



Board Session Agenda Review Form

Meeting date: July 12, 2018

Department: Public Works Agenda Planning Date: July 5, 2018 Time required: 10 min

Audio/Visual aids

Contact: Alan Haley Phone: 7943

Department Head Signature: *Alan M Haley*

TITLE Approve a Partnership Agreement with Jefferson School District (JSD) for road improvements on Talbot Rd.

Issue, Description & Background JSD is building a new middle school on the same property as the current high school as part of CU 18-016. One of the requirements in this case was to perform a Traffic Impact Analysis (TIA) and perform any capacity improvements that may be deemed necessary from that TIA. The consultant who performed the TIA reported that the district and the county should work out what the actual improvements should be as their analysis indicated that a west bound left turn refuge (WBLTR) on Talbot Rd could be considered, but not necessarily required. The department reviewed the TIA, and after reviewing current conditions, determined that a WBLTR is warranted for the current high school traffic and adding the middle school traffic just enhances the need. This turn refuge was not anticipated by the JSD when they went out for funding for the new school and while the school traffic warrants the left turn lane, it is also a safety factor and a capacity issue on Talbot Rd for the other 1,200-1,500 people per day that use the road as access to and from the freeway and for other business. Therefore Public Works is entering into a Partnership Agreement whereby 50% of the cost of the WBLTR will be covered by the department using System Development Charges (SDCs) up to \$250,000.

Financial Impacts: A maximum amount of \$250,000 in SDCs will be the responsibility of the department under this agreement for the improvements on Talbot Rd.

Impacts to Department & External Agencies There is no impact to other departments. The partnership will allow the school additional leverage in covering the cost of the required improvements.

Options for Consideration: Do not participate in the required improvements putting the total burden of the WBLTR on to the school district.

Recommendation: It is the recommendation of the Public Works department that the Board approve the Partnership Agreement with Jefferson School District (JSD) for road improvements on Talbot Rd.

List of attachments: Exhibit for JSD Agreement

Presenter: Alan Haley



MARION COUNTY BOARD OF COMMISSIONERS

Board Session Agenda Review Form

Copies to:

Tim Beaver

Details		
Status Department Head Approval	Contract Number PW-2268-18	Amendment Number
Contract Type Intergovernmental Agreement	Contract Title Talbot Road left turn lane cost sharing agreement	Customer/Vendor Name City of Jefferson [PO Box 83 Jefferson OR 97352]
Department/Division Public Works	Employee Beaver, Timothy	Description Agreement for the Jefferson School District to install a left-turn lane on Talbot Road as part of their construction of a new Middle School. Marion County will contribute up to \$250,000 of SDC funds towards the project.
Board Order	Exemption Not Applicable	Incoming Funds No
Insurance Waiver (attach justification) No	Reinstatement (attach justification) No	Retroactive (attach justification) No
CFDA Number for Federal Funds	Federal Funds (attach analysis if applicable) No	

Dates		
Effective Date 7/18/2018	Expiration Date 7/18/2023	Expiration Warning Date 4/19/2023
Contract Notify Days 90		

Financial/Budgetary		
Contract Amount 250,000.00	CIP	DIPS Code
Budget Amount 250,000.00	PO Number	

Record Info		
Entered By Beaver, Timothy	Contract ID 2268	Date Entered 7/3/2018 9:47:28 AM

FOR FINANCE USE

Date Finance Received:	BOC Planning Date:	Date Legal Received:
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Comments:

REQUIRED APPROVALS:

Finance - Contracts	Date	Risk Manager	Date
Legal Counsel	Date	Chief Administrative Officer	Date
Date _____	<input type="checkbox"/> To be filed	<input type="checkbox"/> Added to master list	
<input type="checkbox"/> Returned to _____ Department for _____ signatures			

**PERFORMANCE GUARANTEE AND DEFERRAL AGREEMENT
JEFFERSON SCHOOL DISTRICT 14J**

THIS AGREEMENT is between JEFFERSON SCHOOL DISTRICT 14J (JSD), a School District in the State of Oregon, and Marion County (County), a political subdivision of the State of Oregon.

WHEREAS, JSD is planning to construct a new middle school on Talbot Road near the existing high school, in Marion County; and

WHEREAS, JSD has obtained a Conditional Use approval (CU18-016) for location of the middle school in a UT-3 zone; and

WHEREAS, County staff has summarized a number of requirements related to the proposed development of the school at this location in a memo dated March 14, 2018, from John Rasmussen to Lisa Milliman, hereinafter referred to as Attachment 1; and

WHEREAS, the required Traffic Impact Study and queuing analysis (TIA) is still in the review phase in which County is determining requirements to address County traffic concerns, but the requirement for a westbound left turn refuge (WBLTR) on Talbot Road at the school entrance access has been determined from the analysis thus far; and

WHEREAS, JSD is seeking a building foundation-only permit to begin the foundation construction of the new middle school starting the week of June 18th, subject to the acquisition of a DEQ NPDES 1200-C Erosion Permit, to maintain its overall construction schedule; and

WHEREAS, this Agreement is intended to commit the parties to a performance guarantee to the satisfaction of each, and in a manner that meets the land use needs and requirements of the County related to this project; and the Agreement also specifies timelines for certain items to address JSD construction schedule needs;

NOW, THEREFORE, in consideration of the mutual promises contained in this Agreement, the parties agree as follows:

1.0 JSD AGREES TO:

1.1 Complete and comply with items A through I listed in Attachment 1 to the satisfaction of County and within the terms of Agreement.

1.2 Design, permit and construct a WBLTR improvement on Talbot Road prior to opening day of the 2019-20 school year, with design and permitting to be completed within 150 days of the issuance of any building permits beyond the initial foundation-only permit, and construction to be completed and accepted prior to issuance of Certificate of Occupancy.

1.3 Complete demolition of the existing middle school site classrooms and office space within 12 months of occupancy of the new middle school, with no interim use other than the gymnasium and the kitchen facility during that twelve-month period. Use of the gymnasium and kitchen facility for middle and high school activities and functions will be allowed to remain but these facilities will not be able to be used for unrelated functions that generate trips to the site.

1.4 Complete and comply with item A in Attachment 1, with issuance of required access permits occurring prior to issuance of any building permits beyond the initial foundation-only permit, and completion and acceptance of construction and/or modifications prior to issuance of Certificate of Occupancy.

1.5 Complete and comply with items B and C in Attachment 1 prior to the issuance of any building permits beyond the foundation-only permit. Any modifications to the site or the plans to address traffic-related concerns, with the exception of the WBLTR, shall be designed and permitted prior to the issuance of the above mentioned building permits, with construction being completed prior to issuance of Certificate of Occupancy.

1.6 Complete and comply with items D and F in Attachment 1, with any right-of-way dedication(s) and removal agreement(s) being executed and recorded within 120 days of the issuance of any building permits beyond the initial foundation-only permit. The removal agreement(s) will generally be in the areas of any required right-of-way dedication, but also for any items located in the existing right-of-way along the school frontage. The existing running track will only be included if it meets either one of those conditions, which is not anticipated but is unable to be determined at this time.

1.7 Pay System Development Charges (SDCs) prior to the issuance of any building permits beyond the foundation-only permit.

1.8 Complete and comply with item H in Attachment 1 prior to issuance of a foundation permit.

2.0 COUNTY AGREES TO:

2.1 Continue to review plans and process any required permits in good faith in order to assist JSD in maintaining its construction schedule.

2.2 Continue to review traffic data, address queuing concerns, and identify required modifications to the site and operating practices needed to address the potential for site operations to affect the public roadway. Any agreements that may be made between JSD and County to manage these issues may be included in a separate agreement document. Changes to the site plan shall be made and approved prior to the issuance of any building permits beyond the foundation-only permit.

2.3 Assess SDCs based on the difference in trip generation at the existing middle school and the trip generation potential of the proposed new middle school.

2.4 Contribute SDC funds in the amount of \$250,000 or 50% of the design and construction costs, whichever is greater, for the Talbot Road WBLTR at the location of the new middle school, to be paid out as invoiced by the JSD.

2.5 Issue a foundation-only building permit, and further building permits, when all building code or other relevant requirements are met, and agree to defer the timing of various requirements as outlined in Agreement, to allow construction to proceed in a timely manner.

Notices relating to this Agreement shall be emailed, mailed or delivered to:

Jefferson School District.
Attn: Superintendent
Cc : School Board Chair
1328 N 2nd St .
Jefferson, OR 97352

Marion County Public Works
Attn: Alan Haley, Director
5155 Silverton Rd. NE
Salem, OR 97305

MARION COUNTY SIGNATURES:

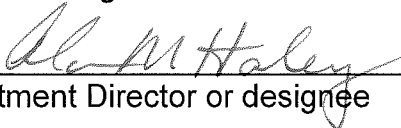
BOARD OF COMMISSIONERS

Chair Date

Commissioner Date

Commissioner Date

Authorized Signature:



7-3-18

Department Director or designee Date

Authorized Signature:

Chief Administrative Officer Date

Reviewed by Signature:

Marion County Legal Counsel Date

Reviewed by Signature:

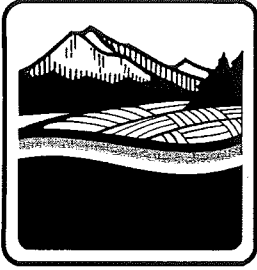
Marion County Contracts & Procurement Date

JEFFERSON SCHOOL DISTRICT 14J SIGNATURE(S):

Authorized Signature

Signature Date

Title: _____



Marion County OREGON

PUBLIC WORKS

MEMORANDUM

March 14, 2018

BOARD OF
COMMISSIONERS
Janet Carlson
Kevin Cameron
Sam Brentano

DIRECTOR
Alan Haley

ADMINISTRATION

BUILDING
INSPECTION

EMERGENCY
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ENVIRONMENTAL
SERVICES

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PLANNING

SURVEY

TO: Lisa Milliman, Planning Division

FROM: John Rasmussen, Public Works Engineering Division

RE: CU18-016; 2200 Talbot Road SE, Jefferson

A Conditional Use to replace and expand the existing middle school on an approximate 42-acre parcel within a UT-3 zone. Public Works Engineering Division Requirements are given below. Note that the content of this Memo will only be generally referenced in the Planning Department's forthcoming *Notice of Decision*.

ENGINEERING REQUIREMENTS

The school property and southern half of Talbot Road R/W is located inside the City of Jefferson UGB.

A. Driveways must meet sight distance, design, spacing, and safety standards. The following are the anticipated access requirements [Marion County Driveway Ordinance #651]:

1) An Access Permit will be required to establish the proposed west bus loop access, and to modify/close other accesses described below.

2) Close the easternmost driveway on Talbot Road fronting the existing middle school and gym by removing the gate and adding fencing; this access does not meet the county's spacing criteria of 300 feet to OR99E or to the nearest west access serving the same parking area.

3) Widen the west gym access to 24 feet to better accommodate two-way traffic. Alternatively, the access may be closed as there is also OR99E access to this area.

B. Prior to application for building permits, submit and gain county review approval for a limited scope TIA/Traffic Assessment that includes onsite parent DO/PU queuing analysis. TIA requirements are available on the county's Traffic Engineering webpage. The District's Traffic Engineer is advised to contact Julia Uravich, Traffic Dept. Mgr., for scoping details.

ATTACHMENT 1

To: Lisa Milliman, Planning Department
From: John Rasmussen, PW Engineering
RE: CU18-016
Date: March 14, 2018

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- C. Based on the results of a TIA/Traffic Assessment noted above, prior to issuance of building permits, design and permit any Talbot Road capacity improvements that may be deemed necessary. Talbot Road is a county Major Collector, and a City Arterial. Anticipated road improvements in keeping with the City's Arterial standard could include such things as right turn pocket and/or left turn lane that will necessitate pavement widening up to a 25-foot paved half-width (City of Jefferson PWDS Table 2.11) as well as concurrent widening on the north of R/W centerline, and safety improvements such as a separated mixed-use path. Prior to issuance of a Certificate of Occupancy, complete construction of any recommended improvements. Depending on the level of recommended improvements as compared with the School District's current bond measure financial capability, there 'may' be potential to defer or stagger some of those improvements with a recorded agreement with the County such as Development Deferral or Non-Remonstrance [MCC16.40.020(E)].
- D. Prior to issuance of building permits, dedicate a Talbot Road 35-foot R/W half-width (City of Jefferson PWDS Table 2.11) for a minimum length commencing at the east HS driveway and extending to the proposed west bus loop driveway, a distance of approximately 800 feet, plus 30-foot NE corner property line radius at OR99E. Additional length of R/W may be requisite depending on the extent of recommended improvements in the TIA such as curb and/or sidewalk that may include the entire frontage [MCC 16.40.030(J) & 16.40.040(C)].
- E. The land use application site plan depicts a new middle school building plus roughly 1.6 acres of added parking. Development of 0.5 acres or more including impervious and semi-impervious surfaces such as buildings and paved or gravel parking areas is subject to county stormwater detention requirements [MCPWDS]. Submission of a civil site plan depicting existing and proposed stormwater features and a drainage report is required. Stormwater improvements shall be designed prior to issuance of building permits and construction completed prior to issuance of a Certificate of Occupancy.
- F. Prior to issuance of building permits record a Removal Agreement with MCPW Engineering for features located either inside existing R/W, inside what will be the expanded 35-foot R/W (per City spec), or inside the county's 34-foot Special Setback for an Urban Collector. Removal would be stipulated with 45-days advance notice for such things as road or utility work. The features in question are as follows:
- 1) Wooden post and chain fence east of the easternmost driveway;
 - 2) Chain link fence adjacent to existing middle school
 - 3) Chain link fence adjacent to field track; and,
 - 4) Northern portion of field track.

ATTACHMENT 1

To: Lisa Milliman, Planning Department
From: John Rasmussen, PW Engineering
RE: CU18-016
Date: March 14, 2018

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- G. The subject property is within the Jefferson UGB and will be assessed Transportation System Development Charges (SDCs) upon application for building permits [Marion County SDC Ordinance #00-10R]. Information provided by the Applicant's Architect indicates that the new middle school will have a capacity for 376 students, while the existing middle school has a 180-student capacity, an increase in capacity to accommodate an additional 196 students. However, credit for the existing capacity may not be given unless the building was to be torn down prior to issuance of building permits for the new school.
- H. Evidence of a DEQ NPDES 1200-C Erosion Permit shall be provided prior to issuance of building permits.
- I. Marion County maintains Talbot Road. The School District may be held responsible for the repair of visible pavement damage to Talbot Road if directly attributable to onsite and/or road construction activities associated with this proposal.

JR/sp

cc: Jefferson School District
Darek Olson, Steele Associates

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