

W. S. A.

Memorandum Date: April 27, 2007

Meeting Date: May 16, 2007

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**TO:** Board of County Commissioners

**DEPARTMENT:** Public Works

**PRESENTED BY:** Tom Stinchfield, Transportation Planning Engineer

**AGENDA ITEM TITLE:** DISCUSSION AND ORDER \_\_\_\_\_/IN THE MATTER OF AUTHORIZING THE COUNTY ADMINISTRATOR TO SIGN AN INTERGOVERNMENTAL AGREEMENT WITH THE OREGON DEPARTMENT OF TRANSPORTATION (ODOT) REGARDING THE BOB STRAUB PARKWAY PROJECT AND THE JURISDICTIONAL TRANSFER OF A PORTION OF THE SPRINGFIELD-CRESWELL HIGHWAY FROM ODOT TO LANE COUNTY

**I. MOTION**

Move approval of the ORDER.

**II. AGENDA ITEM SUMMARY**

This item authorizes the County Administrator to sign an Intergovernmental Agreement (IGA) between the Oregon Department of Transportation (ODOT) and Lane County to facilitate the construction of the Bob Straub Parkway project and to transfer jurisdiction of about 4.2 miles of the Springfield-Creswell Highway (Jasper Road) from ODOT to Lane County.

**III. BACKGROUND/IMPLICATIONS OF ACTION**

**A. Board Action and Other History**

The status of several projects nearing the contracting stage in 2007 has been a question this year because of the federal county payments issue. In that context, the Board discussed Road Fund priorities on March 14, 2007 and gave direction to staff on the use of the Road Fund reserve in this draft CIP. At the March 14, 2007 Board meeting, the Board directed staff to proceed to contract with the Bob Straub Parkway project and to continue to develop an intergovernmental agreement with ODOT that would allow construction of the new county facility and would also transfer about 4.2 miles of the existing ODOT district highway to Lane County.

By separate action today, the Board is scheduled to adopt the Capital Improvement Program (CIP). The Bob Straub Parkway has been included for funding in FY 07-08 in the CIP document.

## **B. Policy Issues**

The policy issue is the allocation of County Road Fund resources to capital projects and programs in Lane County.

## **C. Board Goals**

This decision is the allocation of Road Fund financial resources through the Capital Improvement Program (CIP). Two goals from the Strategic Plan, page 13, are relevant:

- *Contribute to appropriate community development in the areas of transportation and telecommunications infrastructure, housing, growth management, and land development.*
- *Protect the public's assets by maintaining, replacing or upgrading the County's investments in systems and capital infrastructure.*

## **D. Financial and/or Resource Considerations**

The central financial issue is the current budget uncertainty for FY 07/08 related to Secure Rural Schools funding. The Board has previously determined on March 14, 2007 and again today with the expected adoption of the CIP that Road Fund resources should be used to construction the Bob Straub Parkway, a new county arterial in southeast Springfield that will bypass South 57<sup>th</sup> Street and Mt. Vernon Road. The project is included in the CIP at \$5,700,000 in construction cost and \$385,000 in environmental mitigation cost.

## **E. Analysis**

County staff have been working with ODOT staff to write the IGA for the project. We are working on a second draft, but the document is not complete. Below is a description of the major elements of agreement that are anticipated. If the final version of the IGA is not in substantial conformance with these major elements as authorized by the attached Board Order, then the County Administrator will direct staff to return to the Board for further direction.

### **Major Elements of the Agreement**

1. Springfield-Creswell Highway, MP 0.80 to MP 5.11 will be eliminated from the state highway system and transferred to county jurisdiction. (Unit A)
2. ODOT will grant, at no cost, permanent highway easements over land owned by ODOT between 57<sup>th</sup> Street and Mt. Vernon Road for the Bob Straub Parkway (Unit B. 10.39 acres) and also grant an easement to use an ODOT parcel near 57<sup>th</sup> for environmental treatment of stormwater (Unit C, 0.4 acres).
3. ODOT will eliminate the provision from the previously issued ODOT permit #51309 for Bob Straub Parkway, Phase 1, that required a new permit be issued before continued construction on Bob Straub Parkway.
4. ODOT will construct their Safety Project planned for 2008 on Springfield-Creswell Highway from MP 1.27 to MP 5.11.

5. ODOT and Lane County will cooperate to issue necessary permits to each other for construction activities and utility relocations as needed to allow both projects to proceed.
6. ODOT and Lane County will cooperate to coordinate construction activities for both projects.
7. ODOT will maintain bridge guardrails and signing in the Jasper Rd/Parkway Rd/ Jasper-Lowell Rd intersection area.
8. ODOT will retain purchased access rights along Unit B and C.
9. The ODOT land will revert to ODOT if no longer used for public road purposes.
10. The transfer of the Springfield-Creswell Highway will not be effective and will be undone if the Bob Straub Parkway does not proceed to construction.

**F. Alternatives/Options**

**Option 1.** Approve the ORDER.

**Option 2.** Direct staff to renegotiate with ODOT as directed by the Board.

**Option 3.** Decline to enter into an intergovernmental agreement with ODOT concerning the Bob Straub Parkway project.

**IV. TIMING/IMPLEMENTATION**

The Bob Straub Parkway project is scheduled for bidding in May of this year and action is needed on the IGA to keep this moving. If the project is significantly delayed, project costs will likely escalate and would jeopardize the viability of the Bob Straub Parkway project.

**V. RECOMMENDATION**

Option 1.

**VI. FOLLOW-UP**

Staff will work to complete the IGA and signature process with ODOT. Subsequent steps will be the bidding and contract award process. Depending on the amount of the bid for Bob Straub Parkway project, the Board may be required to consider the contract award in a subsequent action.

**VII. ATTACHMENTS**

ORDER with Exhibit A, Major Elements of the Intergovernmental Agreement

IN THE BOARD OF COMMISSIONERS OF LANE COUNTY  
STATE OF OREGON

ORDER NO.

) IN THE MATTER OF AUTHORIZING THE COUNTY  
) ADMINISTRATOR TO SIGN AN INTERGOVERNMENTAL  
) AGREEMENT WITH THE OREGON DEPARTMENT OF  
) TRANSPORTATION (ODOT) REGARDING THE BOB STRAUB  
) PARKWAY PROJECT AND THE JURISDICTIONAL TRANSFER  
) OF A PORTION OF THE SPRINGFIELD-CRESWELL HIGHWAY  
) FROM ODOT TO LANE COUNTY

**WHEREAS**, ORS 190.010 and the Lane County Home Rule Charter provide that units of local government may enter into agreements for the performance of any and all functions and activities that a party to the agreements, its officers or agents, have authority to perform; and

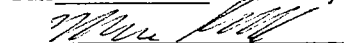
**WHEREAS**, Lane County desires to construct a new arterial roadway in southeast Springfield, the Bob Straub Parkway, and this arterial requires approval of the Oregon Department of Transportation (ODOT) for connection to the existing ODOT system to Highway 126 on the north end and to the Springfield-Creswell Highway on the south end; and

**WHEREAS**, the Board of County Commissioners discussed the Bob Straub Parkway project at their regular meeting on March 14, 2007 and passed a motion directing staff to proceed with moving the Bob Straub Parkway to contract as soon as possible and to negotiate an intergovernmental agreement with ODOT that would allow the Bob Straub Parkway project to proceed and would transfer a 4.2 mile section of the Springfield-Creswell Highway from ODOT to Lane County; and

**WHEREAS**, the Board of County Commissioners has reviewed the major elements of the agreement on May 16, 2007 and wishes to authorize the County Administrator to sign the intergovernmental agreement with ODOT concerning the Bob Straub Parkway project; **NOW THEREFORE, BE IT**

**ORDERED**, that the County Administrator is hereby authorized to sign an intergovernmental agreement, in substantial conformance with the major elements of the agreement as described in Exhibit A, with ODOT concerning the Bob Straub Parkway project and the transfer of a section of the Springfield-Creswell Highway.

**DATED** this \_\_\_\_\_ day of May, 2007.

APPROVED AS TO FORM
Date <u>5-2-07</u> Lane County

OFFICE OF LEGAL COUNSEL

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Chair, Lane County Board of Commissioners

**Exhibit A**  
**Bob Straub Parkway Intergovernmental Agreement**  
**May 16, 2007**

**Major Elements of the Intergovernmental Agreement**

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