



Deschutes County Board of Commissioners
1300 NW Wall St., Suite 200, Bend, OR 97701-1960
(541) 388-6570 - Fax (541) 385-3202 - www.deschutes.org

AGENDA REQUEST & STAFF REPORT

For Board Business Meeting of June 8, 2016

DATE: May 31, 2016

FROM: George Kolb, County Engineer Road 541-322-7113

TITLE OF AGENDA ITEM:

Consideration of Signature of Document No. 2016-346, Gate Permit No. 16-001 for SW 53rd Street applied for by Brad Carrell

PUBLIC HEARING ON THIS DATE? NO

BACKGROUND AND POLICY IMPLICATIONS:

Brad Carrell partitioned his property (1130 SW 53rd St.) located at the end of SW 53rd Street near Redmond, Oregon. As part of his partition, he was required to dedicate right of way for a cul-de-sac bulb for vehicle turnaround. When the Road Department inspected the improvements to the cul-de-sac bulb, it was discovered that there was an existing gate that was now located in the public right of way dedicated by the partition. In order for the gate to remain in its present location, Mr. Carrell needs to obtain a gate permit from Deschutes County. Per DCC 10.04.020, Barriers and Gates-Installation Conditions, official traffic-control devices consisting of barriers and gates on and across roads and highways may be established by resolution of the Board of County Commissioners upon and across any road or highway under the jurisdiction of the County for the purpose of prohibiting motor vehicle traffic on the road or highway beyond the barrier or gate so established. This gate meets all the following criteria for a gate in the public right of way per Resolution No. 90-081:

1. It is a dead end road
2. It is not a road that is generally used by the public. It is a dead end road used only by the residents living along it.
3. All parties affected by the gate have signed off on its installation.
4. The gate will not restrict access to public land.
5. Installation of the gate will help protect property owned by Mr. Carrell
6. The road is not in a recorded subdivision.

Deschutes County will not maintain this right of way. See attachments for type and location of the gate.

FISCAL IMPLICATIONS:

None, Mr. Carrell will be responsible for the maintenance of the gate.

RECOMMENDATION & ACTION REQUESTED:

The Road Department recommends signature of Document No. 2016-346, Gate Permit No. 16-001 for SW 53rd Street.

ATTENDANCE: George Kolb, County Engineer

DISTRIBUTION OF DOCUMENTS:

Copy to Sheila Odle (ext. 7148) at the Road Department

DESCHUTES COUNTY DOCUMENT SUMMARY

(NOTE: This form is required to be submitted with ALL contracts and other agreements, regardless of whether the document is to be on a Board agenda or can be signed by the County Administrator or Department Director. If the document is to be on a Board agenda, the Agenda Request Form is also required. If this form is not included with the document, the document will be returned to the Department. Please submit documents to the Board Secretary for tracking purposes, and not directly to Legal Counsel, the County Administrator or the Commissioners. In addition to submitting this form with your documents, please submit this form electronically to the Board Secretary.)

Please complete all sections above the Official Review line.

Date:

Department:

Contractor/Supplier/Consultant Name:

Contractor Contact:

Contractor Phone #:

Type of Document: Gate permit No. 16-001

Goods and/or Services: Allows for the installation of a gate on SW 53rd Street

Background & History: Brad Carrell partitioned his property (1130 SW 53rd St.) located at the end of SW 53rd Street near Redmond, Oregon. As part of his partition, he was required to dedicate right of way for a cul-de-sac bulb for vehicle turnaround. When the Road Department inspected the improvements to the cul-de-sac bulb, it was discovered that there was an existing gate that was now located in the public right of way dedicated by the partition. In order for the gate to remain in its present location, Mr. Carrell needs to obtain a gate permit from Deschutes County. Per DCC 10.04.020. Barriers and Gates-Installation Conditions, official traffic-control devices consisting of barriers and gates on and across roads and highways may be established by resolution of the Board of County Commissioners upon and across any road or highway under the jurisdiction of the County for the purpose of prohibiting motor vehicle traffic on the road or highway beyond the barrier or gate so established. This gate meets all the following criteria for a gate in the public right of way per Resolution No. 90-081:

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2. It is not a road that is generally used by the public. It is a dead end road used only by the residents living along it.
3. All parties affected by the gate have signed off on its installation.
4. The gate will not restrict access to public land.
5. Installation of the gate will help protect property owned by Mr. Carrell
6. The road is not in a recorded subdivision.

Agreement Starting Date:

Ending Date:

Annual Value or Total Payment:

Insurance Certificate Received (check box)

Insurance Expiration Date:

Check all that apply:

- RFP, Solicitation or Bid Process
 Informal quotes (<\$150K)

Exempt from RFP, Solicitation or Bid Process (specify – see DCC §2.37)

Funding Source: (Included in current budget? Yes No

If **No**, has budget amendment been submitted? Yes No

Is this a Grant Agreement providing revenue to the County? Yes No

Special conditions attached to this grant:

Deadlines for reporting to the grantor:

If a new FTE will be hired with grant funds, confirm that Personnel has been notified that it is a grant-funded position so that this will be noted in the offer letter: Yes No

Contact information for the person responsible for grant compliance:

Name:

Phone #:

Departmental Contact and Title: George Kolb, PE, County Engineer

Phone #: 541-322-7113

Department Director Approval:


Signature

05/27/16
Date

Distribution of Document: Copy to Sheila Odle (ext. 7148) at the Road Department after recording.

Official Review:

County Signature Required (check one): BOCC Department Director (if <\$25K)

Administrator (if >\$25K but <\$150K; if >\$150K, BOCC Order No. _____)

Legal Review _____ Date _____

Document Number _____

REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES, COUNTY, OREGON

Gate Permit for SW 53rd Street *
Located within Township 15 South, *
Range 12 East, Section 13 W.M., *
Deschutes County, Oregon. *

GATE PERMIT 16-001

Pursuant to ORS 368.056 the Board of County Commissioners of Deschutes County, Oregon authorizes Brad Carrell to maintain a gate upon the public right of way described as:

SW 53rd Street located within Township 15 South, Range 12 East, Section 13 located in Deschutes County, Oregon.

in accordance with the conditions of approval (Exhibit "A") and in the location shown on the map (Exhibit "B") attached hereto and by this reference made a part hereof.

DATED this _____ day of _____, 2016

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ALAN UNGER, CHAIR

ATTEST:

TAMMY BANEY, VICE-CHAIR

Recording Secretary

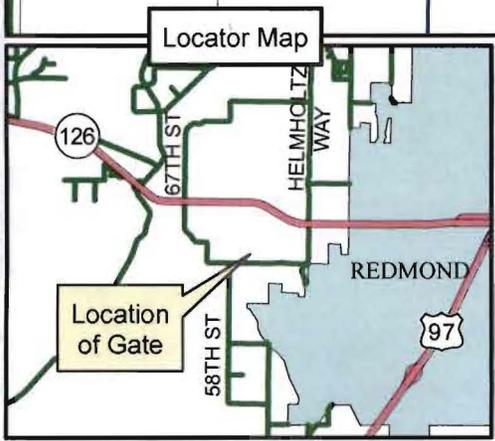
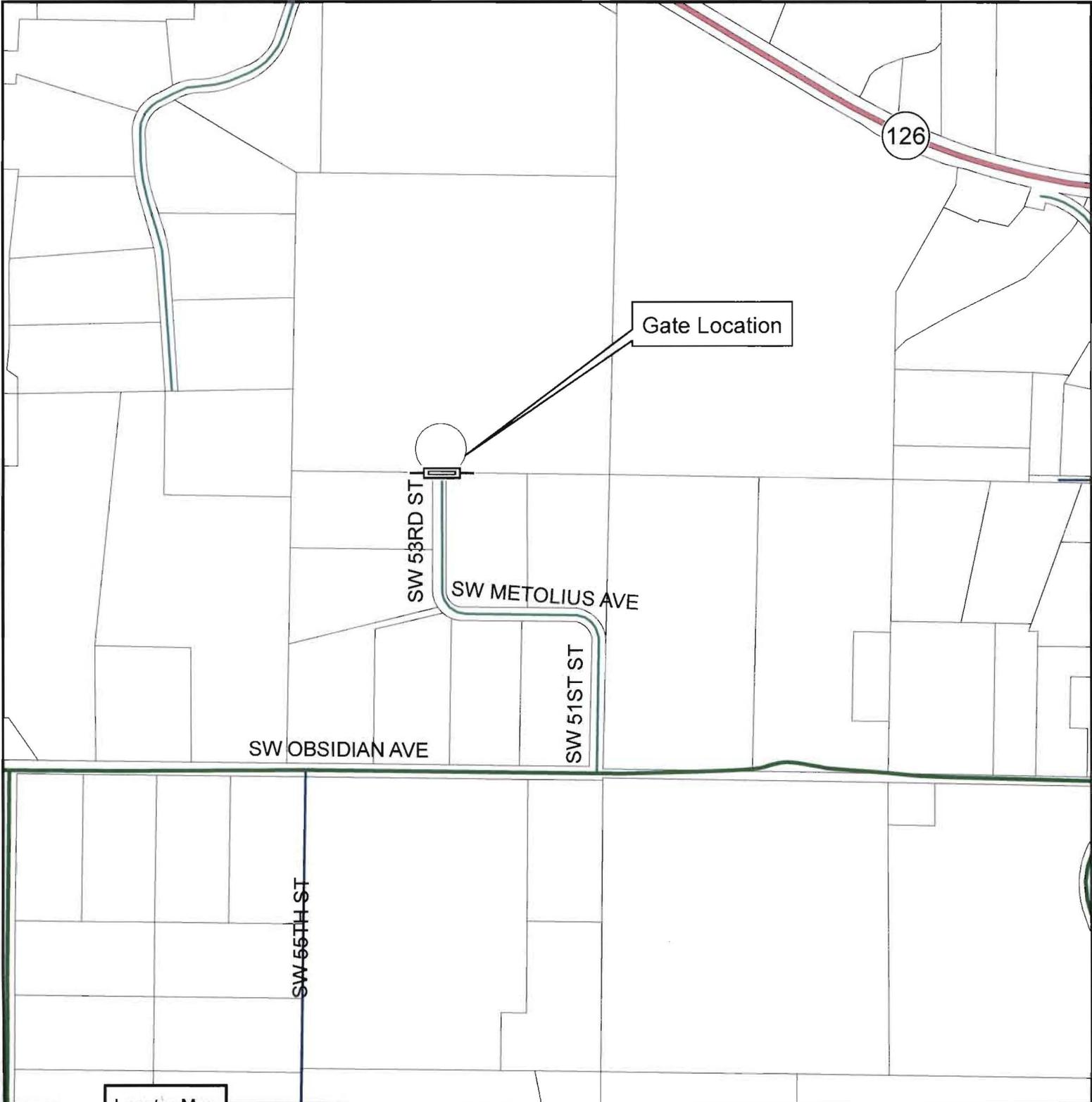
ANTHONY DEBONE, COMMISSIONER

DC 2016-346

EXHIBIT "A"

GATE PERMIT 16-001 CONDITIONS FOR APPROVAL

1. Gate permit may be reviewed by the County at any time and upon a finding that the gate does not meet the criteria of the Gate Permit Resolution 90-081, the permit may be revoked by the Board of County Commissioners.
2. The gate design shall be approved by the County Engineer.
3. If the gate is locked, a key must be deposited with the fire district, Sheriff's office and with the Deschutes County Road Department with a map showing the gate location and telephone number of the applicant or contact person.
4. The gate location shall be as shown on the attached Exhibit "B".
5. Fencing, if required, must be adequate to supplement gate.
6. No mail will be delivered inside gate, therefore, post office boxes or an approved mail box location outside gate shall be used.
7. Access for existing utilities and irrigation facilities in the area behind the gate must be maintained at all times.
8. If the applicant wants the road accessed by the gate to be included in the County maintenance system, the gate will be removed and the roadway brought up to a condition acceptable to the County Road Department prior to acceptance into the system.
9. Per Deschutes County Code 10.04.020, the gate is for the purpose of prohibiting motor vehicle traffic only. Pedestrian, bicycle and horse travel will still be permitted.



- Legend**
- Gates
 - County Routes
 - State Highways
 - Taxlots

0 600 1,200 1,800 Feet



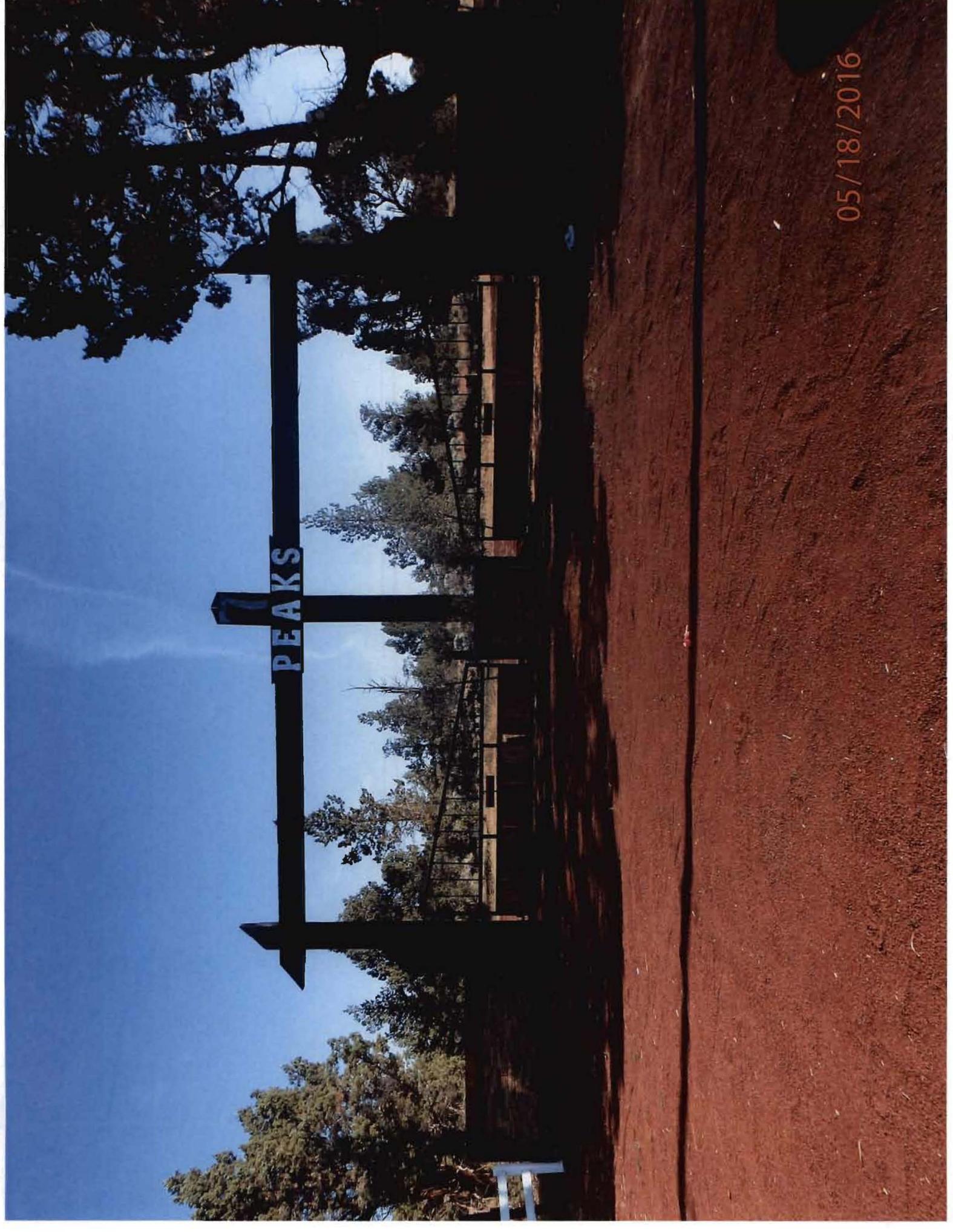
Printed:
May 26, 2016

DESCHUTES COUNTY
Mapping & GIS

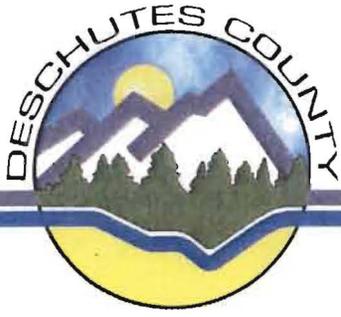
John Anderson, GIS Analyst
Phone: (541) 322-7102
Email: john.anderson@deschutes.org
Address: 61150 SE 27th St
Bend, OR 97702

Road Department

The information on this map was derived from digital databases on Deschutes County's G.I.S. Care was taken in the creation of this map. Deschutes County cannot accept any responsibility for errors, omissions, or positional accuracy and, therefore, there are no warranties which accompany this product. However, notification of any errors will be appreciated.



05/18/2016



Road Department

61150 SE 27th St. • Bend, Oregon 97702
(541) 388-6581 • FAX (541) 388-2719

GATE PERMIT PROCESSING FORM

\$100.00 NON-REFUNDABLE PERMIT FEE

This gate permit request form is to be used pursuant to Resolution No. 90-081. It is the function of the Department of Public Works to process all permit requests in compliance with five criteria established in the resolution, and to make a recommendation to the Board of County Commissioners.

APPLICANT NAME AND ADDRESS:

BRAA CARRELL
PO BOX 1914
Redmond, OR 97756

DATE OF APPLICATION:

5-17-16

FEE PAID:

\$ 100.00

SIGNATURE OF APPLICANT:

Jana Combs

TELEPHONE NUMBER:

541-598-4517

CRITERIA EVALUATION

Name and Location of road proposed to be gated:

1. Is this a dead-end road? Yes No
2. Is the road generally used by the public? Yes No
3. Will the gate restrict access to any parcels owned by others. Yes No
* If yes, application must include affected parties signatures.
4. Will the gate restrict access to public land? Yes No
5. Does it appear to be in the public's interest to allow the gating of the road? Yes No
6. Is the road in a recorded subdivision? Yes No
7. Name of subdivision N/A

8. Tax map of affected parcels must be included with application.

Evaluator Name: GEORGE KOUB Date: 5/17/16

Evaluator Comments: GATE INSTALLATION Meets THE Criteria

Public Works Director Recommendation: Approve Deny

Signature: [Signature] Date: 05/17/16