

W. S. F. B.

## AGENDA COVER MEMO

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DATE: May 16, 2006  
TO: Lane County Board of Commissioners  
DEPT.: Public Works  
PRESENTED BY: Frank Simas  
Right of Way Manager  
AGENDA ITEM TITLE: In the Matter of Accepting the Director's Report for Estimated Assessments for Green Creek Road Bridge (A Local Access Road) at MP 0.23.

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### I. MOTION

THAT THE DIRECTOR'S REPORT CONCERNING ESTIMATED ASSESSMENTS FOR THE REPLACEMENT OF GREEN CREEK ROAD BRIDGE (A LOCAL ACCESS ROAD) AT MILEPOST 0.23 AS LISTED IN EXHIBIT "A" BE ACCEPTED.

### II. ISSUE OR PROBLEM

That the Director's Report, prepared in accordance with Lane Code Chapter 15.636 (3) and ORS 371.640, concerning replacement of the Green Creek Road Bridge at MP 0.23, be accepted, including the estimated assessment procedures.

### III. DISCUSSION

#### A. Background

Green Creek Road is a Local Access Road (LAR) that intersects with the easterly right of way line of Knight Road at approximate MP 2.925 lying Northwesterly from the town of Elmira. The road extends easterly from Knight Road a distance of 0.797 miles and crosses the Long Tom River at approximate MP 0.23 over an existing bridge consisting of a salvaged railroad flatcar.

The existing bridge is a salvaged railroad flatcar that has been in service for approximately 35 years. Based on a recent inspection by the State Bridge Engineer which revealed section loss in the load-carrying members of the bridge as well as severe scouring around the embankments on both ends of the bridge, the State Bridge Engineer recommended that the Bridge be closed, and the Public Works Director closed the Bridge on February 16, 2006. The Board rescinded this action on February 22, 2006, and imposed a 3-ton weight restriction in recognition of the residents' need for access to their homes, and for emergency access for light vehicles.

The Board directed Public Works staff to investigate the feasibility, costs and financing options for replacement of the existing bridge with a temporary bridge that would allow at least a 27-ton weight loading to accommodate fire and life safety vehicles. The goal of the project is to provide a safe means of crossing the Long Tom River for vehicles up to 27 tons gross weight, which would include the 1,000-gallon pumper trucks currently in use by Lane County Fire District No. 1, which serves the Green Creek Road area. This temporary replacement bridge is not intended to provide access for vehicles with a gross weight in excess of 27 tons, including logs trucks loaded to the legal limit of 80,000 lbs. gross weight.

Staff reported to the Board on March 15, 2006, and pursuant to Order 06-3-15-2 the Board authorized expenditure of County Road Funds in an amount not to exceed \$65,000 to replace the Bridge and that in accordance with Lane Code 15.636 (3) the costs shall be assessed to the specially benefiting property owners on a uniform basis as determined by the Board, including the cost of engineering and administration in accordance with ORS 371.640.

B. Analysis

Based on a review of the records of the Lane County Department of Assessment and Taxation, there are 8 property owners who will benefit from the bridge replacement project, and some of these owners own more than one Tax Lot. Several options for determining each owner's share of the total assessment were considered. Typically, assessments to benefiting properties are levied based on the lineal feet of assessable improvements constructed along the frontage of the property. For a bridge project, this would not be equitable with respect to the benefits to be received for the project. Other methods that were looked at were:

- (a) on the basis of the assessed value.
- (b) on the basis of the total area of each Tax Lot as a percentage of the total area of all benefiting properties.
- (c) on the basis of whether the Tax Lot is improved with a dwelling or is vacant.
- (d) on an equal basis by dividing total assessable costs by the number of benefiting property owners.

Option (d) above complies with the requirements of Lane Code 15.636 as to a "Uniform" basis and appears to be the most equitable method for calculating the individual assessments for each property owner. This method is further considered to be the most equitable because the 8 owners will receive equal benefit; access across the river for normal ingress and egress as well as for fire protection and for life-safety purposes. The new temporary bridge crossing will not be rated for fully loaded log trucks or other vehicles in excess of 27 tons gross weight.

The previous estimate of approximately \$5,500 per property owner, based on 12 benefiting properties, has been revised upon further analysis of Assessment and Taxation and deed records, and in accordance with Option (d), wherein owners with multiple Tax Lots are considered to be a single benefiting property owner.

Acceptance of the attached Order will direct Public Works staff to mail to the owners of each parcel of land to be assessed for the improvements, a written notice of the acceptance of the Director's Report, the estimated cost of the improvements, the estimated amount of the assessment against each parcel and notice of the beginning of a 20 day remonstrance period with reasons for opposition to be submitted in writing. Property owners will be advised that if the improvements are directed to be made following the remonstrance period, the land described in the order will be subject to a lien of an assessment for the cost of the improvement in an amount to be determined later by the Board.

C. Alternatives/Options

1. Accept the Director's Report.
2. Reject the Report and direct staff to return with revised estimated assessments calculated based on another method for determining benefit to each property.
3. Reject the Director's Report and forego the revenue from the assessments of approximately \$65,000.00 for the proposed improvements.

D. Recommendations

It is recommended that the Board accept the Director's Report that was ordered by Order No. 06-3-15-2.

IV. IMPLEMENTATION/FOLLOW-UP

Staff will mail to the owners of each parcel of land as listed in Exhibit "A", the estimated amount of their assessment. Staff will report back to the Board regarding the results of the letters of remonstrance.

V. ATTACHMENTS

Director's Report, Exhibit A

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

**ORDER NO.**

**(IN THE MATTER OF ACCEPTING  
(THE DIRECTOR'S REPORT FOR  
(ESTIMATED ASSESSMENTS FOR  
(GREEN CREEK ROAD BRIDGE (A  
(LOCAL ACCESS ROAD)**

**WHEREAS**, the Board by Order Number 06-2-22-17, did order that the Director of Public Works' imposition of a temporary closure of the Green Creek Road Bridge at MP 0.23 be rescinded and a 3 ton reduced weight limit be imposed; and

**WHEREAS**, the Board, by Order Number 06-3-15-2, did order and authorize an emergency and temporary replacement of the Green Creek Road Bridge at MP 0.23, designating the work as a single project only, and waiving certain road design standards; and

**WHEREAS**, the Board, by Order Number 06-3-15-2, did resolve that the cost of the improvements be assessed to the benefiting property owners in accordance with the Lane County Special Assessment Policy as outlined in Lane Code 15.636 (3), which states that when the Board determines that the public interest requires improvement to a bridge on a Local Access Road, the direct cost of bridge improvement or replacement shall be assessed to the specially benefiting property owners on a uniform basis as determined by the Board; and in accordance with ORS 371.640, which states that the total cost may include the costs of engineering and administration; and

**WHEREAS**, the Board, by Order Number 06-3-15-2, did order that the Director of the Public Works Department investigate the proposed improvements and present a report containing the estimated cost of said improvements to the Board as specified in ORS 371.625; **NOW THEREFORE**,

**IT IS ORDERED** that the attached Director's Report dated May 16, 2006, prepared in accordance with said ORS 371.625, on replacement of the Green Creek Road Bridge, be accepted, including the assessment procedures contained therein and that the Director of Public Works be directed to mail to the owners of each parcel of land to be assessed for the improvements, a written notice of the favorable report, the estimated cost of the improvements and the estimated amount of the assessment against each parcel. Owners shall be required to file written notice of their objection, if any, to the proposed improvements within twenty (20) days following the mailing of the notice.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Bill Dwyer, Chair  
Lane County Board of Commissioners

APPROVED AS TO FORM AND CONTENT

3-22-06

*[Handwritten signatures]*

May 16, 2006

**To:** Board of County Commissioners  
Lane County Public Service Building  
Eugene, Oregon 97401

**From:** Oliver P. Snowden, Director  
Department of Public Works

**Subject:** Director's Report on the Assessments for Replacement of the Green Creek Road Bridge  
(A Local Access Road), at MP 0.23.

The Board authorized (Order No. 06-3-15-2) the emergency replacement of the Green Creek Road Bridge at MP 0.23, designating the work as a single project only. Due to the emergency condition at the existing bridge and expense to replace the bridge with one that meets standards, the Board waived certain Lane County and State of Oregon road design standards. The Board ordered that a new flatcar bridge shall be considered a temporary emergency replacement only, and the work to be done shall include bank stabilization only at the easterly embankment of the bridge. Pursuant to Board Order No. 06-3-15-2, I am reporting, as specified in ORS 371.625, on the Estimated Assessments (as shown in the attached Exhibit "A" and made a part hereof) as follows:

The estimated total cost of the project will be approximately \$65,000.00, which is all assessable to the abutting property owners.

The cost of the improvements shall be assessed to the benefiting property owners in accordance with the Lane County Special Assessment Policy as outlined in Lane Code 15.636 (3) and 15.636 (4), which states that when the Board determines that the public interest requires improvement to a bridge on a Local Access Road, the direct cost of bridge improvement or replacement shall be assessed to the specially benefiting property owners on a uniform basis as determined by the Board; and in accordance with ORS 371.640, which states that the total cost may include the costs of engineering and administration; and

The description and assessed value of each parcel proposed to be assessed, with the names of the record owners thereof, are as follows, beginning on page 2:

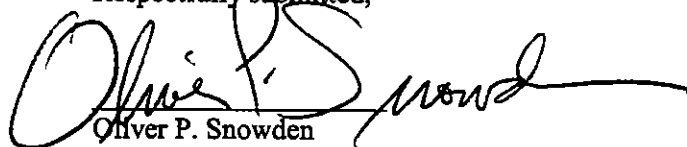
## Owners of Record

Green Creek Road Bridge @ MP 0.23

Parcel Number	Name and Address	Deed Reference and Tax Lot Number	Assessed Value
1398-01	JUSTIS TIMOTHY C 23020 GREEN CREEK RD ELMIRA, OR 97437	Recorder's Reception # 98042818 17-06-17-00 TL #102	\$54,267.00
1398-02	DAVIS WM & WILMETTA 23277 GREEN CREEK RD ELMIRA, OR 97437	Reel 662 R.R.# 49101 17-06-16-00 TL #200	\$34,573.00
1398-03	DOMINGUEZ RAUL J 23021 GREEN CREEK RD ELMIRA, OR 97437	Recorder's Reception # 2005-005653 17-06-16-00 TL #1100	\$89,212.00
1398-04	SEALS ELMER E 23029 GREEN CREEK RD ELMIRA, OR 97437	Recorder's Reception # 2005-016058 17-06-16-00 TL #1200	\$44,874.00
1398-05	RIENSCHER FAMILY LLC 18.041% 24025 WARTHEN % G RIENSCHER ELMIRA, OR 97437	Recorder's Reception # 99064902 17-06-09-00 TL #500	\$32,306.00
1398-06	HARRISON CARL S & DEBORAH K PO BOX 35 ELMIRA, OR 97437	Recorder's Reception # 96040469 17-06-09-00 TL #600	\$139,307.00
1398-07	AMBO LORI 23153 GREEN CREEK RD ELMIRA, OR 97437	Recorder's Reception # 2005-083427 17-06-09-00 TL #602	\$63,217.00
1398-08	KINGZETT PETER WILLIAM 3921 SHASTA VIEW ST EUGENE, OR 97405	Reel 1969 R.R.# 9450032 17-06-09-00 TL #800	\$10,116.00

DATED this 25<sup>th</sup> day of May, 2006.

Respectfully submitted,

  
Oliver P. Snowden  
Director of Public Works

The above report is hereby accepted by the Board of County Commissioners of Lane County, Oregon.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Chair  
Lane County Board of Commissioners

# Lane County Department of Public Works Estimated Property Assessment - Summary Sheet

No. of Units	Credited Units	Assessed Units	Subtotal	Eng Cost @ 0.00%	SubTot w/ Eng Costs	Credit @ 0.00%	Line Items Waived	Line Total
8 EA	0 EA	8 @ \$8125.00/EA	\$65,000.00	\$0.00	\$65,000.00	\$0.00	\$0.00	\$65,000.00
<b>Cost of Bridge Replacement</b>								
			<b>Totals:</b>	\$0.00	\$65,000.00	\$0.00	\$0.00	\$65,000.00

Total discounts applied to this project: \$0.00

Total deferrals for Green Creek Road Bridge @ MP 0.23: \$0.00

**For a total Estimated Assessment of: \$65,000.00**



### Lane County Department of Public Works Estimated Property Assessment Schedule

No. of Units Placed	Credited Units	Assessed Units	Subtotal	Eng Cost @ 0.00%	SubTot w/ Eng Costs	Credit @ 0.00%	Line Items Waived	Line Total
1398-01 JUSTIS TIMOTHY C								
23020 GREEN CREEK RD ELMIRA, OR 97437								
1.00 EA		1 @ \$8125.00/E	\$8,125.00	\$0.00	\$8,125.00	-\$0.00	\$0.00	\$8,125.00
Totals:			\$8,125.00	\$0.00	\$8,125.00	-\$0.00	\$0.00	\$8,125.00
								Total: \$8,125.00
1398-02 DAVIS WM & WILMETTA								
23277 GREEN CREEK RD ELMIRA, OR 97437								
1.00 EA		1 @ \$8125.00/E	\$8,125.00	\$0.00	\$8,125.00	-\$0.00	\$0.00	\$8,125.00
Totals:			\$8,125.00	\$0.00	\$8,125.00	-\$0.00	\$0.00	\$8,125.00
								Total: \$8,125.00
1398-03 DOMINGUEZ RAUL J								
23021 GREEN CREEK RD ELMIRA, OR 97437								
1.00 EA		1 @ \$8125.00/E	\$8,125.00	\$0.00	\$8,125.00	-\$0.00	\$0.00	\$8,125.00
Totals:			\$8,125.00	\$0.00	\$8,125.00	-\$0.00	\$0.00	\$8,125.00
								Total: \$8,125.00
1398-04 SEALS ELMER E								
23029 GREEN CREEK RD ELMIRA, OR 97437								
1.00 EA		1 @ \$8125.00/E	\$8,125.00	\$0.00	\$8,125.00	-\$0.00	\$0.00	\$8,125.00
Totals:			\$8,125.00	\$0.00	\$8,125.00	-\$0.00	\$0.00	\$8,125.00
								Total: \$8,125.00
1398-05 RIENSCHKE FAMILY LLC 18.041%								
24025 WARTHEN % G RIENSCHKE ELMIRA, OR 97437								
1.00 EA		1 @ \$8125.00/E	\$8,125.00	\$0.00	\$8,125.00	-\$0.00	\$0.00	\$8,125.00
Totals:			\$8,125.00	\$0.00	\$8,125.00	-\$0.00	\$0.00	\$8,125.00
								Total: \$8,125.00

### Lane County Department of Public Works Estimated Property Assessment Schedule

Line Items	No. of Units Placed	Credited Units	Assessed Units	Subtotal	Eng Cost @ 0.00%	SubTot w/ Eng Costs	Credit @ 0.00%	Line Items	
								Waived	Total
1398-06 HARRISON CARL S & DEBORAH K	1.00 EA		1 @ \$8125.00/E	\$8,125.00	\$0.00	\$8,125.00	-\$0.00	\$0.00	\$8,125.00
Cost of Bridge Replacement				\$8,125.00	\$0.00	\$8,125.00	-\$0.00	\$0.00	\$8,125.00
<b>Totals:</b>									<b>\$8,125.00</b>

Recorder's Reception # 96040469  
TL #600

1398-07 AMBO LORI	1.00 EA		1 @ \$8125.00/E	\$8,125.00	\$0.00	\$8,125.00	-\$0.00	\$0.00	\$8,125.00
Cost of Bridge Replacement				\$8,125.00	\$0.00	\$8,125.00	-\$0.00	\$0.00	\$8,125.00
<b>Totals:</b>									<b>\$8,125.00</b>

Recorder's Reception # 2005-083427  
TL #602

1398-08 KINGZETT PETER WILLIAM	1.00 EA		1 @ \$8125.00/E	\$8,125.00	\$0.00	\$8,125.00	-\$0.00	\$0.00	\$8,125.00
Cost of Bridge Replacement				\$8,125.00	\$0.00	\$8,125.00	-\$0.00	\$0.00	\$8,125.00
<b>Totals:</b>									<b>\$8,125.00</b>

Recorder's Reception # 9450032  
TL #800

Total: \$8,125.00