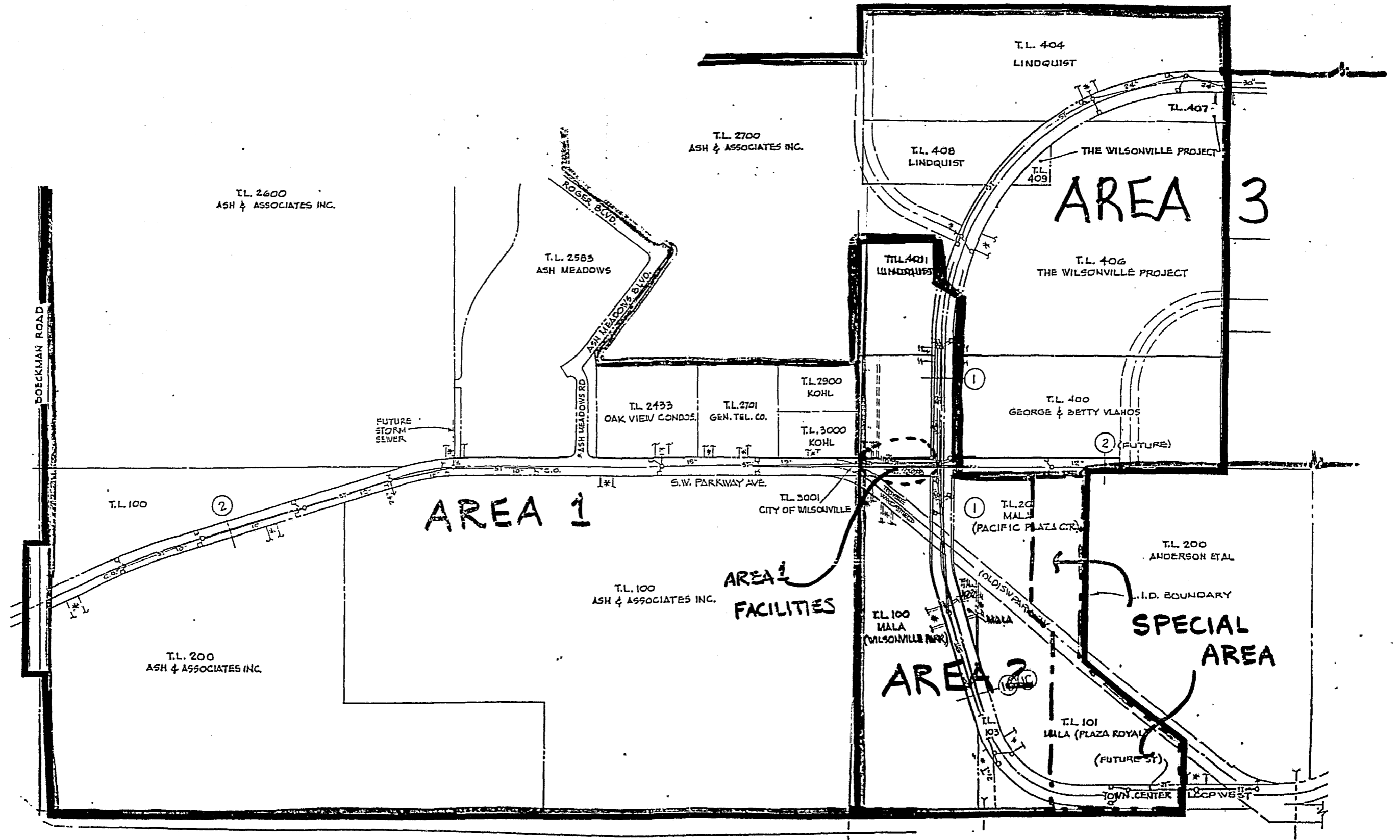
WATER ASSESSMENT COMPUTATIONS

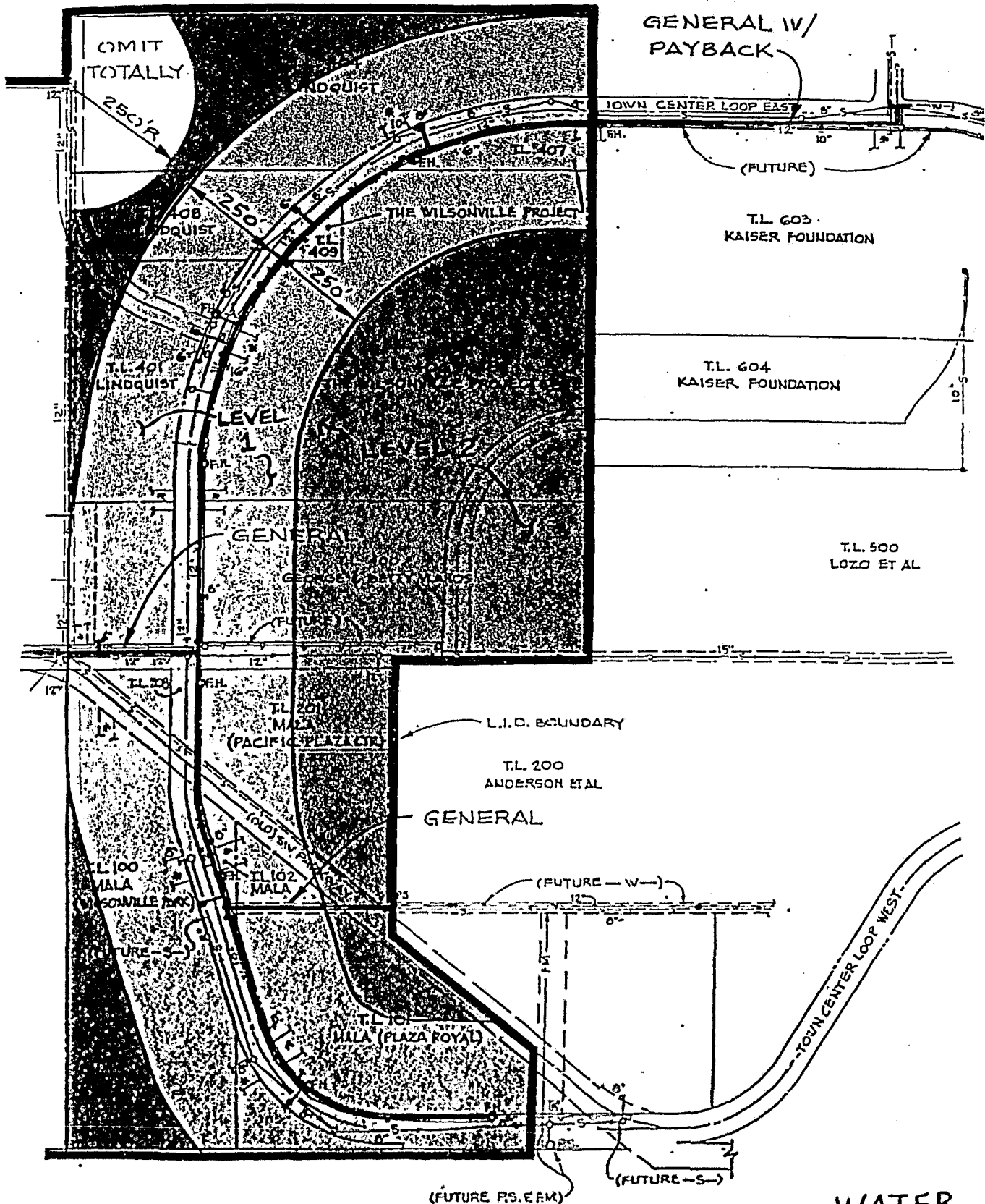
PROPERTY OWNER	TAX		NET		ASSESSMENTS (\$)				ACRES		SPECIFIC ASSESSMENT BRKDOWN	
	LOT	ACRES	ACRES	GENL	GENL/PB	SPECIFIC	TOTAL	LEVEL 1	LEVEL 2	LEVEL 1	LEVEL 2	
Vlahos	400	10.00	9.20	4503	5217	24739	34459	3.96	5.24	14887	9852	
Crispe	401	3.39	2.52	1233	1429	8949	11612	2.24	.28	8423	526	
Lindquist	404	7.02	6.63	3245	3760	14684	21689	2.81	2.19	10566	4117	
The Wilsonville Pr	406	13.86	13.38	6549	7589	36531	50668	6.05	7.33	22749	13781	
The Wilsonville Pr	407	.92	.42	206	238	1579	2023	.42	.00	1579	0	
Crispe	408	4.32	3.45	1689	1957	12033	15678	3.08	.24	11582	451	
The Wilsonville Pr	409	.59	.40	196	227	1504	1927	.40	.00	1504	0	
Subtotal		40.10	36.00	17620	20417	100019	138056	18.96	15.28	71291	28728	
Mala(Wilsonville Pk)	100	9.06	8.66	4239	4912	28409	37559	6.45	2.21	24254	4155	
Mala(Plaza Royal) 101 & 102		5.17	5.71	2795	3238	20474	26508	5.18	.53	19478	996	
Mala(Pac. Plaza Ctr)	201	4.50	5.02	2459	2849	13524	18832	2.17	2.85	8160	5364	
Subtotal		18.73	19.39	9492	10999	62407	82898	13.80	5.59	51891	10516	
Total		58.83	55.39	27113	31416	162426	220955	32.76	20.87	123182	39244	

\$/acre      3760      1880

Water Facilities Costs	Net	Total	
	Const.	Project	
General	20540	27113	Loop Connections
General w/ Payback	23800	31416	Loop Connections Outside LID
Specific	123050	162426	Distribution Main
Total	167390	220955	







**SEWER ASSESSMENT COMPUTATIONS**

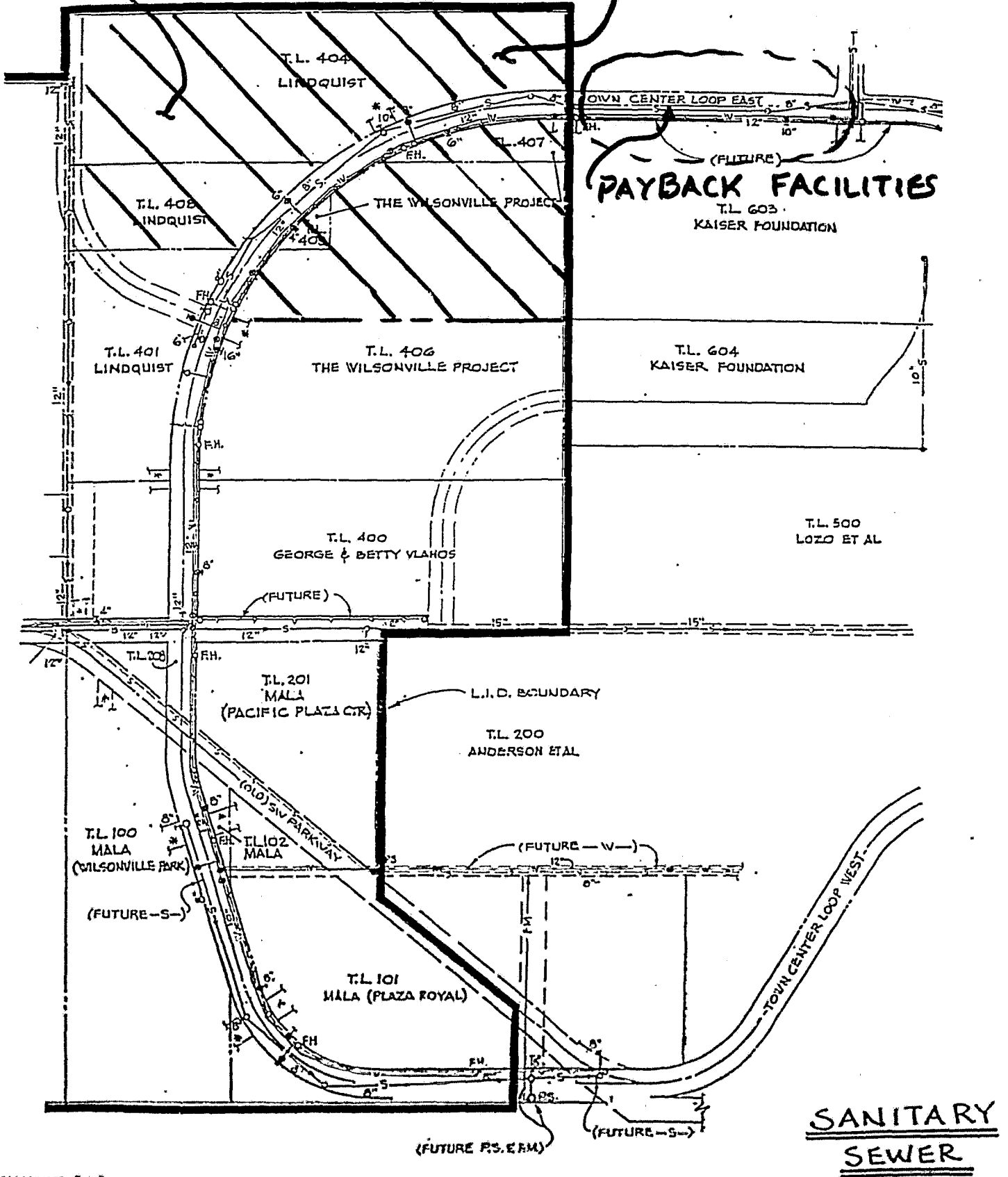
PROPERTY OWNER	TAX LOT	ACRES	NET ACRES	SEWER ASSESSMENTS (\$)			TOTAL
				ACRES	SPECIFIC	SPEC/PB	
Vlahos	400	10.00	9.20				
Crispe	401	3.39	2.52				
Lindquist	404	7.02	6.63	6.63	17745	4064	21810
The Wilsonville Pr	406	13.86	13.38	6.74	18039	4132	22171
The Wilsonville Pr	407	.92	.42	.42	1124	257	1382
Crispe	408	4.32	3.45	3.45	9234	2115	11349
The Wilsonville Pr	409	.59	.40	.40	1071	-245	1316
Subtotal		40.10	36.00	17.64	47213	10814	58027
					2676	613	3290

\$/acre

Sewer Facilities Costs	Net Const.	Total Project
Town Center Loop East		
Specific	35768	47213
Specific w/ Payback	8193	10814
Total	43960	58027



# SEWER SERVICE AREA



OTHER UTILITY ASSESSMENT COMPUTATIONS

PROPERTY OWNER	TAX LOT	ACRES	NET ACRES	SPECIFIC		TOTAL
				GENL/PB	SPECIFIC (\$/ACRE)	
Vlahos	400	10.00	9.20	5476	36530	42005
Crispe	401	3.39	2.52	1500	10007	11507
Lindquist	404	7.02	6.63	3947	26328	30274
The Wilsonville Pr	406	13.86	13.38	7965	53132	61097
The Wilsonville Pr	407	.92	.42	250	1668	1918
Crispe	408	4.32	3.45	2054	13700	15754
The Wilsonville Pr	409	.59	.40	238	1588	1827
Subtotal		40.10	36.00	21429	142952	3971 164381
Mala(Wilsonville Pk)	100	9.06	8.66	5155	22977	28132
Mala(Plaza Royal) 101 & 102		5.17	5.71	3399	15150	18549
Mala(Pac. Plaza Ctr)	201	4.50	5.02	2990	13328	16318
Subtotal		18.73	19.39	11544	51455	2653 62999
Subtotal		58.83	55.39	32973	194407	227380
Ash & Associates	200	23.68	23.68	14096	16394	30489
Ash & Associates	100	40.83	40.81	24293	28252	52545
Oak View Condos	2433	2.27	2.27	1351	1572	2923
Ash Meadows	2583	8.06	8.06	4798	5580	10378
Ash & Associates	2600	39.00	39.00	23215	26999	50215
Ash & Associates	2700	23.86	23.62	14060	16352	30412
General Telephone	2701	1.82	1.82	1083	1260	2343
Kohl	2900	1.00	1.00	595	692	1288
Kohl	3000	.80	.76	452	526	979
Subtotal		141.32	141.02	83944	97627	692 181572
TOTAL		200.15	196.41	116918		408952

Other Utilities Costs	Net Const.	Line Ext. Charge	Total Project	
General w/ Payback	62280	34708	116918	(Net Const. includes additional 4790 for cable)
Specific Parkway	73960	0	97627	(Net Const. includes additional 7100 for cable)
Specific Town Ctr. Loop W.	27780	14785	51455	(Net Const. includes additional 5230 for cable)
Specific Town Ctr. Loop E.	77610	40507	142952	(Net Const. includes additional 4900 for cable)
Total	241630	90000	408952	



WILSLIDS ASSESSMENT FORMULAS & COMPUTATIONS

SUMMARY  
OF

PROPERTY OWNER	TAX LOT	ACRES	NET ACRES	ASSESS- MENTS	STREETS OPTION 1	STREETS OPTION 2	STREETS OPTION 3	DRAINAGE	WATER	SEWER	OTHER UTILITIES	OPTION 1 TOTAL	OPTION 2 TOTAL	OPTION 3 TOTAL	OPTION 1 PB TOTAL	OPTION 1 NET
Vlahos	400	10	9.20		40552	40083	29435	33705	34459	0	42005	150721	150252	139604	18264	132457
Crispe	401	3.39	2.52		14104	13976	10196	10120	11612	0	11507	47343	47215	43435	3626	43717
Lindquist	404	7.02	6.63		33704	33366	24402	23365	21689	21810	30274	130842	130504	121540	18667	112175
The Wilsonville Pr	406	13.86	13.38		65650	64968	47560	47154	50668	22171	61097	246740	246058	228650	32882	213858
The Wilsonville Pr	407	.92	.42		2351	2329	1699	1480	2023	1382	1918	9154	9132	8502	1183	7971
Crispe	408	4.32	3.45		19309	19133	13959	12158	15678	11349	15754	74248	74072	68898	9714	64533
The Wilsonville Pr	409	.59	.40		2239	2218	1618	1410	1927	1316	1827	8718	8697	8097	1126	7592
Subtotal		40.1	36.00		177908	176073	128869	129393	138056	58027	164381	667766	665930	618726	85463	582303
Mala(Wilsonville Pk)	100	9.06	8.66		69194	44473	44473	36320	37559		28132	171205	146484	146484	10067	161138
Mala(Plaza Royal) 101 & 102		5.17	5.71		45624	29323	29323	35829	26508		18549	126510	110209	110209	18564	107945
Mala(Pac. Plaza Ctr)	201	4.5	5.02		40136	25796	25796	31519	18832		16318	106804	92464	92464	16332	90472
Subtotal		18.73	19.39		154954	99593	99593	103668	82898		62999	404519	349157	349157	44963	359556
Subtotal		58.83	55.39		332861	275666	228462	233061	220955	58027	227380	1072285	1015087	967883	130426	941859
Ash & Associates	200	23.68	23.68		50571	49365	49365	20578			30489	101638	100432	100432	14096	87543
Ash & Associates	100	40.83	40.81		87155	85075	85075	35465			52545	175165	173085	173085	24293	150872
Oak View Condos	2433	2.27	2.27		4848	4732	4732	1973			2923	9744	9628	9628	1351	8393
Ash Meadows	2583	8.06	8.06		17213	16802	16802	7004			10378	34595	34184	34184	4798	29797
Ash & Associates	2600	39	39.00		83289	81302	81302	33892			50215	167396	165409	165409	23215	144180
Ash & Associates	2700	23.86	23.62		50443	49240	49240	63655			30412	144510	143307	143307	32848	111662
General Telephone	2701	1.82	1.82		3887	3794	3794	1582			2343	7812	7719	7719	1083	6729
Kohl	2900	1	1.00		2136	2085	2085	869			1288	4293	4242	4242	595	3697
Kohl	3000	.8	.76		1623	1584	1584	660			979	3262	3223	3223	452	2809
Subtotal		141.32	141.02		301165	293980	293980	165678			181572	648415	641229	641229	102732	545682
TOTAL		200.15	196.41		634026	569646	522441	398739	220955	58027	408952	1720700	1656316	1609112	233159	1487541

# EXHIBIT "B"

## BOARD OF VIEWERS MEETING LOCAL IMPROVEMENT NO. 5

JUNE 18, 1985  
7:30 P.M.

CITY HALL  
30000 S.W. TOWN CENTER LOOP EAST

LARRY BLANCHARD - Those present are Earl White, Say yea or nay-

EARL WHITE - Here.

LARRY BLANCHARD - Uh, Bob Sorlien-

BOB SORLIEN - Here.

LARRY BLANCHARD - Michael Gleeson-

MICHAEL GLEESON - Here.

LARRY BLANCHARD - Uh, staff present: Larry Blanchard, Public Works Director, and Steve Simonson from CRS/Sirrine-

STEVE SIMONSON - Here.

LARRY BLANCHARD - Here. Uh, the date of this meeting is June 18, 1985. We formally started at 8:00-

- 7:45

LARRY BLANCHARD - Oh, excuse me, 7:45, approximately. Larry Blanchard, Public Works Director gave the introduction and Steve Simonson is presently doing the explanation of the assessment formula. Property owners present are Jerry Crispe, representing Tax Lot 400,401, and 408. Address: 17685 S.W. 65th, Lake Oswego, Oregon, 97034. Don Mala Tax Lots 100, 101, 104, and 201. Uh, 30150 S.W. Parkway Avenue, Wilsonville, 97070. Terry N. Tolls, Lots 4, 64, 7409. P.O. Box 577, Portland, 97207. Please state your name for the record anytime that you are speaking.

- You can hear with that tape in there?

LARRY BLANCHARD - You bet.

TERRY TOLLS - Box 577, Portland, Oregon, 97207. Uh, I'd like to just briefly ask several things so you see how they're interrelated, and then, um, you can take them in any order. Um, the next result would be ..... (Can't hear) the Panel Assessment would be more. I have made more attempts to determine how the computations turn out, but I'd feel better if I knew these things were taken into consideration. Um, one has to do with the fact that I didn't hear at all where any credit was being given to the fact that, uh, there's an existing waterline already at the north end of Tax Lot 400 and several others. Jerry, what are the others?

JERRY CRISPE - Well, across the north (Can't hear, several people talking).. where the existing, uh, temporary road is on Vlahos Drive. I recognize, of course, that uh, lesser size, than what, uh, some people would have installed if they had been engineering the same thing today, but nonetheless, it's an existing waterline.

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- Can we put the map up there, and you can go up to the board, and, and, ..... indicate where .....

JERRY CRISPE - I'd be happy to. (Several people talking....) So one is having to do with water lines, that doesn't affect any properties that I own, other than the fact that if, in fact you get credit, it raises my assessment, but just the same, it is an existing one. So, I'm talking about the line which is about five thousand or (Can't hear)...

- Hey, Lee-

JERRY CRISPE - Yea, I'm (Can't understand) like that. I just passed several till you see ...

(several people talking, can't understand)

- All right.

- We discuss .....(Several people talking, can't understand)

- You can tell Jerry what's going to happen to that.

- Take that there waterline, and put it in the street?

- It's gonna be cut, that waterlines gonna be cut.

- And placed in the street? I mean, your gonna go outside with the waterline and....

- In case, I guess of an accident, then that country will already have a waterline. Eight inches, it sounds like a pretty good sized line to me. I'm not an engineer, I don't know.

- There's a question they sent?

(several people talking, can't understand)

The eight inches is not going to be served by the Public. Here, with an eight inch connection.

- Can they reconnect?

- Yea, probably.

(several people talking, can't understand)

JERRY CRISPE - I want to ask a couple of questions. Um, see if I engineered to work with you to get the waterline really in, and in straight, then to abandon that eight inch line because we couldn't build over it, it was too far into the property to make it sensible to build and end up a lot of our property. So, we're abandoning that eight inch line and giving up connections in service of a twelve inch line that was gonna have to be put somewhere anyway. Is that correct? So, in essence, you ignored the eight inch line, and just provided they inflict it with a brand new twelve inch line and allocated that way.

- No, not correct.

- Yea, your statement is correct.

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- At least from our discussions when we (Mike, Mike) state that I am a viewer member. At least from our discussions when we, um, considered that especially we didn't mention this as we were gonna back pocket that we were, uh, you know, really taking service away. Uh, or, or, we were trying to do something that would allow the development of property in accordance with what is desired in the LID. We distinguished that from the corner that is regarding of Vlahos upper Willamette bank when we thought that was a different situation where his (can't understand) and I felt, or we felt, made quite a bit of help since but we thought this was being done to accomodate the development of the thing, what was desired, and that's....

(several people talking, can't understand.)

- If you turned it around and said that I'm on for it, in a few days my, my, (can't understand) I think these are questions .....

- You're not trying to say.....

- Uh, O.K., what do you request to the storm sewer? (can't understand).. I, personally don't have any other questions on, on this, I guess, and I think it's lot more (can't understand, background noise)... O.K., the question I would have here deals with the 60 perc-65 percent freeze or 85 percent that the record this area is seeing 55 percent because of Presidential cuts did not recognize the residential portions that exist on here.

- Was there a reason, I mean (I'm) all for it if you'll back me up, no problem with Council and they can go ahead and give us what the zoning calls for. But (can't understand) doesn't, and that's why, why I asked the question.

LARRY BLANCHARD - I think one of the things, uh, I think one of the things that you have to look at, I think most of the Residential in there is 12-20, isn't it? I'd like to check Comprehensive Plan, but I see the rate as you go up in your, uh, dwelling units per acre, your percent in (can't understand) goes up with that, does it not?

- Up.

TERRY N. TOLLS - I do need to say that the (can't understand) has asked me to check on that. He couldn't be here tonight, because of Oregon State's, his son's, graduation. So, or something related to that, I don't know.

- Sure, sure I understand that.

TERRY N. TOLLS - Uh, if the legitimate question is in fact the 65 versus the 85, there is a substantial difference in the competition, because, the amount of area involved is substantial and why would all the previous commercial, I'm not sure, oh I'm on foot as it is....If I had no problems.....There is no reason for discussion.

LARRY BLANCHARD - A question. Are you referring to just the residential, uh, that is associated with Tax Lot 404? Is that your specific question?

TERRY N. TOLLS - No. Two fold. Uh, the residential shown here, and there's residential show down, uh, in, uh, the southern portion of 400 and uh, 406 both.

LARRY BLANCHARD - Okay.

TERRY N. TOLLS - So you'll find residential showing on the Comp. Plan in 400, 406, and at the northeast section of 404. So, there's three sections. I personally don't think it's a real logical choice, and obviously I would turn around and tell you that would be

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the way I would pursue it, but the fact of the matter is, see at this time it's the same, this is where it is. Just like they're saying the same thing here, Okay? And yet, you did that for consultation.

- So you want a clarification of the residential area within the commercial area.

- Why is part of it 65, versus part of it 85, when in fact, um, the real life is, is part of it zoned one way and (Not clear).....

(several people talking, can't understand)

MIKE GRAYSON - I think what's neat is, is that when the City Council did this they should know what our intent was what they're going to be using that area for...

(several people talking, can't understand)

MIKE GRAYSON - I think that was crucial. I think the City Council should say, Okay, your idea Viewing Committee and all this conflict, or some conflict between what was in the Comp. Plan talked about and what the building owners talked about, but, you know, and I'm speaking for myself here, I'm not speaking for the Committee, but, it felt the content would be too much with commercial thing period..... (Can't understand).... And I think the City Council should know that, the premise we took when we did what we did.

- That's right.

MIKE GRAYSON - That's reasonable, don't you think?

EARL WHITE - Yes, we went ... everything crosses that center line to the north of 408 and 401 as being, uh, preponderately; and we consider totally as being commercial, and everything to the north of that line as being residential. And that's why the report is on that basis.

JERRY CRISPE - Speaking on that issue, I agree with the Committee's position, that should be made clear to the Council, and you'd certainly get my support if you had assumed it to be commercial and there is a conflict between those two.

LARRY BLANCHARD - Uh, say, I think we can't hear is that somewhere in the report, uh, to the Council at their meeting, that we identified the areas as to their intended use. Uh, whether it's residential, and what (can't understand) factor is involved in that. I think we need to clarify that, too, and also those commercial areas that we identified.

TERRY N. TOLLS - And just for the record, I certainly support what you're doing. I'm bringing it up just because it is a conflict, not because I disagree with the position.

- Okay.

- The next item, I think I can address on this map as well as any, um, and because I just haven't done any computations on areas I don't know what this really includes. I know we addressed the acreages involved and I've heard one person say that this area had been--this area, should be, for the record or the tape, the area named 401 to the Tax Lot 408 area, north of Town Center Loop, uh, East had been, uh, subtracted out to (can't hear), and yet, I have also heard negative questions. Uh, I wonder if similar faring had been given to the fact that Mr. Mala will be dedicating, um, a plan'down here. Mr. Vlahos, Mr. Crispe, whichever, will be



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dedicating some land here. Vlahos, and or Crispe, here, and of course we'll be having our connector here as well. Uh, how was the area uh, dressed? I ask specifically because we didn't attempt to try to get some area's dedicated out right from the start, because it's, it's real hard to put her pain and assessment on a uh, area we know to be street. Uh, It would seem that an attempt should be made to try to figure out at least the primary roadways, or area, or roadways, which we could pull out of every area, if that's possible.

STEVE SIMONSON - The clarification on the computation of net area, areas, or net acres in the assessment formulas is that the area for Vlahos Drive has been taken out of the total acres. None of the other, uh, proposed internal streets have been taken out. The logic there is simply that Vlahos Drive is needed to make the Utility System work as far as, uh, Water, Storm Sewer, and Sanitary Sewer.

LARRY BLANCHARD - To clarify a point, uh, at this time the City has not determined whether those who will be Public or Private. Uh, I think that's something, that, uh, that will be determined as development occurs. Uh, one of the things that will happen is when, uh, and if those streets are made public, then the assessment formula would change as those are taken out. In other words, as property is taken out and dedicated to the City, we did it on LID 6, for example, you know, when the City picked up the dedication, those properties were reduced out of the LID. So, I think.....

- After the fact?

LARRY BLANCHARD - It was an after the fact situation.

- I see.

LARRY BLANCHARD - Okay.

- I'm not aware of anything .....

LARRY BLANCHARD - It can't be adjusted at this point because we don't know whether the property is necessary or not. Uh, we know that there has to be some pattern of travel to the development, but, that has not been determined yet. So, I think we can identify that in the report, that it was discussed, uh, that it hasn't been determined, and that any, uh, reduction in assessments would occur at the time of dedication, and not as a part of this report.

JERRY CRISPE - Asking the question, uh, when the design development takes place internally, and other streets are identified, does that go back retroactively to adjust the assessment or only take it from that point when it is known to reduce the assessment of those properties?

LARRY BLANCHARD - Yea, I would have to research that cause I don't have that right off the top of my head exactly how that process is done, but, uh, if it, uh, it's not a, uh, uncommon process it's a, uh, fairly complicated process because, uh, you have to go back and, uh, space out the pieces that are part of the Tax Lots. In essence, you just about create another Tax Lot, and then you pull out the assessments according to that and as you aware the City doesn't pay assessments so you dedicate the property to the City, and see what I'm talking about? Okay.

(several people talking.....can't understand)

- ...we do end up being assessed on something, we know what it's going to be worth, because we don't publicly own Public leased land.

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LARRY BLANCHARD - Yea, we, and we don't know if it's going to be Private or Public.

- We only know we have to have the roads (can't understand)...

LARRY BLANCHARD - Exactly.

(can't understand)

- Whatever needs to be done I want it to be addressed .....

(several people talking, can't understand)

LARRY BLANCHARD - Just to clarify one point. I don't think it would be, uh, uh, unlikely for you to as this is developed, as these properties are developed, uh, to request, at least to the Planning Commission, any decision that they would have to make as far as the status of those internal roads, as the property develops. And I think, you know that you would want that clarification anyway to find out what's going to happen with that, it would seem to me.

-That's a reasonable solution.

(several people talking, can't understand)

MICHAEL GLEESON -Yea, I want to make sure I understand what your question is, and. I want to make sure I'm not getting any confusion, let me know. There's really two questions. One is, uh, who pays for the land and who pays for the new internal roads when they are put in, what kind of assessments or what not for those and everything else. That's one question. But any of the internal roads, the first part is if not, who pays for that? Who gives the land, and how's that, or dedicated.....

- ...We know .....

(several people talking, can't understand)

- We know that these internal roads have to go in somewhere, and uh, the question I have is why, you know, should there be some credit taken away from my ..... and assessment agents for the roads that I think that I'm going to have to put my property. Which I know I'm going to have to sometime. To develop the property better. That's your question.

- To the degree that, to the degree we're talking about primary roadways required for purposes of developing the center.

- Assessing that property between other buildings.....

- Yea. And these are things that are not, uh, casual comments. They're things that have been gone over extensively within (can't understand)... I have to confess that, uh, we were, we are, butchers of, uh, uh, the internal circulation. To the point that the reason you see this original drawing here right from the start is because we don't think that the City should just build everything just put it on the road itself just because certain areas of it are narrow. The rest of it's got some depth and it should be recognized or you'll have everything looking like a Plaid Pantry where everything's right up in front, with no way to get to the back. So, we know we need the internal roads, and we know we'll lose about an acre in the process, or a little. Just depends on what .....

LARRY BLANCHARD - Uh, I think one of the things I'd look at too is that we did account for in the formula that 500 foot access point, and there was some credit given for people that are outside that 500 foot area. I think what they, what the Planning Commission, and probably the City Council would look at is, you know, what type of

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off setting costs, you know, how; the assessment as opposed to how much it costs them to do the improvements.

(several people talking, can't understand)

- ....We tried to do, because we didn't know what in the heck was gonna happen.

- Some of the, and some of the, some of the benefit is in that one road, uh, but there is the other road that has to go in that would not have any benefit. So, you'd have to make a decision between the two, what those offset in costs were and come up with a number, see what I'm talking about?

(several people talking, can't understand)

JERRY CRISPE - Excuse me, I have a question on that issue that I had to show you on the map, and I think it is slightly different than the rest of the internal road calculations we've talked about. And, that's primarily the fact that the \_\_\_\_\_ Rd., to the south, which runs on my option property and Don Mala's property is the one that's been discussed with the Anderson Compromise, and says dedications are going to have to take place and I'd rather be in business, and if they'd known where the known ducts, and much more known facts than any of these other roads as far as location and direction. And, I'm not sure that that point, although it's not in this LID, does deserve some credit, because we know that's not going to happen if Don's compromise goes in.

DON MALA - I am unaware that that's to be dedicated at this point. I mean.....

(several people talking, can't understand)

- The problem is, is that the Anderson group is not paying for any part of the, uh, LID. And, what I agreed to, to accomodate, you know, the future road use of that land, was simply an easement which would allow us to sell the property, without, once you dedicate the land, you can't usually sell the road. And that's a substantial piece of property off of that twelve acres there. And, we already have dedicated to the City of half an acre, and the City was looking for another eight feet, I understand, along, uh, the Parkway Avenue north strip. Is it eight feet or six feet?

LARRY BLANCHARD - Five feet.

- Yea, but aren't they widening both all the way to the, uh,

LARRY BLANCHARD - Right.

- It's only a sixty footer right now.

LARRY BLANCHARD - Uh-huh.

- And, uh, they want additional property there, north through Kohl's property.

LARRY BLANCHARD - Right.

- And, uh, by the way, Jack doesn't have any problem with that, so, also, he agrees with the assessments for his property. So there's no problem in providing that dedication, but when you get south of that, you're talking about, uh, 500 feet of, uh, thirty foot road of very expensive real estate, and just to give it up to accomodate. It's not something that, uh, we need to utilize, we have the access

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to (can't understand) and so forth that can service our property....

- Yours is substantially.....

- Yea. And we're paying for all, along with the rest of the folks here, all of the, uh, Improvement, and in our mind, uh, uh, why should we provide that kind of access, unless they want to pay for it, or trade some land for it, or do something. That would make sense, uh, uh, other than to just give 'em an access.

LARRY BLANCHARD - Uh, to clarify something. I think that the land slot gives the Andersons the ingress/egress, uh, and, I think the reason that that piece was left off, uh, well primarily because we didn't know exactly what we wanted to do with it. Whether it was going to be a public access, or a private access, or how it was going to be served, so. At this point, it was not identified, uh, it-it's, uh, is that a wrong statement?

- Parkway Extension, to the south, is not included in the computation in that area.

LARRY BLANCHARD - Right.

TERRY TOLLS - I do understand, at least I think you're stating that we probably have time to go ahead, and dedicate out of their extension, for instance, to Vlahos Drive, uh, between now and whenever we're done, which is something we intend to do.

LARRY BLANCHARD - I think Vlahos Drive has already been taken out of the oh, of that piece. Okay.

- That's why we put the grocery store here.

LARRY BLANCHARD - Uh-huh.

- The residential mesh here, we figure it's a (can't understand) we can't count on this.

LARRY BLANCHARD - Yea. At this point and time, you know, in the circulation, I think it matters if that is determined to be a public access point, then we would have to deal with it at the time it was being developed, and modify the formula based on that.

- Anytime a lot is subdivided we go through a complete re-assessment of that Tax Lot, based on how that is divided up if it, if so much is taken out as public right-of-way, and set aside, and, if there is two or three Tax Lots formed, and those pick up whatever assessments are left, and, uh, we go from there. Okay.

(can't understand)

- I don't understand this one, I don't know where to ask a question. I appreciate it if you'd start from this one .....

STEVE SIMONSON - I think your question is how are you going to be served, how are you going to be benefitted or served by Sanitary Service.

- How does Sanitary Service affect from here, to here. The explanation in the little thing is so brief that I didn't understand it, and ....

- It's also in (can't understand)...

- Your description here is built heavily on converstations before

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the meeting, and so, I would appreciate it if (can't understand). I really don't understand.....

- To clarify, the only Sanitary Sewer that's included as part of the LID program and is, and will eventually be the only Sanitary Sewer shown in the assessments. It is the Sanitary Sewer (can't understand) it is an eight inch line that connects into the existing Sanitary Sewer at the intersection of Town Center Loop East and Courtside Drive. It extends way beyond Town Center Loop East to approximately, uh, the midpoint of Tax Lot 408.

TERRY N TOLLS- Do you not deserve everything logically in that shaded red area, uh Steve?

STEVE SIMONSON-Yes, Terry. Deep enough at the southerly boundary of LID 5, to serve approximately the easterly half of Tax Lot 406. The topography is such that the general slope in here is either north to south or east to southwest.

- Where does the service come from for the westerly half of 406?

STEVE SIMONSON- It comes from the inner section.

- So we can't get any service land to the westerly portion unless we take the trees down and go through that section down there? Is that right, Larry?

LARRY BLANCHARD- You might show him the topography for the rest of that Lot. And, I think .....

- I'm just trying to get a feel for how we will deal for the service for the westerly portion of that property as a result of this LID. I don't see how we can do it, unless there are

- There are several ways but they all require crossing Tax Lot 400 and 500.

- Uh-huh.

- So we can't do that unless they decide to do that.

- (can't understand)

- We don't have that of course. That's owned by George Vlahos. He's the only one that'll take control of it.

(several people talking, can't understand)

- There's also another Sanitary Sewer that's further away, that's sensible.

JERRY CRISPE - May I ask a question about it? On Tax Lot 400, uh, the City got it's service, that runs strictly to the center of Town Center, will continue all the way up here.

STEVE SIMONSON - No. Uh, what we've shown on the overhead is the old Engineers report with that interceptor, that has the interceptor going north to the northerly boundary of Tax Lot 400. The interceptor has been relocated in the final design, so that it's, goes north only as far as the intersection of Parkway and Town Center Loop East, and then goes east on Town Center Loop East, and follows Vlahos Drive.

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JERRY CRISPE - Can properties Tax Lot 400, and the lower part of 406 be sewered by a connection from approximately here to these properties?

- Yes, yes.

JERRY CRISPE - Rather than having to worry about crossing with uh, businesses and neighbors?

- Yes.

TERRY TOLLS - I'm confused only to the degree that (can't understand).....

TERRY TOLLS - If we want to sewer anything, even in this portion of 406, how do we do it?

- The interceptor is running, running right along Town Center Loop, and

- There's the sewer there.....

- No, it's a question of just, is it deep enough to serve your .....

- No question about that.

- How so....

- The LID that is proposed, then, doesn't give us sewer service to the (can't understand) portion? Is that correct?

- The, in order to get Sewer Service to the westerly half of Tax Lot 406 requires easement from the interceptor across to Tax Lot 400 or 500.

- I thought that we were going to be getting Sewer Service to the entire parcel, along with Sewer Service to the whole thing, and I thought that was part of reason LID's were there, is so that you don't go through this after the process easement process.

LARRY BLANCHARD - Uh, yea, I think one of the things that you would find out as we, when and if they decided to build on Tax Lot 400 that the City would require, uh, uh, fifteen foot easement across the southern boundary of Tax Lot 400 in order to service, and maybe that's something that we need to put in as part of the report so that when and if we decide to develop that that will be a condition of Tax Lot 400, and we could pick that up. As a matter of fact, we might be able to do that right now.

TERRY TOLLS - Uh, confusion again.

LARRY BLANCHARD- Sure.

TERRY TOLLS - Are you saying that even if we chose to go ahead with the westerly portion of 406, we could, because of that, cause an easement to happen somewhere? I know there's already an easement built way down here, because that was part of what I paid for on this property when I bought it, is what is cost to get this easement from the ones that uh, so that the City would have a way to get sewer. I know that, because I already paid for that.

- Uh, Kaiser was going to dedicate this easement right here, but Kaiser hasn't dedicated it yet.

- No, but there is an easement that comes through here, it's for the benefit of this property, I think, uh, but we're going to have to look it up.

- I'd have to find out what it involves. Normally, what we would look at is serviceability to the property we're giving one, considering. We're giving one on Boberg Road right now, where basically the property owners is Land bought. Uh, Forest Service, Sanitary Sewer, the property owner in this location is required to give a fifteen foot easement, in order to provide the service. So, I think, I think, uh, as you were beginning to develop, uh, or vice-versa, you know, and that may be something that we could do as far as the project is make sure you had certain stability rights.

(several people talking, can't understand)

TERRY TOLLS - Excuse me, in order to do something on the whole westerly portion of 406, and benefit for many of this we end up having to probably personally pay for a sewer line across through somebody else's property, on an easement area that supposedly you can do something on. I don't see how the LID does us any good, on any aspect, if in fact we don't have ...

LARRY BLANCHARD- Uh, You brought up the possibility of adding whatever size extension for servicing the southern part of Tax Lot 406 as far as the City project.

- It can be done as long as there is a need and....

- He doesn't ....

- Yea, if, uh, he doesn't have a service then you may want to check that, cause if you don't, then, then, as far as this project we can add that service stuff to the property line and secure the easement at this time.

- I would certainly help you in securing an easement.

- And it's clearly to his benefit also, to get the easement.

(several people talking, can't understand)

LARRY BLANCHARD- It has nothing to do with the assessment formula, because he is paying for the costs of sewer line anyway.

- Thanks, Larry, I there is no way of putting.....

- I got it.

- Commissioner of Wilsonville (can't understand)... on this location

- Right.

- And I can tell you for your benefit that, uh, close to, I'm sorry, I forget to say that. Uh, if you examine option agreements, etc., there has already been an allocation of easement area of (can't understand).. through here, and, thirty-four along here. So, you facilitate internal circulation, so if it helps you to know, uh, it would be a logical location if you can put your (can't understand)... public road.

- Or Right-of-Way, whatever.

- Either way, it doesn't hurt us on the projects because the arrangements

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have already been signed, sealed, and delivered, while (can't understand) through parcels are allocated and I do include a sixty foot width through here, and a thirty foot width along here, what Jerry was addressing.

LARRY BLANCHARD- Does that, does, has Vlahos agreed to that so he has .....

- Well certainly it's a (can't understand) option agreement at this point where we could have everything down totally. I mean it's, it's done,

JERRY CRISPE - I have that option on that one piece of property and I'm in agreement with everything Terry says. We've anticipated that and we're willing to write in any kind of an easement the City wants to put in, in those Right-of-Ways to make it work.

- And I agree with Steve that the (can't understand) it's a matter of where and it's probably if we can get it even up here for purposes of serving all this, that's certainly the logical place to do it.

- We've got sewer for the property.

- Okay, well I appreciate .....

- Good point.

- I think you guys are doing a beautiful job, first of all.

- Let me, well, there are two things that I know (can't understand) be referring to what you said. There's a lot of things I think that you said were important concerns to the Private Consultant from our perspective. The two things that you stressed were, uh, the intent, we make sure we get our intent expressed to the City Council, about what we, we came up with our formula, and secondly, what about areas of Public Right-of-Way in the future, uh, that will, in the future, necessity being, as being subtracted from the area (can't understand)....

- And you say, (can't understand) for some configurations ....

- Yes.

- Those are the two things that remain I felt.

- Thank you.

- And obviously, uh, on the extension, uh, on the sixty foot Right-of-Way here....

- We refer to those things in Tax Lot 400, if you here us doing it so you know, the northerly portion, north of \_\_\_\_\_ Road, we call parcel A; the piece between, uh, East Loop, and that Easement area, we call parcel B; and the southerly portion we refer to as parcel C. Logically enough, and yet, that's how all of our option agreements are drafted, that's how all settlements, uh, and George, etc., have been taken care of. Uh, Koloff's would be familiar with that because his office handled many of the aspects of the transaction, of course, etc. So, they're well documented items as being A, B, C. And, Jerry has options on parcels A and B, but not on C. George has retained ownership on parcel C at this time.

- Thank you.



JERRY CRISPE - Uh, I guess this is a question to the City. Because of the way the boundary owners have decided to split the properties involved, and purchase, what kind of a problem do we have in allocation? Do you call George Vlahos's property Tax Lot 400, which is a complete ten acres, when in fact, before the LID (can't understand) even started, I am going to be the owner of parcel A, parcel B, and George will retain parcel C. What kind of a legal, technical problem does that create for the City, when they, uh, .....

LARRY BLANCHARD- Uh, I guess that what you would have to do, and I don't think you've identified A,B, and C.

STEVE SIMONSEN - We haven't, uh, we haven't segregated uh, Tax Lot 400, but it can be done at any time in the, uh, assessment computation process. Just like we have redistributed Tax Lot 408, and 401, and 404, for this computation....

- Uh, I was going to ask you, could you clarify yours?

- On?

- The fact that Lindquist and Crispe own portions of it, or what

JERRY CRISPE - My question, Steve, is would the activity require, uh, descriptions, uh, survey parcels, could you define that? Or is it just carry your calculations?

- Well,

- I'm trying to anticipate.....

LARRY BLANCHARD- We have them by order of calculations. We would probably, you know, description says Tax Lot 400, but there has been some modifications which would not show up on the Tax Assessment or Tax Lot, uh, maps, uh, or you know, county records. But, we would have to have some deed or, or uh, description of, in order to have that in the assessment formula

- The reason that the, uh, these computations change from the engineers report is that the Tax Map has changed.

LARRY BLANCHARD- The reason that I say that is when the assessment formula has arrived and you have a total cost, that total cost goes toward those Tax Lots that have been identified, and in there's a change in ownership or in description then you have to identify that now. Because whatever's locked in, what will normally happen is that after the fact you would come in and say you were going to develop a property, and you were going to take X amount out of Tax Lot 400, and is now Tax Lot 400A. They would have to break that piece out of total assessment, and what they do is they modify the resolution adopting the assessment formula. So, if we're going to do it, we better do it now.

(can't understand)

LARRY BLANCHARD- So, what I would need is those descriptions from you, uh, to give to communicate so we can include that in the file for the City Council.

JERRY CRISPE - I have to clarify that I think Lindquist property 404 might be in the same situation, because I had purchased a portion of that, and it has also been a matter of deeded record. I just don't know if you have that.

- That's what I am saying. We work by those Tax Maps to show you that service.

JERRY CRISPE - Okay, we do have that portion...

- Yes.

JERRY CRISPE - Okay, great. Then I will give to you proper description and calculations on 400.

LARRY BLANCHARD- I emphasis that I, in order to have this ready for the Council Meeting, I will need all of that information by Friday.

- Tommorrow is soon...

LARRY BLANCHARD- Tommorrow is soon enough.

(can't understand)

- Okay.

- No, it's not relevant to the Board of Viewers....but it's definitely relevant to me.

- Yea, sure it is.

JERRY CRISPE - Okay, Jerry Crispe again for the last item I had on my list, we've covered them all for questions was back to the cable T.V. for Commercial Properties. Some say we like cable's crews in this to get (can't understand)..

- Yea, I guess, uh,

(several people talking, can't understand)

LARRY BLANCHARD- I think, Steve can answer, and, uh, tell you what the costs are. I'll tell you the reasoning behind it, uh, the City has a franchise agreement with Storer Metro, as you are all aware of. In order to provide service they will normally run their cables into a subdivision depending on whether it's existing overhead or existing underground. As far as any development, according to our standards, we require that the conduit be placed in a trench to provide our telephone, cable T.V., gas, if the gas line is involved. Now, each, uh, P.G.E., and General Telephone are I think fall under the PUC requirements. I think Storer-Metro falls under MACK, which means it falls under, uh, what is it, commission, Cable Commission. Their requirements basically are that we provide them a conduit through any new construction. And, this is what we are doing, we are following these requirements. Uh, I guess the other question that I, uh, see coming up in a lot of areas is that if we do not provide this then, when they do come in they will definitely make it tough on any existing development. Uh, we found that out in the past. It's an inconvenience, they make a mess, and, we end up spending a lot of time and money going back MACK, trying to get them to take care of their problems. So, if we provide the conduit up front, I think it's a direct benefit. Not only to you as property owners, but to the City in not having to deal with all the claims that come in after they start construction in these areas. One of the things that they are looking at, and I don't know how many people will use it, uh, is a, an area like, uh, Lake for computer access. Which is to go into their cable systems that will some day in the future, I don't know when, be used, uh, for what reason I don't know. But, that's basically the explanation I have. It's part of our standards. We provide a conduit for any place we go. And, Steve, you can tell us how much it costs.

STEVE SIMONSON - And the cost that we've added to the engineers report for cable conduit which we just found out last week what the requirement was. Our showman (can't understand) entitled "Other Utility Assessments Computations." At the bottom of the table were, uh, numbers, a statement in parenthesis, which includes the value of net construction and it will include cable conduits. And those are itemized per area. Table 22,000 - 22.00

DON MALA - Is that the West Loop, uh, 52-30?

- Yes.

TERRY TOLLS - I'm done. You guys, as far as I'm concerned did a good job. I appreciate it. I'm glad it way you and not me.

JERRY CRISP - I think you should be commended for that too. It's a difficult, complex problem, and you spent a lot of time on it, and, uh, I think you've done really an equitable and outstanding job. I have a hard time to complain with what you've done.

DON MALA - I concur with the other gentlemen here, it is a good job. And, I still have a couple of questions I'd like to ask Steve. One is regarding the total figures. Are you talking about the saving on the sewer affecting both options one and two? It would seem to me it would, but I mean.....

STEVE SIMONSON - Earlier this evening, we discussed the elimination of an item in the summary of assessments called Sewer (Option one) that appears to now be required for all of the Mala property. And so that item disappears out of the summary of assessments tables.

DON MALA - So in other words, it is the total amount that is subtracted regardless of what option .....

STEVE SIMONSON - No, it is only option one.

DON MALA - Oh. Only option one.

STEVE SIMONSON - Which would be.....

DON MALA - Because option two didn't have a sewer, or what?

STEVE SIMONSON - Right. Option two would be required, but since, uh, whenever the rest of the widening was done. In other words, when the second half went in, the sewer went in, and you would have to be assessed for it.

DON MALA - So, effectively, if we don't go with option one, there is no save.

STEVE SIMONSON - No, there is a saving of approximately 117,000 dollars out of option one.

DON MALA - Yea, that's what I'm saying, but option one is a full development of Town Center East and Town Center West, where as, option two is in fact the option that is developed. There is no saving to option two effectively.

- That is correct....

- But not as part of the LID....

- But you won't have a future saving.....

(several people talking, can't understand)

- You can't guarantee a future saving regardless, but I'm talking about..

LARRY BLANCHARD- Right your total assessment, uh, for your property under option two would not, there wouldn't be any savings. For some reason were able to go to option one, you would see a savings of 117,000.

DON MALA - Uh, I noted in several areas, here, that, uh, as far as the, uh, distribution of costs are concerned, that seemed to be okay with us. I mean, it seemed to be a fair distribution. But, uh, it appeared that there didn't seem to be, uh, certain cost items covered correctly. And they may be covered in the demonstration or something, but, uh, one of the items that I was concerned about was that we've spent several thousand dollars since 1981, both in the process of, uh, going through public hearings, and dedicating roads, and providing survey maps, and Platt Maps, and so forth, that, uh, to provide the actual roadways that we are now contemplating developing, and, uh, as part of the development on the East Loop, my understanding, the surveys, and ongoing engineering costs and so forth, are actually part of the development costs of the East Loop, is that not correct, Larry?

LARRY BLANCHARD- Yea, uh, I think what Don is referring to is, since the property or project was started, that uh, Mr. Mala's group has, had had some costs for dedication of Right-of-Way, legal costs involved in the Public Hearings, etc., and I think the question that Don is asking, correct me if I'm wrong, Don, is that can they include those costs in the assessment formula, they would remain (can't understand) to those costs, as part of the LID, and pay for those costs over whatever the life of the LID is, and I believe this is something.....

DON MALA - Well, I'm not going to take time to consider it now.

LARRY BLANCHARD- Right, but I think one of the things that you can do, though, is identify that it was assessed by, uh, or presented by the, uh, property owners, and ask the City Council to review it and make the final determination. I think thats probably....

- Do we have time to take the...

LARRY BLANCHARD- No, I would much rather take it to the Council as part of the final assessment formula, I think one of the things that you will find out is that it wouldn't affect Mr. Tolls....

TERRY TOLLS - If we do that, I don't want you to stop.

(several people talking, can't understand)

- doing the engineering for East Loop which was part of the original materials for, which were utilized in the first report, which went to finally, eventually, Steve's office.

- Okay.

- I don't, that's one example, I can keep going. But, the point is, is I don't know where to start or where to stop. There's a lot of them.

- To clarify that, I think that their point is that, you know, it would not go on anybody else's assessment but yours. Is that not correct? So the key thing is that, you know, I'm willing to pay for the assessment, but I'd like

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be reimbursed now, and receive the money, or reimbursed now, and have it included as part of my assessment.

LARRY BLANCHARD- So, if you have some costs that you have incurred, they have to be documented, uh, I think the prime example is Nike, uh, as a part of LID #6, uh, did some preliminary surveying, did some preliminary construction, design, etc., and, they requested that prior to the assessment that those costs be reimbursed to them directly, as soon as the funds were available, which they were. In return they ended up paying the total of their assessment off.....

- So they did finance their foot in costs along with the .....

- Exactly.

(several people talking, can't understand)

- I think that what we will do with this group is make a final recommendation as to this report and then identify, and I'll go through that list that I've been making notes and you'll see, that to, identify those things that were mentioned, and then we can make specific comments.

- After we adjourn.

LARRY BLANCHARD- After we adjourn. I think we'll keep the tape going so that we can record the actual, uh, approval by the Board of Viewers. Now, Steve, do you have any comments in regards to doing that type of a thing where you would have a specific assessment to the property owners for any costs that they may have incurred.

STEVE SIMONSON - My only comment would be on the mechanics of the thing, we can include another special category for those types of costs if the Board of Viewers and the City Council.....

- I don't think it's our prerogative to advise whether is what not to include in the assesment, our job is to allocate out the costs of whatever, you're not supposed to make decisions as to whether this is a lawful or unlawful item

(several people talking, can't understand)

LARRY BLANCHARD- I think what you will do is you will indicate that that was discussed and that the City Council should, recommend that the City Council should consider that as a part of the assessment formula. Uh, the final decision will be the City Council's, obviously.

DON MALA - I've just got one other item that probably is not pertinent necessarily here, but I need to get some kind of an explanation on the, uh, you can't house the paybacks and so forth, I don't fully understand that process, and I don't want to hold everybody else up, but, uh, as part of my understanding of that is I know somehow the City is involved with, and with P.G.E., some sort of a contract with P.G.E., and because there is substantial monies involved here. I think fifty-some thousand dollars, and eighty-some thousand dollars in one area, and the payback from the adjacent landowners is another hundred thousand dollars, or whatever, I think that area definitely has to be, uh, some kind of a structured legal document, or something, so we know where the money is coming from, when it's going to be reimbursed, how it's going to be reimbursed, who's is paying for it, and how much.

LARRY BLANCHARD - Uh, to answer Don's question, again, the payback process is a legal process that goes to the City Council, which will go to the City Council

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meeting in July. The July 1 meeting, to be exact. There is approximately 264,000 dollars in payback that you'll pay for up front. Now, the project, what we will do is we will indicate that those paybacks will be identified in a public bid for this project, which happens to be done under 3.116 of the Code. As development occurs in these areas that have the, what we consider the benefit of the work that you are doing. As they connect up, they will pay a proportionate share of that installation. So, it is a real lean on that piece of property by Resolution of the City Council. So, that when that is developed, and what we do is we pin point that on an assessment map and it is filed with the Building Department and Public Works. When they come in for a permit, then that money is payed back to us, and that includes interest, and it is payed back to you as the permit is taken out.

(can't understand, something wrong with the tape)

- assessment, or is it payed back in cash?

LARRY BLANCHARD- That's entirely up to you. You know, if you make arrangements with the City that your assessment be reduced by whatever payback you would ultimately receive, you know, that would be done as the .....

DON MALA - Another question about that, does that mean that, uh, technically the land owner that owns the property at the time that the payment is made only?

LARRY BLANCHARD- To clarify the question. Okay they pay the assessment and then we say you, is that what you're referring to?

DON MALA - Is the party that, uh, owns the property originally when the LID was in effect, uh, sold the property, would the payback then be payed to the present owner of that property, if it was a cash payment?

TERRY TOLLS - He can go ahead and sell the land when he wants, if he wants to sell it with the option that he gets the payment, that's up to him. Most people are going to turn around and say, hey, I own the property, that's the way it is. But that's something that you .....

LARRY BLANCHARD What happens is, is that the (can't understand) on the property with the, I guess there's two points to the question. The lien on the property would be to the property. The payback, generally, would go to whoever financed the LID, etc. So, you know, it doesn't go to the Tax Lot, it goes to the people that are participating. And what will happen, uh, is that, uh, when this goes to Council, you will indicate that the property owners have requested that a payback be done. The property owners are the following, the property owners share the payback of X amount of dollars, proportionate to X amount of years. Unless you physically come in and change that, say if I wanted Tax Lot 401, or whatever, it would remain a payback to you at whatever address is shown on here...

- I think it's important because, uh, sometimes the sellers of property pay off the assessment. If they're paying off the assessments, with the, uh, payment that is involved, they're sure to want their money back....

- And all you have to do is tell us how you want to do it, and we do it. And that's something I would need to know before Friday.

- Oh, that's fine.

- Just what you said.

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- Another thing you could do is, would be to add that to your .....

(several people talking, can't understand)

- We don't try to figure out our yes basis, what that .....

(several people talking, can't understand)

- The record has it.

- Okay, and then you want yours to the Tax Lot, or you want yours individually? Your payback.

- Oh, I think individually. We can always make determination of what.....

- Yea. Now that Resolution can be changed, but you have to realize that in order to do that you would have to come back to the City and they would have to modify that Resolution. Okay, I just want that understood, cause, sometimes I get nailed.

(several people talking, can't understand)

LARRY BLANCHARD-Um, before we get into the closing statements, as far as the recommendation from the Board of Viewers, I would just like to say that I think one of the things that we have identified in this is that according to the report we are looking at option two, I think, in the Engineers Report. One of the objections of the City in this, something that the City Council will be looking at is the ability to complete the entire loop, in its full development stage. The assessment formula will be based on option two, however, if the bids come in low enough, and we have the ability to complete the full loop, I would, at this point, at least hope that we would have the support of the LID property owners involved. In other words, it doesn't increase your assessment, it stays the same, but we have the ability to complete the entire loop. Now, you may not be able to give that support at this point, but I would request, in writing, that you spend that along with this assessment formula that goes to the City Council.

DON MALA - I think our response to that would have to be the final determination of the Resolution, and how that works out. Right now, it's still up in the air, as far as I know, because we have never really been back to the City on that issue.

LARRY BLANCHARD-You're regarding the vacation.

DON MALA - Well, not only the vacation of Parkway under Resolution 290, but the two accesses and so forth that, uh, revolve around, uh, the part of the thing that's been accepted. I agree with the Board of Viewers in that that should be, because it is outside of the area, that it should be handled as a total assessment, but, uh, we still have to resolve the land issue, part of that question. I understand that we're supposed to meet with Ben Altman shortly, to discuss how he's going to meet with the \_\_\_\_\_ panel shortly, and then we're going to discuss that.

LARRY BLANCHARD - I do have a meeting with Richard tomorrow to discuss, I believe, some of the issues, uh, and Ben will be back on Monday, and hopefully I can fill him in, at least keep the process going, instead of stalling it out.

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DON MALA - Uh, the other question I might have is, it's my understanding that the East Loop section will be developed first, along with the key interchange, and then in coming along behind that, assuming everything has been worked out, the West Loop section will then be developed. Uh, once the, do you have any time frame for them?

- I'll let Steve answer that.

STEVE SIMONSON- The way the specs are being written is that, uh, I think it's uh, we're asking for Town Center Loop East, and Parkway Extension to be completed by November 1. And, the remainder of the job to be complete by June 1, 1986. A major project which effectively would be Town Center Loop West.

- Will the bonds be sold then, all at one time, and then this money held in ....

- Basically the money, the bonds, would be sold, and we anticipate if everything goes correctly, that we would have money by October. Uh, you're correct in stating that the money would be held until, you know, cause what we'll probably, in all probability, uh, we would probably end up shutting down, I would imagine, sometime in, whenever the weather is adverse enough to stop us.

- It's written, being written, so that the Contractor has the option of suspending work. As long as he designates the time that he'll stop and he'll start in writing, and it's approved.

- So effectively, he could forward and get, or whatever the West Loop earlier than that date, and ....

- .. and then hold off the paving until spring, or whatever.

- We should get access to be putting utilities in, and that type of thing, you know, reserve the final installation, curbs, stuff like that after the winter.

- So you effectively still want the deed to be part of the first and longest....

- Yea, I will be making an exerted effort to get all of the dedications timed, I would hope by mid-July.

- We haven't received any assuming Engineering is going to send us the legals for the additional dedicated...

- I talked to Steve about that, and I believe most of it, them, are ready, I just ....

- How much is it, the cost?

- Right, so I will be shipping that stuff off to you, ASAP.

- Can we have a short session after we adjourn this meeting, an Executive Session, cause there's a couple of things that I want to ...

- Sure.



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- That's fine.

- I have no objection to that.

- We're done.

- I move that the Board of Viewers presented on it's behalf, as it's Final Report and Recommendation that which has been prepared for us, considered, as having been received June 14, 1985, subject to an amending, or an additional paragraph explaining in the forefront the difference between gross and (can't understand) acres. Is there anything else that we should add?

BOB SORLIEN - Uh, I think we also have to make the change that on the sewer, so that the sewer section reads the "Collector Sewer Computed as an Assessment Item is to specifically benefit the properties as it is intended to serve, the estimated cost distributed over the estimated service area, the connecting collector sewer on Town Center Loop East, outside the boundary is recommended to be a payback item." Also I think the charge, the sewer assessment computation charge should be amended and (can't understand)... Town Center Loop West option one item also on the assessment formula, formulas and computations summary, that same item should be deleted. That's it.

MICHAEL GLEESON-The only other amendment would be, is, on page 2, somewhere under Grange, says this is the only assessment that would be affected by this amendment. It should be stated that it was the intent of the Viewers Committee that Town Center East Loop, Town Center Loop East and West portions of the LID were to be considered as commercial development areas, and that the Parkway portion of the LID was to be considered largely comprised of Residential development of very in-density. Is that satisfactory to everyone?

- Uh-huh.

- I move that the .....

(several people talking, can't understand)

- We agree on something regarding certain front end costs, I'm not quite familiar with the terminology. I'd like you to go ahead and restate that.

- I think the fourth item will be that, uh, front end costs, uh, incurred by the Mala properties would be received by the City Council and that the City Council would make final recommendation as to their inclusion in the assessment formula for the Mala properties. And that they would discuss at the Board of Viewers meeting and the Board of Viewers intent was that that final decision be that of the City Council. Is that okay?

- Wait. I move that the report, as amended, be adopted as modified by the, be adopted, and that motion be approved. Agreed.

- Agreed.

- Agreed.

- Unanimous.

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- I think there's a couple of things that we do not need to ' include in the final recommendation. Uh,