

W. 9.a.

AGENDA COVER MEMO

DATE: June 25, 2004

TO: Lane County Board of Commissioners

DEPT.: Public Works

PRESENTED BY: Frank Simas
Right of Way Manager

AGENDA ITEM TITLE: In the Matter of Certification of Final Assessments for Improvements to Irvington Drive (County Road Number 540) Between Mile Post 0.00 and Mile Post 1.47 and Setting a Lien Value against Property identified as Map 17-04-03-40, Tax Lot 3313.

I. MOTION

THAT THE ORDER BE ADOPTED CERTIFYING FINAL ASSESSMENT AND SETTING A LIEN VALUE AGAINST PARCEL 17-04-03-40, TAX LOT 3313 FOR IMPROVEMENTS TO IRVINGTON DRIVE BETWEEN MILE POST 0.00 AND MILE POST 1.47 AS REPORTED BY THE COUNTY PUBLIC WORKS DIRECTOR, AS PROPER AND CORRECT, AND THAT THE ASSESSMENT AGAINST SAID PARCEL OF LAND BE ESTABLISHED AS THE FINAL, COMPLETE AND CORRECT ASSESSMENT WITH PAYMENT TO BE MADE IN ACCORDANCE WITH ORS 371.655.

II. ISSUE OR PROBLEM

To approve a driveway access for Parcel 17-04-03-40, Tax Lot 3313, and to certify the final assessment amount for improvements to Irvington Drive between Mile Post 0.00 and Mile Post 1.47 for this parcel.

III. DISCUSSION

A. Background

The construction of improvements has now been completed and inspected, and in accordance with ORS 371.640, the project was approved by the County Engineer as constructed, solely for the purpose of levying final assessments, on March 24, 2004. In accordance with Lane Manual Chapter 21.149(2), the Public Works Director also accepted the project solely for the purpose of levying final assessments on March 26, 2004.

The adjacent properties were made subject to a pending lien by Order No. 03-4-16-6 as required by ORS 371.635 in an amount to be determined later by the board. As required by ORS 371.645, the Board, through Board Order No. 04-5-5-5, set a public hearing for June 2, 2004, at 1:30 P.M. in Harris Hall, Eugene, Oregon for the purpose of hearing objections to final assessments for improvements to Irvington Drive between Mile Post 0.00 and Mile Post 1.47.

The Board, by Order 04-06-2-12, certified the final assessments and set lien values against the adjacent properties for improvements to Irvington Drive, except for a parcel identified as Map 17-04-03-40, Tax Lot 3313, and also directed staff to calculate the amount of the proposed assessment with the inclusion of a driveway approach onto Irvington Drive to serve the parking area at the rear of the residence on this property.

B. Analysis

There are two alternatives for the certification of the final assessment amount for this property. The originally-proposed final assessment amount calculated on the basis of not constructing a driveway access for this property is shown on the attached Exhibit "A". Exhibit "B" shows the proposed final assessment amount assuming a 16-foot driveway access.

The quote from Delta Construction, the contractor for the Irvington Drive Project, for the work of removing the existing sidewalk section and installing a 16-foot wide driveway and concrete apron is \$5,283.00. If the Board directs, staff will authorize Delta construction to proceed with the work. It is recommended that the opening of the driveway be postponed for 14 days for concrete curing to allow normal car and light truck usage and that it not be used for heavy truck usage (concrete trucks, etc.) until the concrete reaches its design strength in 28 days.

C. Alternatives/Options

1. Deny driveway access to this property from Irvington Drive and certify the final assessment as originally proposed and as shown on Exhibit "A".
2. Approve the installation of a driveway access and certify the final assessment as originally proposed and as shown on Exhibit "A".

3. Approve the installation of a driveway and certify the final assessment amount that includes the additional amount for the driveway calculated at the same unit costs as all other properties within this project as is shown on Exhibit “B”.

D. Recommendations

Option 3.

IV. IMPLEMENTATION/FOLLOW-UP

As was the case for all other Assessments on the project, upon certification by the Board, the property owner will be notified to pay the final assessment in full within 30 days or to make arrangements for installment payments. Collection of the assessment will be handled by the Department of Assessment and Taxation. As required by ORS 371.650, the County Clerk will record the Order and enter the assessment into the County Lien Docket.

V. ATTACHMENTS

Exhibit “A”

Exhibit “B”

**IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY
STATE OF OREGON**

ORDER NO.

**(IN THE MATTER OF CERTIFICATION OF FINAL
(ASSESSMENTS FOR IMPROVEMENTS TO
(IRVINGTON DRIVE (COUNTY ROAD NUMBER 540)
(BETWEEN MILE POST 0.00 AND MILE POST 1.47
(AND SETTING A LIEN VALUE AGAINST PROPERTY
(IDENTIFIED AS MAP 17-04-03-40, TAX LOT 3313.**

WHEREAS, the Director's Report for Irvington Drive, MP 0.00 to MP 1.47 (County Road Number 540), including the estimated assessments for improvements, was accepted by Board Order No. 03-3-19-2 and certain adjacent properties were ordered subject to a lien by Board Order 03-4-16-6; and

WHEREAS, construction of improvements to said Irvington Drive, MP 0.00 to MP 1.47, began in the spring of 2003 and the assessable items have now been completed and inspected and, in accordance with ORS 371.640, the project was approved as constructed solely for the purpose of levying final assessments by the County Engineer on March 24, 2004, and, in accordance with Lane Manual Chapter 21.149(2), the Public Works Director accepted the project solely for the purpose of levying final assessments on March 26, 2004; and

WHEREAS, the Board, by Order 04-6-2-12, certified the final assessments and set lien values against the adjacent properties for improvements to Irvington Drive, MP 0.00 to MP 1.47, except a parcel identified as map 17-04-03-40 Tax Lot 3313, which had its final assessment delayed until Board consideration on July 14, 2004 as to whether to provide a driveway access from Irvington Drive; **NOW THEREFORE**

BE IT ORDERED, that the final assessment for parcel 17-04-03-40, Tax Lot 3313 for the improvement of Irvington Drive, MP 0.00 to MP 1.47, is hereby established and certified as shown on Exhibit "___" as the final amount assessed against this parcel which benefits by the improvements; **ALSO**

BE IT ORDERED, that the owner of the property so assessed shall have the option to apply for installment payments being available at an interest rate of 7.00 percent, which equals the prime rate of 4.00 percent as of July 20, 2004, plus 3 percent per annum. Said interest rate of 7.00 percent shall also apply to the assessment if it becomes delinquent; **AND ALSO**

BE IT ORDERED, in accordance with ORS 371.650(1), that this order shall be recorded and filed with the County Clerk and entered into the appropriate County lien docket.

Dated this _____ day of _____, 2004.

Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date 7-2-04 Lane County

[Signature]
COUNTY CLERK

The Certified Final Assessment to your property for this project is as follows.

	No. of Units Placed	Credited Units	Assessed Units	Subtotal	Admin Cost @ 21.30%	SubTot w/ Admin Costs	Credit @ 0.00%	Line Items Waived	Line Total
Conc. Curb & Gutter (8" Base)	83.49 LF		83.49 @ \$5.63 per Linear Foot	\$470.05	\$100.12	\$570.17	\$0.00	\$0.00	\$570.17
Concrete Walks (4" Thick)	46.38 SY		46.38 @ \$17.35 per Square Yard	\$804.69	\$171.40	\$976.09	\$0.00	\$0.00	\$976.09
Concrete Driveway (6" Thick)			0.00 @ \$19.77 per Square Yard	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Concrete Driveway (8" Thick)			0.00 @ \$35.95 per Square Yard	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Totals:				\$1,274.74	\$271.52	\$1,546.26	\$0.00	\$0.00	\$1,546.26

Assessment Eligible for Deferral: \$1,546.26

Total: **\$1,546.26**

MARTI, LESLIE B.
3610 HONOLULU
EUGENE, OR 97404-0000

Taxlot No. 17-04-03-40-03313
Parcel No. 1292-21

The Certified Final Assessment to your property for this project is as follows.

	No. of Units Placed	Credited Units	Assessed Units	Subtotal	Admin Cost @ 21.30%	SubTot w/ Admin Costs	Credit @ 0.00%	Line Items Waived	Line Total
Conc. Curb & Gutter (8" Base)	83.49 LF		83.49 @ \$5.63 per Linear Foot	\$470.05	\$100.12	\$570.17	\$0.00	\$0.00	\$570.17
Concrete Walks (4" Thick)	30.77 SY		30.77 @ \$17.35 per Square Yard	\$533.86	\$113.71	\$647.57	\$0.00	\$0.00	\$647.57
Concrete Driveway (6" Thick)	18.73 SY		18.73 @ \$19.77 per Square Yard	\$370.29	\$78.87	\$449.16	\$0.00	\$0.00	\$449.16
Concrete Driveway (8" Thick)			0.00 @ \$35.95 per Square Yard	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Totals:				\$1,374.20	\$292.70	\$1,666.90	\$0.00	\$0.00	\$1,666.90

Total: \$1,666.90

MARTI, LESLIE B.
3610 HONOLULU
EUGENE, OR 97404-0000

Taxlot No. 17-04-03-40-03313
Parcel No. 1292-21