

MINUTES & NOTICE OF BOARD ACTION

APPROVED

6/12/96



LANE COUNTY BOARD OF COMMISSIONERS

This document, upon approval in a public meeting by the Board of County Commissioners, serves as official minutes of such meetings as required under the Open Meetings Law, ORS 192.650.

Pursuant to notice made by mailing agendas to news media, a selected list of jurisdictions and individuals in Lane County, a meeting of the Board of County Commissioners was held.

Questions should be directed to The Board Office Specialist 3, ext. 4203.

May 8, 1996
1:30 p.m.

REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

Harris Hall
Main Floor

Chair Bobby Green, Sr. presided with Steve Cornacchia, Ellie Dumdi, Jerry Rust (present via speaker phone from 1:55 p.m. until 2:50 p.m.) and Cindy Weeldreyer present. Sharon Giles, Recording Secretary.

11. COMMISSIONERS' ANNOUNCEMENTS

None.

12. PUBLIC HEARINGS

- a. **SECOND READING AND PUBLIC HEARING/Ordinance PA 1087/In the Matter of Amending the Rural Comprehensive Plan to Redesignate Land from "Forest" to "Nonresource" and Rezoning that Land from "F-2/Impacted Forest Land" to "RR-10/Rural Residential 10," and Adopting Savings and Severability Clauses (file PA 0327-96; Smith).**

Green read this Ordinance into the record. Mike Copely, Associate Planner, used overhead projection and passed around a map to show the location of the property. He reviewed the agenda memorandum and the supplemental material dated May 7 which includes a letter dealing with DLCD's objections to the proposal (see material on file). Copely summarized that DLCD is requesting that the record be held open, thus staff is requesting to hold this matter over to a Third Reading on June 5.

Green opened the Public Hearing.

Harry Taylor, P.O. Box 1420, Veneta, land use consultant, commented that he is representing applicants Marshall and Alice Smith. He explained that applicants sought rezoning based on what was assumed to be a housekeeping error, as it looks as if this property was left out of the Rural Residential 10 zoning. Taylor stated that the land is all Class VI soil. He referred to DLCD's objection, noting that the land cannot be tilled and is extremely marginal. Taylor referred to the attachment on the last page of the May 7 supplemental material, observing that the reference on the last page is simply to "Dixonville" and noting that the ratings have been changed. He questioned the reliance on this "evidence." Taylor encouraged the Board to approve the ordinance, stating that they would reluctantly go along with a continuance. Weeldreyer questioned the impact of adopting the ordinance today. Vorhes indicated that the risk would involve a challenge at LUBA and there is a chance LUBA would say the Board would at least have to reconsider the decision and provide the opportunity for them to respond to the additional evidence.

Dumdi explained that rolling this over to June 5 may actually expedite things in the long run. There was a brief discussion between Taylor and Cornacchia regarding giving forum to DLCD's objection by rolling this matter over until later.

Rust joined the meeting via speakerphone.

Green closed the Public Hearing.

Weeldreyer indicated that she was supportive of moving forward with approval today. Dumdi concurred. Rust stated, without explanation, that he would be voting against approval.

MOTION: Approval of the Ordinance. Cornacchia MOVED, Dumdi SECONDED. The Secretary polled the Board. VOTE: 4 Ayes, 1 Nay, Rust dissenting.

- b. PUBLIC HEARING AND ORDER 96-5-8-12/In the Matter of Adopting the Public Works Five-Year Capital Improvement Program FY 96/97 Through FY 00/01.

Ollie Snowden, County Engineer, reviewed this item for the Board (see material on file). He acknowledged the financial situation of the Road Fund, noting that under the current scenario there is not funding for all of the projects listed in the CIP. Snowden referred to Attachment 1, discussing the "GENERAL CONSTRUCTION" listing (on page 4 of Attachment 1) and highlighting specific changes/requests: 1) asking to amend the figure for the 30th Avenue slide to \$1 million, instead of \$750,000; 2) mentioning that the Coburg Road project (Willamette Street in Coburg) has been moved to FY97-98; and 3) looking for direction regarding the Highway 58 north side connector roads scheduled for FY97-98, suggesting moving them to FY98-99 and the south side connector roads being moved to FY 99-00 or leaving them where they are, which would provide more

time to work with ODOT. Tom Stinchfield summarized that things are moving slowly with ODOT and he is not sure when things will be resolved. Weeldreyer commented that she has told residents that if a 3-lane design was chosen, then she would be in favor of at least the north side connectors. She indicated that she was hesitant to delay the projects. Cornacchia expressed concern about a plan that shuts off Pleasant Hill. He remarked that the folks on Kensington do not want the subdivisions to become thoroughfares. Weeldreyer explained that there are three advisory groups representing the area and there does not seem to be agreement, stressing that she wants to see improvements that will enhance public safety. Responding to Green, Stinchfield stated that ODOT delays may be workload related. Cornacchia indicated that his concern was that by going to work on the connectors for FY97-98, the County was affirming ODOT's position. Stinchfield noted that by moving ahead with the connectors now, without resolving the main project, folks may be unhappy. He explained, however, that it was his feeling that the connectors were independent of either a 3-lane or 5-lane project. Weeldreyer offered her agreement to move the northside connectors back to FY98-99 and for leaving the southside connectors all in the same year.

Continuing with "GENERAL CONSTRUCTION," Snowden referred to the Jasper Road Extension, 57th Street (Main Street) to Jasper Road, indicating that staff is suggesting moving the project to FY98-99. Cornacchia commented that this and Mt. Vernon Cemetery Road need to be looked at together.

With regard to Jasper Road, Springfield City Limits to 42nd Street, Snowden indicated that it is being suggested that the project be moved back to FY97-98. Cornacchia had Jamon Kent, Springfield School District, display an overhead projection and discuss the planning implications for the school district and new school facilities. Cornacchia indicated that the city is not requiring Jasper Road to be improved, however, he noted that he has suggested an interjurisdictional partnership. Cornacchia stated that he would hold off on this issue at this point and wait to hear from the school district during the public hearing. Responding to Green, Al Peroutka, Springfield City Engineer, indicated they have had substantial conversations with the school district regarding the implications of the Dolan case which states that public improvements that go along with developments must be proportional and related to the impact. Cornacchia summarized that Jasper Road improvements are important largely because of safety concerns for kids at the present/planned schools.

Regarding South River Road, Snowden stated that staff recommends moving it to FY98-99. He indicated that Cottage Grove has no problem with that. Green questioned Cornacchia and Weeldreyer on their plans regarding assessments on these projects. Cornacchia indicated he would ask that the assessments be added to the entire project cost. Snowden continued that the Marcola Road project, from Sunderman Road to Wendling Road, is recommended to be moved to FY99-00. Regarding Munsel Lake Road, Snowden noted that the draft put the entire project in FY00-01. He recommended

dropping the \$1.4 million project as proposed and adding it to the overlay list for FY98 or FY99, depending on other overlay work in that part of the county. With regard to the curves, Dumdi remarked that straightening out the curves will provide more safety and provide for a more accessible boat ramp. She recommended doing a modified project addressing the curve problem and providing the improved area for the boat ramp at a cost of \$330,00. Snowden reported that since some of the work has been done, he would recommend putting it into FY96-97.

Rust left the meeting at 2:50 p.m.

Snowden briefly reviewed the "STRUCTURES" section on page 5 of Attachment 1. Snowden indicated that there should be a decline in bridge projects as many have been dealt with. He stated staff would like to come back later regarding seismic studies. Snowden was asked by Weeldreyer to provide detail on covered bridge painting/roofing for this year.

With regard to the "OTHER" category on page 6, Snowden reported that the Vactor Waste Site project is a joint project between Eugene, Springfield and Lane County.

Snowden discussed "PAYMENTS TO OTHER AGENCIES" as detailed on page 7, noting that what is listed here does not reflect the April 17 direction related to road partnership payments and economic development. With regard to Ferry Street Bridge, Snowden mentioned that Eugene had asked to have that money moved to FY97-98.

Snowden provided a few additional comments. With regard to the \$1 million allocated for Fairgrounds' roads, Snowden noted that the first phase of that should go to contract this fiscal year and they will have to come back at some point and amend the CIP to accommodate phase two of that Fairgrounds' money. Snowden indicated that as a result of the February storm, there were about 75 locations where there was either road wash-outs or slides (estimated to cost about \$1 million to repair) and much of that should be reimbursed either through FEMA, Siuslaw National Forest or the Federal Highway Administration. He stated that there are about five roads that may not receive repayments from those sources. Snowden noted that there are some choices to make on Nelson Mountain Road as to whether it will essentially be closed.

Green distributed material regarding the Juvenile Justice Center project related to roads and storm sewers, for costs totaling \$1,040,000. He asked whether that should be part of the CIP and perhaps lower payments on the bond. There was clarification that the road portion was not included in the bond. Cornacchia concurred that there should be a figure in the CIP for planning purposes.

This meeting recessed at 3:10 p.m. to reconvene at 3:24 p.m.

Green opened the Public Hearing.

Chris Anderson, Public Works Director, City of Eugene, highlighted some of the key points addressed in Jim Torrey's memorandum which was distributed (see material on file). With regard to the Ferry Street Bridge project, she indicated that the City of Eugene requests that the County keep the \$3 million in the CIP and add \$2 million to it. Torrey's memo indicated that Eugene was willing to defer the north Coburg Road project in tradeoff for the additional \$2 million for Ferry Street Bridge.

Pat Sullivan, 3674 Oxbow Row, indicated that she was representing her Harlow Road Neighborhood Group who are desirous of a sound wall on I-105. She referred to a petition signed by 82 people representing 79 homes. Sullivan explained their plan to include funding for this at the level of 50% state, 25% county, 12.5% City of Eugene and 12.5% residents. Sullivan asked that the request for a sound wall be included in the CIP. Responding to Cornacchia, Sullivan indicated ODOT had estimated the cost in 1992 at \$1,040,000, and that with inflation the figure would be probably be closer to \$1.2 to \$1.5 million. Dumdi stated that she and Weeldreyer had met with Sullivan and discussed assessment potential to repay the County's 25%. Sullivan remarked that she has not had an opportunity to discuss this proposal with her neighbors.

Lyle Hatfield, 518 North 68th Place, Springfield, offered support of the proposal to improve Jasper Road, noting that the siting of two schools in the area will increase vehicular and pedestrian traffic.

Phyllis Miller, 883 South 57th, indicated that the plan for FY98-99 is okay with them and offered her support of the Jasper Extension.

Joseph Lorecke, 33439 Bloomberg Road, spoke regarding Bloomberg Road and the problem that developed when the state built I-5 there. He emphasized that he is asking to have some kind of access to get in and out on Bloomberg. Lorecke indicated that a petition was presented and received a negative response from Public Works.

Julie Ghormley, 45 Rustic Place, indicated that her property abuts I-105, stating that the residents need the County's 25% for the sound wall in order to have less noise and less pollution in their homes. She asked the Board to join this partnership. Responding to Cornacchia, Ghormley stated that she believes all of the neighbors will be willing to pay their 12.5%.

Kent Hunsaker, 3855 Lancaster, representing Bethel School District, remarked that the district has a bond measure for two new schools on the May 21 ballot. He noted that they are in the planning stages and are not sure of the success of the bond, but wanted to go on record that Barger will need work with regard to sidewalks, curbs, etc. Hunsaker remarked on their desire to be considered now or in the future as part of the 5-year plan.

Responding to Green, Hunsaker indicated that there are some provisions in the bond for road improvements. He estimated the needs at roughly \$400-\$500,000.

Jamon Kent, 37890 Camp Creek Road, Springfield School District superintendent, provided a visual showing a map of the proposed schools near Jasper Road expressing his concerns regarding safety factors. There was overhead projection showing the areas where children would be coming to and from the schools. Kent noted particular concern for kids walking along Jasper Road. He indicated that the schools will open in 1997 and their hope is to coordinate the planned road project for Jasper Road, offering support at this time with their project manager. Kent asked for the Board's support for the Jasper Road project and, particularly, the joint venture with Springfield and the school district. He asked that, if available, additional funds be added or the project be adjusted so that the \$0.25 million that will be spent on paths could be used in conjunction with dollars so that it is only done once. Lastly, Kent noted that using dollars on the streets will reduce the educational resources for children. Responding to Green, Cornacchia explained the present traffic patterns of students.

Al Peroutka, City Engineer for the City of Springfield, spoke in support of Kent's requests regarding Jasper Road. He agreed that a joint funding situation may be possible. Peroutka noted that Springfield requested, in a letter to the Roads Advisory Committee, an additional \$.5 million in funding for Jasper Road to participate in the joint funding. He observed that they propose that the project be done as a joint project under the County assessment policy.

Dumdi spoke on behalf of Ken Lanfear from the City of Florence Public Works Department who was present earlier but had to leave, who has offered support of working with the County on the Kingwood Street project, the Industrial Park and also the Munsel Lake project.

Green closed the Public Hearing.

Cornacchia prepared to present a Motion to the Board, noting that additions discussed today total \$7.5 million, including 1) a \$.5 million placeholder for Bethel; 2) \$750,000 for the 30th Avenue slide; 3) \$300,000 towards the I-105 sound wall; 4) \$1 million toward the Juvenile Justice Center road needs; 5) \$2 million for the Jasper Extension; 6) an additional \$2 million for Ferry Street Bridge; and 7) a \$1 million figure for Springfield School District 19, which would entail \$500,000 for the County's share of the joint venture on the remainder of Jasper Road and \$500,000 to help them with their Filbert Lane/51st Street/32nd Street road work. With regard to School District 19, Cornacchia offered the conditions that the \$500,000 on the joint venture can only be expended if the other \$1 million from the two other entities comes forward and that he would like to seriously consider having jurisdiction of the County portion of Jasper Road transferred to the City of Springfield. He indicated that he was comfortable with the \$7.5 million

figure. Cornacchia suggested that this be the last year of adjustments to the road fund and, in the future, that there will be no projects added unless there is an emergency.

Dumdi expressed concern about funding for the sound wall on I-105, noting that it is not a County road. She observed that this will open up opportunities for others. Dumdi recalled that the County had done the sound wall on Beltline because it was built by the County. She noted that there is the opportunity for assessment. Cornacchia commented that if the County did not participate, homeowners would be looking at assessments of approximately \$7,000. Cornacchia stated that he was willing to participate because residents were willing to pay their share. He indicated that he would prefer a grant, but would support a loan. Dumdi remarked that she sees this as a direct improvement to the local residents. Responding to Green, Snowden reported assessments are usually ten years. Cornacchia suggested that the County pay 12.5% and the residents pay 25%. Dumdi and Weeldreyer concurred.

Responding to Weeldreyer, Cornacchia indicated he would be in favor of dealing with the overall assessment policy after finalization of the Road Fund planning.

MOTION: That the Board accept the recommendations of the Roads Advisory Committee and staff with the following additions/modifications: In "Payments to Other Government Agencies," on page 7, that for FY96-97 under Ferry Street Bridge, the amount be \$2.5 million and for FY97-98, the amount would be \$2.5 million, for a total of \$5 million; That on "General Construction," page 4, that the Board would increase the amount on Jasper Road, Springfield City Limits to 42nd Street, from \$600,000 to \$1.1 million, with a file note that \$500,000 of that is predicated upon a like contribution from the City of Springfield and School District 19; (NOTE: the Jasper Extension is already included); That Public Works staff find a placeholder for the amount of \$1 million for the Juvenile Justice Center roads; (NOTE: \$750,000 for 30th Avenue slide is already included); That Public Works staff find a placeholder for \$300,000 for the I-105 sound wall, with a file note that states that \$150,000 of that is under a loan program to be IGA'd appropriately in the future; That Public Works staff find the appropriate place to include \$500,000 for the Bethel School District's future road needs pursuant to school construction contingent upon passage of the upcoming bond; and That Public Works staff find a place for an additional \$500,000 for School District 19 for road-related off-site improvements relative to the construction of all three schools, probably to be IGA'd through Springfield because it is for 51st Street, 32nd Street and Filbert Lane (one of which is a local access road and two are city streets); [what is being done here is just making the money available to the City of Springfield and School District 19 to make it work.] Cornacchia MOVED, Dumdi SECONDED. The Motion was AMENDED by Cornacchia, with the approval of the SECOND to 1) increase the amount for the 30th Avenue slide by \$250,000, for a total of \$1 million; 2) include movement of the north side connectors in Pleasant Hill from FY97-98 to FY98-99; and 3) include \$330,000 for FY96-97 for the S-curves on Munsel Lake Road. VOTE: 4-0.

Staff was directed to report back regarding the Bloomberg Road intersection. Snowden indicated that a communication problem has occurred with residents regarding Bloomberg Road. Cornacchia suggested that Weeldreyer check into this situation to see what can be done.

13. OTHER BUSINESS

With regard to 30th Avenue and Green's discussion of the recommendation to divert truck traffic, Green asked Snowden to provide a brief assessment regarding what more can be done. Snowden remarked that the Board has the ability to do that; noting, however, that some delivery trucks would have to reroute through city streets. Snowden was directed to provide a recommendation next week on the truck traffic issues and also regarding problems in the dark. Van Vactor observed that after the repair schedule is known, the Board may want to revisit the barriers issue.

There being no further business, this meeting adjourned at 4:50 p.m.



Sharon Giles
Board Secretary