

AGENDA COVER MEMO

W-9.4.
D.
03-10-15-12

DATE: October 15, 2003

TO: Lane County Board of Commissioners

DEPT: Public Works

PRESENTED BY: Sonny Chickering, County Engineer

AGENDA ITEM TITLE: IN THE MATTER OF WITHDRAWING THE LINGO LANE AT HIGHWAY 99E IMPROVEMENT PROJECT FROM THE CAPITAL PROJECT PARTNERSHIP PROGRAM (CaPP), MAKING THE FUNDS AVAILABLE FOR OTHER PROJECTS, AND REMOVING SAID PROJECT FROM THE PUBLIC WORKS 2004-2008 CAPITAL IMPROVEMENT PROGRAM (CIP).

I. MOTION

Move adoption of Board Order.

II. ISSUE OR PROBLEM

Should the Board remove the Lingo Lane at Highway 99E improvement project from the 2004-2008 Capital Improvement Program?

III. DISCUSSION

A. Background

At the Board of County Commissioners meeting on September 24, 2003, the Board decided not to adopt the Board Order establishing a design concept for the proposed project at Lingo Lane and Noraton Road at Highway 99E. This action effectively ended the project development for the project and makes the funds allocated for the project available for other projects. This agenda item is being presented to the Board to formally withdraw the project from the Capital Project Partnership Program (CaPP) and amend the 2004-2008 Capital Improvement program (CIP) consistent with your decision regarding this project.

B. Analysis

As a result of the public hearing held on September 24, 2003 and consideration of the public record established for the project, the Board found that there was not a compelling need to pursue the improvements at Lingo Lane and Highway 99E as proposed.

As such, the Board has determined that the funds allocated to the project in FY 03-04 in the CIP, totaling \$396,000, be made available for other projects of demonstrated need.

C. Alternatives/Options

1. Adopt Board Order as presented
2. Modify Board Order as the Board sees fit.

D. Recommendations

1. Staff recommends Alternative/Option 1.

E. Timing

The project was scheduled for construction in FY 03-04. Board action is needed to finalize project status.

IV. IMPLEMENTATION/FOLLOW-UP

Upon adoption of this Board Order, staff will stop work on said project.

V. ATTACHMENTS

BOARD ORDER

IN THE BOARD OF COMMISSIONERS OF LANE COUNTY
STATE OF OREGON

ORDER NO.

) IN THE MATTER OF WITHDRAWING THE LINGO LANE AT
) HIGHWAY 99E IMPROVEMENT PROJECT FROM THE CAPITAL
) PROJECT PARTNERSHIP PROGRAM (CaPP), MAKING THE
) FUNDS AVAILABLE FOR OTHER PROJECTS, AND REMOVING
) SAID PROJECT FROM THE PUBLIC WORKS 2004-2008
) CAPITAL IMPROVEMENT PROGRAM (CIP).

WHEREAS, the Improvement of the Lingo Lane, Noraton Road and Highway 99E intersections was approved by the Board under the Capital Project Partnership (CaPP) by Order 01-12-12-11, and so ordered that the FY 2002-2006 Department of Public Works Capital Improvement Program (CIP), adopted May 9, 2001, be amended to include said improvement.

WHEREAS, the Board adopted the FY 2004-2008 CIP by Order 03-5-7-11, which scheduled construction of said project for the summer of 2004; and

WHEREAS, the Board authorized the acquisition of real property associated with said project by Order 02-9-11-6; and

WHEREAS, on July 23, 2003 the Roads Advisory Committee held a public hearing to consider the report prepared by County staff, and adopted a recommendation specifying a design concept for improving the intersections; and

WHEREAS, the recommendations and findings were mailed to property owners within the project area; and

WHEREAS, over 50 percent of the abutting property owners objected, in writing, to the Roads Advisory Committee's recommendations and findings; and

WHEREAS, on September 24, 2003 the Board of Commissioners held a public hearing regarding the Roads Advisory Committee's recommendation; and

WHEREAS, the Board finds that recent improvements made in the area appear to have improved traffic safety; and

WHEREAS, the Board finds it is not in the public interest to pursue the project; and

WHEREAS, the Board, through a demonstrated lack of public support, finds that the proposed project is not compatible with the greatest public good, the least private injury, and highest use of public funds; and

WHEREAS, the Board has determined that the funds allocated in FY 03-04 for this project; \$360,000 for construction and \$36,000 for right-of-way totaling \$396,000, should be made available for projects of demonstrated need in the adopted CIP that are currently unfunded; **AND, BE IT NOW THEREFORE**

ORDERED, that the Board withdraw the project for the improvement of the Lingo Lane, Noraton Road, and Highway 99E intersections, from the Capital Project Partnership (CaPP); **AND, BE IT**

ORDERED, that the 2004-2008 Capital Improvement Program (CIP) be amended to remove the Lingo Lane at Highway 99E project.

DATED this _____ day of _____ 2003.

APPROVED AS TO FORM

Date 10-7-03 lane county


OFFICE OF LEGAL COUNSEL

Peter Sorenson, Chair
Lane County Board of Commissioners