

ROADS ADVISORY COMMITTEE

June 24, 2009

MEMBERS PRESENT: Kent Fleming, Jody Ogle, Jim Wilcox, Karen Bodner, Jack Radabaugh, John Anderson, George Goldstein.

MEMBERS ABSENT: none.

STAFF & OTHER PRESENT: Candace Stich & Sonny Chickering (ODOT), Marsha Miller, Tanya Heaton, Howard Schussler, Christy Mosier, Bill Morgan, Celia Barry, Shashi Bajracharya.

Anderson called the meeting to order at 5:45 p.m.

I. PUBLIC COMMENT – None.

II. APPROVAL OF MINUTES –

Goldstein asked that his request to have the committee review profile striping be added to the minutes.

Motion: Ogle moved to approve the minutes as amended; Goldstein seconded; all present voted in favor.

III. TRANSPORTATION PLANNING UPDATE (Celia Barry)

Barry said there are a few different planning efforts happening with ODOT facilities that include the Junction City Highway 99 Refinement Plan, the Highway 126 East Expressway Mgmt. Plan (52nd & Main/Hwy 126 & Main), the Bellline Corridor Study and the Coburg Interchange Plan that goes to the Board in August. She said the typical model for these studies, and the one being used for the Highway 126E and Bellline planning efforts, is to have a project management team composed of staff, a stakeholder advisory committee (if there is any controversy expected), composed of staff and citizens from interested parties, and a steering committee, composed of elected officials in the study area, with staff support. Bodner asked if the Junction City Plan considers the prison and or hospital going through. Barry said the plan traffic modeling incorporates the planned prison and hospital; however, the prison has since been placed on hold and she isn't sure how that needs to be handled.

IV. I-5 AT COBURG DESIGN CONCEPT – (Candice Stich/ODOT & Shashi Bajracharya/Lane County) Bajracharya referred the group to the design documents they received in their meeting packets and introduced Candice from the ODOT's design team. Bajracharya stated we need a recommendation from the committee to finish the design stage and move forward. Stich said this project is three years in the making and summarized what went into the project so far. Stich said the project is at \$38 million to build and they have narrowed the scope to build what there are funds for. Stich said they've had a couple hurdles a few months ago regarding regulatory requirements for water quality issues, so they had to expand the footprint in some areas. Stich walked the group through the design diagram including access management and water quality. Bodner asked if this means ODOT will be buying property from residents. Stich said yes, and if the resident doesn't want to sell, it will go through a condemnation process.

Goldstein asked if Eminent Domain Law has changed and if so does it affect the process for ODOT to acquire property. Stich said that will be a full agency concern and not specific to the project. Chickering interjected that Goldstein may be referring to the First Offer, when the property owner is entitled to court costs. Goldstein said in the past people were less likely to take things to court than they are today, and there is now a potential for government agencies to incur greater costs for getting the land and the court costs as well. He indicated that he believed the new law requires the government to pay any court costs if the government wasn't willing to pay the original value requested by the property owner, and then the property went through the whole condemnation process and ended up being worth the original value. Morgan stated there is proposed legislation that may ease some of these costs. Barry said it's unusual for ODOT to need local agencies to approve their design, but because it's involving local facilities it must go through the regular county public process [Lane Manual 15.580].

Stich talked about storm water treatments and the county's requirement of planter strips. Stich said a team comprised of city, county, Dept. of Environmental Quality, and ODOT had designed bio swales. Goldstein asked what plants will go into the water swales. Stich responded those will be determined by DEQ once the design stage is complete. Stich reviewed the road and intersection changes. Wilcox asked if extra road development costs are shared or if any particular group must pay the costs. Stich responded these are funded by the project – that includes funding from earmark dollars, county match dollars, and state dollars. Barry added the state dollars are from the Federal SAFETEA-LU Bill, the federal transportation bill, which comes from gas tax. Stich talked about the water ponds and water swales in the design plan provided. Group discussion ensued. Morgan asked who will maintain the ponds and bio swales. Stich responded if not the agencies we turn them over to, it could be an IGA will state the maintenance will be by the jurisdiction that owns the roads, and the permit may end up being a co-agency permit but all are yet to be worked out. Barry interjected the county has been clear that we cannot maintain them. Stich said she believes the county maintains some element and the city may be the one maintaining the actual swale. Barry said we are presently working on an IGA draft. Bodner asked what's involved in the maintenance of these swales. Morgan responded because our operation is mowing involving heavy machinery across the 1,400 miles of roads, we are reluctant to take on the additional hand maintenance part of it. Morgan added that DEQ continues to hand down more of these types of requirements, but the new requirements are not sensitive to maintenance limitations. Stich said there's a good chance Coburg will take on the maintenance of the swales – as they've expressed interest and are mobilized to do so. Barry said we will probably see the maintenance of storm water evolve over time, for example the county now has to have a storm water plans to comply with new Clean Water Act requirements. Bodner asked why the bike paths have been widened to six feet from five and a half, and if the bicycle traffic warrants this. Stich said ODOT prefers to see a standard of six feet for safety due to the volume of semi-trucks in this area; the bike lanes also provide extra room for truck turning movements. Stich said once the Board of Commissioners approves the design concept, they will move into an estimated 16 month process of Right-of-Way acquisition beginning the end of this year through March of 2011. Additionally, if the noise study being done dictates the need of a sound wall, ODOT will need more time for additional Right-of-Way acquisition. Stich added, if we can get approval from the Board, and Coburg City Council approval in July, the project will be on track for 2011 construction. Bodner asked why it takes so long to acquire strips of land. Stich said there are relocations of properties and negotiations of prices and there's a lot of care and additional process to go through for businesses that are currently operating in a facility. Anderson asked when the true designs showing property lines will come out. Stich said approximately four months from design approval, as ODOT will spend two months developing the descriptions, and two months on the appraisal process that allows them to show property owners the exact measurements. Barry added she recently learned why it's more complicated for ODOT than the county to go through this process of putting plans together, and it's because ODOT can't get a release from FHWA to start spending the funds and working on the plans until after all of these other things happen. Barry added for example, if it were a county project, we would already have engineering drawings completed to review as part of this design concept approval process. Wilcox said he hopes this development decision isn't based on too narrow of an industrial based/economic pyramid. Wilcox said it seems structures like these are built and then something changes in the economy, and then people leave just like the area towards Creswell that is now a ghost town. Anderson said that this example north of Creswell shouldn't be referenced because it was built back in the 50's and has been closed for nearly 30 years. Stich added that area doesn't have the infrastructure like Coburg does. Continuing the overview of the project, Stich said they have minor unresolved issues with wetland encroachments and pedestrian bridges that may affect property acquisitions. Stich said earmark funding expires this September, so the design approval needs to move quickly. General discussion ensued. Chair Anderson excused himself from voting and left the room due to a conflict of interest.

Vice Chair Radabaugh asked for a motion to approve or disapprove the design concept.

Motion: Fleming moved to approve the design as-is; Goldstein seconded; All present voted in favor.

V. REVIEW FIVE YEAR ROAD FUND FINANCIAL PLAN (Marsha Miller & Tanya Heaton)

Heaton provided a road fund financial summary and five-year projection spreadsheet. Miller said the Board just approved the county budget as of this morning. Heaton focused on FY 09/10 projections

and explained this shows no service level changes and that we are overspending what we are receiving by seven million, dipping into the reserve. Heaton explained the prudent person reserve is like a savings account for seasonal cash flow purposes and is currently 23 million. Heaton reviewed each year and explained the changes that will take place. General group discussion ensued. Wilcox asked why fees and charges go down on line 15. Heaton answered because the services we are paid for will go down. Bodner asked about the line item referencing CIP. Miller answered this is mainly for preservation and not for new projects. Heaton said we need to reduce annual expenses by 20 million, and the current plan is to reduce over two to three years beginning in FY 11-12. Heaton explained Option two give us time to see what else can develop with other funding opportunities and plan for any necessary reductions. Miller said we are holding many positions open to soften the blow ahead when we must begin staff reductions and to help with future reorganization.

VI. 2009 LEGISLATION UPDATE (Bill Morgan)

Morgan handed out documents on Senate Bill 944, House Bill 2001, and several other bills of interest. Morgan said there are hundreds of bills that are introduced, but our discussion today will focus on House Bill 2001. Morgan said this bill has been approved by the house and the senate and is waiting for the Governor's signature. The bill should begin going into effect October 2009 and parts of the bill will be phased in, such as the 6% gas tax increase. The funding stream to Lane County actually starts slow in 2010 with about \$1.5 million, \$4.5 million in 2011, and \$7 million by the third year – so we don't really receive full funding from the bill until the third year. Morgan explained the funding is split 50 percent to ODOT, 20 percent to the city, and 30 percent to the county. Morgan said Lane County has 8.8 percent of all registered vehicles in the state – excluding recreational vehicles. Bodner asked if all recreational vehicle fees go to parks. Barry said she believed parks only receive a percentage. General group discussion ensued. Morgan reviewed major highlights on page five including a four-year moratorium on any new county gas tax or vehicle registration fee, so Lane County could only pursue these local funding streams after four years has passed. Morgan reviewed 2009 bills of interest and said a lot of labor rights bills are being focused on. General group discussion ensued

Barry reviewed Senate Bill 944 otherwise known as the Lane County "ACT" bill, and provided a background summary. Barry explained that Lane County is the only county whose boundary is contiguous with an Area of ODOT, with Area 5 of Region 2 being the name of the ODOT area, of which Sonny Chickering is the Area Manager. Barry said ODOT has a system of Area Commissions on Transportation and they are usually composed of more than one county with a group of public and private citizens that serve on the ACT, and who make recommendations on priorities for spending transportation funds, usually for state highway facilities. Barry added that at least 50 percent are elected officials. Barry said our county elected not to have an ACT because of that contiguous boundary issue because there was a concern among some of the Board of Commissioners that this would be giving authority now held by the Board of Commissioners who are elected by the people of Lane County, over to an appointed body-the ACT- who are in turn appointed by the Oregon Transportation Commission, the OTC, which is appointed by the Governor. Barry said however, these ACT's are up and running so although we are not "playing" they continue to operate and prioritize projects without our participation. Instead of participating in an ACT, Transportation Planning takes the spending priority processes through Board instead of an ACT, and sends out notices and holds public hearings at our Board – who acts as the ACT, and we give OTC the Board's recommendation. Barry said some object that we don't have an ACT, in particular small city representatives, because smaller cities don't have a seat at the table like they possibly would if there were an ACT here, and they perceive that they get less money for facilities in their cities as a result, because they see that most of the funding priorities are in the Eugene-Springfield metro areas. Barry said it could be a perception and not necessarily a reality, since there is inherently greater need for transportation facilities in the metro area. She noted that the City of Veneta City Manager persuaded Senator Prozansky and Representative Holvey to sponsor SB 944 because of their concern, and it passed, and requires Lane County to create a charter for an ACT. She said Mr. Chickering worked with Commissioner Stewart to start an ACT on a voluntary basis, in lieu of this, but it didn't come together. Barry said overall, all this bill says is that we must report and prepare a charter. Barry said down the road, this may affect how things are brought up for discussion at the RAC and how the RAC participates in priority setting.

VII. REVIEW 09/10 COMMITTEE OBJECTIVES AND GOALS

Motion: Bodner moved to have this item brought back to next meeting due to lack of time. Goldstein seconded. All present voted in favor.

VIII. SCHEDULE FUTURE MEETINGS (postponed until next meet/review 2010 calendar)

IX. OPEN/OTHER:

Goldstein said he can't agree completely with the West Eugene Collaborative (WEC) stating their work won't affect county roads because the quote he received through ODOT is that 23,600 vehicles per day travel through west 11th. Goldstein said it's an interesting statistic for us to keep in the back of our minds.

X. NEXT MEETING – July 22, 2009

Meeting adjourned @ 7:50 p.m.

Christy Mosier
Transcribing Secretary