



M. BARBARA CARTMILL
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

July 7, 2016

Board of County Commissioners
Clackamas County

Members of the Board:

**Board Order to Proceed with Construction of a Local Improvement District (LID)
for Street and Storm Drainage Improvements on Starview Lane**

Purpose/Outcomes	Approval to proceed with bidding and construction of the Starview Lane Local Improvement District.
Dollar Amount and Fiscal Impact	The preliminary cost estimate for the proposed LID is \$49,251. If approved, construction is anticipated late summer of 2016. This project is currently not budgeted.
Funding Source	LID Construction Fund, paid for by a special assessment against the benefitting properties, with reimbursement from property owners through lump sum payment or financing over 10 years.
Duration	Remains in effect for two years. If improvements are not completed within two years, the Board may adopt an order vacating the LID.
Previous Board Contact	5/26/16 BCC Business Meeting – Order No. 2016-43 Accepting the Feasibility Report for the Starview Lane LID and directing DTD Engineering to mail to each property owner of each parcel of land to be assessed for the improvements, a written notice of the favorable report, the estimated cost of the improvement and the estimated amount of assessment against each parcel.
Strategic Plan Alignment	Build a strong infrastructure.
Contact Person	Kenneth Kent, DTD Engineering, Senior Planner 503-742-4673
Contract No.	None

BACKGROUND:

The Starview Lane LID was initiated by the Board with adoption of Board Resolution 2016-22 on February 25, 2016, based on a petition signed by 94.73% of the owners, representing 92.50% of the land abutting the proposed Starview Lane improvements. The Preliminary Feasibility Report for this project was accepted by the Board on May 26, 2016 with adoption of Board Order 2016-43. As a result of that action, all owners were notified of their estimated assessment, and were provided a 20-day remonstrance period to submit written objection to formation of the LID. No remonstrances were received during the 20-day period.

According to ORS 371.630, remonstrances are required from more than fifty percent (50%) of the land owners as minimally necessary to declare the project abandoned. Because of the high level of support, and the number of remonstrances did not exceed fifty percent (50%), staff will recommend that this LID be approved to proceed.

The preliminary cost estimate for the proposed LID is \$49,251. Capital improvement costs of this LID will be the responsibility of the benefited property owners. Costs of these improvements will be paid for by a special assessment against the properties benefited. Financing for the project will be obtained through the Finance Director using the LID Construction Fund, with reimbursement from property owners through lump sum payment or financing over 10 years.

Proposed LID assessments are based on a division of the road improvement costs into three sections, A, B and C, based on length of road travelled. The estimated assessments per property are \$1,549.59, \$2,212.29 and \$2,704.80, with properties at the beginning of the road paying the lower amounts.

Starview Lane is a local access road that is not maintained by the county. With completion of the proposed road improvements, Starview Lane will remain a local access road that is not maintained by the county.

With the Board's approval to proceed with the LID, subsequent steps in the process will include:

- Staff proceeds with bidding and construction, anticipated to occur toward the end of this summer.
- Following completion of construction, a final report will be submitted to the Board identifying the final project cost and assessment amount per property. The Board will take public testimony regarding the final assessment, and if approved, the Board will adopt a resolution imposing the final assessments.

This Order has been reviewed and approved by County Counsel.

RECOMMENDATION:

Staff recommends that the Board approve this order which, in accordance with ORS 371.635, will direct this Department to proceed with the improvement by contract.

Respectfully submitted,

Kenneth Kent, DTD Engineering, Senior Planner

In the Matter of Proceeding to Construct
a Local Improvement District by Order of
the Board of County Commissioners
for Street and Storm Drainage Improvements
to Starview Lane in Sections 12B and 12C,
T3, R3E, W.M., Clackamas County, Oregon

Order No.

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This matter coming before the Clackamas County Board of Commissioners at the regularly scheduled public meeting on July 7, 2016 to consider approval to proceed with construction of the proposed street and storm drainage improvements for Starview Lane, located in Sections 12B and 12C, T3, R3E, W.M., Clackamas County, Oregon; and

WHEREAS, a petition has been received requesting a Local Improvement District be formed for Starview Lane; and, said Petition contains signatures of 94.73% of the owners, representing 92.50% of the land abutting the improvements; and

WHEREAS, by Resolution No. 2016-22, in accordance with Clackamas County Code Chapter 4.02, and ORS 371.615, the Board did initiate the Local Improvement District; and

WHEREAS, by Resolution No. 2016-22, the Department of Transportation and Development, in accordance with Clackamas County Code Chapter 4.02, and ORS 371.625, was directed to prepare a feasibility and cost report and recommend a method of assessment; and

WHEREAS, in accordance with ORS 371.625, that the Director of the Department of Transportation and Development finds the proposed improvement feasible, has reported the estimated cost of said improvement and recommended a method of assessment to the Board; and

WHEREAS, by Order No. 2016-43, in accordance with ORS 371.625, did adopt a method of assessment for the improvement of Starview Lane; and

WHEREAS, by Order No. 2016-43, in accordance with ORS 371.630, did direct that written notices be mailed to all affected property owners, notifying them of the favorable report, the estimated cost of the improvement and the estimated amount of the assessment against the land of the owner, and calling for remonstrances against said project; no remonstrances were received.

NOW, THEREFORE, the Clackamas County Board of Commissioners do hereby order: that pursuant to the provisions of ORS 371.635, Starview Lane, a public road

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located in Sections 12B and 12C, T3, R3E, W.M., Clackamas County, Oregon, be improved by contract; said improvements to include as follows:

Road repair of sections of the asphalt surface and aggregate base
Shoulder repair, ditch cleaning, and drainage improvements; and

IT IS FURTHER ORDERED, that all properties as shown in the Preliminary Feasibility Report, and on Exhibit "A", attached hereto, in accordance with ORS 371.635, be subject to a lien on each subject property's assessment for the cost of the improvement, in an amount to be determined later by order of the Board of County Commissioners; and.

IT IS FURTHER ORDERED, that this Order, in accordance with ORS 371.635, shall be recorded and indexed in the Assessment Lien Docket in the Office of the County Clerk.

DATED this _____ day of _____, 2016.

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

Chair

Recording Secretary

Exhibit "A"
STARVIEW LANE
LOCAL IMPROVEMENT DISTRICT
ESTIMATED ASSESSMENT

Assessment Rates

TOTAL ESTIMATED COST	\$49,251.00
NUMBER OF SHARES	19
COST/SHARE Section A	\$1,549.59
COST/SHARE Section A+B	\$2,212.29
COST/SHARE Section A+B+C	\$2,704.80

PROPERTY OWNER	TAX LOT	MARKET VALUE	ASSESSABLE SHARE	TOTAL EST ASSESSMENT
ANDERSON ARNOLD W & SANDRA J 19623 S CREEK ROAD OREGON CITY, OREGON 97045	32E12C 01700	\$310,770	A	\$1,549.59
WILSON BRETT 19496 S STARVIEW LANE OREGON CITY, OREGON 97045	32E12B 02702	\$145,269	A+B	\$2,212.29
MELLIS JAMES 19505 S STARVIEW LANE OREGON CITY, OREGON 97045	32E12C 01801	\$266,201	A+B	\$2,212.29
SORENSEN PAUL J & SUSAN M 19300 S STARVIEW LANE OREGON CITY, OREGON 97045	32E12B 03501	\$445,252	A+B+C	\$2,704.80
GARFIELD SCOTT D CO-TRUSTEE 19322 S STARVIEW LANE OREGON CITY, OREGON 97045	32E12B 03400	\$363,383	A+B+C	\$2,704.80
WILLIAMSON DALE A 19333 S STARVIEW LANE OREGON CITY, OREGON 97045	32E12B 03301	\$371,794	A+B+C	\$2,704.80
SPEASL JUSTIN A & TABITHA B 19344 S STARVIEW LANE OREGON CITY, OREGON 97045	32E12B 03300	\$343,644	A+B+C	\$2,704.80
CHESS JILL 19388 S STARVIEW LANE OREGON CITY, OREGON 97045	32E12B 02902	\$201,713	A+B+C	\$2,704.80
ANDERSON LEONARD J & DEBBIE 19440 S STARVIEW LANE OREGON CITY, OREGON 97045	32E12B 02700	\$400,082	A+B+C	\$2,704.80
BOYCE NICHOLAS G & KIMBERLY M 19464 S STARVIEW LANE OREGON CITY, OREGON 97045	32E12B 03003	\$119,001	A+B+C	\$2,704.80
LAWRENCE RUSSELL A & CAROL A	32E12B 02703	\$460,793	A+B+C	\$2,704.80

19478 S STARVIEW LANE OREGON CITY, OREGON 97045				
TRACY PENNY M 19416 S STARVIEW LANE OREGON CITY, OREGON 97045	32E12B 02902	\$328,489	A+B+C	\$2,704.80
SMITH CASEY LEE & JULIE LEE 17001 S WINTERVIEW LANE OREGON CITY, OREGON 97045	32E12B 03502	\$188,864	A+B+C	\$2,704.80
GALLAGHER JOHN & KIM H 17041 S WINTERVIEW LANE OREGON CITY, OREGON 97045	32E12C 01902	\$389,497	A+B+C	\$2,704.80
PAULSON LON & CHARLENE 17100 S WINTERVIEW LANE OREGON CITY, OREGON 97045	32E12C 01900	\$523,537	A+B+C	\$2,704.80
HAMBERG KURTIS & JOY 17105 S WINTERVIEW LANE OREGON CITY, OREGON 97045	32E12C 01903	\$522,591	A+B+C	\$2,704.80
SIMMONS KEITH 17171 S WINTERVIEW LANE OREGON CITY, OREGON 97045	32E12C 01904	\$326,408	A+B+C	\$2,704.80
KUYKENDALL DALE A & DIANNE M 17200 S WINTERVIEW LANE OREGON CITY, OREGON 97045	32E12C 01905	\$493,135	A+B+C	\$2,704.80
HODGE DALE 17223 S WINTERVIEW LANE OREGON CITY, OREGON 97045	32E12C 01901	\$543,648	A+B+C	\$2,704.80

Totals: (Estimated Project Cost \$49,251)

\$6,744,071

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\$49,251