

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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Public Hearing and Possible Action: An Ordinance Requesting that Jurisdiction over Portions of County Road Nos. 1043, 537, 2269, 2254, 540, 1421, 200, 1529, 131, 307, 388, and 531 be Transferred to the City of Eugene within a Specified Period of Time

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Meeting Date: April 8, 2013  
Department: Public Works Engineering  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 4  
Staff Contact: Peggy Keppler  
Contact Telephone Number: 541-682-2869

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## **ISSUE STATEMENT**

Pursuant to Oregon Revised Statutes 373.270 (b), the City Council will be requested to adopt an ordinance initiating the transfer of jurisdiction of those portions of county roads within the city limits. A public hearing is required prior to the adoption of an ordinance.

## **BACKGROUND**

The City of Eugene and Lane County first entered into an Urban Transition Agreement (UTA) for operational maintenance of roads within the City's urban growth boundary on July 18, 1987. Since 1987, the UTA has been periodically reviewed and updated through Intergovernmental Agreements (IGA). The most current IGA was signed in 2005. The purpose of the IGA is to increase efficiency in the provision of road maintenance services by defining City and County road maintenance responsibilities by logical geographic boundaries rather than jurisdictional boundaries. Each jurisdiction maintains roughly the same number of miles of road, some within its jurisdictional boundary and some outside its jurisdictional boundary. The IGA also addresses the transfer of jurisdiction of county roads that have been annexed to the City. The IGA stipulates that the City will enact the necessary legislation (See Attachment A – Proposed Ordinance and Exhibit A) to transfer jurisdiction of county roads annexed by the City. The attached lists of roads have been annexed to the City of Eugene and improved to urban standards.

If the ordinance requesting transfer is adopted, the Lane County Board of Commissioners will provide the proper notice and hold a public hearing to take and consider testimony and objections from interested persons before determining whether it is necessary, expedient or in the best interests of the County to surrender jurisdiction of Lane County roads.

## **RELATED CITY POLICIES**

The jurisdictional transfer of rights-of-way within annexed areas of the City is consistent with the following principles identified in the Eugene-Springfield Metro Plan:

The Metropolitan Plan is based on the premise that Eugene and Springfield, the two existing cities, are the logical providers of services accommodating urban levels of development within the urban growth boundary, and

To be meaningful, the Plan requires cooperation by all general purpose, special district, and special function agencies in the community. This reflects its comprehensive nature encompassing physical land use, social, and economic implications for the metropolitan area. Examples where cooperation are essential include planning and implementation of a transportation system, development of a metropolitan-wide energy plan, metropolitan-wide analysis and resolution of certain housing issues, and planning for areas outside the urban growth boundary and within the Plan.

### **COUNCIL OPTIONS**

1. Conduct public hearing and act on the ordinance.
2. Conduct public hearing and postpone action on the ordinance.
3. Provide other direction.

### **CITY MANAGER'S RECOMMENDATION**

The City Manager recommends that the council receive public testimony on the proposed ordinance requesting jurisdictional transfer of county roads and consider action on the ordinance.

### **SUGGESTED MOTION**

This is a public hearing. In the event no one testifies in opposition, the council may approve the ordinance as provided.

I move to adopt Council Bill 5092, an ordinance requesting that jurisdiction over portions of county road nos. 1043, 537, 2269, 2254, 540, 1421, 200, 1529, 131, 307, 388, and 531 be transferred to the City of Eugene within a specified period of time.

### **ATTACHMENTS**

- A. Ordinance and Exhibit A

### **FOR MORE INFORMATION**

Staff Contact: Peggy Keppler, Engineering Development Review Manager  
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ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE REQUESTING THAT JURISDICTION OVER PORTIONS OF COUNTY ROAD NOS. 1043, 537, 2269, 2254, 540, 1421, 200, 1529, 131, 307, 388, AND 531 BE TRANSFERRED TO THE CITY OF EUGENE WITHIN A SPECIFIED PERIOD OF TIME.**

**The City Council of the City of Eugene finds that:**

**A.** The City Council finds it necessary and expedient and in the best interests of the City to acquire jurisdiction over portions of the following county roads: County Road Nos., 1043, 537, 2269, 2254, 540, 1421, 200, 1529, 131, 307, 388, and 531, as are more particularly described in Exhibit A attached to this Ordinance and incorporated herein by reference, all of which lie within the corporate limits of the City of Eugene, to the same extent as it has over other public streets and alleys of the City.

**B.** The Board of County Commissioners of Lane County, Oregon has authority under provisions of ORS 373.270 to release jurisdiction over county roads within the limits of the City of Eugene, and should be requested to do so.

**NOW, THEREFORE,**

**THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:**

**Section 1.** Based upon the above findings which are adopted, the City Council directs that a copy of this Ordinance be forwarded to the Board of County Commissioners of Lane County, Oregon, which Board is requested to release jurisdiction of the above described portions of County Road Nos. 1043, 537, 2269, 2254, 540, 1421, 200, 1529, 131, 307, 388, and 531, to the City of Eugene in accordance with the provisions of ORS 373.270.

**Section 2.** Immediately upon receipt by the City Manager, within one year from the date this Ordinance is adopted by the Council and approved by the Mayor, of a certified copy of an order of the Board of County Commissioners of Lane County, Oregon surrendering jurisdiction of the above described portions of County Road Nos. 1043, 537, 2269, 2254, 540, 1421, 200, 1529, 131, 307, 388, and 531, to the City of Eugene, the City shall have the same control, power and jurisdiction over the roads as it has over all other streets and alleys within the City of Eugene.

**Section 3.** If the Board of County Commissioners of Lane County fails to enter the order referred to in Section 2 and deliver it to the City Manager within one year from the date this

Ordinance is adopted by the Council and approved by the Mayor, the request and authorization contained herein shall terminate as though this Ordinance had not been adopted.

**Passed by the City Council this**

\_\_\_\_\_ day of \_\_\_\_\_, 2013

\_\_\_\_\_  
**City Recorder**

**Approved by the Mayor this**

\_\_\_\_\_ day of \_\_\_\_\_, 2013

\_\_\_\_\_  
**Mayor**

EXHIBIT A

<u>Legal Descriptions</u>	<u>Mileage</u>
<b>COBURG ROAD</b> (County Road Number 1043) from the northerly end of that portion of Coburg Road surrendered to the City of Eugene in Lane County Board of Commissioners Final Order of Surrender Number 87-12-16-1, thence extending northeasterly approximately 4359 feet more or less to the intersection of Coburg Road with County Farm Road and Game Farm Road, said point being Engineer's Centerline Station L <sup>4</sup> 4+248.598 POC as shown on County Survey File No. 37049 of the Lane County Surveyor's Office, including the "A-line" that connects Coburg Road with County Farm Road beginning at Engineer's Centerline Station L <sup>4</sup> 3+000.582 of said survey and extending northwesterly 178 feet more or less to County Farm Road all in Sections 9, 16 and 17, Township 17 South, Range 3 West of the Willamette Meridian.	0.86
<b>COUNTY FARM ROAD</b> (County Road Number 537) from the easterly right of way of the of the northerly terminus of the north-south portion of County Farm Road (County Road Number 636), extending easterly 2750 feet, more or less, to its intersection with Coburg Road, all in Sections 8 and 9, Township 17 South, Range 3 West of the Willamette Meridian.	0.52
<b>CROCKER ROAD</b> (County Road Number 2269) from the southerly right of way of Irvington Drive extending southerly 1027 feet, more or less, to the southerly right of way of Blackfoot Avenue, all in Sections 2 and 11, Township 17 South, Range 4 West of the Willamette Meridian.	0.19
<b>IRVING ROAD</b> (County Road Number 2254) from the easterly right of way of Dover Street extending easterly approximately 540 feet to the westerly right of way of Newcastle Street, all in Section 11, Township 17 South, Range 4 West of the Willamette Meridian.	0.10
<b>IRVINGTON DRIVE</b> (County Road Number 540) from the easterly right of way of Northwest Expressway extending easterly 6864 feet, more or less, to a point 3461.5 feet easterly of the southeast corner of the Marion Scott DLC No. 56, said point being on a southerly extension of the easterly line of that property described in Warranty Deed recorded October 21, 2003 on Reception Number 2003-103360, Lane County, Oregon Deed Records, all in Sections 2 and 3, Township 17 South, Range 4 West of the Willamette Meridian.	1.30
<b>NOTTINGHAM AVENUE</b> (County Road Number 1421) from the easterly right of way of Scenic Drive extending easterly 750 feet, more or less, to the east boundary of the First Addition to Nottingham Park, as platted and recorded in Book 51, Page 2, including the two cul-de-sacs extending northerly from the northerly right of way of said Nottingham Avenue serving lots 4 through 15 in Block 2 of Nottingham Park, as platted and recorded in Book 43, Page 17, Lane County, Oregon Plat Records, all in Sections 1 and 2, Township 17 South, Range 4 West of the Willamette Meridian.	0.22
<b>RIVER ROAD</b> (County Road Number 200) from the southerly right of way of Maynard Avenue extending southeasterly 700 feet, more or less, to the northerly right of way of Merry Lane, all in Section 13, Township 17 South, Range 4 West of the Willamette Meridian.	0.13
<b>RIVER ROAD</b> (County Road Number 200) from the northerly end of that portion of River Road surrendered to the City of Eugene in Lane County Board of Commissioners Final Order of Surrender Number 87-12-16-1 described as the westerly extension of the northerly right of way line of Azalea Drive, thence extending northwesterly 2300 feet, more or less, to the existing Eugene City Limits at Wedgewood Drive, all in Section 11, Township 17 South, Range 4 West of the Willamette Meridian.	0.44
<b>ROSY TURN</b> (County Road Number 1529) from the westerly right of way of Horn Lane extending westerly 350 feet, more or less, to its westerly terminus as platted and recorded in	0.07

EXHIBIT A

Rosy Turn Subdivision, Book 32, Page 29, Lane County, Oregon Plat Records, all in Section 23, Township 17 South, Range 4 West of the Willamette Meridian.

**ROYAL AVENUE** (County Road Number 131) from the easterly right of way of Green Hill Road extending easterly 5300 feet, more or less, to the west line of that portion of Royal Avenue surrendered to the City of Eugene in Lane County Board Order approved on May 4<sup>th</sup>, 1966, said point also being the east line of Sections 20 and 29, all in Sections 20 and 29, Township 17 South, Range 4 West of the Willamette Meridian. 1.00

**SOUTH GARDEN WAY** (County Road Numbers 307, 388 and 531) from the southerly end of that portion of South Garden Way (County Road Number 307 and 388) surrendered to the City of Eugene in Lane County Board of Commissioners Final Order of Surrender Number 04-2-25-1, said point described as being 1525 feet, more or less, southerly of the southwesterly right of way line of Interstate 105/Interstate 5, thence extending southerly 238 feet, more or less, to the angle point in County Road Number 388, thence westerly 420 feet, more or less, to the easterly right of way of the portion of South Garden Way (County Road Number 531) surrendered to the City of Eugene in the aforementioned Board Order, all in Section 28, Township 17 South, Range 3 West of the Willamette Meridian. 0.12

**Total Mileage** 4.95