

Salem, Oregon
January 15, 1970

A conference telephone meeting was held at 8:40 a.m., to discuss what should be done concerning award of the contract for the La Grande Section of the Old Oregon Trail in Union County for which bids were received December 18, 1969.

The following persons were on telephones at the locations given:

Glenn L. Jackson, Chairman of the State Highway Commission,
in Portland
Thaddeus B. Bruno, Member of the State Highway Commission,
in Portland
Fred W. Hill, Member of the State Highway Commission, in
Pendleton
Lee Johnson, Attorney General, in Salem
G. E. Rohde, Chief Counsel, in Salem
Leonard I. Lindas, Staff Attorney, in Salem
Forrest Cooper, State Highway Engineer, in Salem
R. L. Porter, Deputy State Highway Engineer, in Salem
Floyd Query, Commission Secretary, in Salem

Notes were made on the telephone conversation by Marie Stephens and Frances Neavoll.

Mr. Cooper mentioned that seven bids for this project were received on December 18, 1969, but the bid submitted by Gordon H. Ball, Inc., in the amount of \$10,774,614 was not read as the bid proposal bond had not been signed by the contractor. Not reading such bids, he said, is normal practice and has been in effect for many years. The low bid that was read was submitted by Gibbons and Reed Company and L. S. Matusek in the amount of \$10,936,794.

Chairman Jackson stated that the question to be decided is whether the bid submitted by Ball is a legal, valid bid.

Mr. Johnson replied that it is the opinion of the Attorney General's staff that the contractor's failure to sign the proposal bond as principal is immaterial, that it is a valid bid as far as the surety is concerned, and failure to sign by the contractor does not constitute an irregularity in the bond. He recommended that the Commission accept the bid submitted by Gordon H. Ball, Inc.

Commissioner Bruno inquired if the failure to read the Ball bid constituted an error.

Mr. Johnson replied that the procedure used was proper, that Ball's bid was opened and was available for public inspection.

Chairman Jackson stated that inasmuch as the reading procedure was immaterial and as the Commission had been advised that the Ball bid is legal, his bid should be accepted.

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Mr. Johnson commented that the Commission could reject all bids.

Mr. Porter pointed out that time is an important element as the specified time for award of the contract will expire on the following Saturday, January 17. If the bidders should refuse to accept the contract after 30 days, and it became necessary to re-advertise and a higher bid was received, there could be difficulty in securing full Federal Aid.

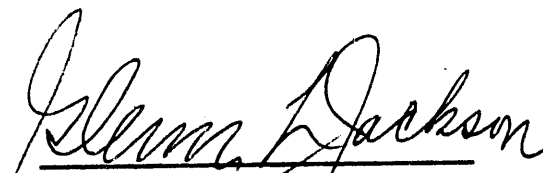
Commissioners Bruno and Hill agreed that the bid submitted by Gordon H. Ball should be accepted.

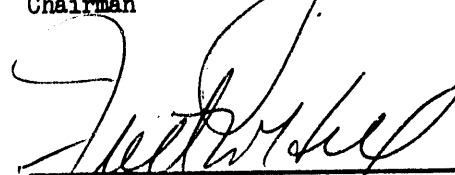
Following a question by Mr. Cooper as to whether or not the bid should be read, Mr. Johnson replied that it is not necessary to read the bid as it had been opened and made available for public inspection. He also pointed out that award of the contract should be made at a public meeting of the Highway Commission and that no formal action should be taken at this time. The phone conference today should be considered as a preliminary discussion.

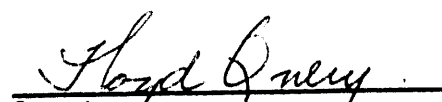
After some talk as to information to be made available to the press, the Commission agreed to hold a special meeting at 11:30 a.m., the following day, January 16, 1970, in the Conference Room of the State Highway Building in Salem to make formal award of the contract. The Secretary was instructed to notify all bidders on this job of the meeting and to advise the Associated General Contractors' Offices in Portland and Salem. All three of the Highway Commissioners agreed to be in Salem at that time.

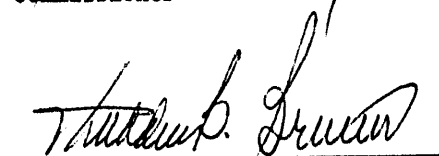
The telephone conference meeting was terminated at 9:12 a.m.


State Highway Engineer


Chairman


Commissioner


Secretary


Commissioner

January 15, 1970

Salem, Oregon
January 16, 1970

A special meeting of the State Highway Commission was held at 11:30 a.m. in Room 122 of the State Highway Building in Salem. The following people were present:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
Forrest Cooper, State Highway Engineer
R. L. Porter, Deputy State Highway Engineer
L. P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
G. E. Rohde, Chief Counsel
Leonard Lindas, Staff Attorney
Floyd Query, Secretary

Tom Edwards, Assistant Highway Engineer, was excused. Among others present were: R. E. Simpson, Division Engineer, Bureau of Public Roads; Victor D. Wolfe, Administrative Assistant; and Donald N. Harwell, Assistant County-City Engineer.

The Engineer gave to the Commission copies of a letter he had signed and which he read as follows:

"The Commission is meeting at this special session to consider the bids for the LaGrande Section of the Old Oregon Trail, FAP No. I-80N-6(42)256, involving 6.32 miles of grading, paving, structures and signing, which were opened at Salem on December 18, 1969, and have been on file for public inspection since that date in the office of the Secretary.

There were seven bids received and opened as follows:

Gordon H. Ball, Inc., Kent, Washington	\$10,774,614.00
Gibbons & Reed Co.-L. S. Matusek, Portland, Ore.	10,936,794.00
Max J. Kuney Company, Spokane, Washington	11,266,174.95
Peter Kiewit Sons' Co., Omaha, Nebraska	11,415,745.55
Slate-Hall and Hamilton Constr. Co., Portland, Ore.	13,089,140.20
C. R. O'Neil and Andersen-Hannan, Portland, Ore.	13,112,309.50
Morrison-Knudsen Co., Inc., Boise, Idaho	14,073,272.00

We are now possessed of a legal opinion of our Chief Counsel, concurred in by the Attorney General, that the bid of Gordon H. Ball, Inc., in an amount of \$10,774,614.00 is valid.

In light of this I recommend the award of the contract for the construction of the LaGrande Section of the Old Oregon Trail Highway (I-80N) to Gordon H. Ball, Inc., as the lowest responsible bidder."

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Chairman Jackson stated that the Commission have in their hands copies of a letter written by the Attorney General which he read as follows:

"I am informed that in connection with your consideration of bids submitted for the construction of the LaGrande by-pass a question arose as to the validity of the bid submitted by Gordon H. Ball, Inc., the apparent low bidder.

Research by members of my staff assigned to the Highway Division resulted in an opinion by the chief counsel that the bid submitted was valid and should be considered by the Commission in determining if an award of a contract for the construction of the by-pass should be made.

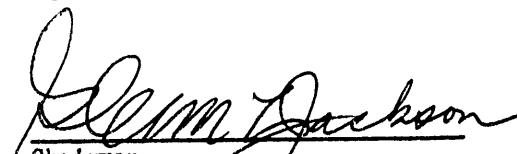
Since that time counsel for Gordon Ball, Inc., and Gibbons & Reed, et al., the second low bidder, have submitted comprehensive legal briefs; the former in support of their contention the bid was valid; the latter in support of their contention the bid of Gordon H. Ball, Inc., was not valid.

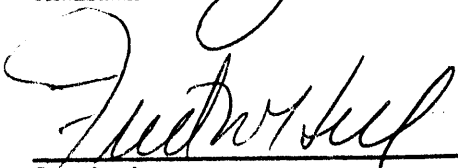
I have reviewed these briefs together with additional research completed by members of my staff. I am, therefore, of the considered opinion the bid of Gordon H. Ball, Inc., is valid, and the Commission should, in making a determination if a contract is to be awarded, give full consideration to such bid."

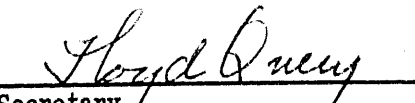
The point to be determined, the Chairman said, is the legality of the low bid submitted by Gordon H. Ball, Inc.; and as competent legal advice has been given that the bid is a legal, valid bid, the Commission in public interest is bound to accept the bid. He moved that the bid submitted by Gordon H. Ball, Inc., be accepted, the contract awarded to them, and the Secretary authorized to sign it for the Commission. Commissioner Hill concurred and the motion was made unanimous by Commissioner Bruno.

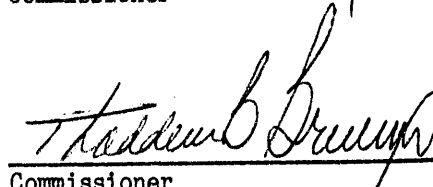
The meeting was adjourned by the Chairman at 11:40 a.m. (Before the meeting convened, the three members of the Commission signed a waiver of the ten-days written notice which is required to be given to them prior to a Commission meeting.)


State Highway Engineer


Chairman


Commissioner


Secretary


Commissioner

January 16, 1970

Salem, Oregon
February 3, 1970

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 122 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
Forrest Cooper, State Highway Engineer
R. L. Porter, Deputy State Highway Engineer
Tom Edwards, Assistant State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
G. E. Rohde, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

Among others present were: R. E. Simpson, Division Engineer, U. S. Bureau of Public Roads; C. W. Head, Assistant Secretary; V. D. Wolfe, Administrative Assistant; L. H. Young, Program and Planning Engineer; V. E. Skoog, Controller; Frank C. McKinney, Assistant Counsel; Donald N. Harwell, Assistant County-City Engineer; John R. Oakes, Assistant Right of Way Engineer; Ray Wilson, Assistant State Parks Superintendent; R. B. Sipprell, Liaison Engineer and John J. Earley, Information Officer.

The Commission approved the minutes of the meeting held December 23, 1969.

The Right of Way Engineer presented a list of options, Pages 1 through 44, secured for acquisition of real property needed for State highway use or for other purposes. He mentioned that the amounts offered are based on competent appraisals which are on or near the appraised amounts and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 65," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts from December 16, 1969, to January 27, 1970, was presented by the Right of Way Engineer and accepted by the Commission. During this period, miscellaneous sales totaled \$5,266; land sales, \$42,200; timber sales, \$4,192.53; and total rental receipts for December 1969 were \$40,287.11.

Authority was requested by the Right of Way Engineer to offer at public sale a parcel of property no longer needed for highway purposes. The minimum value, he said, has been determined by competent appraisal and access and other conditions of sale are consistent with those afforded to other properties in the vicinity. The Commission authorized sale of the following property:

February 3, 1970

10,650 square feet of land, File No. 39737, located between the old approach to the Rainier Bridge and the new Columbia River Highway alignment east of Third Street in Rainier in Columbia County for not less than \$450. No access is to be permitted to the Columbia River Highway and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads was given by letter dated January 12, 1970.

Authority to make a direct sale on one parcel of property no longer needed for highway purposes was requested by the Right of Way Engineer. The sale price, he said, has been determined by competent appraisal and it is not feasible to offer the property at public sale because of peculiarities of location which restrict salability to a single party. The Commission approved the following direct sale:

To Malheur County, File No. 397, 2.42 acres consisting of a stockpile site located on the southwesterly side of the John Day Highway approximately three miles north of Vale for \$1. Signboard and junkyard exclusion clauses are to be included in the deed. This property, the Right of Way Engineer stated, was originally acquired from Malheur County in 1931 for \$1.

Recommendations were made by the Right of Way Engineer for the granting of Indentures of Access to cover changes in location or to correct the public record so that the locations would show as actually constructed. The Commission approved the following Indentures of Access:

- (1) Marick and Rimaraus Oregon Ltd. property, File No. 28199, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the easterly side of the relocated Mt. Hood Highway approximately one mile south of the Mt. Hood Post Office in Hood River County. Approval by the Bureau of Public Roads was received on August 5, 1969.
- (2) Clifford Orth Properties, Inc., File No. 28196, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the easterly side of the relocated Mt. Hood Highway approximately two miles south of the Mt. Hood Post Office in Hood River County. Approval by the Bureau of Public Roads was received on August 5, 1969.
- (3) Hood River County property, File No. 28153, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the easterly side of the relocated Mt. Hood Highway approximately seven miles south of the Mt. Hood Post Office. Approval by the Bureau of Public Roads was received on August 5, 1969.

- (4) Bean property, File No. 33527, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the southerly side of the relocated Crater Lake Highway approximately six miles west of Prospect in Jackson County. Approval by the Bureau of Public Roads was received on January 22, 1969.
- (5) Chapman and Bean property, File Nos. 33525-6-7, to show in the public record the constructed location of two unrestricted points of access 35 feet wide; one on the northerly side and one on the southerly side of the relocated Crater Lake Highway approximately six miles west of Prospect in Jackson County. Approval by the Bureau of Public Roads was received on January 22, 1969.
- (6) Duncan, Becker, Joyner, and Dillon property, File No. 12553, for a change in location of one residential point of access widened to 35 feet at Highway Engineer's Station 114+82 on the southerly side of the North Santiam Highway in Marion County. Approval by the Bureau of Public Roads was received March 1, 1968.

The Commission considered granting an access road easement to Bonneville Power Administration across a 0.23 acre parcel of land located approximately eight miles west of Mapleton on the Florence-Eugene Highway (formerly Siuslaw Highway) in Lane County. No consideration is involved. The Right of Way Engineer stated that the State has reserved to itself the right to use the road and he recommended that the easement be approved. The Commission accepted his recommendation.

Consideration was given to a request for an extension of time on a demolition contract awarded to Heard Construction Company. The Right of Way Engineer explained that the contract requires removal of eight houses and foundations, clean up and grading on the East Portland Freeway and Fremont Interchange Section of the Stadium Freeway in Multnomah County by January 15, 1970. He recommended an extension of 60 days without assessment of liquidated damages. The Commission granted the extension as recommended.

Confirmation was requested by the Right of Way Engineer for telephone authority given by Commissioner Bruno on January 29, 1970, for the sale of approximately 100,000 board feet of timber. The timber, he said, is located on the S.E. Hinkley-Lake Road Interchange Section of the East Portland Freeway in Clackamas County. The sale is to Publisher's Paper Company at a price of \$40 per thousand board feet. The Commission confirmed the sale.

The Right of Way Engineer also requested confirmation for telephonic approval given by Commissioner Bruno on January 29, 1970, for the sale of an estimated 50,000 board feet of timber on the West Linn-Pacific Highway Section of the East Portland Freeway in Clackamas County. This sale, he said, is also to Publisher's Paper Company at a price of \$60 per thousand board feet. The Commission confirmed the sale.

The Chief Counsel presented a list of properties needed for the uses indicated therein and requested the Commission to declare by resolution the necessity of said properties for the public uses to which they are to be put and to authorize the Legal and Right of Way Division to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolutions Nos. 2568 through 2570," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

A report concerning cases tried in court since the last Commission meeting was presented by the Chief Counsel and accepted by the Commission, summarized as follows:

REPORT OF CONDEMNATION CASES TRIED

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Defendant's Demand</u>	<u>Verdict</u>
L-6034 Moskee Investment Co., et al.	Clackamas	East Portland Freeway	Columbia River- Pacific Highway	\$35,000.00	\$ 75,000.00 (Answer)	\$62,400.00
L-6064 Gertrude Yunker Plant, et al.	Clackamas	East Portland Freeway	Columbia River- Pacific Highway	33,000.00	50,000.00 (Answer)	33,000.00
L-6024 Ilmer N. Koivunen, et ux.	Coos	Coos River	Allegany- Marlow Creek	1,575.00	5,500.00	3,300.00
L-5927 Julian Zimmerman, et al.	Malheur	Crooked Creek Wayside	State	4,800.00	17,000.00	21,000.00
L-6036 Harry O. Tripp	Multnomah	East Portland Freeway	N.E. Sandy Boulevard- N.E. Glisan Street	8,000.00	11,000.00 (Answer)	7,400.00
L-6010 Ralph H. Elligsen, et al.	Washington	Pacific	Stafford Road Interchange	20,100.00	100,000.00	47,710.00
L-5722 James J. Praggastis, et al.	Clackamas	East Portland Freeway	Columbia River- Pacific Highway	7,600.00 (includes 850.00 for sign)	75,000.00 (Answer)	5,500.00

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REPORT OF TRIAL OF OTHER CASES

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-6058 State of Oregon	Gary Claude Fulton	Multnomah	Negligent operation of motor vehicle by defendant resulting in damage to State Highway Division dump truck.	\$ 480.06	\$480.06
L-5986 State of Oregon	Linda Marie Deel	Multnomah	Negligent operation of motor vehicle by defendant resulting in damage to guardrail.	162.16	162.16
L-6072 State of Oregon	Beryle James Hazelett	Multnomah	Negligent operation of motor vehicle by defendant resulting in damage to light pole.	92.55	92.55
L-6063 State of Oregon	Robert L. Borges	Washington	Negligent operation of motor vehicle by defendant resulting in damage to guardrail.	135.70	135.70
L-6106 State of Oregon	Noel Daniel Cayo	Douglas	Negligent operation of motor vehicle by defendant resulting in damage to guardrail.	204.51	204.51
L-5832 State of Oregon	Jerry Lewis Newman	Linn	Negligent operation of motor vehicle by defendant resulting in damage to State Highway Division snow plow.	563.40	273.99

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(Report of Trial of Other Cases Cont.)

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Verdict
L-6114 David K. Burks	State of Oregon	Douglas	Chemical spray damage to vineyard.	\$ 3,000.00 + costs	Dismissed

(Staff attorney filed motion to quash service of summons on ground that at the time of the Act, State was immune from suit. Motion granted and order entered dismissing suit.)

L-6084 Bertha Murdock	The City of Klamath Falls, et al. (State of Oregon)	Klamath	Personal injury	15,000.00 general damages 429.33 special damages	Motion allowed
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(Plaintiff brought this action against State Highway Commission, City of Klamath Falls and several officers and employees for injuries suffered when she tripped over a metal pipe left in sidewalk after removing a street sign post.

Court has, by granting State's Motion, terminated this action so far as State Highway Commission is concerned. It will continue as personal liability of individuals with insurance carrier providing defense.)

L-5997 Melvin Newell	Emory E. Johnston, et al.	Multnomah	Wrongful death	25,000.00	Dismissed with prejudice
L-6081 Melvin Newell	Emory E. Johnston, et al.	Multnomah	Wrongful death	25,000.00	Dismissed with prejudice

(Both of these cases arose from the same occurrence. In April, 1967, a highway maintenance crew was repairing a portion of the right-of-way fence along the Banfield Expressway at 122nd Avenue. While the fence was down for repair, a seven year old child ran through the opening onto the highway and was struck by a passing vehicle.

The Administrator of his estate brought this action for wrongful death and \$25,000 damages against the District Maintenance Supervisor and foreman of the crew.

Insurance company now notifies us that the actions have been dismissed with prejudice to the plaintiff. This appears to be final disposition of this matter.)

February 3, 1970

(Report of Trial of Other Cases Cont.)

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Verdict
L-5936 Lucille Miller	Murphy Bros. Ind., Forrest Cooper, et al.	U. S. District Court	Personal injury	\$27,500.00	Dismissed with prejudice

(This was an action for personal injury brought by a resident of Idaho against Murphy Bros., Inc., and Mr. Cooper arising out of an accident that occurred on December 27, 1966, when the plaintiff collided with a temporary guardrail. The defense was turned over by our insurance company to the contractor and conducted by them. Just prior to the trial of the case, the plaintiff dismissed the case with prejudice.)

(For additional details, see the Chief Counsel's letter dated January 28, 1970, concerning cases tried and filed in the Salem Office, General Files.)

A report was also submitted by the Chief Counsel and accepted by the Commission concerning cases which have been settled out of court since the last Commission meeting, summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-6044 Dewey C. Gearin, et al.	Linn	Santiam	Foster Truck Scale Slide	\$ 5,250.00 prior to filing	\$12,000.00

(\$11,650.00 Revised Review Appraisal)

L-5792 F. J. Cooney, et al.	Clackamas	Pacific	Hayesville Interchange-Wilsonville Junction	2,250.00	500.00
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(It developed the extra right-of-way width was not needed. An agreement was reached to place the strip of land back in its original state, place fence along original line and dismiss the condemnation action. The \$500 settlement is compensation for use of land while in possession of State and its contractor.)

February 3, 1970

(Report of Condemnation Cases Settled Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-6017 Elizabeth J. Johnson, et al.	Clatsop	Oregon Coast	Silver Point Slide	\$33,500.00 for right- of-way only	\$81,000.00 entire tract

(Further negotiation brought forth a settlement of the case by the purchase of some 10 plus acres for \$81,000, the amount of State's Review Appraisal.)

L-5935 Rupert G. Boak, et al.	Coos	Bandon State Park		34,000.00 prior to filing	65,500.00
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(Sharp increases in land values due to land speculation in area makes appraisal difficult. Recent sales clearly demonstrate market value as indicated in Review Appraisal of \$64,000 without considering extremely high prices being paid for an assemblage north of Bandon.)

Settlement predicted on the reservation of a drainage easement over a portion of property in natural drainage area needed by owner in connection with cranberry bog on remaining land. Parks Division and appraisers agree the easement will not prevent full development of property for park use and does not reduce value.)

L-6046 Harold R. Schlichting, et ux.	Tillamook	Oregon Coast	Neskowin Beach State Wayside	15,000.00 prior to filing	19,000.00
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(Advantageous location requires comparison with sales up and down the Central Oregon beaches and considerable adjustment of sales prices to render an opinion as to its fair market value. The owner, until after filing of complaint, demanded \$20,000 to \$25,000. Additional and revised appraisals brought an adjustment of Review Appraisal from original offer to \$17,600.)

L-6009 Dale S. Green, et al.	Josephine	Redwood	Pollard Creek- Wilderville	2,150.00 prior to filing	3,200.00
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(This report of settlement is supplemental to one approved NOA at the August 19, 1969, Commission meeting. Original settlement was based on an option. The access control provision in the option did not cover entire highway frontage as required. Efforts to negotiate the access language at the original option figure of \$3,000 were unsuccessful. Owners have now executed and delivered an option for \$3,200 with access language as required.)

(Report of Condemnation Cases Settled Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-6122 Edwin V. Anderson, et ux.	Clackamas	East Portland Freeway	S.E. Hinkley Avenue-Lake Road Unit, Columbia River Highway	\$26,500.00	\$26,500.00

L-6127 Cecile M. Bannon, et vir.	Clackamas	East Portland Freeway	Clackamas River-West Linn Unit of the Columbia River-Pacific Highway	17,000.00	17,000.00
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(Grantor reserves the right to retain and dispose of improvements for \$500 salvage value.)

L-6128 Helen M. Martin, et al.	Clackamas	Mt. Hood	Alder Creek- Wildwood	3,400.00	3,400.00
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L-6113 Robert W. Toon, et al.	Clackamas	Pacific	N. Tigard Interchange- Hubbard Interchange	2,000.00	2,250.00
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L-5734 Richard Neumann, et ux.	Clackamas	East Portland Freeway	West Linn- Pacific Highway Unit of Columbia River-Pacific Highway	225.00	800.00
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(Review of appraisal revealed that the remainder suffered more damage than originally estimated due to physical restriction of access by the installation of a guardrail across a portion of the frontage.)

L-5999 Mary Thomas, et al.	Coos	Powers	Whiskey Creek- White Bridge	500.00	800.00
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(Experience has shown that juries often find that, notwithstanding the owner retains the beneficial use of the land involved, the taking is 100 percent of the value of the land. In view of this experience the settlement is believed to be in the best interest of the State.)

REPORT OF OTHER CASES SETTLED

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Settlement</u>
L-5728 Charles Maynard McKinley	Anna M. Hartman, et al.	Yamhill	Personal Injury	\$11,100.00)	\$2,800.00
L-5732 Charles Maynard McKinley, et ux.	Anna M. Hartman	Yamhill	Property Damage	1,450.00)	

(The accident occurred at one end of a section of highway which was under construction. (Holmes Gap-Basket Slough Section of the Pacific Highway West; Salem Road & Driveway Co., contractor, Contract No. 7010) E. J. Hall, Resident Engineer, was made a defendant and was charged with negligence in that the old highway striping was not obliterated where the old and new construction joined causing the two cars to be driven in the same lane.

It is understood from the insurance company's attorney that both cases have been compromised and settled for \$2,800, of which the State's carrier paid \$1,375 and the contractor's insurance carrier paid \$1,425. It is also understood the State's carrier will endeavor to collect the remainder from the contractor on the basis that it was his responsibility under the contract.)

L-5853 Louis F. Brady	State of Oregon	Douglas	Inverse Condemnation	5,000.00 plus 1,500.00 attorney fees	3,000.00
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(During the reconstruction of the highways many thousands of cubic yards of material were removed from Cow Creek, both up and downstream of the Brady property, said material being used in the construction of the highway. As a result the bed of Cow Creek opposite the Brady property eroded to the point the Brady sump will only fill up during periods of high water.

Our appraisal of the depreciation to Brady's property due to the loss of water is in the sum of \$1,875.00. Following long periods of negotiation, counsel for the Bradys have agreed to settle the matter and release the State for the sum of \$3,000.)

(For additional details, see the Chief Counsel's letters dated January 28 and 30 and February 3, 1970, concerning cases settled and filed in the Salem Office, General Files.)

Confirmation was requested by the Chief Counsel and granted by the Commission for telephonic approval previously given by the Commission on offers made to owners for acquisition of real property prior to the start of condemnation proceedings summarized as follows:

ALDER CREEK-WILDWOOD SECTION OF THE MT. HOOD HIGHWAY

R-33000 - Warren C. Carter, et ux. 1.1 acres for right-of-way purposes. Offer of \$8,800.00 approved by Mr. Jackson January 8, 1970.

R-33002 - Velva Lee Bishop. 0.32 acre for right-of-way purposes. Offer of \$6,800.00 approved by Mr. Jackson January 16, 1970.

R-33022 - Lloyd Williams, et ux. 0.95 acre for right-of-way purposes. Offer of \$13,100.00 approved by Mr. Jackson December 23, 1969.

R-33063 - Tom F. Lipscomb, et ux. 0.1 acre for right-of-way purposes. Offer of \$15,000.00 approved by Mr. Jackson January 5, 1970.

R-33069 - Alma Woodle. Parcel No. 1: 0.05 acre for right-of-way purposes; Parcel No. 2: 0.09 acre for right-of-way purposes. Offer of \$300.00 approved by Mr. Jackson December 18, 1969.

R-33070 - Wilhelmina E. Mikkelsen. Parcel No. 1: 11.4 acres for right-of-way purposes; Parcel No. 2: 0.28 acre for right-of-way purposes. Offer of \$23,400.00 approved by Mr. Jackson December 23, 1969.

R-33071 - Frank Christensen, et ux. 0.11 acre for right-of-way purposes. Offer of \$250.00 approved by Mr. Jackson December 17, 1969.

R-33073 - Frank Christensen, Jr., et ux. 6.5 acres for right-of-way purposes. Offer of \$13,000.00 approved by Mr. Jackson January 26, 1970.

CAPE KIWANDA-NESKOWIN SECTION OF THE OREGON COAST HIGHWAY

R-43507 - Walter Affolter, et ux. 1.3 acres for right-of-way purposes. Offer of \$7,500.00 approved by Mr. Jackson January 26, 1970.

FERN HILL-BURNSIDE SECTION OF THE COLUMBIA RIVER HIGHWAY

R-43925 - Gerry E. Backanen, et ux. 1.55 acres for right-of-way purposes. Offer of \$12,000.00 approved by Mr. Jackson December 17, 1969.

GLENADA-SILTCOOS RIVER SECTION OF THE OREGON COAST HIGHWAY

R-41795 - Coast Resort Company. 0.02 acre for permanent easement. Offer of \$100.00 approved by Mr. Jackson December 30, 1969.

KLAMATH FALLS-GREEN SPRINGS HIGHWAY JUNCTION SECTION OF THE DALLES-CALIFORNIA HIGHWAY

R-40745 - Dema McBee. 0.10 acre for right-of-way purposes. Offer of \$150.00 approved by Mr. Jackson December 19, 1969.

LAKE ROAD INTERCHANGE-CLACKAMAS RIVER UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-43436 - Walter L. Martzolf, et ux. 9,000 square feet for right-of-way purposes. Offer of \$11,450.00 approved by Mr. Jackson January 19, 1970.

MISSION JUNCTION-EMIGRANT HILL SECTION OF THE OLD OREGON TRAIL

R-42500 C-14 - United States of America, as Trustee, (Unknown Heirs or Devisees of Henry Thomas, Deceased). Parcel No. 1: 10.5 acres for right-of-way purposes; Parcel No. 2: 2.3 acres for right-of-way purposes; Parcel No. 3: 1.6 acres excess taking. Offer of \$360.00 approved by Mr. Jackson December 19, 1969.

NORTH POWDER-BAKER SECTION OF THE OLD OREGON TRAIL

R-42394 - Estel Powers and Lorraine Widman. 10.6 acres for right-of-way purposes. Offer of \$20,000.00 approved by Mr. Jackson December 17, 1969.

R-42497 - W. R. Rogers and Donald C. Rogers. Parcel No. 1: 1.1 acres for right-of-way purposes; Parcel No. 2: 0.6 acre for right-of-way purposes; Parcel No. 3: 0.57 acre for permanent easement. Offer of \$3,050.00 approved by Mr. Jackson January 5, 1970.

POLK STREET-HILDA STREET (OREGON CITY) SECTION OF THE CASCADE HIGHWAY

R-43538 - Ernest Nichols and Paul D. Nichols. 38 square feet for right-of-way purposes. Offer of \$650.00 approved by Mr. Jackson January 5, 1970.

R-43550 - William V. Luther, et ux. 84 square feet for right-of-way purposes. Offer of \$1,150.00 approved by Mr. Jackson January 6, 1970.

R-43531 - Gladys E. Buol. Parcel No. 1: 84 square feet for right-of-way purposes; Parcel No. 2: 450 square feet for permanent easement. Offer of \$300.00 approved by Mr. Jackson January 7, 1970.

R-43555 - Humble Oil & Refining Company. 54 square feet for right-of-way purposes. Offer of \$250.00 approved by Mr. Jackson January 6, 1970.

ROSS ISLAND BRIDGE-REEDWAY SECTION OF THE PACIFIC HIGHWAY EAST

R-42642 - Richard H. Lord, et al. Parcel No. 1: 0.03 acre for right-of-way purposes; Parcel No. 2: 0.02 acre for right-of-way purposes; Parcel No. 3: 0.4 acre for right-of-way purposes. Offer of \$46,450.00 approved by Mr. Jackson December 29, 1969.

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ROSS ISLAND BRIDGE-REEDWAY SECTION OF THE PACIFIC HIGHWAY EAST Cont.

R-43134 - Hazel W. Lord, et al. 2.3 acres for right-of-way purposes. Offer of \$25,000.00 approved by Mr. Jackson December 17, 1969.

R-43159 - Edmund J. Morrison, et ux. 150 square feet for right-of-way purposes. Offer of \$1,750.00 approved by Mr. Jackson January 26, 1970.

R-43169 - Shell Oil Company. 3,870 square feet for right-of-way purposes. Offer of \$60,000.00 approved by Mr. Jackson January 26, 1970.

R-43170 - Dee Ann Puddy. 268 square feet for right-of-way purposes. Offer of \$800.00 approved by Mr. Jackson January 26, 1970.

S.E. DIVISION STREET-S.E. FOSTER ROAD UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-42748 - Paul O. Pelletier, et ux. 12,363 square feet for right-of-way purposes. Offer of \$15,500.00 approved by Mr. Jackson January 26, 1970.

WILLAMETTE RIVER BRIDGE (ALBANY) SECTION OF THE ALBANY-CORVALLIS HIGHWAY

R-43470 - Cloverdale Farms, Incorporated. Parcel No. 1: 0.56 acre for right-of-way purposes; Parcel No. 2: 1.8 acres for right-of-way purposes; Parcel No. 3: 2.3 acres for right-of-way purposes. Offer of \$130,250.00 approved by Mr. Jackson January 16, 1970.

R-43473 - Smith Glass Service, Inc. 2,100 square feet for right-of-way purposes. Offer of \$8,500.00 approved by Mr. Jackson December 31, 1969.

R-43474 - Albany Planing Mill, Inc. 4,300 square feet for right-of-way purposes. Offer of \$13,500.00 approved by Mr. Jackson January 5, 1970.

R-43476 - Sam Frager, et al. 6,327 square feet for right-of-way purposes. Offer of \$45,000.00 approved by Mr. Jackson January 21, 1970.

R-43477 - Minnie May Fox. 2,000 square feet for right-of-way purposes. Offer of \$16,250.00 approved by Mr. Jackson January 7, 1970.

A report concerning property damage claims covering the period October 1 through December 31, 1969, was presented by the Chief Counsel. During this quarter, he mentioned that a total of \$33,175.75 had been collected on 125 claims, 94 of which were payments in full. The Commission accepted the report.

The Chairman inquired as to the status of the DeLong case pertaining to the Astoria Bridge and how long it might take to get the matter before the Supreme Court. The Chief Counsel stated that the Supreme Court had granted DeLong's request for an extension of time to May 1970 within which to file their appeal which will be before the newly created Court of Appeals. It is difficult to estimate how long the appeal procedure will

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take but he expected an answer by the end of 1970. In response to the Chairman's further inquiry as to whether the amount awarded to the State is earning interest, the Chief Counsel replied that interest is accruing at the rate of 6 percent per annum.

A report was submitted by the Chief Counsel and accepted by the Commission concerning legal proceedings involving the State Highway Commission and its employees which have been instituted since the last Commission meeting as follows:

- (1) Allen E. Pedersen and Tracy Pedersen vs. State of Oregon. Plaintiffs seek \$714 for damage to personal property plus \$400 attorney fees. Alleges State was negligent in failing to mark submerged rock which damaged their boat in Cove Palisades State Park in Jefferson County.
- (2) Frank R. Fanno vs. Oregon State Highway Commission. Plaintiff has filed a case alleging that State installed a drainage system which is causing water, oil, gravel, and debris to flow onto plaintiff's property in Washington County. Plaintiff seeks a Court Order enjoining the State from depositing the above substance on his property. In another case by the same plaintiff against the State, he is requesting \$25,000 in damages to his property by reason of the State's drainage system.
- (3) F. W. Miller vs. Jack Gregson. Plaintiff requests \$27,680.45 for injuries arising out of a collision between a private vehicle and a Highway truck on the Madras-Prineville Highway near the Crook-Jefferson County line.
- (4) David K. Burks vs. State of Oregon. Plaintiff alleges the herbicides used in weed control operations along the right-of-way of the highway through Winston damaged two acres of plaintiff's grape vineyard with consequent damage in the amount of \$3,000.

The Commission accepted from Mr. and Mrs. James J. Walton a gift by Deed of Dedication consisting of approximately 7,000 feet of frontage on the ocean shore west and north of Neskowin on the Oregon Coast Highway in Tillamook County. The Secretary was instructed to write a letter to the Waltons expressing the Commission's thanks. The Commission also signed a Certificate of Appreciation which is to be delivered to the Waltons.

Confirmation of oral approval given by the Chairman on January 20, 1970, on a letter-form agreement with Communications Consultants, Inc., was requested by the Engineer. This study, he said, concerns a communication

network to determine the availability of campsites in State parks and is to be delivered to the Highway Commission Office in Salem within 15 days after Communication Consultants has received an executed copy of the agreement. Cost of the study is \$1,000. The Commission confirmed the agreement and authority for the Secretary to sign it.

A change in the amount of State participation in the cost of land acquisition located near the southwesterly end of the Ferry Street Bridge under a Willamette River Park System agreement with the City of Eugene was brought up by the Engineer. The original agreement, he stated, was approved for a total amount of \$27,350; however, negotiations with the owner broke down on this price and a price of \$29,500 was finally agreed upon. This increase would mean payment of \$537.50 additional by the State. The Commission approved the increase.

An agreement with MacLaren School for Boys pertaining to work crews employed on State park projects was brought up by the Engineer. He recalled that these boys have been employed in State park work since 1953, mostly in the coastal areas. As the work has been of benefit to the boys as well as to the State, it is proposed to extend the work into inland parks. Payment of 50 cents per man-hour is to be made directly to MacLaren School. He estimated cost of operating three crews at approximately \$60,000 per year. The agreement may be terminated by either party by giving 90 days' written notice. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them. In response to an inquiry from the Chairman, Mr. Shaw, Assistant Highway Engineer, stated that under the new agreement it is anticipated that about 25 boys can be used, which is about all the school can furnish.

Consideration was given to granting a permit to Tillamook Treasures, Inc., to explore and excavate for treasure trove in Oswald West State Park in Tillamook County. The Engineer commented that conditions have been placed in the permit to control excavation and backfill operations under the direct supervision of the State Parks Superintendent. The agreement also provides that excavation shall not continue for more than 30 consecutive workdays and that the agreement expires upon the completion of the 30 consecutive workdays or on November 15, 1970, whichever is the earlier date. If treasure articles are found, they are to be stored with the First National Bank in Tillamook until a value has been determined; whereupon 25 percent of the value is to be retained by the State. Archaeological, historical, prehistorical, or anthropological articles are to be disposed of in accordance with ORS 273.705. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement for them.

Increases in project authorizations to cover additional costs were presented by the Engineer. He explained briefly the reasons for the overruns. The Commission approved the increases on the following projects:

- (1) Contract No. 7304 for the Neil Creek Slide on the Pacific Highway in Jackson County, for an increase of \$19,475.50 (7.18 percent). Unusual subsidence in the area required construction of a detour and complete resurfacing and paving to restore the four-lane roadway.

- (2) Contract No. 7270 on the Creswell Interchange and Hawley Road Section of the Pacific Highway in Lane County for an increase of \$46,066.32 (15 percent). Redesign of the project to include a retaining wall for the protection of a service station and an added landscape project were given as the principal causes of the overrun.

The Chairman inquired as to anticipated expenditures on extraordinary maintenance such as slides and other abnormal conditions caused by unusual weather. Mr. Edwards, Assistant Engineer, stated that at this time it appears that perhaps \$100,000 would cover the extra costs. However, it appears that the normal maintenance expenditures will stay within the present budget.

A highway corridor and design resolution was presented by the Engineer providing for the widening to four lanes of the Brooks-Hayesville Interchange Section of the Pacific Highway East in Marion County. He reported that a corridor-design hearing was held June 10, 1969, and approval was received from the Bureau of Public Roads on December 1, 1969. The project is 4.98 miles in length and follows the existing highway. He recommended adoption of the resolution with authority to purchase right-of-way. The Commission accepted his recommendation and thereupon adopted "Highway Corridor and Design Resolution No. 371," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Expenditure of funds to correct a slide at Neskowin on the Oregon Coast Highway in Tillamook County was considered. The Engineer stated that on December 24, 1969, this slide had closed the highway for approximately 40 hours. As a cure for the condition, it appears that it will be necessary to remove approximately 100,000 cubic yards of earth at an estimated cost of \$100,000. He recommended that the work be done using State Construction Funds. The Commission accepted his recommendation.

Payment of 1970 membership dues to the National Association of State Outdoor Recreation Liaison Officers was discussed. The Engineer commented that the organization is operated on an economical basis and has been of considerable value in solving problems in connection with the Federal Land and Water Conservation Fund. The Commission accepted his recommendation for payment of the 1970 dues in the amount of \$150.

Payment of dues to the American Association of State Highway Officials was considered. The Engineer commented that it is important that the State Highway Division continue to take an active part in AASHO affairs and he recommended payment of dues for the calendar year 1970 in the amount of \$2,279.25. The Commission approved the payment.

Attention was given to requests from contractors for extensions of time to complete highway contracts without assessment of liquidated damages. These requests, the Engineer said, have been carefully investigated and the results of the investigations have been reported to the Commission by letter. The Commission took action as follows:

- (1) Power City Electric, Inc., Contract No. 7250 for traffic signals on the Salmon River Highway in Yamhill County, requested two additional calendar days. The Commission denied the request.

- (2) M. L. Mills and Mills Construction Company, Inc., Contract No. 7188 for construction of the East Salem Automotive Repair Shop in Salem, requested an extension of time from November 30 to December 15, 1969. The Commission approved an extension to December 11, 1969, the date of completion, without assessment of liquidated damages.
- (3) J. C. Compton Company, Contract No. 7192 on the Oregon Coast Highway in Lane County, requested an extension of 63 days. The Commission approved an extension of 63 days thereby eliminating all liquidated damages.
- (4) Hughes and Dodd Company, Contract No. 7304 for a slide correction project on the Pacific Highway in Jackson County, requested an extension of 30 days. The Commission approved an extension of 14 calendar workdays without assessment of liquidated damages.
- (5) Atlas Building Wreckers and Terminal Transfer, Inc., Contract No. 7247 for demolition of the Journal Building on Harbor Drive (Pacific Highway West) in Multnomah County, requested an extension of 32 days. The Commission approved an extension of 32 days to January 5, 1970, without assessment of liquidated damages.
- (6) Page Paving Company, Contract No. 7207 for grading and paving on the Redwood Highway in Josephine County, requested a time extension of 11 days. The Commission approved an extension of 11 days thereby eliminating all liquidated damages.
- (7) Wildish Construction Company, Contract No. 7133 for construction of the Lane Community College Interchange on FAS 859 in Lane County, requested an extension of 68 days. The Commission approved an extension of 40 days without assessment of liquidated damages.
- (8) Gibbons and Reed Company and Al Johnson Construction Company, Contract No. 7150 on the East Portland Freeway in Clackamas County, requested a time extension of 163 days on Unit A. The Commission denied the request.
- (9) Blickle Company, Contract No. 7212 for an overnight camping area in Memaloose State Park in Wasco County, requested an extension of 6 calendar workdays. The Commission approved an increase of 6 calendar workdays thereby eliminating all liquidated damages.
- (10) Construction West, Ltd., Contract No. 7239 for work on the Silver Point Slide on the Oregon Coast Highway in Clatsop County, requested an 84-day extension of time. The Commission approved an extension of 21 days without assessment of liquidated damages.

The Engineer reported that Contract Nos. 7062, 7176, 7188, 7192, 7194, 7248, 7250, 7283, 7292, and 7301 for highway construction have been completed as required by the contracts or modifications thereof and said contracts are now ready for acceptance or have been accepted by letter since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 182," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The next regular Commission meeting date was confirmed for March 17, 1970, in the State Highway Building in Salem. A tentative date for the following meeting was set for April 21, 1970.

The Engineer reported that he had made awards of contracts which had been referred to him by the Commission to award when certain conditions had been fulfilled. The Commission confirmed his award of the following contracts:

- (1) Traffic signal installation on Linwood Avenue at King Road in the city of Milwaukie on FAS 133 in Clackamas County. Bids received December 18, 1969. Contract No. 7326 awarded to Steeck Electric Company, Medford, low bidder.
- (2) Traffic signal installation on Dartmouth Road at 82nd Drive on the Clackamas Highway in Clackamas County. Bids received December 18, 1969. Contract No. 7325 awarded to Graham Electric Company, Portland, low bidder.

Construction engineering costs on FAS-C Projects were discussed. The Engineer stated that the Federal Government now participates in engineering costs which do not exceed 15 percent of the construction cost. At present, engineering costs in excess of 15 percent must be borne by the county. He recommended that on future FAS-C Projects construction engineering costs on Federal-aid Projects, in which the Federal Government does not participate, be borne 50 percent by the State and 50 percent by the county involved. Counties will continue to bear the total cost of construction items which are not directly related to the Federal-aid Project. The Commission approved the change in policy.

A tabulation was presented by the Engineer showing the allocation of the fiscal year 1971 Federal-Aid Secondary Funds to the individual counties of the State. This allocation, he said, has been computed in accordance with a formula developed by the Association of Oregon Counties using the official 1960 census and the January 1, 1969, road mileages. The Commission approved the following allocations:

FISCAL YEAR 1971 FAS ALLOCATION TO COUNTIES

COUNTY	FEDERAL FUNDS	TOTAL FUNDS Including State's and Counties' Match Money (Rounded to Thousands)
Baker	\$ 49,459.	\$ 82,000.
Benton	62,814.	105,000.

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(Tabulation Cont. on next page)

(Fiscal Year 1971 FAS Allocation to Counties Cont.)

COUNTY	FEDERAL FUNDS	TOTAL FUNDS Including State's and Counties' Match Money (Rounded to Thousands)
Clackamas	\$ 182,631.	\$ 304,000.
Clatsop	54,765.	91,000.
Columbia	61,199.	102,000.
Coos	105,485.	176,000.
Crook	48,268.	80,000.
Curry	50,079.	83,000.
Deschutes	55,455.	92,000.
Douglas	143,729.	240,000.
Gilliam	34,598.	58,000.
Grant	43,221.	72,000.
Harney	49,034.	82,000.
Hood River	49,422.	82,000.
Jackson	111,142.	185,000.
Jefferson	43,988.	73,000.
Josephine	64,890.	108,000.
Klamath	91,596.	153,000.
Lake	47,036.	78,000.
Lane	203,711.	340,000.
Lincoln	62,608.	104,000.
Linn	113,502.	189,000.
Malheur	94,238.	157,000.
Marion	169,901.	283,000.
Morrow	47,406.	79,000.
Multnomah	310,662.	518,000.
Polk	62,782.	105,000.
Sherman	33,293.	55,000.
Tillamook	61,924.	103,000.
Umatilla	97,523.	163,000.
Union	47,684.	79,000.
Wallowa	45,210.	75,000.
Wasco	51,275.	85,000.
Washington	182,472.	304,000.
Wheeler	30,510.	51,000.
Yamhill	78,323.	131,000.
TOTAL	\$3,041,835.	\$5,067,000.

SUMMARY, ENTIRE STATE-FISCAL YEAR 1971 COUNTY FAS FUNDS

Total Federal Funds for Construction (50% of Oregon's apportionment less planning survey funds).....	\$3,042,000.
Plus estimated required match money.....	State Funds 1,012,500.
	County Funds 1,012,500.

TOTAL COUNTY FAS FUND..... \$5,067,000.

NOTE: Above funds allocated to individual counties on basis of formula (25% equally, 60% on rural population, and 15% on total county road mileage) proposed by Association of Oregon Counties and approved by Highway Commission. Federal funds are estimated to represent approximately 60% of total county road FAS fund with State and County funds estimated to be approximately 20% each.

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Confirmation was requested by the Engineer for telephonic Commission approval given January 12, 1970, for release to the counties of \$5,189,677. This amount is the apportionment due the counties under ORS 366.535 as their share of highway user taxes collected between October 1 and December 31, 1969. The Commission confirmed the apportionment.

The Engineer presented for the Commission's consideration two sets of rules in compliance with Chapter 601, Oregon Laws, for the issuance of permits for (1) installation of pipelines and cablelines on the ocean shore and (2) removal of sand and other materials from the ocean shore. Both sets of rules, he said, have been drawn up so that the interests of the public in regard to safety, economic, and recreational values will be protected. Also in the removal of materials from the shore, a royalty rate is established. He recommended adoption of the rules. The Commission accepted his recommendation and thereupon adopted "Ocean Shore Resolutions Nos. 8a and 8b," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

A revised edition of the Standard Specifications for Highway Construction was presented by the Engineer. He stated that the new specifications are a complete rewrite of the 1964 edition and utilized suggestions made in the 1968 AASHO Guide Specifications. Also the specifications were written in close liaison with the Bureau of Public Roads and the new edition has been submitted to the Bureau for formal approval on Federal-aid Projects. Based on his favorable recommendation, the Commission adopted the new 1970 Standard Specifications to be used with projects on which bids are to be received in and after March 1970. Chairman Jackson inquired if the counties have standard specifications for work on their county roads. The Engineer replied that most counties use the State Highway specifications but on jobs involving Federal aid they must use the standard State specifications. The Chairman then inquired if highway user tax funds apportioned to the counties are specified for use on any particular county roads. The Engineer replied that the counties are not restricted as to which roads their money is used on.

A resolution was presented allocating to the cities in the state their apportionment of highway user funds accrued to them during the last half of 1969. The Engineer remarked that the apportionment has been made according to law. The Commission approved the apportionment in the amount of \$6,500,240.89 and thereupon adopted "City Allocation of State Highway Funds Resolution No. 50," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Attention was given to requests from Douglas, Jackson, and Linn Counties for Federal-aid Secondary Projects. These requests, the Engineer said, have been investigated and are eligible for the use of FAS funds. Following his favorable recommendation, the Commission approved the following projects and authorized the Secretary to sign routine construction agreements:

County	FAS	Section & Description	Programmed Amount	State Cost
Douglas	241	South Umpqua River (Oak Street) Bridge, approximately 715' long with 32' clear roadway.	\$750,000	\$150,000

(Tabulation Cont. on next page)

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(Tabulation Cont.)

County	FAS	Section & Description	Programmed Amount	State Cost
Jackson	15-104	Rogue Valley Highway-Merriman Road Section, Table Rock Road. Survey project for a joint Jackson County and City of Medford project.	\$ 10,000	\$ 2,000
Linn	773	3rd Street-7th Street (Harrisburg) Section, Diamond Hill Road. Construct a curbed roadway 44' wide. Traffic control signals at 2 railroad crossings.	120,000	24,000
Total			\$880,000	\$176,000

SUMMARY BY FISCAL YEARS	1970	1971	Total
Allocated Funds	\$5,089,000	\$5,067,000	\$10,156,000
Approved Projects (corrected to date)	2,683,000	----	2,683,000
Unprogrammed Balance	\$2,406,000	\$5,067,000	\$ 7,473,000
Projects Proposed 2-3-70	880,000	----	880,000
Unprogrammed Balance	\$1,526,000	\$5,067,000	\$ 6,593,000

Establishment of a rest area on the Sunset Highway in Clatsop County was brought up by the Engineer. He pointed out that an investigation has determined that the existing Sunset Springs Safety Rest Area at M.P. 29.49 is inadequate and cannot be reasonably expanded. An alternate location approximately one-half mile westerly at M.P. 28.92 provides adequate basic facilities. He estimated cost of construction at the new location at \$275,000 and recommended construction with funds from the current State Construction Program with bids to be received in June, 1970. The Commission approved the project as presented.

Consideration was given to a request from the City of Salem for an increase in funds on a cooperative venture known as the Hollywood Urban Renewal Project on the Pacific Highway East in Salem. The Engineer recalled that the original agreement of March 5, 1968, contemplated an expenditure by the State of 75 percent of the cost of the project or \$96,450, whichever is less. Extension of work beyond the original plan, increased construction costs, and an underestimate in the first instance, has caused the City to request that the State's share be raised to 75 percent or \$189,873, whichever is less. He recommended that the increase be approved although it is not expected that it will be needed until sometime in 1972. The Commission approved the increase and authorized the Secretary to sign a supplementary agreement.

The Commission considered payment of an additional \$6,463 to complete a study being made at the request of the Legislature by the Transportation Research Institute of Oregon State University. The Engineer

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remarked that this study is to determine if motor vehicle revenues are being equitably divided among the counties, the cities, and the State; and if the cities' and counties' shares are being divided equitably between the various jurisdictions of local government. He recalled that the original agreement provided \$183,308 for the study, which was later increased by \$40,825. It is contemplated that the report will be completed about the end of August, 1970. The Commission approved the additional payment.

A resolution rescinding previous speed zones and establishing revised speed zones on the Mt. Hood Highway between Portland and Gresham in Multnomah County was presented by the Engineer. He reported that recent investigation discloses that roadside development has caused a need for adjustment of existing speed zones. He recommended that "Speed Zone Resolution No. 189," adopted May 25, 1955, and "Speed Zone Resolution No. 189a," adopted January 16, 1958, be rescinded. He also recommended the establishment of speed zones varying from 35 to 50 miles per hour between the east city limits of Portland and the west city limits of Gresham, except for certain designated school zones. The Commission approved the revised speed zones and thereupon adopted "Speed Zone Resolution No. 554," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A resolution was also presented by the Engineer to eliminate confusion in the route numbers for the Florence-Eugene Highway and the Mapleton-Junction City Highway in Lane County. He recalled that Oregon Route No. 36 formerly extended from Florence through Mapleton to a junction with the Pacific Highway West south of Junction City. On November 22, 1966, the Commission designated the route from Florence to Eugene through Mapleton and Elmira as a primary highway. The resolution, he said, designates Oregon Route 126 as beginning at the junction of the Oregon Coast Highway in Florence and extending easterly through Mapleton and Veneta to Eugene; Oregon Route 36 is designated as beginning at Mapleton and thence easterly through Swishome and Blachly to a junction with the Pacific Highway West south of Junction City. The Commission approved the designation and thereupon adopted "Primary Highway Designation Resolution No. 45," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Also considered was a resolution abandoning to Jackson County the Crater Lake Highway-Brownsboro Section of the Lake of the Woods Highway. The Engineer stated that, as provided in a previous agreement with the County, the new section of highway has been completed and is open to public travel, and the old highway section of about six miles is ready to transfer to the County. The Commission approved the transfer of the old highway section and thereupon adopted "Abandonment Resolution No. 481," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer presented for the Commission's consideration an agreement and a resolution pertaining to abandonment to the City of Clatskanie a portion of the Westport-Clatskanie Section of the Columbia

River Highway in Columbia County. This transfer is being made at the City's request and covers a small portion of old highway at Fall Creek near the northwesterly city limits. Included in the transfer is a bridge over Fall Creek. He recommended approval of the agreement and adoption of the resolution. The Commission approved the agreement and thereupon adopted "Abandonment Resolution No. 499," which resolution by this reference is made a part hereof and filed in the Secretary's Office. The Commission also authorized the Secretary to sign the agreement for them.

Consideration was given to two agreements; one with the City of Milwaukie and one with Clackamas County pertaining to abandonment of portions of the Milwaukie-Cascade Highway Section of the Clackamas Highway in Clackamas County. The Engineer commented that the Milwaukie-Harmony Road Section has been completed and is open for traffic and the Harmony Road-Cascade Highway Section is now under construction. The agreements provide for transfer to the City of approximately 1.7 miles of the old highway and approximately 1.9 miles to the County. Following his favorable recommendation, the Commission approved both agreements and authorized the Secretary to sign them in their behalf.

Attention was given to an agreement with Union County pertaining to the proposed construction of the Hot Lake Overcrossing Section of the La Grande-Baker Highway. The agreement contains provisions for acquisition of right-of-way, construction maintenance, relocation of utility facilities and other matters. Upon completion of construction, the County is to assume jurisdiction over the new connection. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement for them.

The Commission also considered an agreement with Benton County concerning proposed construction of the Dudlee Hill-Blodgett Section of the Corvallis-Newport Highway. The Engineer stated that the relocated portion of the highway is to be on entirely new alignment bypassing approximately three miles of the old highway. Benton County has agreed to accept jurisdiction over the old highway section when the new one is completed. The agreement also provides for right-of-way acquisition, construction, maintenance, relocation of utility facilities and other matters. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

An agreement with Multnomah County concerning proposed construction of the Columbia County Line-Burlington Section of the Columbia River Highway was considered. This agreement, the Engineer said, provides for right-of-way acquisition, construction, maintenance, and relocation or adjustment of utility facilities. The County agrees to accept jurisdiction and control of approximately one mile of the old highway when the new section of highway is completed. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

Consideration was given to an agreement with Benton County concerning construction of the Willamette River (Albany) Bridge Section on the Albany-Corvallis Highway. Provisions of the agreement include right-of-way acquisition, construction, and maintenance. The State is to reconstruct portions of two County roads and upon completion, the County is to assume

full responsibility for these roads. Also, provision is made for the adjustment of utility facilities. It was the Engineer's recommendation that the agreement be approved. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

The Commission also gave attention to an agreement with Clatsop County pertaining to: (1) construction of a roadway from the Oregon Coast Highway to Del Rey Beach; (2) acceptance of the constructed roadway by the County for maintenance; and (3) transfer to the State of approximately 12 acres of land at Del Rey Beach and 184 acres adjoining Peter Iredale Road at Fort Stevens. The Engineer explained that this agreement makes provision for a beach access at Del Rey Beach approximately 1.75 miles north of Gearhart. Construction of approximately 0.6 mile of new road is required to connect to the Oregon Coast Highway. The County is to provide approximately 12 acres of land for a beach access site at Del Rey and right-of-way for the access road; in addition to this, the County offers to assume jurisdiction of the road as a part of the County road system and will grant to the State title to approximately 184 acres of land as an addition to Fort Stevens State Park. The State is to construct the access road which the Engineer estimated would cost \$200,000 with funds from the Park Construction, Improvement and Acquisition Section of the Highway Division budget. He recommended approval of the agreement. The Commission approved the agreement and authorized the Secretary to sign it for them.

An agreement with Irrigation Canal Company concerning relocation and adjustment of its facilities on the La Grande Section of the Old Oregon Trail (I-80N) in Union County was discussed. The Engineer stated that the work consists of relocating the irrigation ditch, construction of a concrete diversion box, and installation of a 30-inch arch type culvert and a 48-inch half-round flume at an estimated cost of \$6,500. The State is to maintain that portion of the culvert which lies within the access control lines. The Company is responsible for maintenance of its facilities adjusted by this agreement as well as maintenance of its facilities outside the access control lines. The agreement also provides that if further adjustments are required by the State such adjustments will be at State expense. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

Two agreements with the City of Albany were considered; one pertaining to construction of the proposed bridge across the Willamette River on the Albany-Corvallis Highway and the other having to do with illumination of the new bridge and its approaches. Concerning the construction agreement the Engineer commented that it contains provisions for acquisition of right-of-way, construction, maintenance and other matters. The City agrees to donate a parcel of land without cost and, upon completion of construction, the City is to be allowed to use the air space beneath the structure for vehicle parking or recreational facilities. The State is to install an irrigation system and landscape the embankment slopes at the southerly end of the bridge with the City to provide water and maintenance. The City also agrees to closure of certain streets and the adjustment of utility facilities. The illumination agreement provides that the State install lights on the structure and perform maintenance on the navigation lights only. The City is to pay \$2,500 on the cost of installing the luminaire units and is to provide for all of the electrical energy consumed by the luminaire units

and the navigation lights. Following the Engineer's favorable recommendation, the Commission approved the agreements and authorized the Secretary to sign them in their behalf.

An agreement with Marion County was considered providing for installation of a flashing beacon at the intersection of the Pacific Highway East and Lancaster Drive north of Salem. Under the agreement, the Engineer stated that the County is to contribute one-half of the total estimated cost of \$1,200 for installation and assume all costs of maintenance and electrical energy consumed. He recommended that the agreement be approved. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

Consideration was also given to an agreement with Marion County providing for installation of a flashing beacon at the intersection of the Hillsboro-Silverton Highway and Hobart Road, just north of Silverton. The State is to install the signals at an estimated cost of \$1,200 of which the County is to pay one-half and provide all electrical energy for operation of the beacon as well as maintenance. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement.

An agreement with Columbia County for installation of a flashing beacon at the intersection of the Lower Columbia River Highway and Woodson Road was presented by the Engineer. He reported that the intersection has proven to be somewhat dangerous and a flashing beacon should relieve the hazardous condition. The beacon is to be installed by the State at an estimated cost of \$1,000 and the County is to provide for all electrical energy requirements. The State is to assume maintenance. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

Attention was given to an agreement with the City of Albany for the installation of traffic signals on the Albany-Corvallis Highway at intersections with Spring Hill Road and North Albany Road. The agreement provides that the State install the signals as a part of the Willamette River (Albany) Bridge Section construction at an estimated cost of \$50,000. The City is to maintain the signals and pay for all electrical energy consumed. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission also considered an agreement with Oregon City for installation of traffic signals on the Cascade Highway at its intersection with Hilda Street in Clackamas County. The Engineer stated that the installation cost is estimated at \$20,000 to be shared equally by the City and the State as a part of the Division Street-Hilda Street Federal-Aid Project. The City is to provide all necessary maintenance and power needs required by the signals. He recommended that the agreement be approved. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

A supplemental agreement with the City of Portland and the firm of Shannon and Wilson, Inc., Consultants, was brought up by the Engineer. This agreement, he said, concerns slope stability investigation work near

the Portland Zoological Gardens and supplements a previous agreement pertaining to an area near the OMSI Building. The total cost of \$6,500 is to be shared equally by the City and the State. Based on his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Confirmation was requested by the Engineer for oral approval given by the Chairman on January 14, 1970, on an agreement with Deleuw, Cather and Company. This agreement provides for a comprehensive study to investigate possible methods of handling traffic in the Harbor Drive area (Pacific Highway West) in Portland. It is essential that the study be completely objective and for that reason he recommended that it be done by a consulting traffic engineering firm. Cost of the work covered by the agreement is \$75,000. The Commission confirmed the agreement and authority for the Secretary to sign it.

An agreement with Pittsburgh Testing Laboratory covering inspection of steel required in the Fremont Bridge Superstructure on the Stadium Freeway in Portland, Contract No. 7276, was considered. The Engineer pointed out that steel for this job is being fabricated in Emeryville, Richmond, and South San Francisco, California; Gary, Indiana; Erie, Pennsylvania; and Trenton, New Jersey. Inspection of the material and fabrication is necessary at the plant sites. Pittsburgh Testing Laboratory has agreed to perform the inspection service at a unit price of \$9.91 per ton and \$62 per day plus cost of travel with a top limit for all work of \$220,000. The Bureau of Public Roads has concurred in this agreement. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

A letter-form agreement with Douglas County concerning a new County road connection on the Pacific Highway at the Glendale Interchange was brought up by the Engineer. Approval has been received from the Bureau of Public Roads to allow the County direct access to the "A" line interchange leg. The County is to obtain the right-of-way, construct and maintain the proposed facility, and provide full access control along both sides for a distance of 350 feet from the new connection with the "A" line at no cost to State. The Engineer also mentioned that the original agreement approved by the Commission December 15, 1964, is to remain in full force and effect. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

The Engineer presented to the Commission four requests for Federal-Aid TOPICS Projects, three from the City of Portland and one from the City of Pendleton. These projects, he said, have been investigated, reviewed by the Bureau of Public Roads, and are eligible for funding under the Federal-Aid TOPICS Program. The Commission approved the following projects and authorized the Secretary to sign the agreements in behalf of the Commission:

(Summary, Topics Funds on next page)

February 3, 1970

SUMMARY, TOPICS FUNDS
FISCAL YEAR 1970 PROJECTS

City	Section	Programmed Amount	State Cost
Portland	E. Burnside-S.E. 96th Avenue Section S.E. Stark-S.E. Washington St. Couplet Signals and signing	\$102,000	\$20,400
Portland	Cascade Highway @ S.E. Mill Street Signal	20,500	4,100
Portland	Oswego Highway @ S.W. Bancroft Street Signal, signing, and channelization	60,000	16,800
Pendleton	Pendleton Urban Area Areawide TOPICS Plan	4,000	800
Total New Projects		\$186,500	\$42,100

SUMMARY BY FISCAL YEARS

	1970	Total
Allocated Funds	\$2,743,000	\$2,743,000
Approved Projects (corrected to date)	177,000	177,000
Unprogrammed Balance	\$2,566,000	\$2,566,000
Projects Proposed 2-3-70	186,500	186,500
Unprogrammed Balance	\$2,379,500	\$2,379,500

The Engineer recalled that in 1967 the Parks and Recreation Division had made a study of the Crown Point Secondary Highway between Corbett and Dodson in Multnomah County and recommendations were made for acquiring certain scenic properties. None of these were acquired at that time. Acquisition of five relatively small areas located between a point approximately one mile west of Crown Point and a point opposite Benson State Park would help to protect the scenic values of this highway. He presented a map showing the locations and recommended that they be acquired at an estimated cost of \$183,500 as the State Parks and Recreation budget will permit. The Commission approved his recommendation.

February 3, 1970

Al Flegel, Douglas County Commissioner, appeared before the Commission concerning improvement of the Umpqua Highway from Drain to its intersection with the Pacific Highway. He recalled that approximately two months ago he had appeared before the Commission concerning improvement to the Coos Bay-Roseburg Highway (Route 42). There is, however, a section of highway between Drain and the Pacific Highway which is badly in need of improvement. Tourists, he said, complain of the inadequate highway which is complicated further by the fact that a great many chip trucks and other lumber industry trucks also use the highway. He pointed out that the highway is very antiquated and will probably have to be rebuilt. The Chairman inquired if there has been any change in priorities in the County's thinking as to improvement of the Coos Bay-Roseburg Highway or the section between Drain and I-5 on the Umpqua Highway. County Commissioner Flegel replied that in the opinion of the County officials, the projects are of equal importance and both are needed. The Chairman replied that the Commission is aware of the deficiency but as usual the problem is lack of funds. Consideration will be given and programming will be undertaken as soon as funds are available.

A delegation representing the Oregon Coast Association came before the Commission concerning motor vehicles on the ocean beaches. The following persons were present: Mr. & Mrs. Milt Preisz, Newport; R. F. Brennan, Ray Dufur, Tillamook; Vern Stratton, John Dooley, Jean Hallaux, Astoria; and Dick Atherton of Cannon Beach.

Mr. Preisz stated that he spoke as a representative of the Oregon Coast Association representing all of the coast counties. Recently a meeting of these counties was held in Lincoln City and policies were adopted regarding use of the beaches. These policies, he said, incorporated the principle of multiple-use hearings to be held locally, that no restricted zones be established until after appropriate hearings have been held, and that a careful review be made of the best use of beaches in each county. The proposed policy, he said, also incorporates the principle of home-rule control as each beach area has differing conditions and needs. He presented a number of letters and petitions - one having been submitted by the Warrenton Citizens Committee containing 1,724 signatures protesting the banning of vehicles on the ocean beaches.

Chairman Jackson stated that the delegation is entitled to a clarification of the Commission's position regarding beach closures. He recalled that since 1965, pressure has been mounting steadily to prohibit the use of vehicles on the ocean beaches. About that time the Commission initiated a program to acquire beach access sites with parking and sanitation facilities. The Commission, he said, representing all of the people of Oregon, has to consider the highest and best use of the beaches. The people of Oregon feel that the beaches are one of the great assets of the State as attested by laws enacted by the 1967 and 1969 Legislative sessions and reinforced by a recent Supreme Court decision. He pointed out that during the last ten years the Commission expended approximately \$188,000,000 on the Oregon Coast Highway and on parks and access roads to the coast. During this same period, people in the coast counties contributed approximately \$40,000,000 in highway revenue taxes which means that residents of other

parts of the State had subsidized development of coast facilities to the extent of approximately \$148,000,000. The use of the home-rule principle, he said, would place the Commission in real trouble as there is tremendous pressure from other areas in the State. He pointed out that to hold hearings at the instigation of any subdivision of government or any 20 people would require a great number of hearings to find a solution to the problem. The Commission is charged by law with the administration of the beaches. It is recognized that the 360 plus miles of Oregon beaches vary greatly and that a blanket policy covering these beaches would not be workable. An analysis is now being made of all of the beaches to determine their highest and best use with the idea of setting up provisions for legitimate use of automobiles where no pedestrian access is available and where the automobile is the only means of getting to the beach. He mentioned the picking up of driftwood on the beaches, launching of boats, and transportation to allow the old, the infirm, small children and others to get to the beach. At this time, he continued, the Commission is not in a position to come up with detailed regulations. It was his feeling that when the analysis of the beaches is completed most of the objections which have been voiced will have been met in terms of a practical approach to use of the beaches for people. As the beaches are a major asset to the State, the Commission, he said, feels that the beaches should be preserved for their highest and best use and there is no intent to destroy their usability. He pointed out that the Commission is serving two masters - one represented by residents of the coastal area and the other being those who live inland and who feel that they have a stake in the beaches because of the investment they have made. The Commission, he said, does not intend to act arbitrarily.

Mr. Preisz stated that he was pleased to hear what the Chairman had to say and that he agreed with him. Many people on the coast make a large portion of their livelihood from beach visitors and it is to their interest to conserve the beaches to their best and highest use. Concerning hearings he suggested that seven hearings might be all that are required. He offered the services of the Oregon Coast Association in any way that it could be used.

The Chairman concluded with a statement that a sufficient number of hearings would be held so that all persons who have an interest at stake would have an adequate opportunity to be heard.

Roy Harland, a Salem attorney, appeared before the Commission concerning the removal of certain signs erected by Casey and Stone Company near M.P. 57.18 on the Pacific Highway about ten miles north of Albany in Marion County. Mr. Harland recalled that previously the Commission had acquired the signs, but when the title was changed, the restrictive clauses concerning signs were omitted. The signs were rented to Casey and Stone and in 1968 they requested and were granted a permit, which was extended in 1969, but denied for 1970. It appears, he said, that it had been discovered that the 1968 and 1969 permits should have not been granted. He acknowledged that a mistake had been made in requesting the permits but the State had also erred in granting them. On the basis of errors on both sides and the fact that money had been spent on the signs, he felt there should be some basis of adjustment and he suggested that the signs remain in place for the period covered by the present contracts.

The Chairman stated that the matter appears to be one for legal decision and that it would be referred to the Commission's Chief Counsel for study.

A delegation of property owners came before the Commission concerning the need for camping facilities near Sand Lake and the establishment of a beach access point at Tierra Del Mar in Tillamook County. The following people were present: Ellen L. Brown, Milwaukie; Robert W. Leufquist, Paul A. Hanneman, Ella F. Keller, Cloverdale; R. W. Snyder, Henry and Anne Dippner, Portland; Mr. and Mrs. Joseph Renner, R. W. Schneider, Ted L. Baker, and Mrs. Fred Holcomb, Salem.

State Representative Hanneman commented that at a recent meeting in Tierra Del Mar 103 people had expressed opposition to the beach access at Tierra Del Mar. He mentioned 17 access points in an adjoining 25-mile section and requested that the residential community not be disturbed. It was his opinion that an adequate access point could be constructed outside of the residential area and he offered his cooperation to work to that end.

Mr. Schneider mentioned that a number of people have built summer homes in this area and they are reluctant to be disturbed by those who would be using the beach access and the parking facility. On a map, which was spread in front of the Commission, he pointed out another location, which he felt would be adequate and which should be constructed with overnight camping facilities. He also suggested that the Commission should take action to develop a park in the Sand Lake area.

The Chairman remarked that the Commission is conducting studies regarding use of the beaches and one of the problems is what to do about restricting vehicles from the beaches when there is no pedestrian access. Oregon beaches, he continued, are becoming increasingly popular and it is anticipated that Oregon may have as many as 16 million visitors by 1980. In response to an inquiry as to why an access was planned in a residential community, the Chairman replied that as planned it was not felt that the access facility would blight the residential area but another look would be taken at the proposed development.

Ellen Brown called attention to the fact that where no toilet facilities are available at beach access points campers and trailers are prone to use the beaches for a dumping ground. She objected vigorously to overnight campers using areas not equipped for camping. She also pointed out that the water supply for Tierra Del Mar is barely adequate for the community and would not be sufficient to take care of restroom facilities. She urged that the proposed access be moved out of the residential community.

Chairman Jackson remarked that the responsibility for use of the beaches had been handed to the Commission by the Legislature and the Commission has not had much time to provide adequate solutions for beach problems.

Mr. Leufquist, a resident of Tierra Del Mar, voiced opposition to the access as proposed and expressed a fear that lack of policing would

be detrimental to local residents. Also, he did not wish to see the local streets used as access to a beach access facility. He suggested that the Commission use an area at the north edge of Tierra Del Mar, which would be suitable for construction of overnight camping facilities and would get the beach traffic off the local streets.

The Chairman pointed out the public would continue to use the streets if no access is built, and the Commission in matters such as this is required in the public interest to use its best judgment. The Commission, he said, will strive to find an adequate solution.

D. L. Penhollow, Chairman of the Association of Oregon Counties' Roads and Parks Committee; Vern Stratton and John Dooley, from Astoria appeared before the Commission representing the Association of Oregon Counties. Mr. Penhollow read a letter from the Association of Oregon Counties addressed to the Chairman in which the Counties expressed their appreciation to the Commission for the cooperation that has been given to them in County road matters. The letter also mentioned the excellent cooperation and assistance provided to the Counties by Mr. H. S. Cox and the personnel of the County-City Unit. Chairman Jackson thanked the delegation for their kind words.

The Commission signed, or authorized the Secretary to sign, the following agreements, indentures, and other papers:

"Bargain and Sale Deed" to George M. Schnee and Ruth M. Schnee re two parcels of land, one 3,300 sq. ft. parcel and the other 0.4 acre, on the Mitchell Flood Section of the Ochoco Highway in Wheeler County.

"Bargain and Sale Deed" to D. D. Ellis and Mildred R. Ellis re 5.50 acres of land in the Forrest Quarry on the Sunset Tunnel-Buxton Section of the Sunset Highway in Washington County.

"Bargain and Sale Deed" to Ernest Piluso and Ellen C. Piluso re two parcels of land, one 480 sq. ft. and the other 1,482 sq. ft., on the Harbor Drive-Barbur Boulevard Section of the Pacific Highway in Multnomah County.

"Bargain and Sale Deed" to the City of Klamath Falls re 0.24 acre of land on the Klamath Falls-West Side Bypass Section of The Dalles-California Highway in Klamath County.

"Bargain and Sale Deed" to the Oregon State Game Commission re a 5.86 acre water-filled quarry on the Stanfield-Pendleton Section of the Old Oregon Trail in Umatilla County.

"Indenture of Access" to Vincent W. and Deloras A. Marick and Rimaraus Oreg., Ltd. covering the Polallie Creek-Parkdale Road Section of the Mt. Hood Highway in Hood River County.

"Indenture of Access" to Clifford Orth Properties, Inc., covering the Polallie Creek-Parkdale Road Section of the Mt. Hood Highway in Hood River County.

"Indenture of Access" to Hood River County covering the Polallie Creek-Parkdale Road Section of the Mt. Hood Highway in Hood River County.

"Indenture of Access" to Lela A. Bean, Victor Chapman and Velma Chapman covering the Cascade Gorge-Forest Boundary Section of the Crater Lake Highway in Jackson County.

"Indenture of Access" to George R., Jr., and Mary F. Duncan; Chester R. and Gail Lynette Becker; C. F. and Nola Maxine Joyner; Arthur F. and Iness Dillon covering the Detroit-Idanha Section of the North Santiam Highway in Marion County.

"Access Road Easement" to Bonneville Power Administration covering Cushman-Hanson Creek Section of the Siuslaw Highway in Lane County.

"Letter Agreement" with Communication Consultants, Inc., re a Statewide Campsite Availability Communication Network Study in State parks.

"Agreement" with MacLaren School for Boys establishing work crews to be employed on State park projects.

"Park Excavation Permit" to Tillamook Treasures, Inc., in Oswald West State Park in Tillamook County.

"Agreement" with City of Clatskanie abandoning a portion on the Westport-Clatskanie (Fall Creek) Section of the Columbia River Highway in Columbia County.

"Agreements" with City of Milwaukie and Clackamas County abandoning portions of the Milwaukie-Cascade Highway Section of the Clackamas Highway.

"Throughway-abandonment Agreement" with Union County concerning proposed construction of Hot Lake Overcrossing Section of the La Grande-Baker Highway.

"Throughway-abandonment Agreement" with Benton County concerning proposed construction of Dudlee Hill-Blodgett Section of the Corvallis-Newport Highway.

"Throughway-abandonment Agreement" with Multnomah County concerning proposed construction of Columbia County Line-Burlington Section of Columbia River Highway.

"Throughway Agreement" with Benton County concerning construction of Willamette River (Albany) Bridge Section of Albany-Corvallis Highway.

"Agreement" with Clatsop County concerning Del Rey Beach and land abutting Peter Iredale Road at Fort Stevens.

"Agreement" with Irrigation Canal Company covering relocation and adjustment of its facilities on La Grande Section of I-80N in Union County.

February 3, 1970

"Throughway Agreement" and an "Illumination Agreement" with City of Albany concerning proposed construction of new bridge crossing Willamette River on Albany-Corvallis Highway.

"Agreement" with Marion County for a flashing beacon at intersection of Highway 99E and Lancaster Drive north of Salem.

"Agreement" with Marion County for a flashing beacon at intersection of Hillsboro-Silverton Highway and Hobart Road.

"Agreement" with Columbia County for installation of a flashing beacon at intersection of Lower Columbia River Highway and Woodson Road.

"Agreement" with City of Albany for traffic signals at intersections of Albany-Corvallis Highway with Spring Hill Road and North Albany Road.

"Agreement" with City of Oregon City for installation of traffic signals at intersection of Cascade Highway and Hilda Street.

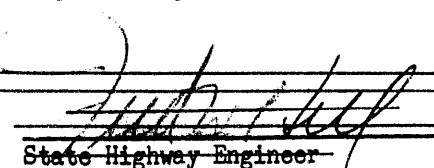
"Supplemental Agreement" with City of Portland and Shannon and Wilson, Inc., Consultants, concerning slope stability investigation work in the vicinity of Portland Zoological Gardens.

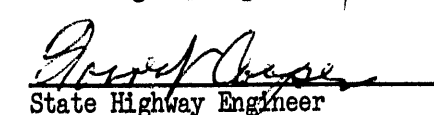
"Agreement" with Pittsburgh Testing Laboratory covering inspection of steel for Fremont Bridge superstructure.

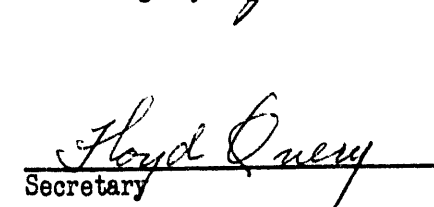
"Letter-form Agreement" with Douglas County concerning a new county road connection at Glendale Interchange of the Pacific Highway.

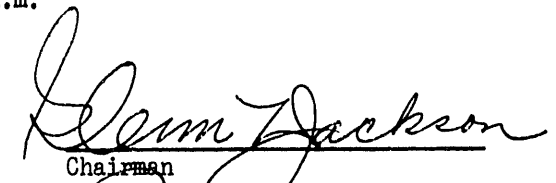
"Letter-form Agreement" with City of Pendleton covering Areawide TOPICS plan.

There being no further business to conduct, the meeting was adjourned by the Chairman at 11:15 a.m.



State Highway Engineer


State Highway Engineer


Secretary


Chairman


Commissioner


Commissioner

February 3, 1970

Portland, Oregon
March 2, 1970

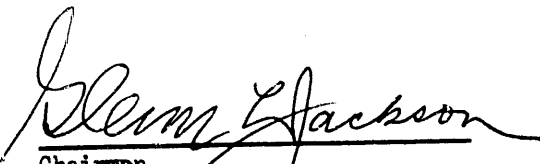

A special meeting of the Highway Commission was held at 2:30 p.m. in Chairman Jackson's office in the Pacific Power & Light Co. Building in Portland. The following people were present:

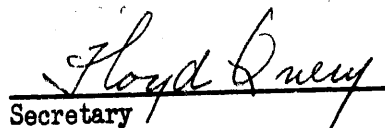
Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Forrest Cooper, State Highway Engineer
R. L. Porter, Deputy State Highway Engineer

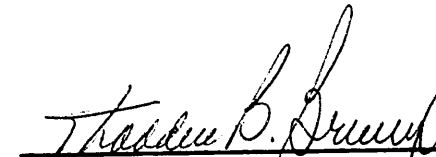
The Engineer stated that early action is needed to acquire a 3.2 acre parcel of land on the West Linn-Pacific Highway Section of the East Portland Freeway in Clackamas County to take care of a large slide. A price agreement has been negotiated with the State contractor, Gibbons and Reed Company and Al Johnson Construction Co., to remove slide material and it is in the best interest of the State to have the contractor get to work as soon as possible. He requested authority to institute condemnation proceedings on R/W File 44078. The Commission granted the authority and thereupon adopted "Condemnation Resolution No. 2571," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

As this was the only item of business, the Chairman adjourned the meeting at 2:35 p.m.


State Highway Engineer


Chairman

Commissioner


Secretary


Commissioner

March 2, 1970

Salem, Oregon
March 17, 1970

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 122 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
Forrest Cooper, State Highway Engineer
R. L. Porter, Deputy State Highway Engineer
Tom Edwards, Assistant State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
L. I. Lindas, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

Also present were: R. E. Simpson, Division Engineer, U. S. Bureau of Public Roads; C. W. Head, Assistant Secretary; V. D. Wolfe, Administrative Assistant; David G. Talbot, State Parks Superintendent; V. E. Skoog, Controller; Frank C. McKinney, Assistant Counsel; R. W. Ellison, Assistant Program and Planning Engineer; E. S. Hunter, Maintenance Engineer; Donald N. Harwell, Assistant County-City Engineer; R. B. Sipprell, Liaison Engineer; H. S. Cox, County-City Engineer; John J. Earley, Information Officer; and Kenneth A. Chatwood, Administrative Right of Way Agent.

The Commission approved the minutes of the regular meeting held February 3, 1970, and special meetings held on January 15 and 16, 1970, and on March 2, 1970.

The Right of Way Engineer presented a list of options, Pages 1 through 58, secured for acquisition of real property needed for State highway use or for other purposes. He mentioned that the amounts offered are on or near the appraised amounts and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 66," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts from January 28 to March 10, 1970, was presented by the Right of Way Engineer and accepted by the Commission. During this period, miscellaneous sales totaled \$15,185; land sales, \$6,960; and timber sales, \$913.48. Rental receipts for January 1970 were \$37,423.54 and for February \$29,162.86.

The Right of Way Engineer presented a list of properties needed for the uses indicated therein and requested the Commission to declare by resolution the necessity of said properties for the public uses to which they are to be put and to authorize the Right of Way Engineer to attempt to agree with the owners of said properties as to price. After careful consideration,

March 17, 1970

the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolutions Nos. 2572 through 2574," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

In considering the acquisition of these properties, the Chairman inquired if the right of way agent in dealing with the property owner explains fully the alternatives that are available to the owner; such as the right to secure legal counsel and to take the matter to court if he feels that the price offered is not adequate. The Right of Way Engineer stated that these matters are explained to the property owner.

Confirmation was requested by the Right of Way Engineer and granted by the Commission on telephonic approval previously given by the Commission on offers made to owners for acquisition of real property prior to the start of condemnation proceedings summarized as follows:

ALDER CREEK-WILDWOOD SECTION OF THE MT. HOOD HIGHWAY

R-32999 - Kingsley C. Stone, et ux. 4.5 acres for right-of-way purposes. Offer of \$13,000.00 approved by Mr. Jackson February 25, 1970.

R-33008 - First Friends Church of Portland, Oregon. 0.21 acre for right-of-way purposes. Offer of \$3,150.00 approved by Mr. Jackson March 5, 1970.

R-33010 - John Stein, et ux. Parcel No. 1: 0.19 acre for right-of-way purposes; Parcel No. 2: 0.14 acre for permanent easement. Offer of \$1,675.00 approved by Mr. Jackson March 5, 1970.

R-33027 - Raymond Sidebottom, et ux. 0.2 acre for right-of-way purposes. Offer of \$750.00 approved by Mr. Jackson February 16, 1970.

R-33051 - Harold E. Cox, et ux. 0.29 acre for right of way purposes. Offer of \$1,150.00 approved by Mr. Jackson February 24, 1970.

R-33054 - Claude Gudge. 0.53 acre for right-of-way purposes. Offer of \$1,000.00 approved by Mr. Jackson February 20, 1970.

R-33075 - Edwin I. Gadwood, et ux. 2.65 acres for right-of-way purposes. Offer of \$5,700.00 approved by Mr. Jackson January 28, 1970.

R-33076 - Donald C. Root, et ux. 6.0 acres for right-of-way purposes. Offer of \$13,400.00 approved by Mr. Jackson January 27, 1970.

R-33078 - Raymond L. Goff, et ux. 0.61 acre for right-of-way purposes. Offer of \$1,600.00 approved by Mr. Jackson January 27, 1970.

R-33079 - Rose Marie Thompson. 0.19 acre for right-of-way purposes. Offer of \$300.00 approved by Mr. Jackson January 27, 1970.

R-33081 - Emma Irene Alexander. 0.02 acre for right-of-way purposes. Offer of \$100.00 approved by Mr. Bruno February 16, 1970.

R-43814 - E. W. Morland, et ux. 0.21 acre for right-of-way purposes. Offer of \$2,550.00 approved by Mr. Jackson February 26, 1970.

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COLUMBIA COUNTY LINE-BURLINGTON SECTION OF THE COLUMBIA RIVER HIGHWAY

R-43633 - Amelia R. Nevel. 4.2 acres for right-of-way purposes. Offer of \$11,750.00 approved by Mr. Jackson February 25, 1970.

DUDLEE HILL-BLODGETT SECTION OF THE CORVALLIS-NEWPORT HIGHWAY

R-43374 - Tressa Harmsen. 10.8 acres for right-of-way purposes. Offer of \$22,350.00 approved by Mr. Jackson February 10, 1970.

HANSON CREEK-SAUNDERS CREEK SECTION OF THE FLORENCE-EUGENE HIGHWAY

R-43584 - J. Katherine Darling. 0.4 acre for right-of-way purposes. Offer of \$8,000.00 approved by Mr. Jackson February 5, 1970.

LAKE ROAD INTERCHANGE-CLACKAMAS RIVER UNIT, COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-28748 - Wilda R. Dunmire. 0.26 acre for right-of-way purposes. Offer of \$1,175.00 approved by Mr. Jackson January 27, 1970.

MISSION JUNCTION-EMIGRANT HILL SECTION OF THE OLD OREGON TRAIL

R-42505 - Catherine Ann DeWaal. Parcel No. 1: 3.3 acres for right-of-way purposes; Parcel No. 2: 5.6 acres for right-of-way purposes; Parcel No. 3: 0.1 acre for right-of-way purposes; Parcel No. 4: 1.7 acres for right-of-way purposes. Offer of \$3,900.00 approved by Mr. Jackson January 28, 1970.

R-42508 - Glen E. Storie, et ux. Parcel No. 1: 14.3 acres for right-of-way purposes; Parcel No. 2: 2.0 acres for right-of-way purposes; Parcel No. 3: 11.6 acres for right-of-way purposes. Offer of \$750.00 approved by Mr. Hill February 11, 1970.

N.E. SANDY BLVD.-N.E. GLISAN ST. UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-41725 - John E. Garson, et ux. 14,100 square feet for right-of-way purposes. Offer of \$55,500.00 approved by Mr. Jackson January 27, 1970.

NORTH POWDER-BAKER SECTION OF THE OLD OREGON TRAIL

R-42388 - E. J. Warner, et ux. Parcel No. 1: 26.3 acres for right-of-way purposes; Parcel No. 2: 20.3 acres for right-of-way purposes; Parcel No. 3: 0.2 acre for right-of-way purposes; Parcel No. 4: 2.27 acres for right-of-way purposes; Parcel No. 5: 1.78 acres for permanent easement; Parcel No. 6: 0.22 acre for permanent easement; Parcel No. 7: 0.55 acre for permanent easement; Parcel No. 8: 0.01 acre for permanent easement; Parcel No. 9: 0.8 acre for permanent easement; Parcel No. 10: 1.0 acres for permit of entry. Offer of \$24,200.00 approved by Mr. Jackson March 6, 1970.

R-42393 - William E. Widman. Parcel No. 1: 11.36 acres for right-of-way purposes; Parcel No. 2: 11.4 acres for right-of-way purposes; Parcel No. 3: 0.67 acre for right-of-way purposes; Parcel No. 4: 0.37 acre for right-of-way purposes; Parcel No. 5: 0.6 acre for permanent easement; Parcel No. 6: 0.02 acre for permanent easement; Parcel No. 7: 0.3 acre for permit of entry. Offer of \$15,400.00 approved by Mr. Jackson January 27, 1970.

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NORTH POWDER-BAKER SECTION OF THE OLD OREGON TRAIL (Cont.)

R-42910 - Roger D. Rode, et ux. 0.5 acre for right-of-way purposes. Offer of \$3,500.00 approved by Mr. Hill February 26, 1970.

R-42929 - G. & H. Cement Products Co. Parcel No. 1: 0.47 acre for right-of-way purposes; Parcel No. 2: 0.03 acre for right-of-way purposes. Offer of \$17,000.00 approved by Mr. Hill February 11, 1970.

NORTH TIGARD INTERCHANGE-HUBBARD INTERCHANGE SECTION OF THE PACIFIC HIGHWAY

R-43357 - Raymond Van De Moortele. Parcel No. 1: 3.33 acres for right-of-way purposes; Parcel No. 2: 0.2 acre for right-of-way purposes; Parcel No. 3: 0.07 acre for permanent easement. Offer of \$31,950.00 approved by Mr. Jackson February 5, 1970.

OLDS FERRY-ONTARIO SECTION OF THE OLD OREGON TRAIL

R-42861 - Turner Bros. Land & Livestock Co. Parcel No. 1: 18.3 acres for right-of-way purposes; Parcel No. 2: 70.0 acres for right-of-way purposes. Offer of \$3,725.00 approved by Mr. Jackson February 9, 1970.

POLK STREET-HILDA STREET (OREGON CITY) SECTION OF THE CASCADE HIGHWAY

R-43524 - Lillian C. Willbanks. 84 square feet for right-of-way purposes. Offer of \$100.00 approved by Mr. Jackson February 5, 1970.

R-43527 - Betty Sandra Savage. Parcel No. 1: 84 square feet for right-of-way purposes; Parcel No. 2: 200 square feet for permanent easement. Offer of \$100.00 approved by Mr. Jackson January 27, 1970.

R-43528 - Mary Fox. 250 square feet for permanent easement. Offer of \$100.00 approved by Mr. Jackson February 5, 1970.

R-43539 - Walter Lang, et ux. 500 square feet for permanent easement. Offer of \$300.00 approved by Mr. Jackson February 5, 1970.

ROSS ISLAND BRIDGE-REEDWAY SECTION OF THE PACIFIC HIGHWAY EAST

R-43164 - Thomas L. Sande, et ux. 2,030 square feet for right-of-way purposes. Offer of \$16,900.00 approved by Mr. Bruno February 10, 1970.

R-43176 - Alonzo B. McClay, et ux. 1,466 square feet for right-of-way purposes. Offer of \$10,500.00 approved by Mr. Jackson February 24, 1970.

R-43178 - James Leggett, et ux. 15,400 square feet for right-of-way purposes. Offer of \$38,850.00 approved by Mr. Jackson March 4, 1970.

R-43179 - Gretchen Louise Johansen. 6,000 square feet for right-of-way purposes. Offer of \$22,300.00 approved by Mr. Jackson February 24, 1970.

R-43180 - Rudolf N. Carriger, et ux. 6,558 square feet for right-of-way purposes. Offer of \$20,000.00 approved by Mr. Jackson February 5, 1970.

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ROSS ISLAND BRIDGE-REEDWAY SECTION OF THE PACIFIC HIGHWAY EAST (Cont.)

R-43181 - Harry E. West, et ux. 3,413 square feet for right-of-way purposes. Offer of \$16,425.00 approved by Mr. Jackson February 25, 1970.

R-43184 - Richard W. Morehouse. 6,517 square feet for right-of-way purposes. Offer of \$27,000.00 approved by Mr. Jackson February 26, 1970.

R-43185 - Mattie H. Arthur. 2,860 square feet for right-of-way purposes. Offer of \$11,850.00 approved by Mr. Jackson February 25, 1970.

R-43188 - Gerald P. Houston, et ux. 5,508 square feet for right-of-way purposes. Offer of \$22,225.00 approved by Mr. Jackson February 25, 1970.

S.E. DIVISION ST.-S.E. FOSTER ROAD UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-42716 - Reba R. Bier. 15,060 square feet for right-of-way purposes. Offer of \$18,750.00 approved by Mr. Jackson February 25, 1970.

STATE STREET-NORTH SANTIAM HIGHWAY SECTION OF THE SILVER CREEK FALLS HIGHWAY

R-39438 - Charles E. Prine, et ux. 3,300 square feet for right-of-way purposes. Offer of \$10,000.00 approved by Mr. Jackson February 27, 1970.

WEST LINN-PACIFIC HIGHWAY UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-43906 - Earl T. Walker, et ux. 11.0 acres for right-of-way purposes. Offer of \$37,500.00 approved by Mr. Jackson February 5, 1970.

WILLAMETTE RIVER BRIDGE (ALBANY) SECTION OF THE ALBANY-CORVALLIS HIGHWAY

R-43466 - Obie Outdoor Advertising, Inc. 0.8 acre for right-of-way purposes. Offer of \$650.00 approved by Mr. Jackson February 27, 1970.

R-43468 - H. D. Tibbals, et al. 0.35 acre for right-of-way purposes. Offer of \$10,000.00 approved by Mr. Jackson February 10, 1970.

R-43469 - John M. Cronkhite, et al. Parcel No. 1: 2.0 acres for right-of-way purposes; Parcel No. 2: 21.8 acres for right-of-way purposes; Parcel No. 3: 0.63 acre for right-of-way purposes; Parcel No. 4: 0.28 acre for right-of-way purposes. Offer of \$48,975.00 approved by Mr. Jackson March 4, 1970.

R-43472 - J. B. Barber, et ux. 0.5 acre for right-of-way purposes. Offer of \$500.00 approved by Mr. Jackson February 10, 1970.

WOODLAND DRIVE-CENTRAL AVENUE SECTION OF THE EMPIRE-COOS BAY HIGHWAY

R-41629 - J. K. Fitzpatrick, et ux. Parcel No. 1: 4.7 acres for right-of-way purposes; Parcel No. 2: 0.14 acre for right-of-way purposes. Offer of \$16,625.00 approved by Mr. Jackson February 17, 1970.

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WOODLAND DRIVE-CENTRAL AVENUE SECTION OF THE EMPIRE-COOS BAY HIGHWAY (Cont.)

R-41633 - Thomas Adey Peterson. Parcel No. 1: 975 square feet for right-of-way purposes; Parcel No. 2: 135 square feet for right-of-way purposes; Parcel No. 3: 275 square feet for permanent easement. Offer of \$5,400.00 approved by Mr. Jackson March 4, 1970.

R-41641 - John L. Heydon, Jr., et ux. Parcel No. 1: 1,150 square feet for right-of-way purposes; Parcel No. 2: 3,700 square feet for right-of-way purposes. Offer of \$3,500.00 approved by Mr. Jackson February 25, 1970.

R-43918 - Alfred Reinertson. 5,460 square feet for right-of-way purposes. Offer of \$9,000.00 approved by Mr. Jackson February 25, 1970.

Authority was requested by the Right of Way Engineer to offer at public sale four parcels of property no longer needed for highway purposes. Minimum values for these properties, he said, have been determined by competent appraisals and access and other conditions of sale are consistent with those afforded to other properties in the vicinity. The Commission authorized sale of the following properties and thereupon adopted "Real Property Resolutions Nos. 534, 535, and 536," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

- (1) 14.49 acres of land, File No. 15666, located approximately one-half mile southwest of Bly on a Klamath County road for not less than \$725. A junkyard exclusion clause is to be included in the deed. Approval by the Bureau of Public Roads is not required.
- (2) 1.25 acres of land, File No. 19407, located on a frontage road at the southwest corner of 35th Avenue and Livingston Avenue in the City of Salem, Marion County, for not less than \$7,862. Signboard and junkyard exclusion clauses are to be included in the deed. Access will be permitted to the frontage road. Approval by the Bureau of Public Roads is not necessary. (See "Real Property Resolution 534.")
- (3) 6.07 acres of land, File No. 22214, on the southerly side of the North Santiam Highway approximately one-half mile east of Lancaster Drive at the easterly edge of Salem in Marion County for not less than \$9,000. No access is to be allowed to the North Santiam Highway and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 535.")
- (4) 4,750 square feet of land, File No. 39116, located in the northwest quadrant of the Emigrant Avenue Interchange adjacent to 21st Street in the City of Pendleton (Old Oregon Trail) in Umatilla County for not less than \$2,375. No access is to be permitted to the highway and signboard and junkyard exclusion clauses are to be included in the deed. The sale is subject to a 15-foot utility easement adjacent to the remaining right-of-way. Approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 536.")

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Consideration was given to a direct sale of the Pilot Rock Maintenance Station, File No. 10782, on the Pendleton-John Day Highway in Pilot Rock, Umatilla County, to Pilot Rock School District No. 2. The Right of Way Engineer commented that the recommended sale price of \$2,825 is one-half the appraised value which has been the customary asking price on properties sold to other governmental agencies. The sale is to be subject to a public use clause and the School District is to reconstruct a fence. Access is to be permitted at the existing location only and signboard and junkyard exclusion clauses are to be included in the deed. The sale does not include the existing scale site. Payment is to be made by the School District on July 1, 1970. Approval by the Bureau of Public Roads is not required. Following his favorable recommendation, the Commission approved the sale and thereupon adopted "Real Property Resolution No. 537," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Relinquishment of Title to the City of Salem on four parcels of land totaling 0.07 acre on the South Commercial Street-South Liberty Street Connection of the Pacific Highway East was discussed. The Right of Way Engineer explained that the land is to be used by the City for sidewalks. The Relinquishment form has been approved by the City and he recommended Commission approval. The Commission approved the Relinquishment.

Indentures of Access on three parcels of property were recommended by the Right of Way Engineer to cover changes in location of access or to correct the public record so that the locations would show as actually constructed. The Commission approved the following Indentures of Access:

- (1) Nolan property, File No. 31816, for a change in location and widening to 40 feet of one point of access on the northerly side of the relocated McKenzie Highway immediately west of Redmond in Deschutes County. The access is to a county road to accommodate a new high school and subdivision. Approval by the Bureau of Public Roads was received August 6, 1969.
- (2) Lobdell and Bartz property, File No. 35752, for a change in location and widening to 35 feet of one unrestricted point of access on the southerly side of the North Santiam Highway immediately west of Idanha in Marion County. The existing access is no longer adequate because of erosion from the North Santiam River. Approval by the Bureau of Public Roads was given on October 23, 1969.
- (3) Sidley property, File No. 40692, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the southerly side of the relocated Lake of the Woods Highway approximately seven miles east of Brownsboro in Jackson County. Approval by the Bureau of Public Roads is not required.

Consideration was given to a request from the Prospect Rural Fire Protection District, File No. 33550, for a limited-use locked gate access

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35 feet wide on the southerly side of the relocated Crater Lake Highway approximately five miles west of Prospect in Jackson County. The Right of Way Engineer commented that the access was requested so that fire fighting equipment could reach a water pond. No consideration is involved. Approval by the Bureau of Public Roads was given January 12, 1970. The Commission approved the Grant of Access.

A report was presented by the Chief Counsel concerning cases tried in court since the last Commission meeting. The report was accepted by the Commission and summarized as follows:

REPORT OF CONDEMNATION CASES TRIED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer Before Filing Complaint</u>	<u>Defendants' Lowest Demand</u>	<u>Verdict</u>
Richard F. Davis, Jr., et ux. L-6033	Clack.	East Portland Freeway	\$ 8,000	\$17,500 (Answer)	\$11,950
Gary L. Gaulke, et al. L-6073	Clack.	Mt. Hood	700	700	700 Default Judgment
Paul R. Chichester, et al. L-6041	Wash.	Beaverton-Tigard	73,500	83,500	87,500
Wm. E. Oswalt, et al. L-5737A	Clack.	East Portland Freeway	2,100	9,000	1,969
FOR RECORD ONLY - submitted NOA at the February 3, 1970, Commission meeting. Appealed to Supreme Court by the Defendant Oswalt. The lower court judgment affirmed.					
John R. Mahaffy, et al. L-6006	Mult.	East Portland Freeway	40,000	55,000	55,510
Tracy A. Ditmars, Jr., et al. L-5903	Wash.	Beaverton-Tigard	1,500	9,500 (Answer) 61,000 (Amended Answer)	20,000

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REPORT OF TRIAL OF OTHER CASES - State Plaintiff

<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict or Judgment</u>
James David Voyles L-6107	Douglas	Negligent operation of motor vehicle by defendant resulting in damage to guard-rail.	\$157.89	\$157.89
Benton Trucking Co. L-6109	Marion	Negligent operation of motor vehicle by defendant resulting in damage to guard-rail.	539.70	539.70
Delores Larsen L-6110	Marion	Negligent operation of motor vehicle by defendant resulting in damage to guard-rail.	63.03	63.03
John Lee Thompson L-6131	Wash.	Negligent operation of motor vehicle by defendant resulting in damage to State vehicle.	316.47	316.47

REPORT OF TRIAL OF OTHER CASES - State Defendant

<u>Plaintiff</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict or Judgment</u>
Kenneth Wills L-6048	Lane	Property damage to a motor vehicle. (Falling gravel from a State truck.)	\$ 328.96	For Defendant
Deloris Garrison L-5952	Mult.	Personal Injury	41,400.00	For State and contractor
Frank R. Fanno L-6126	Wash.	Suit for Injunction	Enjoin the diversion of water on lands of plaintiff	Complaint stricken

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The Chief Counsel also commented briefly concerning the Assembly of God Church in Klamath Falls. The Supreme Court, he said, had ruled in favor of the State concerning a matter of access on the East Side Bypass of Klamath Falls-Malin Highway in Klamath County but the Church still has good access at other points.

A report was also submitted by the Chief Counsel and accepted by the Commission concerning cases which have been settled out of court since the last Commission meeting. The proposed settlements are in order for Federal-aid and are summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Richard Neumann, et ux. L-5734	Clack.	East Portland Freeway	\$ 225	\$ 700 Review Apprsl.	\$ 800
FOR RECORD ONLY - submitted NOA at the February 3, 1970, Commission meeting.					
Sharff & Son Co. L-5959	Clack.	Pacific	27,550	45,485	34,000
Ida C. Steigleder, et al. L-6011	Clack.	Pacific	350	375	375
North Pacific Lumber Co., et al. L-6042	Clack.	East Portland Freeway	1,600	2,450	2,500
Miller Evans, et al. L-6050	Clack.	East Portland Freeway	3,500 0.94 acre	13,200 3.56 acres	13,200
Acreage increased for the slide area.					
Tom F. Lipscomb, et al. L-6134	Clack.	Mt. Hood	15,000	24,000 Review Apprsl. 15,000	34,250
Telephonic Approval of Mr. Jackson March 10, 1970.					
Warren C. Carter, et al. L-6143	Clack.	Mt. Hood	8,800	8,800	9,750
Telephonic Approval of Mr. Jackson March 10, 1970.					

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(Report of Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Mary Thomas, et al. L-5999	Coos	Powers	\$ 500	\$ 500	\$ 800
FOR RECORD ONLY - submitted NOA at the February 3, 1970, Commission meeting.					
Donald R. Falls, et al. L-6030	Coos	Coos Bay	3,650	3,650	4,500
O. H. Hinsdale, et al. L-5948	Douglas	Umpqua Highway Scenic Area	19,300	29,450	29,450
Albany Planing Mill, Inc., et al. L-6139	Linn	Albany-Corvallis	13,500	16,000 Review Apprsl. 13,500	13,500
Smith Glass Service, Inc. L-6142	Linn	Albany-Corvallis	8,500	8,500	8,500
Southern Pacific Company, et al. L-5826	Polk	Salem-Dayton	3,250	3,250	4,500

SECOND SUBMISSION - To delete slope easement and reserve mineral rights to railroad.

A brief oral report was made by the Chief Counsel on the case of Ray Elliott vs. the Director of the Department of Motor Vehicles, the State Treasurer and the State Highway Commission. This suit seeks declaratory relief in which the Court is asked to declare that Chapter 605, Oregon Laws of 1969, is void and invalid as to campers because, among other things, it imposes an unfair and discriminatory tax burden upon the owners of campers and attempts to apply motor vehicle laws, standards and controls to objects which are not vehicles or motor vehicles. Defense of the case has been assigned by the Attorney General to Mr. Peter Herman, Assistant Attorney General.

The Chief Counsel brought up the matter of responsibilities assumed by the Right of Way Engineer occasioned by the recent separation of the Legal Section from the Right of Way Section. Under this new setup, he stated that it will be the Chief Counsel's responsibility to review the

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acquisitions of right-of-way from a legal standpoint. He requested repeal of existing resolutions adopted by the Commission delegating ministerial duties to the Chief Counsel or the Legal Department. Specifically, he requested repeal of Authorization Resolutions Nos. 7, 9, 11, 12, 13a, 14, 18, 18a, 18b, 21, 24, and 28; Miscellaneous Resolutions Nos. 93 and 230a; and Real Property Resolution No. 388. In order to give the Right of Way Engineer proper authority to conduct his affairs, he also requested that the Commission at this time grant verbal authority to the Right of Way Engineer to carry out those functions which were assigned to the Chief Counsel in the resolutions which have been cancelled. New resolutions, he said, are being prepared which will confirm the verbal authority granted to the Right of Way Engineer and will be presented at the next Commission meeting. The Commission approved his request.

Confirmation was requested by the Engineer for telephonic approval given by the Chairman on March 4, 1970, on an agreement with Lincoln Development Company. He recalled that property was recently acquired at Big Creek near Agate Beach in Lincoln County, which must be filled before beach access, parking and buildings can be constructed. A private development in the vicinity requires the removing of large quantities of earth which can be used to good advantage in the State access project. The agreement provides that the State purchase up to 40,000 cubic yards of earth at a cost of 5 cents per cubic yard on the embankment measured in place. The State is to pay for the excavating, hauling, and placing of the material and the work is to be completed by July 1, 1970. Use of this material is advantageous to the State as other sources of material are located more than $1\frac{1}{2}$ miles from the point of deposit. The Commission confirmed the agreement and authority for the Secretary to sign it in their behalf.

Consideration was given to the purchase of 65 acres of wooded land adjacent to Lower South Falls in Silver Falls State Park plus several small parcels near South Burn Guard Station including a 100-foot strip along the west side of the Silver Creek Falls Highway in Marion County. The Engineer pointed out that acquisition of the wooded property will prevent logging operations which could ruin the appearance of the park in that area. The 65-acre tract has an estimated value of \$69,250 and the 100-foot corridor, plus other small parcels near South Burn, have an estimated value of \$20,000 including the guard station building. He requested authority to purchase these properties totaling approximately 87 acres when the Park's budget will permit. The Commission granted the authority.

The Chairman inquired if an option could be obtained soon or if other means are available to prevent logging of the property to be acquired. The Engineer stated that negotiations will be started in the very near future.

The Engineer brought up a beach patrol plan to be operated by the Department of State Police and to be financed by funds from the State Park budget. The patrol plan requires the purchase of five four-wheel drive pickups, radio equipment, and other items estimated to cost approximately \$25,000. The budget item which is to go before the Emergency Board calls for \$110,000 to operate the patrol during the next fiscal year. Based on his favorable recommendation, the Commission approved the plan and authorized purchase of the equipment.

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Design approval was requested by the Engineer on the Brookings-Winchuck River Section of the Oregon Coast Highway in Curry County. A corridor hearing was held May 22, 1969, and a design hearing was held September 24, 1969. The Bureau of Public Roads approved the design on January 29, 1970. The project, which is 4.5 miles in length, involves replacement of the Chetco River Bridge and improvement of the existing highway to a four-lane facility. The Engineer estimated cost of construction at \$5,850,000, plus right-of-way at \$1,370,000, for a total of \$7,220,000 and recommended approval of the design and authority to purchase right-of-way with construction to be done when funds are available. The Commission accepted his recommendation and thereupon adopted "Highway Design Resolution No. 369," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Approval was requested by the Engineer on three corridor-design surveys described below. The Commission approved the request and thereupon adopted "Highway Corridor and Design Resolutions Nos. 372, 373, and 374," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

- (1) Goshen-Immigrant Road Section of the Willamette Highway in Lane County. A corridor-design hearing was held June 4, 1969, and approval was received from the Bureau of Public Roads on September 23, 1969. The project is 5.6 miles in length and is estimated to cost a total of \$4,700,000. Construction to be done when funds are available. (See "Highway Corridor and Design Resolution No. 372.")
- (2) Siletz River (Kernville) Bridge Section of the Oregon Coast Highway in Lincoln County. Required hearings have been held and the Bureau of Public Roads approved the design on February 12, 1970. The project is 0.8 mile in length and involves replacement of the existing Siletz River Bridge on new alignment. The total cost is estimated at \$4,000,000. (See "Highway Corridor and Design Resolution No. 373.")
- (3) West City Limits-Lewis Street (North Bend) Section on the Cape Arago Highway in Coos County. Required hearings have been held and design approval has been received from the Bureau of Public Roads. The project is 0.71 mile in length and the total cost is estimated at \$300,000. The project is to be added to the current State Construction Program with construction to be done when funds are available. (See "Highway Corridor and Design Resolution No. 374.")

Construction of a roadside safety rest area and an information center on The Dalles-California Highway at Midland south of Klamath Falls, Klamath County, was recommended by the Engineer. He pointed out that for sometime there has been a need for this facility and the work should be undertaken as soon as possible so that it can be in use for the summer vacation travel. He estimated cost of the project at \$250,000. The Commission approved the project which is to be placed in the current State Construction Program.

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Confirmation was requested by the Engineer for telephonic approval previously given by the Chairman to add the Gap-Tygh Ridge Section (7.1 miles) of The Dalles-California Highway in Wasco County to the current construction schedule. This project is estimated to cost \$2,500,000 and was tentatively approved by the Commission in Program XII. It is planned to receive bids for this project in July 1970. The Commission confirmed the project for bidding in the summer of 1970.

Attention was given to the 1971 fiscal year Forest Highway Program. Mr. R. E. Simpson, Division Engineer of the Bureau of Public Roads, stated that the projects have been agreed upon in joint conference but no funds are available at this time. The Commission deferred action on the program until the April 1970 Commission meeting.

Compensation to General Telephone Company in the amount of \$2,998.89 for relocation of their facilities was brought up by the Engineer. He recalled that in 1965 in reconstruction of the Stafford Road Interchange on the Pacific Highway in Washington County, the telephone company was required to relocate its facilities. Subsequently guidelines from the Bureau of Public Roads were received pertaining to expanding this section from four to six lanes which requires complete redesign of the Stafford Road Interchange and also requires that the telephone company again move its facilities. He recommended that the company be reimbursed for the cost of this move even though the Bureau of Public Roads may not participate. The Commission approved payment in the amount of \$2,998.89.

The Commission also considered payment of \$3,167.19 to West Slope Water District for release of all claims against the State for relocation of its facilities caused by construction of the Vista Ridge Tunnel and improvements on Canyon Road Section of the Sunset Highway in Multnomah County. The Engineer recalled that correspondence had begun with West Slope Water District in 1961 concerning relocation of its water main in Jefferson County Road and who should be responsible for the cost of relocation. The Supreme Court later ruled that water districts located in county roads under a county permit were required to relocate at their cost when such relocation was required by the State Highway Commission. In 1967 the Legislature enacted a law requiring that the State must pay the cost of relocation. Based on work completed after the 1967 law, a claim was made against the Commission by the District in the amount of \$3,502.35 for salvage value of pipe that was covered. The State had incurred expenses in the amount of \$335.16 and the Engineer recommended that their claim, less the amount of the Highway Department's expense, be paid in the amount of \$3,167.19. The Commission approved the payment.

Confirmation of verbal approval given by the Chairman and Commissioner Hill on March 3, 1970, pertaining to a Grant of Easement to the Port of Newport was requested by the Engineer. He explained that the Port of Newport, through the Corps of Engineers, plans to improve the South Jetty at Yaquina Bay in Lincoln County. In order to accomplish the project, a work area is needed for the contractor near the South Jetty and a permanent access to the Jetty is also required. Both areas are located on property which the State acquired from Lincoln County. An easement has been prepared covering the temporary area required by the contractor for a period of three years and also covering the permanent

access to the Jetty. The Port is to restore the surface of the area covered by the temporary easement to a satisfactory condition and no assessment is to be made against the State in connection with the Jetty project. The Commission confirmed the easement.

Consideration was given to a request from the City of Corvallis for a truck route pertaining to the Pacific Highway West in Benton County. The Engineer explained that the proposed truck route utilizes N.W. Harrison Boulevard and VanBuren Avenue as a one-way couplet, and also utilizes N.W. 6th-S.W. 6th Street and the three block section of Western Boulevard between S.W. 3rd Street and S.W. 6th Street. No additional mileage is added to the State Highway System. He recommended that the City's request be approved with the understanding that responsibility for maintenance of the streets involved will remain with the City. The Commission approved the request.

Requests from contractors for extensions of time to complete highway contracts without assessment of liquidated damages were considered. The Engineer stated that the requests have been carefully investigated and the results of the investigations have been reported to the Commission by letter. The Commission took action as follows:

- (1) Babler Bros., Inc., Contract No. 7089 on the Clackamas Highway in Clackamas County, requested a 130-day extension of time. The Commission approved an extension of 89 days thereby eliminating all liquidated damages which have been assessed. Approval by the Bureau of Public Roads was given February 2, 1970. (Verbal approval was given by Chairman Jackson on February 5, 1970.)
- (2) Palmberg Paving Company, Inc., Contract No. 7301 for street work in Cannon Beach, Clatsop County, requested a 37½-day extension of time. The Commission granted an extension of 13 days without assessment of liquidated damages.
- (3) Page Paving Company, Contract No. 6903 on The Dalles-California Highway in Klamath County, requested a 27-day extension of time. The Commission approved the request without assessment of liquidated damages.
- (4) Roy L. Houck Sons' Corporation, Contract No. 7185 on the Old Oregon Trail in Baker County, requested an extension of 69 days. The Commission granted a 29-day extension of time without assessment of liquidated damages. Approval by the Bureau of Public Roads was given in a letter dated February 24, 1970.
- (5) All-City Landscape, Inc., Contract No. 7292 on the Oregon Coast Highway in Tillamook County, requested a 15-day extension of time. The Commission granted an extension to October 15, 1969, on the early phase of the contract without assessment of liquidated damages.

- (6) All-City Tree and Landscape Service, Contract No. 7154 for work in the South Umpqua River Safety Rest Area on the Pacific Highway in Douglas County, requested an additional 174 calendar days. The Commission approved an extension of 142 days without assessment of liquidated damages. Approval by the Bureau of Public Roads was given by letter dated January 30, 1970.

The Engineer reported that Contracts Nos. 7195, 7219, 7226, 7228, 7231 and 7299 for highway construction have been completed as required by the contracts or modifications thereof and said contracts are now ready for acceptance or have been accepted by letter since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 183," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The next regular Highway Commission meeting date was confirmed for Tuesday, April 21 in the Conference Room of the State Highway Building in Salem. A tentative date for the following meeting was set for June 2, 1970.

The Commission confirmed the award of contracts made on February 24, 1970, for bids received February 19, 1970, and authorized the Secretary to sign the following contracts:

BIDS RECEIVED IN SALEM ON FEBRUARY 19, 1970

Contract No. 7338 for grading and paving on Division Street-Hilda Street (Oregon City) Section of the Cascade Highway in Clackamas County. FAP No. SU-226(6). Two bids were received. The Commission elected to accept the low bid of K. F. Jacobsen and Company, Inc., Portland, in the sum of \$180,643 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Oregon City is received and the sum of \$15,000 is deposited by the City.

Contract No. 7339 for cleaning and painting the Astoria Bridge on the Oregon Coast Highway in Clatsop County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Klaas Brothers, Inc., Los Angeles, California, in the amount of \$208,000.

Contract No. 7340 for grading, paving, structure and signal on the Santa Clara Interchange (Belt Line Road) Section of FAS 860 in Lane County. FAP No. SU-441(8). Four bids were received. The Commission elected to accept the low bid of Wildish Construction Company, Eugene, in the sum of \$1,002,977.25 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Lane County is received and the sum of \$816,500 is deposited by the County.

Contract No. 7341 for traffic signals on Walker Road and Jenkins Road Sections of FAS 630 (Murray Road) near Beaverton in Washington County. FAP No. SU-508(4). Five bids were received. The Commission elected to accept the low bid of W. R. Grasle Company, Portland, in the sum of \$49,170 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Washington County is received and the sum of \$11,300 is deposited by the County.

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The Engineer reported that he had made award of contracts which had been referred to him by the Commission to award when certain conditions have been fulfilled. The Commission confirmed award of the following contracts:

- (1) Grading and paving on Division Street-Hilda Street (Oregon City) Section of the Cascade Highway in Clackamas County. Bids received February 19, 1970. Contract No. 7338 awarded March 9, 1970, to K. F. Jacobsen and Co., Inc., Portland, low bidder.
- (2) Grading, paving, structure, and signals on the Santa Clara Interchange (Belt Line Road) Section of FAS 860 in Lane County. Bids received February 19, 1970. Contract No. 7340 awarded March 9, 1970, to Wildish Construction Company, Eugene, low bidder.
- (3) Traffic signal installation at the intersection of Walker Road and Jenkins Road on FAS 630 in Washington County. Bids received February 19, 1970. Contract No. 7341 awarded March 5, 1970, to W. R. Grasle Company, Portland, low bidder.

Settlement of a claim for additional compensation made by Murphy Bros. on Contract No. 6747 on the Lime-Malheur County Line Section of the Old Oregon Trail in Baker County was discussed. The Engineer commented that Murphy Bros. originally claimed \$171,141 but after many lengthy discussions with the contractor, a compromise settlement in the amount of \$25,000 has been agreed upon and he recommended that it be approved. The Commission approved the settlement.

The Engineer presented an overlay program for State highways. He mentioned that for several years a widespread and successful resurfacing program has been underway to correct winter damage, thus reducing maintenance costs, in addition to providing safer and more usable highways. The proposed program, he said, is anticipated to start in June 1970 and he recommended financing and authority to incorporate these projects in the current two-year State Construction Program. The Commission approved the following program totaling \$4,935,000:

OVERLAY PROGRAM

Fiscal 1970-71

	Highway	Section	Length	Total Cost
1W	Pacific West	Camp Adair Road-9th Street	7.2	\$ 280,000
2W	Lower Columbia	Wardway Hill-N.E. Portland Hwy.	3.7	120,000
3	Oswego	Bancroft St.-Oswego	5.1	150,000
4	The Dalles-California	Sugar Pine Butte-Fremont Hwy.	12.1	500,000

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(Overlay Program, Fiscal 1970-71 Cont.)

Highway	Section	Length	Total Cost
4 The Dalles-California	Crescent-Willamette Hwy.	9.3	\$ 370,000
4 The Dalles-California	Kirk Road-Collier State Park	8.5	300,000
5 John Day	Brogan-Willow Creek	10.5	600,000
9 Oregon Coast	Bay City-Dougherty Slough	4.1	200,000
9 Oregon Coast	Floras Creek-Sixes River	6.0	240,000
10 Wallowa Lake	Wades Point-Trout Creek	6.0	290,000
17 McKenzie-Bend	Squaw Creek-Cloverdale Rd.	4.3	160,000
35 Coos Bay-Roseburg	Shields Creek-Winston	11.2	330,000
66 La Grande-Baker	Haines-Wingville Lane	5.6	250,000
235 Dillard	Winston-S. Dillard Bridge	5.0	125,000
442 Steens	Burns-East	-	1,000,000
455 Olds Ferry-Ontario	Ontario Section	1.0	20,000
TOTAL			\$4,935,000

Subscription to the Highway Research Correlation Service for the fiscal year 1971 was brought up by the Engineer. He mentioned that participation in this service has been underway for many years. The Research Board collects information concerning past, present and proposed research pertaining to highways and the information is published in reports sent to the States which subscribe to the service. As the information is the only practical means of keeping abreast of current and new developments, he recommended that the State renew its subscription which has been set at \$18,400. The Commission approved the expenditure.

Transfer of \$35,000 of State Construction Funds originally allocated to the Neskowin slide on the Oregon Coast Highway in Tillamook County was discussed. The Engineer recalled that the Commission had approved an allocation of \$100,000 to correct the Neskowin slide; however, only \$65,000 has been expended. He recommended that the remaining \$35,000 be transferred to correct a slide on the Alsea Mountain Section of the Alsea Highway in Benton County. The Commission approved the transfer of funds.

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Modification of speed zones in three areas was brought up by the Engineer. Careful investigation has been made in each instance considering the amount of traffic, roadside culture, condition of the highway and other matters. The Commission accepted his recommendation for revisions and thereupon adopted "Speed Zone Resolutions Nos. 555, 556, and 557," which resolutions by this reference are made a part hereof and filed in the Secretary's Office, summarized as follows:

- (1) A 40 mile-per-hour speed zone, including a 20 mile-per-hour school zone, between M.P. 23.89 and M.P. 24.39, through the community of Crow, on the Territorial Highway in Lane County. (See "Speed Zone Resolution No. 555.")
- (2) 40 mile-per-hour speed zones at the east and the west city limits of Oakridge on the Willamette Highway in Lane County. "Speed Zone Resolution No. 92a" dated January 28, 1960, is hereby rescinded. (See "Speed Zone Resolution No. 556.")
- (3) Establishment of a 40 mile-per-hour speed zone, including 20 mile-per-hour school zones, on the Scholls Highway between the Beaverton-Tualatin Highway and the Beaverton-Hillsdale Highway in Washington County (M.P. 9.60 to M.P. 12.48). "Speed Zone Resolution No. 447" dated April 23, 1964, is hereby rescinded. (See "Speed Zone Resolution No. 557.")

Consideration was given to the prohibition of parking on a frontage road along the Oregon Coast Highway in the Millington area south of Coos Bay in Coos County. The Engineer stated that an undesirable traffic situation is being created by parking along the frontage road and he recommended that parking be prohibited on both sides of this frontage road between M.P. 240.58 and M.P. 241.57. The Commission accepted his recommendation and thereupon adopted "No Parking Resolution No. 276," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Designation of a one-way couplet in Klamath Falls was brought up by the Engineer. He recalled that an agreement had been entered into with the City of Klamath Falls on September 30, 1969, to extend the Klamath Falls-Lakeview Highway and the Klamath Falls-Malin Highway Spur after the City had reconstructed city streets to facilitate the couplet system. The couplet is now in operation, a resolution has been prepared to establish the highway over the completed couplet, and he recommended its adoption. The Commission accepted his recommendation and thereupon adopted "Primary Highway Designation Resolution No. 46," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Two abandonment resolutions were brought up by the Engineer. Construction has been completed on both of the new sections and in compliance with previous agreements, he recommended that portions of the old highway be abandoned. The Commission accepted his recommendation and thereupon adopted "Abandonment Resolutions Nos. 500 and 505," which resolutions by this reference are made a part hereof and filed in the Secretary's Office and summarized as follows:

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- (1) Portions of the Milwaukie-Harmony Road Section of the Clackamas Highway in Clackamas County, to be abandoned to the City of Milwaukie. (See "Abandonment Resolution No. 500.")
- (2) Portions of the South Unit Richmond Junction-Meyers Canyon Section of the Service Creek-Mitchell Highway in Wheeler County, to be abandoned to the abutting property owners. (See "Abandonment Resolution No. 505.")

Attention was given to a supplemental agreement with Curry County transferring portions of the old right-of-way on the Elk River Section of the Oregon Coast Highway to the County. The supplemental agreement, the Engineer stated, contains provisions transferring to the County additional portions of right-of-way not included in the original agreement. Some minor maintenance by State forces is also included in the supplemental agreement. The Engineer also presented a resolution formally transferring to the County those portions of the old highway which have been bypassed by new construction. Following his favorable recommendation, the Commission approved the supplemental agreement and authorized the Secretary to sign it in their behalf. The Commission also adopted "Abandonment Resolution No. 462," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An agreement with Polk County concerning abandonment of the old highway and construction of the new highway on the Rickreall-Independence Junction Section of the Willamina-Salem Highway was considered. The Engineer pointed out that the agreement provides for construction of the project, closure of the existing highway at two locations, and cooperation between the State and the County in the adjustment of utility facilities. When the new construction is completed, the County is to assume control of approximately three miles of the existing highway which is to be bypassed by new construction. Based on the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Consideration was given to a letter-form supplemental agreement with Clackamas County pertaining to closure of an unnamed road near Wildcat Creek on the Alder Creek-Forest Boundary Section of the Mt. Hood Highway. The Engineer explained that installation of a truck scale is desirable in this area and closure of the road is necessary. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

A request from Tigard Water District to annex to the District a portion of the Pacific Highway West immediately east of King City in Washington County was discussed. As the proposed annexation presents no problems, the Engineer recommended that the Commission consent to the annexation and that the Secretary be authorized to sign consent forms in behalf of the Commission. The Commission accepted his recommendation.

An agreement with the City of Canby for improvement of the Canby-Marquam Highway between the Pacific Highway East and Mundorff Road in Clackamas County was brought up by the Engineer. He recalled that within

the past few months a delegation had appeared before the Commission urging this improvement and it had also been requested by City officials. Construction of a school about four blocks southeast of 99E has accentuated the problem. The agreement provides that the City is to install drainage and construct curbs and sidewalks at its expense. The State is to pave the area between the existing highway and the curbs at an estimated cost of \$44,000. The Engineer recommended that the agreement be approved, to be financed with State Construction Funds. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

A supplemental agreement with Donald M. Drake Company and Willamette-Western Corporation concerning Contracts Nos. 7310, 7311 and 7312 was considered. The Engineer commented that the East Fremont Interchange of the Stadium Freeway in Multnomah County had been divided into Units A, B, and C and three contracts had been awarded to the same contractor. To simplify administrative procedures for the contractor and the State, the supplemental agreement provides for modifying certain specifications in the contracts dealing with administrative procedures. The Engineer pointed out that under the existing setup needless repetitive work is required on the part of both the contractor and the State. It was his recommendation that the agreement be approved. The Commission accepted the recommendation and authorized the Secretary to sign the agreement for them.

The Commission also considered an agreement with Comsis Corporation of Santa Clara, California, for computer work required in transportation studies. A previous agreement with Service Bureau Corporation was terminated by the Corporation. In order to carry out analysis procedures for the urban transportation studies in Oregon and particularly for the Portland-Vancouver Metropolitan Transportation Study, the Engineer stated that it is desirable to enter into an agreement for this work with Comsis Corporation. The maximum expenditure under the agreement is \$10,000. Approval has been secured from the Bureau of Public Roads for the use of Highway Planning and Research Funds. He recommended approval of the agreement which expires December 31, 1970, subject to approval by the Governor's Office. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

A letter-form supplemental agreement with Oregon City pertaining to the Division Street-Hilda Street (Molalla Avenue) Section of the Cascade Highway was considered. The Engineer commented that the prior agreement executed in July 1969 is to remain in full force except as modified by the supplemental agreement to include additional costs for utility relocation, revised cost estimates and payment schedule on the City's portion of the costs. Bids for the project were received February 19, 1970, with net construction costs amounting to approximately \$289,930 to be shared on the basis of 75 percent by the State and 25 percent by the City. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission also considered a letter-form agreement with Multnomah County which would allow the County to occupy State-owned property for constructing an extension of S.E. Washington-S.E. Stark Street one-way couplet system through the Montavilla area in Portland. The Engineer stated

that the property to be occupied was acquired as right-of-way for the East Portland Freeway. The County is to prepare plans, award and supervise all contracts and provide maintenance at no cost to the State. Vacation of the property and removal of the roadway after 90 days' notification by the State is also provided. The Engineer's recommendation for approval was accepted by the Commission and the Secretary was authorized to sign the agreement in their behalf.

Consideration was given to supplemental agreements with the Cities of Gladstone, Oregon City and West Linn pertaining to the East Portland Freeway (I-205). The Engineer remarked that the Gladstone agreement is a supplemental to agreements of December 1960 and December 1965, but supersedes completely an agreement of October 1966. The Oregon City and West Linn agreements pertain to utility relocation to comply with 1967 Oregon Laws and are supplementals to prior agreements with both cities. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreements for them.

A request from the City of Corvallis for four Federal-aid TOPICS projects was considered. The Engineer stated that the projects have been investigated and are eligible for funding under the Federal-aid TOPICS Programs and he recommended that they be approved. The Commission approved the following projects and authorized the Secretary to sign agreements pertaining thereto:

FISCAL YEAR 1970 PROJECTS

<u>City</u>	<u>Section</u>	<u>Programmed Amount</u>	<u>State Cost</u>
Corvallis	N.W. 29th Street at Dixon Creek Grade, pave and structure.	\$ 22,500	\$ 4,500
Corvallis	Central Business District Traffic Signal System. Signals and signing.	50,200	10,040
Corvallis	N.W. Circle Blvd.-N.W. Spruce Ave. N.W. 9th Street. Signal and widening.	40,000	8,000
Corvallis	N.W. 31st Street-N.W. 29th Street N.W. Harrison Blvd. Signal and widening.	34,000	6,800
Total New Projects		\$146,700	\$29,340

<u>SUMMARY BY FISCAL YEAR</u>	<u>1970</u>	<u>Total</u>
Allocated Funds	\$2,743,000	\$2,743,000
Approved Projects (corrected to date)	363,500	363,500
Unprogrammed Balance	\$2,379,500	\$2,379,500
Projects Proposed 3-17-70	146,700	146,700
Unprogrammed Balance	\$2,232,800	\$2,232,800

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Confirmation was requested by the Engineer for verbal approval given by the Chairman on February 6, 1970, pertaining to an agreement with Spokane, Portland and Seattle Railway Company. This agreement, the Engineer said, has to do with relocation of railroad tracks to accommodate construction of the Columbia County Line-Burlington Section of the Columbia River Highway in Multnomah County. The Commission confirmed the agreement and authority for the Secretary to sign it.

An agreement with Southern Pacific Transportation Company pertaining to construction of an overcrossing of its tracks on the Park Place Interchange of the East Portland Freeway in Clackamas County was considered. The Engineer stated that the agreement, in addition to the overcrossing, provides for installation of a 36-inch culvert under the railroad tracks and that the State is to reimburse the Railroad for its expenses estimated at \$28,215. When completed, the State is to maintain the structure and other highway facilities, and the Railroad at its expense is to maintain all railroad facilities including the culvert pipe. Following the Engineer's favorable recommendation, the Commission approved the agreement.

The Commission also considered an agreement with Umatilla County and Union Pacific Railroad Company for easements in construction of the Barth Crossing-US30 Connection Section of the Stanfield-Pendleton Highway west of Pendleton. The agreement provides that the State reimburse the Railroad for its expense estimated at \$605. The County is to maintain the road and its slopes after construction. The Commission accepted the Engineer's recommendation for approval.

The Engineer presented an agreement with Marion County pertaining to reconstruction of the Brooks-Hayesville Interchange Section of the Pacific Highway East, north of Salem. The agreement provides for modernizing the interchange to accommodate four lanes of traffic and contains provisions for acquisition of right-of-way, construction, signing and maintenance. The County has agreed to the closure of the existing Lancaster Drive and to cooperate in the relocation of existing utility facilities. The Commission accepted his favorable recommendation and authorized the Secretary to sign the agreement for them.

Attention was given to an agreement with Linn County covering reconstruction of the Orleans-Lake Creek Section of the Corvallis-Lebanon Highway. The improvement under this agreement contemplates extension of the existing four-lane highway easterly for approximately two miles. In addition to provisions for acquisition of right-of-way, construction, and maintenance, the County has agreed to cooperate with the State in the relocation of existing utilities. Contracting on this project is tentatively planned for early fall of 1970. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement with Oregon City for installation of two traffic signals and the modification of two traffic signals was considered. Construction of the East Portland Freeway and the Oregon City Interchange at the easterly end of the West Linn Bridge in Clackamas County requires installation of two new signals and modification of two others. The Engineer also mentioned that the signal installation is being done as a part of the Interstate contract and Oregon City has agreed to pay for the electrical energy required for the signals. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

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Consideration was also given to an agreement with the City of Salem and a separate agreement with Fred Meyer, Inc., pertaining to traffic signals on the Pacific Highway East at Madrona Avenue in the southerly part of Salem. Under terms of the agreement with Salem, the City is to pay for all electrical energy and maintenance requirements. The agreement with Fred Meyer, Inc., provides for installation of the signals by the State to be reimbursed by Fred Meyer for the cost of the project estimated at \$27,000. The Engineer recommended approval. The Commission approved both agreements and authorized the Secretary to sign them in their behalf.

An agreement with the City of Canby for installation of a traffic signal at the intersection of the Pacific Highway East and Elm Street in Clackamas County was discussed. Under the agreement, the Engineer commented that the City is to perform certain items of work in the installation of signals and provide all maintenance and electrical energy for their operation. The State is to perform all installation work not done by the City at an estimated cost of \$6,200. The Commission accepted his recommendation for approval of the agreement and authorized the Secretary to sign it for them.

Attention was also given to an agreement with the City of Klamath Falls for installation of traffic signals at the intersection of Alameda and Esplanade Streets (Klamath Falls-Malin Highway). The Engineer stated that the State is to install the signals and the City is to pay one-half the cost of installation and all of the future cost of maintenance and electrical energy requirements. He estimated the total cost of the installation at \$20,000 with the State's portion (\$10,000) to be taken from State Construction Funds. Based on his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission considered an agreement with the City of West Linn pertaining to the relocation of the Willamette Reservoir adjacent to Salomo Road within the City of West Linn, Clackamas County. The Engineer recalled that in construction of the East Portland Freeway in this area a slide had occurred in the vicinity of the reservoir causing an unstable condition and requiring another site for the reservoir. The condition was studied by a consulting firm with Highway Division and City sanction. The consultant has estimated the cost of the new site and construction of a new reservoir at \$109,000. This project has been approved by the Bureau of Public Roads for Interstate financing and he recommended approval. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

An agreement with Clackamas County covering new construction and abandonment of an old portion of the Eagle Creek-Estacada Section of the Clackamas Highway was presented by the Engineer. The agreement provides for acquisition of right-of-way, construction, and maintenance of the project, including a new bridge across Eagle Creek. The County concurs in the closure of certain County roads and has agreed to cooperate in the relocation of utilities and to accept jurisdiction over that portion of the highway which is to be bypassed when the new section is completed. The Engineer's favorable recommendation was accepted by the Commission and the Secretary was authorized to sign the agreement for them.

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An agreement with Southern Pacific Transportation Company concerning improvement of the grade crossing signals on the Pacific Highway West in the City of Newberg, Yamhill County, was considered. The Engineer estimated the cost of the installation at \$25,140 to be shared equally between the State and the Railroad. The Railroad is to provide all maintenance. The Engineer's recommendation for approval was accepted by the Commission with the State's share of the cost to be taken from State Construction Funds.

An agreement between the State Highway Division, the City of Portland, and Southern Pacific Transportation Company pertaining to the 17th and Powell Street crossing (Mt. Hood Highway) in Portland was discussed. The Engineer commented that the agreement, which has been reached after many conferences, provides for a grade separation with the highway to go beneath the railroad tracks. He estimated the cost of the project at approximately \$3,300,000 to be shared equally by the three parties to the agreement. He also mentioned that at this time Multnomah County is not a party to the agreement but the subject is being discussed between the City of Portland and the County. In response to Commissioner Bruno's inquiry as to when construction could be started, the Engineer estimated that it would be at least one year. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission concurred in the appointment by Lee Johnson, Attorney General, of Mr. Leonard I. Lindas as Chief Counsel to the Highway Commission. The appointment is to be effective February 24, 1970.

Chairman Jackson inquired as to the progress being made in preparing plans for beach control and when the necessary hearings could be held. Assistant State Highway Engineer Lloyd Shaw stated that drafts have been prepared for the entire Oregon Coast and that only editing remains to be done. The Chairman then inquired if it would be possible to hold a hearing in Clatsop County in the latter part of March. The Engineer replied that it could be done.

Referring to an item (3a-3) considered earlier in the meeting, the Chairman instructed that the beach patrol, for which purchase of equipment had been authorized, be put into operation by June 1, 1970.

A delegation representing the Jefferson County Chamber of Commerce came before the Commission concerning construction of a climbing lane on the Warm Springs Highway near the Pelton Dam turnoff. Mr. Dave Green, Mr. Jack McBride and Mr. Gordon Shown, all from Madras were present.

Mr. Green pointed out that the Warm Springs grade of about four miles from the top of the hill to the Deschutes River is the section in which they are concerned. He stated that the lower part has five small turn-out sections and there is a three-lane section in the middle of the four-

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mile section. This, he said, creates a hazardous situation and three lanes are needed on the entire four-mile section. If all of it cannot be built at one time, it was his feeling that the section at the bottom of the hill is most urgent. The Chairman stated that the matter would be investigated and the Commission would try to find some adequate solution.

A delegation representing the Grant County Chamber of Commerce appeared before the Commission to request improvement on the John Day Highway of a section on Mitchell Mountain; between Mitchell and Dayville; on the Rock Creek Section of the Ochoco Highway; and the Beech Creek area on the Pendleton-John Day Highway. The following people were present: Al Reinertson, Jack Frost, Marvin Maxwell, John Day; Maude Johnson, Long Creek; and Homer Damon, Mt. Vernon.

Mr. Reinertson commented that Eastern Oregon could use more tourist traffic and there is little danger of highway development damaging the ecology of Eastern Oregon.

Mr. Damon mentioned the need for improvement north of the improved section north of Mt. Vernon on the Pendleton-John Day Highway. He also mentioned the large amount of timber products being hauled by the Hines Lumber Company and that extensive hauling of wood chips is to be started soon. The section most in need of improvement, he said, is the six-mile portion immediately north of the reconstructed section. He also pointed out that the U. S. Forest Service plans to spend approximately \$3,000,000 in Grant County for improvement of their roads in 1970. The narrow and crooked condition of much of the highway system in Grant County, he said, is causing the loss of bus service to and from Portland.

Mrs. Johnson stated that she had lived in Grant County since 1910 and that many of the roads are in practically the same location now as they were then. Mr. Reinertson commented that Mrs. Johnson, years ago, had driven a team and wagon from Grant County to San Francisco. Eastern Oregon, he said, has many attractions for tourists but improvement of Eastern Oregon highways is needed for not only the tourists' benefit but for the economic health of the area.

Chairman Jackson commented that the delegation has been in many times urging improvement of highways in Eastern Oregon and that the Commission will make every effort to find funds for improvement of their highways.

The Commission signed, or authorized the Secretary to sign for them, the following agreements, indentures, and other papers:

"Bargain and Sale Deed" to Clyde L. and Virginia E. Finley covering the Biggs Junction Section of the Columbia River Highway in Sherman County.

March 17, 1970

"Relinquishment of Title" to Douglas County covering two parcels of land totaling 4.8 acres on the Shady-Canyonville Section of the Pacific Highway in Douglas County.

"Bargain and Sale Deed" to H. Lawrence and Penelope G. Hull covering the sale of 6,210 square feet of land on the Siletz Bay-Newport Section of the Oregon Coast Highway in Lincoln County.

"Bargain and Sale Deed" to Marybelle J. Hayward covering 0.01 acre of excess land on the Elk Creek-Blue River Section of the McKenzie Highway in Lane County.

"Relinquishment of Title" to the City of Salem covering Commercial Street-Liberty Street Connection on the Pacific Highway East.

"Indenture of Access" to Franklin S. and Doris Nolan covering Deschutes River-Redmond Section of the McKenzie Highway in Deschutes County.

"Indenture of Access" to John and Mary Lobdell and Gerald and Jeanene Bartz covering Idanha Section of the North Santiam Highway in Marion County.

"Indenture of Access" to Julia and Helen Sidley covering Brownsboro-Hanley Ranch Section of the Lake of the Woods Highway in Jackson County.

"Grant of Access" to Prospect Rural Fire Protection District covering Cascade Gorge-Forest Boundary Section of the Crater Lake Highway in Jackson County.

"Grant of Easement" to Port of Newport for the Corps of Engineers' use in construction and maintenance of the South Jetty at Yaquina Bay in Lincoln County.

"Supplemental Agreement" with Curry County transferring portions of right-of-way on the Elk River Section of the Oregon Coast Highway.

"Agreement" with Polk County re abandonment and construction of the Rickreall-Independence Junction Section of the Willamina-Salem Highway.

"Agreement" with Clackamas County covering closure of an unnamed road in the vicinity of Wildcat Creek on the Alder Creek-Forest Boundary Section of the Mt. Hood Highway.

"Consent to Annexation" to Tigard Water District covering property on a portion of the Pacific Highway West immediately east of King City in Washington County.

"Agreement" with City of Canby for improvement of the Canby-Marquam Highway from its junction with US99E southeast along Ivy Street.

"Supplemental Agreement" with Donald M. Drake Company and Willamette Western Corporation modifying certain specifications dealing with administrative procedures that will simplify supervision of Contracts 7310, 7311, and 7312.

March 17, 1970

"Agreement" with Consis Corporation of Santa Clara, California, to conduct necessary computer work required for transportation studies.

"Letter-form Supplemental Agreement" with Oregon City pertaining to Division Street-Hilda Street (Molalla Avenue) Section of the Cascade Highway.

"Letter-form Agreement" with Multnomah County allowing the County to occupy State-owned property for constructing an extension of S.E. Washington-S.E. Stark Street one-way couplet system through the Montavilla area.

"Supplemental Agreements" with Cities of Gladstone, Oregon City, and West Linn pertaining to East Portland Freeway.

"Agreement" with Southern Pacific Transportation Company providing for construction of the overcrossing of its tracks on the Park Place Interchange of the Gladstone Interchange-Oregon City Interchange Section of the East Portland Freeway in Clackamas County.

"Agreement" with Umatilla County and Union Pacific Railroad Company providing for easements in construction of Barth Crossing-US30 Connection Section of Stanfield-Pendleton Highway west of Pendleton.

"Agreement" with Marion County pertaining to reconstruction of the Brooks-Hayesville Interchange Section of Pacific Highway East.

"Agreement" with Linn County covering reconstruction of Orleans-Lake Creek Section of the Corvallis-Lebanon Highway.

"Agreement" with Oregon City for two traffic signals at the ramp terminal intersections of I-205 with US99E and the modification of two adjacent traffic signals.

"Agreements" with City of Salem and Fred Meyer, Inc., for traffic signals on Highway 99E at Madrona Avenue.

"Agreement" with City of Canby for traffic signal at intersection of 99E and Elm Street.

"Agreement" with City of Klamath Falls for installation of traffic signals at intersection of Alameda and Esplanade Streets.

"Agreement" with City of West Linn pertaining to relocated Willamette Reservoir adjacent to Salomo Road within city of West Linn.

"Agreement" with Clackamas County covering construction and abandonment of Eagle Creek-Estacada Section of the Clackamas Highway.

"Agreement" with Southern Pacific Transportation Company for improvement of grade crossing signals on the Pacific Highway West in the city of Newberg.

"Agreement" with City of Portland and Southern Pacific Transportation Company covering the railroad crossing at S.E. 17th Avenue and Powell Boulevard.

March 17, 1970

As there was no further business to conduct, the meeting was adjourned by the Chairman at 10:50 a.m.

Gordon Cooper
State Highway Engineer

William Jackson
Chairman

Justin Hill
Commissioner

Floyd Quary
Secretary

Thaddeus B. Linn
Commissioner

March 17, 1970

VOLUME 55

COMPLETE

MINUTES OF OREGON STATE HIGHWAY COMMISSION

COVERING PERIOD

FROM

April 1, 1970

TO

March 31, 1971

- - -

OREGON STATE HIGHWAY COMMISSION

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner

- - -

Forrest Cooper, State Highway Engineer
(April 1, 1970 to July 7, 1970)
R. L. Porter, State Highway Engineer
(July 7, 1970 to March 31, 1971)
Leonard I. Lindas, Chief Counsel
Floyd Query, Secretary

- - -

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT

LOCATED AT SALEM, OREGON

INDEX

HIGHWAY COMMISSION MINUTES

April 1, 1970, through March 31, 1971

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Tillamook, Oregon
April 8, 1970

A special meeting of the State Highway Commission was held at 12:15 p.m., April 8, 1970, in the Victory House restaurant in Tillamook. The following people were present:

Glenn L. Jackson, Chairman
Thaddeus B. Bruno, Commissioner
Fred W. Hill, Commissioner
Forrest Cooper, State Highway Engineer
R. L. Porter, Deputy State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer

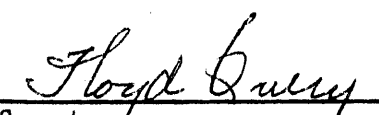
The Commissioners on this day were making an inspection of State parks and beach access sites along the coast between Astoria and Newport. At the luncheon meeting, the acquisition of the Gladys D. Pierce property (File No. R-43151) in conjunction with the development of the Neskowin Beach State Wayside was discussed. The Engineer's discussion with the Commission on this subject included the following:


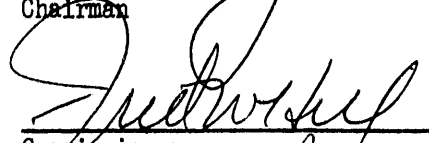
- (1) The availability of other public lands in the vicinity for such recreational use or access.
- (2) The land uses, improvements, and density of development in the vicinity.
- (3) Existing public recreation areas and access in the vicinity.
- (4) Any local zoning or use restrictions affecting the area in question.

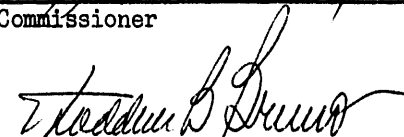
After the Commission had considered the above discussion and the need for developing the Wayside to provide an access to the beach, the Engineer recommended that condemnation of the property be authorized if negotiations for its purchase are not successful. The Commission thereupon adopted "Condemnation Resolution No. 2575," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Chairman adjourned the meeting at 1:00 p.m.


State Highway Engineer


Secretary


Chairman

Commissioner


Commissioner

April 8, 1970

Salem, Oregon
April 21, 1970

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 122 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
Forrest Cooper, State Highway Engineer
R. L. Porter, Deputy State Highway Engineer
Tom Edwards, Assistant State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
Leonard I. Lindas, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

Also present were: R. E. Simpson, Division Engineer, Bureau of Public Roads; C. W. Head, Assistant Secretary; V. D. Wolfe, Administrative Assistant; L. H. Young, Program and Planning Engineer; David G. Talbot, State Parks Superintendent; V. E. Skoog, Controller; Frank C. McKinney, Assistant Counsel; Donald N. Harwell, Assistant County-City Engineer; John R. Oakes, Assistant Right of Way Engineer and John J. Earley, Information Officer.

The Commission approved the minutes of the meeting held March 17, 1970.

The Right of Way Engineer presented a list of options, Pages 1 through 42, secured for acquisition of real property needed for State highway use or for other purposes. He mentioned that the amounts offered are on or near the appraised amounts and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 67," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts for the period March 10 to April 13, 1970, was presented by the Right of Way Engineer and accepted by the Commission. During this period miscellaneous sales totaled \$14,465, land sales \$3,850 and timber sales \$3,829.85. Rental receipts for the month of March 1970 were \$40,429.79.

Abandonment of attempts to collect delinquent rentals on eight units was recommended by the Right of Way Engineer. Six of the renters, he said, have vanished and the other two are apparently uncollectible. The Commission approved abandonment of the following rentals:

April 21, 1970

- (1) Barcroft Trailer and Equipment Company
File No. 37475, \$450
- (2) Troy Crawford, File No. 40871, \$225
- (3) Charles E. Gudmore, File No. 41381, \$345
- (4) Gabriel Boiler and Heating Company, File
No. 34746, \$525
- (5) Pat Masterson, File No. 42894, \$90
- (6) John F. McKee, File No. 34727, L4899, \$450
- (7) Betty Wilson, File No. 42463, \$135
- (8) Sandby Transfer, Inc., File No. 35492, \$125

The Right of Way Engineer presented a list of properties needed for the uses indicated therein and requested the Commission to declare by resolution the necessity of said properties for the public uses to which they are to be put and to authorize the Right of Way Engineer to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolutions Nos. 2576 through 2579;" which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

The Commission approved the following report of the Right of Way Engineer on offers tendered to the owners for acquisition of real property prior to the start of condemnation proceedings:

ALDER CREEK-WILDWOOD SECTION OF THE MT. HOOD HIGHWAY

R-32982 - E. W. Morlan, et ux. Parcel No. 1: 6.0 acres for right-of-way purposes; Parcel No. 2: 0.24 acre for permit of entry; Parcel No. 3: 0.11 acre for permit of entry; Parcel No. 4: 0.3 acre for permit of entry. Offer of \$15,825 approved by Mr. Jackson March 19, 1970.

R-32986 - Norman V. Stemler, et ux. 0.77 acre for right-of-way purposes. Offer of \$1,650 approved by Mr. Jackson March 12, 1970.

R-32991 - Carl Neels. 0.28 acre for right-of-way purposes. Offer of \$2,500 approved by Mr. Jackson March 10, 1970.

R-33004 - L. W. Daniels, et ux. 0.64 acre for right-of-way purposes. Offer of \$3,350 approved by Mr. Jackson March 9, 1970.

R-33009 - Henry J. Neels, et ux. 0.16 acre for right-of-way purposes. Offer of \$2,125 approved by Mr. Jackson March 23, 1970.

R-33017 - L. M. Phelps, et ux. 0.47 acre for right-of-way purposes. Offer of \$1,000 approved by Mr. Jackson March 19, 1970.

April 21, 1970

ALDER CREEK-WILDWOOD SECTION OF THE MT. HOOD HIGHWAY CONT.

R-33031 - George Owen Dodd, et ux. Parcel No. 1: 0.74 acre for right-of-way purposes; Parcel No. 2: 0.22 acre for permanent easement. Offer of \$3,950 approved by Mr. Jackson March 20, 1970.

R-33050 - Merle L. Wilson, et ux. 0.21 acre for right-of-way purposes. Offer of \$1,850 approved by Mr. Jackson, March 6, 1970.

R-33060 - Eugene R. Warren, et ux. 2.7 acres for right-of-way purposes. Offer of \$6,900 approved by Mr. Jackson March 19, 1970.

R-43384 - Theodore A. Johnson, et ux. 0.15 acre for right-of-way purposes. Offer of \$1,700 approved by Mr. Jackson March 19, 1970.

CLACKAMAS RIVER-WEST LINN UNIT, COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-42981 - Harold W. Bancke, et ux. 100 square feet for right-of-way purposes. Offer of \$1,000 approved by Mr. Jackson April 7, 1970.

R-42987 - Humble Oil and Refining Company. 740 square feet for permanent easement. Offer of \$1,000 approved by Mr. Jackson March 9, 1970.

DUDLEE HILL-BLODGETT SECTION OF THE CORVALLIS-NEWPORT HIGHWAY

R-43375 - Richard Eugene Wonderly and Ersal Raymond Wonderly. 12.2 acres for right-of-way purposes. Offer of \$3,000 approved by Mr. Jackson April 14, 1970.

R-43483 - Elmo A. Wehnert, et ux. Parcel No. 1: 1.6 acres for right-of-way purposes; Parcel No. 2: 1.0 acre for permanent easement. Offer of \$800 approved by Mr. Jackson April 10, 1970.

ELK CREEK-BLUE RIVER SECTION OF THE MCKENZIE HIGHWAY

R-43209 - Alice Fern Foster. Parcel No. 1: 0.68 acre for right-of-way purposes; Parcel No. 2: 0.12 acre for right-of-way purposes. Offer of \$15,025 approved by Mr. Jackson April 14, 1970.

R-43218 - Louis Elia, et ux. Parcel No. 1: 3.4 acres for right-of-way purposes; Parcel No. 2: 0.45 acre for right-of-way purposes. Offer of \$69,225 approved by Mr. Jackson April 10, 1970.

HOT LAKE OVERCROSSING SECTION OF THE LaGRANDE-BAKER HIGHWAY

R-42913 - Burr Courtright, et ux. Parcel No. 1: 5.5 acres for right-of-way purposes; Parcel No. 2: 1.6 acres for right-of-way purposes. Offer of \$3,725 approved by Mr. Jackson April 7, 1970.

April 21, 1970

LAKE ROAD INTERCHANGE-CLACKAMAS RIVER UNIT, COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-43435 - Francis B. Kroll. 1.78 acres for right-of-way purposes. Offer of \$6,200 approved by Mr. Bruno April 10, 1970.

R-43438 - Ken Dye and Keith Wilson. 250 square feet for right-of-way purposes. Offer of \$325 approved by Mr. Jackson March 9, 1970.

R-43439 - Atlantic Richfield Company. 1,100 square feet for right-of-way purposes. Offer of \$1,250 approved by Mr. Jackson April 6, 1970.

MISSION JUNCTION-EMIGRANT HILL SECTION OF THE OLD OREGON TRAIL

R-42500 D-17 - United States of America, Trustee (Minthorn). Parcel No. 1: 8.7 acres for right-of-way purposes; Parcel No. 2: 3.15 acres for right-of-way purposes; Parcel No. 3: 1.9 acres for right-of-way purposes; Parcel No. 4: 0.4 acre for right-of-way purposes. Offer of \$1,325 approved by Mr. Jackson March 19, 1970.

R-43923 - W. C. Rohde, et ux. 0.16 acre for right-of-way purposes. Offer of \$100 approved by Mr. Jackson March 9, 1970.

NORTH POWDER-BAKER SECTION OF THE OLD OREGON TRAIL

R-42395 - Anna Wendt, et al. 0.3 acre for right-of-way purposes. Offer of \$17,325 approved by Mr. Jackson April 9, 1970.

R-42397 - James M. McEnroe, et al. Parcel No. 1: 22.5 acres for right of way purposes; Parcel No. 2: 0.61 acre for permanent easement. Offer of \$10,050 approved by Mr. Jackson March 16, 1970.

R-42936 - Delmer G. Snyder, et ux. 1.5 acres for right-of-way purposes. Offer of \$825 approved by Mr. Jackson March 12, 1970.

ROSS ISLAND BRIDGE-REEDWAY SECTION OF THE PACIFIC HIGHWAY EAST

R-43148 - Garthe Brown, et al. 3,400 square feet for right-of-way purposes. Offer of \$43,500 approved by Mr. Jackson March 12, 1970.

R-43163 - Florence M. Johnson. 4,730 square feet for right-of-way purposes. Offer of \$10,100 approved by Mr. Jackson March 23, 1970.

STATE STREET-NORTH SANTIAM HIGHWAY SECTION OF THE SILVER CREEK FALLS HIGHWAY

R-39471 - William Adolph Hager, et ux. 1,105 square feet for right-of-way purposes. Offer of \$33,000 approved by Mr. Jackson April 7, 1970.

R-39472 - Louise M. Hager. Parcel No. 1: 4,300 square feet for right-of-way purposes; Parcel No. 2: 240 square feet for right-of-way purposes. Offer of \$1,850 approved by Mr. Jackson April 7, 1970.

SUNSET HIGHWAY-PACIFIC HIGHWAY SECTION OF BEAVERTON-TIGARD HIGHWAY

R-42420 - Frank R. Fanno, et ux. Flow easement. Offer of \$3,300 approved by Mr. Jackson April 2, 1970.

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Authority was requested by the Right of Way Engineer to offer at public sale a parcel of property which is no longer needed for highway purposes. Minimum value of the property, he said, has been determined by competent appraisal and access and other condition of sale are consistent with those afforded to other properties in the vicinity. The Commission authorized public sale of the following property:

- (1) 2,500 square feet of land, File No. 16913, located west of the Coos Bay-Roseburg Highway between West Third and Fourth Streets in the City of Coquille, Coos County, for not less than \$400. A slope easement is to be retained on this area until such time as the land is filled. Signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads is not necessary.

Direct sales on two parcels of property were recommended by the Right of Way Engineer. He mentioned that public sale is not feasible because of peculiarities of location and values have been determined by competent appraisals. The Commission approved the following transactions:

- (1) 17,715 square feet of land, File No. 6728, located between Wallowa and McCully Avenues on Russell Street in Joseph, (Wallowa Lake Highway), Wallowa County, to the City of Joseph for \$340 which is one-half the appraised value. The sale is to be subject to a public use and a junkyard exclusion clause. Approval by the Bureau of Public Roads is not required.
- (2) Sale of a telephone line easement, File No. 32015, to Pacific Northwest Bell Telephone Company for \$100. This easement lies across a strip of land on the west side of the East Bank Freeway (Pacific Highway) three blocks south of Lombard Street in the City of Portland.

Indentures of Access on two parcels of property were recommended by the Right of Way Engineer for a change in location and widening. The Commission approved the following Indentures of Access:

- (1) City of John Day property, File No. 18747, for widening from 25 to 50 feet one point of access on the northerly side of the relocated John Day Highway approximately one mile west of John Day in Grant County. The use restriction is to be lifted. Approval by the Bureau of Public Roads was given January 20, 1970.
- (2) Teasdel property, File No. 40024, for the elimination of one point of access and a change in location of four 35-foot wide unrestricted points of access on the easterly and westerly sides of the Geary Ranch-Green Springs Highway Section of the Lake of the Woods Highway, Klamath County. Approval by the Bureau of Public Roads is not required.

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A Grant of Access to Lyle G. Truedson on the southerly side of the relocated Columbia River Highway in the city of Clatskanie, Columbia County, was recommended by the Right of Way Engineer. The proposed access, he said, is to provide an unrestricted use approach 35 feet wide for a service station. The proposed access should improve safety for travelers by separating the access to the highway from the Bridge Street Intersection. Approval by the Bureau of Public Roads was given February 11, 1970. The Commission approved the Grant of Access.

Release of a roadway easement on the North Plains-Gardiner Ranch Section of the Sunset Highway in Washington County was recommended by the Right of Way Engineer. He explained that in 1946 an easement had been secured across land owned by Jacob Jossi, Jr., to provide access to the Ernest Zurcher property. Because of recent widening to the Sunset Highway, access has been completely controlled thereby eliminating the need for the easement. Mr. Jossi has requested that it be released to remove the encumbrance from his title and Mr. Zurcher has agreed. The Commission approved the release of easement.

Consideration was given to a modification of access rights to Myrtle Trolard, Milton G. and Elsamae Casey and James and Edith M. Thompson on the Delmar-China Camp Creek Section of the Oregon Coast Highway in Coos County. The Right of Way Engineer stated that the modification will lift the use restriction on two existing points of access on the westerly side of the Oregon Coast Highway approximately seven miles north of Coquille, thus allowing access to a tourist facility including a "House of Confusion," a restaurant and a trailer court. Lifting of the use restriction, he continued, has been appraised at a value of \$900 and a check has been received in that amount. Bureau of Public Roads' approval was given on December 1, 1969. The Commission approved the modification.

Confirmation of an award of a contract to Parkdale Lumber Company in the amount of \$1,685 for clearing approximately 12 acres on the former Murphy property adjacent to the Neal Creek Lumber Company on the Parkdale-Fikes Corner Section of the Mt. Hood Highway in Hood River County was requested by the Right of Way Engineer. He mentioned that the Parkdale bid was low among the three that were received and approval of the award was given by the Chairman on March 25, 1970. The Commission confirmed the award of the contract and authorized the Secretary to sign it in their behalf.

The Chief Counsel presented a report concerning cases tried in court since the last Commission meeting. The Commission accepted the report which is summarized as follows:

(See next page for report)

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REPORT OF CONDEMNATION CASES TRIED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>Defendants' Demand</u>	<u>Verdict</u>
Eastern Oregon Meat Co., et al. L-6028	Baker	Old Oregon Trail	\$41,600	\$151,000	\$125,000
Hi-Hat Inc. an Oreg. Corporation L-6045	Multnomah	Pacific	44,225	80,000	54,775
Publishers Paper Co. L-6043	Tillamook	Manhattan Beach State Wayside	200,000	360,000	200,000

REPORT OF TRIAL OF OTHER CASES - STATE PLAINTIFF

<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict or Judgment</u>
Carma Jolley L-6070	Coos	Negligent operation of motor vehicle by defendant resulting in damage to Chandler Bridge	\$ 396.64	\$ 396.64
Julian Abbott and Kenneth Dean Caughran L-5944	Curry	Negligent operation of motor vehicle by defendant resulting in damage to light pole and control	1,267.32	800.00

REPORT OF TRIAL OF OTHER CASES - STATE DEFENDANT

<u>Plaintiff</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict or Judgment</u>
Klamath Falls Assembly of God L-5269	Klamath	Inverse condemnation	\$ 45,000	State recovers
Novella Joyce Lange L-6102	Multnomah	Wrongful death (Service of Summons quashed. Running of Statute of Limitation precludes re-filing.)	50,729	

(For record only - reported NOA at March 17, 1970 Commission meeting)

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REPORT OF TRIAL OF OTHER CASES - STATE DEFENDANT CONT.

<u>Plaintiff</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict or Judgment</u>
Harold Charboneau L-6103	Multnomah	Personal injury (Service of Summons quashed. Running of Statute of Limitation precludes re-filing.)	\$ 269,000	
Thomas Earl Mills L-6104	Multnomah	Personal injury (Service of Summons quashed. Running of Statute of Limitation precludes re-filing.)	266,000	

The Commission also considered and accepted a report made by the Chief Counsel concerning cases which have been settled out of court, summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Walter W. Reddaway, et al. L-5995	Clackamas	East Portland Freeway	\$ 58,300	\$65,000	\$68,010 *
Cecilia M. Frey, et al. (Real property in interest is Walter W. Reddaway, et al.) (This case combined with L-5995)	Clackamas	East Portland Freeway	17,350	18,550	19,490 *
Total Compensation - - \$87,500					
* Telephonic approval of Mr. Jackson on 3-26-70					
Arthur Boeschen, et al. L-6116	Clackamas	East Portland Freeway	2,600	2,700	3,250
Walter C. Huber, et al. L-6051	Clatsop	Sunset	2,275	4,000	4,000
Big Creek Valley, Inc., et al. L-6088	Coos	Cape Arago	102,000	127,000	135,000 *
* Telephonic approval of Mr. Jackson on 3-24-70					

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REPORT OF CONDEMNATION CASES SETTLED CONT.

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Dee Ann Puddy, et al. L-6166	Multnomah	Pacific Highway East	\$ 800.00	\$ 800.00	\$ 1,100.00

REPORT OF OTHER CASES SETTLED

<u>Plaintiff</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demand of Plaintiff</u>	<u>Settlement</u>
State of Oregon L-5968	Raymond Calica, et al.	Wasco	Negligent operation of motor vehicle by defendant resulting in damage to State vehicle	\$1,194.85	Dismissed

A report concerning property damage claims from January 1 through March 31, 1970, was presented by the Chief Counsel and accepted by the Commission. During this period a total of \$27,267.18 was collected and ten claims were abandoned totaling \$1,042.99.

The sale of \$15,000,000 of highway bonds was discussed. The Chief Counsel stated that a resolution has been prepared covering the sale of these bonds on August 18, 1970, at 9 a.m. at a regularly scheduled meeting of the Highway Commission in Room 122 of the State Highway Building in Salem. The resolution provides for the advertising of the bonds, maximum interest rate, due date, good faith guaranty and other matters. He also presented to the Commission for their signature a letter addressed to Mr. Robert W. Straub, State Treasurer, designating the fiscal agency of the State in New York City as the place of payment of the bonds and of the interest. Following his favorable recommendation, the Commission signed the letter and a resolution pertaining to the bond sale which resolution by this reference is made a part hereof and filed in the Secretary's Office as "Authorization Resolution No. 50."

The Chief Counsel recalled that at the Commission meeting of March 17, 1970, a number of authorization resolutions had been rescinded because of a transfer of duties from the Chief Counsel to the Right of Way Engineer. He also mentioned that at the March meeting, the Commission had granted the Right of Way Engineer verbal authority to perform these functions pending the submission of written resolutions. These resolutions have now been prepared and he recommended their adoption. The Commission thereupon adopted "Authorization Resolutions Nos. 44, 45, 46, 47, 48, and 49," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

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A status report on orders received from the Public Utility Commissioner was presented by the Chief Counsel and accepted by the Commission summarized as follows:

PUX 761 - SXF 522 - Willamette River Bridge on the Albany-Corvallis Highway in Linn and Benton Counties. An amended Order was received allowing the proper impaired clearance during construction.

PUX 764 - SXF 527 - A grade crossing connecting 82nd Drive and Edgewater Road in Clackamas County. An Order was received authorizing this grade crossing on a connecting street in the City of Gladstone which is outside of the highway right-of-way but was required by construction of the Park Place Interchange.

A report of legal proceedings which have been started since the last Commission meeting was brought up by the Chief Counsel. He mentioned the case of Vanderpool vs. Hardy, et al., L-6188. This case arises out of an automobile accident on February 8, 1969, involving the two State Highway snowplows, one of which struck a stalled car on the Weston-Elgin Highway in Umatilla County. The plaintiff seeks \$7,500 general damages and \$1,377.72 special damages. The case has been referred to the State insurance carrier.

Action to implement a reservation system in selected State park overnight camps was discussed. The Engineer pointed out that "State Park Resolution No. 29," adopted April 23, 1968, provides in Section 15.5 that "campsites may not be reserved." He recommended that this section be rescinded to be replaced with the following words: "Campsite reservations for residents of the State of Oregon are authorized at those state parks which have been specified by the State Highway Commission for operation in this manner." He also recommended that the following State parks be approved for operation using a campsite reservation system.

Fort Stevens State Park
Cape Lookout State Park
Beverly Beach State Park
Jessie M. Honeyman Memorial State Park
Beachside State Park
Umpqua Lighthouse State Park
Sunset Bay State Park
Detroit Lake State Park
The Cove Palisades State Park
Prineville Reservoir State Park

The Commission thereupon adopted "State Park Resolution No. 29a," as revised, which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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An increase in the allowance granted to State park field employees for park uniforms was discussed. The Engineer recalled that an allowance of \$20 per year was established in 1964. The cost of uniforms has increased to the point that an allowance of \$35 per year should be made and he so recommended. The Commission approved an allowance of \$35 a year.

The Engineer stated that South Newport State Park includes dedicated streets which were a part of the platted subdivisions when the park was acquired. As it is desirable to have the subdivisions within the park vacated, he recommended that a petition be sent to Lincoln County requesting that all the township of South Newport and that part of Pacific View west of the west boundary of the Oregon Coast Highway be vacated. The Commission accepted his recommendation and authorized the Secretary to sign the petition in their behalf.

Consideration was given to a sewer easement with the City of West Linn to construct and maintain a 12-inch pressure sewer line across Mary S. Young State Park in Clackamas County. The Engineer recalled that about a year ago a water pipe line had been placed along the Willamette River bank in this park. The City proposes to place the sewer line approximately parallel to and about 30 feet from the water line except at the southerly end. The easement provides that the City of West Linn is to install and maintain the sewer line and provide adequate protection for park facilities. Mrs. Young has given her approval and the Engineer recommended approval by the Commission. The Commission approved the sewer easement.

An agreement with the Department of State Police pertaining to patrol of the ocean beaches from June 15 to September 15, 1970, was discussed. The Engineer said that under this agreement, the State Highway Division is to provide five beach patrol vehicles, other equipment and salaries for 18 recruits plus incidental expenses for a total of not more than \$110,000. The beach patrol is to be operated by the Department of State Police and will consist of enforcing driving restrictions, reporting and controlling fires, reporting littering, offering first aid, et cetera. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Engineer reported that the survey on the Rickreall-Independence Junction Section of the Willamina-Salem Highway in Polk County has been completed. Necessary public hearings have been held and design approval has been received from the Bureau of Public Roads. The proposed construction is approximately 5.5 miles in length on new location and is to be a four-lane facility. The Commission approved the survey including authority to purchase necessary rights-of-way and thereupon adopted "Highway Design Resolution No. 366a," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An increase in project authorization on Contract No. 7302 on the Pacific Highway in Douglas County was requested by the Engineer. He mentioned that this is a roadside improvement project which had overrun 12.7 percent principally because of under estimation of the number of vines required, additional drainage problems and an overrun in engineering costs. The Commission approved an increase of \$9,025.43.

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Attention was given to a request made by the City Attorney of Junction City to increase the size of two structures, one on the Pacific Highway West and one on the Junction City-Eugene Highway. The Engineer commented that increasing the size of the structures is necessary to accommodate a channel improvement project proposed by the Soil Conservation Service. The City and Lane County have already committed themselves to increasing the size of structures under their jurisdiction. The structure on the Pacific Highway West east of Toftdahl Lane is estimated to cost \$55,000. Replacement of the box culvert on the Junction City-Eugene Highway between Deal and Elm Streets with a double 12' x 6' box culvert is estimated to cost \$25,000. He recommended that this expenditure be authorized with the expenditure to be made when necessary to fit in with the overall plan of the Soil Conservation Service. The Commission approved the expenditure as recommended.

Replacement of the Willow Creek Bridge at M.P. 14.8 on the Wallowa Lake Highway in Wallowa County was recommended by the Engineer. This bridge, he said, is in bad condition and should be replaced at an estimated cost of \$210,500 as a part of the current State Construction Program. The Commission approved the project.

The Commission considered a request made by the Weyerhaeuser Company to realign about 4,000 feet of the Green Springs Highway about two miles westerly from the Green Springs Junction in Klamath County. The Engineer stated that the realignment is in connection with some new construction Weyerhaeuser is doing at its plant and they have agreed to furnish necessary right-of-way. He estimated that construction will cost approximately \$200,000 and he recommended that it be added to the State Construction Program for the summer of 1970. The project was verbally approved by the Chairman on March 19, 1970. The Commission confirmed the project.

Construction of the State Street-North Santiam Highway Section of the Silver Creek Falls Highway in Marion County east of Salem was brought up by the Engineer. This 1.04-mile section, he said, will complete the four-mile continuity of Lancaster Drive east of Salem. Total estimated cost including right-of-way is \$717,000. The project was tentatively approved on Program XII, July 8, 1969, and was formally approved by the Chairman on March 25, 1970. The Commission confirmed the project with bids to be received at the April bid opening.

Confirmation was requested by the Engineer on approval given by the Chairman March 24, 1970, covering an application for the annual allotment of Federal Lands Highway Funds. The Commission confirmed the following projects:

No. 1 Priority. Arnold Ice Cave-Horse Ridge Project on the Central Oregon Highway in Deschutes County. This project, 5.01 miles in length, is estimated to cost \$1,255,000 of which the State will pay \$105,000.

No. 2 Priority. South Fork Malheur River-Malheur Caves Road on Steens Highway in Harney County covering 4.75 miles is estimated to cost a total of \$430,000 of which the State is to pay \$69,000.

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Consideration was given to requests from contractors for extensions of time to complete highway contracts without assessment of liquidated damages. The Engineer stated that the requests have been carefully investigated and the results of the investigations have been reported to the Commission by letter. The Commission took action as follows:

- (1) Sims Electric, Inc., Contract No. 7277, at 7th and Washington Streets (Cascade Secondary Highway) in Oregon City, Clackamas County, requested an extension of 80 days. The Commission granted an extension of 47 days without assessment of liquidated damages.
- (2) All-City Landscape, Inc., Contract No. 7306, on the Pacific Highway in Josephine County, requested a 12-day extension of time. The Commission granted the request without assessment of liquidated damages. Approval by the Bureau of Public Roads was given by letter dated April 7, 1970.
- (3) E. Carl Schiewe, Contract No. 7298, on the Stadium Freeway in Multnomah County, requested an extension of the specified completion date from December 31, 1969, to March 5, 1970, the date of completion. The Bureau of Public Roads concurred in this extension. The Commission granted the request without assessment of liquidated damages.
- (4) Sims Electric, Inc., Contract No. 7219, for illumination on the Columbia River Highway in Hood River County, requested 72 additional calendar days. The Commission granted an extension of 52 calendar days without assessment of liquidated damages. Approval by the Bureau of Public Roads has been received.
- (5) Atlas Building Wreckers and Terminal Transfer, Inc., Contract No. 7247, for demolition of the Journal Building on Harbor Drive (Pacific Highway West) in Portland, Multnomah County, requested a 46-day extension of time. The Commission granted a 12-day extension without assessment of liquidated damages.
- (6) McCoy Electric Company, Contract No. 7248, for a traffic signal installation on S.W. Barbur Boulevard (Pacific Highway West) in the City of Portland, Multnomah County, requested a 23-day extension of time to complete one phase. The Commission denied the request.

The Engineer reported that Contracts Nos. 6976, 7154, 7172, 7212, 7238, and 7247 for highway construction have been completed as required by the contracts or modifications thereof and said contracts are now ready for acceptance or have been accepted by letter since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 184," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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The next regular Commission meeting date was confirmed for June 2, 1970, in the Conference Room of the State Highway Building in Salem. A tentative date of July 7, 1970, was selected for the next regular meeting. A definite date of August 18, 1970, was also set to accommodate the opening of bids for highway bonds.

The Commission confirmed the award of contracts made March 24, 1970, for bids received March 19, 1970, and authorized the Secretary to sign the following contracts:

BIDS RECEIVED IN SALEM ON MARCH 19, 1970

Contract No. 7342 for furnishing and installing research equipment on Murder Creek Section of Pacific Highway in Linn County. Federal-aid Project No. HPR-1(7). Eight bids were received. The Commission awarded the contract to the low bidder, Electric Corporation, Salem, in the amount of \$112,740.

Grading, paving, structures and signing on the Weatherby-Lime Section of Old Oregon Trail in Baker County. Federal-aid Project No. I-80N-7(30)333. This project was withdrawn from the bid letting.

Contract No. 7343 for grading, paving and structures on Alder Creek-Wildwood Section of Mt. Hood Highway in Clackamas County. Federal-aid Project No. F-RF-156(19). Seven bids were received. The Commission elected to accept the low bid of G. L. Compton, J. C. Compton Company and John C. Compton, McMinnville, in the sum of \$3,341,525.50 and the State Highway Engineer was directed to award the contract to said bidder as soon as necessary right-of-way is acquired and approval of the Bureau of Public Roads is received.

Grading, paving and structures on the Del Rey Beach Section access road in Clatsop County. State Project. This project was withdrawn from the bid letting.

Contract No. 7344 for intermittent guardrail and grading on Sutherlin Interchange-Grave Creek Section of Pacific Highway in Douglas and Josephine Counties. Federal-aid Project No. I-5-2(64)73. Five bids were received. The Commission awarded the contract to the low bidder, Hughes and Dodd Company, Medford, in the amount of \$276,861.50.

Contract No. 7345 for grading and paving on Siuslaw River (Mapleton) Bridge Section of Florence-Eugene Highway in Lane County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Wildish Construction Company, Eugene, in the amount of \$313,016.60.

Contract No. 7346 for grading, paving, structures and illumination on Willamette River (Albany) Bridge on the Albany-Corvallis Highway in Linn and Benton Counties. Federal-aid Project No. U-104(3). Five bids were received. The Commission elected to accept the low bid of Willamette-Western Corporation, Portland, in the sum of \$2,530,158.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Albany is received and the sum of \$2,500.00 is deposited by the City.

April 21, 1970

Contract No. 7347 for paving on N.W. 4th Avenue-S.W. 4th Avenue (Ontario) Section of FAS 23-103 (Verde Drive) in Malheur County. Federal-aid Project No. SU-23-103(2). Two bids were received. The Commission elected to accept the low bid of Ontario Asphalt Paving Company, Ontario, in the sum of \$83,167.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Malheur County is received and the sum of \$28,600.00 is deposited by the County.

Contract No. 7348 for impact attenuators on Columbia River Highway and Capitol Highway Interchanges on Pacific Highway in Multnomah County. Federal-aid Project No. I-5-6(67)296. Two bids were received. The Commission elected to accept the low bid of Coral Corporation, Gladstone, in the sum of \$54,000 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

Contract No. 7349 for grading, paving, structure and signing on West Unit Pendleton-Emigrant Hill Section of Old Oregon Trail in Umatilla County. Federal-aid Project No. I-80N-6(43)213. Eight bids were received. The Commission elected to accept the low bid of White Bros. Construction and Ross Bros. Constr., Inc., Walla Walla, Washington, in the sum of \$2,550,365.00 and the State Highway Engineer was directed to award the contract to said bidder as soon as necessary right-of-way is acquired and approval of the Bureau of Public Roads is received.

Contract No. 7350 for illumination installation on East Pendleton Interchange of the Old Oregon Trail in Umatilla County. Federal-aid Project No. I-80N-5(35)212. Six bids were received. The Commission awarded the contract to the low bidder, Coral Corporation, Gladstone, in the amount of \$32,000.

The Commission also confirmed previous action of March 31, 1970, awarding Contract No. 7351 to the low bidder, Klamath Rock Products, Eugene, for work on the Midland Information Center of The Dalles-California Highway in Klamath County in the amount of \$10,430. Three bids were received on March 26, 1970. The Commission authorized the Secretary to sign the contract.

The Engineer reported that he had awarded contracts which had been referred to him by the Commission to award when certain conditions were fulfilled. The Commission confirmed the Engineer's award of the following contracts:

- (1) Grading, paving, and structures on the Alder Creek-Wildwood Section of the Mt. Hood Highway in Clackamas County. Bids received March 19, 1970. Contract No. 7343 awarded April 3, 1970, to G. L. Compton, J. C. Compton Co., and John C. Compton, McMinnville, low bidder.
- (2) Grading, paving, structures and illumination on the Willamette River (Albany) Bridge Section of the Albany-Corvallis Highway in Linn and Benton Counties. Bids received March 19, 1970. Contract No. 7346 awarded April 13, 1970, to Willamette-Western Corporation, Portland, low bidder.

April 21, 1970

- (3) Paving on the N.W. 4th Avenue-S.W. 4th Avenue (Ontario) Section of FAS 23-103 in Malheur County. Bids received March 19, 1970. Contract No. 7347 awarded March 27, 1970, to Ontario Asphalt Paving Co., Ontario, low bidder.
- (4) Impact attenuators on the Columbia River Highway and Capitol Highway Interchanges on the Pacific Highway in Multnomah County. Bids received March 19, 1970. Contract No. 7248 awarded March 30, 1970, to Coral Corporation, Gladstone, low bidder.
- (5) Grading, paving, structure and signing on the West Unit, Pendleton-Emigrant Hill Section of the Old Oregon Trail in Umatilla County. Bids received March 19, 1970. Contract No. 7349 awarded April 3, 1970, to White Bros. Construction Co., Inc., and Ross Bros. Construction, Inc., Walla Walla, Washington, low bidder.

Attention was given to a price agreement with Peter Kiewit Sons' Company for correction of a slide condition near OMSI and the Portland Zoo on the Sunset Highway in Multnomah County. The Engineer recalled that a study had been made of the slide condition by Shannon and Wilson to determine measures to stabilize the area. They recommended construction of a heavy rock buttress approximately 700 feet in length and 50 feet in thickness in front of the area that is moving. The Engineer explained that normally a project of this size would be advertised for contracting but because it is so closely related to the existing highway widening work in that area it should be done by the contractor who is now working there. There is not room for two contractors to work in this area at the same time. The alternative would be to delay the buttress construction for another year which he considered unwise. A price agreement has been negotiated with Peter Kiewit Sons' Company for \$524,220.27 with the work to be performed during the 1970 summer season. The Chairman inquired if the price agreement includes some sort of landscaping to cover the large rocks. The Engineer replied that it does. The Commission confirmed their prior action of March 24, 1970, approving the price agreement but without admitting any liability or responsibility for the slide area near OMSI and the Portland Zoo.

Confirmation was requested by the Engineer for telephonic approval received from the Chairman on April 13, 1970, for the release of \$5,123,177.45 to the Oregon Counties. This amount is their share of highway users taxes collected during January, February and March 1970. The Commission confirmed the distribution of funds less a total of \$134,994.40 for recovery of emergency advances made to the Counties at an earlier date.

The Engineer reported that a joint meeting was held by the representatives of the U. S. Forest Service, the Bureau of Public Roads, and the Oregon State Highway Division to consider the 1971 fiscal year Forest Highway Program. A mutually agreeable program was determined which he presented to the Commission. The Commission approved the following Forest Highway Program:

April 21, 1970

OREGON
1971 FISCAL YEAR FOREST HIGHWAY PROGRAM

1971 F.Y. and prior funds available for programing \$4,493,252

Project Number	Name and Termini	Type	Miles	Program Amount
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REVISE PREVIOUSLY PROGRAMED PROJECTS:

Reduce previously programed amount
(\$1,735,000) by \$435,000:

7-1(3)	Siuslaw Highway Hanson Creek-easterly	Grade, Base, & Pave	1.8	\$1,300,000
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Increase previously programed amount
(\$1,065,000) by \$845,000:

23-1(1)	Santiam Highway Lost Lake-Hogg Rock	Grade, Base & Pave	2.3	1,910,000
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Reduce previously programed amount
(\$444,000) by \$69,000:

46-4(5)	Cascade Lakes Highway Deschutes Bridge-south	Base & Bit. Mat.	12.0	375,000
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Withdraw previously programed project
in amount of \$300,000:

57-1(2)	Mapleton-Austa Highway Jct. with S.H. 36 at Mapleton-easterly.	Grade, Base & Pave	0.3	--
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F. H. FUNDS REQUIRED FOR ABOVE REVISIONS 41,000

F. H. FUNDS AVAILABLE FOR NEW PROJECTS \$4,452,252

NEW PROJECTS:

7-1(4)	Siuslaw Highway Walker Rd.-Mapleton	Grade, Base & Pave	4.6	\$2,200,000
22-1(6)	McKenzie Highway Blue River Section	Grade, Base, Pave & Bridge	1.6	1,000,000

April 21, 1970

(1971 Forest Highway Program Cont.)

Project Number	Name and Termini	Type	Miles	Program Amount
46-3(1), 4(6)	Cascade Lakes Highway N. Davis Lake-F. D. Rd. 2221	Grade (3.1), Base & Bit. Mat. (1.9) & Adv. Clrg. (3.2)	6.3	\$ 700,000
Lump Fund - Survey and Design All F. H. Routes				350,000
TOTAL FOR NEW PROJECTS				\$4,250,000
UNPROGRAMED BALANCE				\$ 202,252

In discussing the program, the Engineer remarked that construction could not be undertaken immediately as the funds had not been released. Mr. Simpson, Bureau of Public Roads' Division Engineer, stated that no definite time has been determined for release of the funds but they might be available by July 1, 1970.

Sale of the former maintenance headquarters in the city of Dallas to Polk County was discussed. The Engineer commented that this maintenance station is no longer needed due to reorganization of maintenance operations. The building and property have been appraised at \$19,000 and Polk County wishes to purchase the station for that price with an unrestricted-use clause. The County, he continued, has made an advance payment of \$5,000 and has promised to pay the balance before August 1, 1970. He recommended approval of the sale without charging the County interest on the remaining \$14,000. The Commission approved the sale.

Consideration was given to requests from Deschutes, Jefferson, and Lane Counties for Federal-aid Secondary Projects. These requests, the Engineer stated, have been investigated and are eligible for Federal-aid Secondary Funds. The Commission approved the following projects and authorized the Secretary to sign routine construction agreements pertaining to them:

FISCAL YEARS 1970 & 1971 COUNTY FAS PROJECTS

County	FAS	Section	Programed Amount	State Cost
Deschutes	946	Deschutes River (Tumalo) Bridge Section O.B. Riley Road	\$ 145,000	\$ 29,000
Jefferson	660	Deschutes River Canyon Section Jordan Road	300,000	60,000

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(1970 & 1971 County FAS Projects Cont.)

County	FAS	Section	Programed Amount	State Cost
Lane	860	Hwy. 99-N.W. Expressway Section Belt Line Road Three overcrossing structures	\$1,020,000	\$204,000
*(\$1,020,000 FAS Funds to be supplemented with \$773,000 of 100 percent County funds.)				
			\$1,465,000	\$293,000

*\$1,020,000 FAS Funds represents \$612,000 Federal Funds and is an advancement on Lane County's next three years Federal Allocations (1972, 1973, 1974)

SUMMARY BY FISCAL YEARS	1970	1971	TOTAL
Allocated Funds	\$5,089,000	\$5,067,000	\$10,156,000
Approved Projects (corrected to date)	5,089,000	549,000	5,638,000
Unprogramed balance	----	4,518,000	4,518,000
Projects Proposed, 4-21-70	----	1,465,000	1,465,000
Unprogramed Balance	----	\$3,053,000	\$ 3,053,000

Establishment of a speed zone on the Harmony Road Intersection-Cascade Highway Section of the Clackamas Highway in Clackamas County was brought up by the Engineer. This section, he said, will soon be completed and has several intersections at grade. He recommended a 50-mile-per-hour speed zone from the Pacific Highway East at M.P. 0.23 to the Cascade Highway at M.P. 3.96. This speed zone is to cover those portions outside the city of Milwaukie. The Commission approved the speed zone and thereupon adopted "Speed Zone Resolution No. 558," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was also given to establishment of new speed zones and rescinding of an existing speed zone on the Santiam Highway north of Lebanon in Linn County. The Engineer recommended that "Speed Zone Resolution No. 103a" adopted April 26, 1956, be rescinded and a 40-mile-per-hour speed zone be adopted between a point 0.17 mile north of Meredith Drive at M.P. 11.20 and a point 0.16 mile south of the Odd Fellows Cemetery Road at M.P. 12.40 except for a 20-mile-per-hour school zone from M.P. 11.65 to M.P. 11.77; also a 30-mile-per-hour zone from M.P. 12.40 to the north city limits of Lebanon at M.P. 12.51. The Commission rescinded "Speed Zone Resolution No. 103a" and thereupon adopted "Speed Zone Resolution No. 559," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

April 21, 1970

Attention was given to an agreement with Marion County abandoning to the County a portion of the old Silver Creek Falls Secondary Highway along Lancaster Drive between State Street and the North Santiam Highway, and also a portion of the same highway on State Street westerly from Lancaster Drive. The Engineer stated that the transfer of the old highway sections is to be made after construction of the four-lane facility on Lancaster Drive from State Street to the North Santiam Highway. The County is not obligated to make major improvements on the abandoned sections. Following the Engineer's favorable recommendation, the Commission approved the abandonment agreement and authorized the Secretary to sign it in their behalf.

An agreement with Lincoln County was brought up by the Engineer pertaining to construction of the Siletz River (Kernville) Bridge Section of the Oregon Coast Highway. The agreement provides for right-of-way acquisition, construction of a new bridge across the Siletz River on new alignment, road closures, utility relocation, and other matters. Also, the County will accept jurisdiction over approximately one-half mile of the old highway when the new section is constructed. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

An agreement with the Albany Little Theatre, Inc., was discussed. The Engineer commented that in acquiring rights-of-way for the new Willamette River Bridge at Albany on the Albany-Corvallis Highway in Benton and Linn Counties it was necessary to construct protective supports to a wall and to revise some sidewalk grade. This was done by construction of an arcade as a part of the bridge contract. Total cost under the agreement is estimated at \$26,000 which includes \$8,000 for removal of the old building. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Attention was given to a letter-form supplemental agreement with the City of Albany pertaining to construction of the new bridge over the Willamette River in Albany on the Albany-Corvallis Highway in Linn and Benton Counties. The supplement contains provisions having to do with protective insurance, the area to be used and the placing of advertising signs. The supplement was requested by the Bureau of Public Roads and has been approved by them. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission also considered a letter-form supplemental agreement with Baker County pertaining to construction of the Bubbs Ranch-Weatherby Section of the Old Oregon Trail in Burnt River Canyon. The Engineer explained that the original agreement provided that upon completion of construction the Gales Public Road would be dedicated to the public as Baker County disclaimed ownership; however, the County has subsequently agreed to accept the road when the highway construction is completed. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

Two agreements with Union Pacific Railroad Company were presented by the Engineer. These agreements, he said, pertain to the installation of haul road grade crossings over the Railroad's Joseph Branch and its Main Line to facilitate construction of the La Grande Section of the Old Oregon

Trail in Union County. The agreements provide that the State and its contractor abide by all regulations of the Railroad and bear all costs. The contractor, Gordon H. Ball, has agreed to bear the costs incurred by the Railroad estimated at \$1,450. The Commission approved the agreements as recommended by the Engineer.

A permit of entry from the Union Pacific Railroad Company allowing the State to enter upon its property on the Weatherby-Lime Section of the Old Oregon Trail in Baker County was presented by the Engineer. He remarked that the permit is the result of 5½ years of negotiation with the Railroad. It provides for reconstruction of some of the Railroad's signal and communication lines, construction of a Railroad access road, reconstruction of the Rye Valley overcrossing, disposal of waste material on Railroad property, installation of culverts under the Railroad, improvement of approximately one mile of the Gales Public Road and other matters. Cost to the State for this work is estimated at \$254,125 with all except approximately \$25,000 being eligible for full participation by the Bureau of Public Roads. The Railroad will spend approximately \$101,153 and Baker County is to contribute \$6,000. The Commission approved the permit of entry.

Confirmation was requested by the Engineer for telephonic approval given by the Chairman on April 9, 1970, on an agreement with the City of Portland for the installation of traffic signals on the Cascade Highway at Washington Avenue. He estimated the total cost of the project at \$8,000 of which the State is to pay one-half. The City of Portland is to perform the work and bill the State for one half the cost. The Commission confirmed their previous action.

The Commission also considered an agreement with the City of Hillsboro for installation of traffic signals at the intersection of 10th and Walnut Streets on the Tualatin Valley Highway in Washington County. Under this agreement, the State is to perform the work and the City agrees to pay one-half the cost of installation and provide all maintenance and electrical energy. The Engineer estimated the total cost of installation at \$10,000 with the State's share of \$5,000 to be taken from State Construction Funds. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

An agreement with the City of Coos Bay for traffic signal installation at the intersection of Ocean Boulevard (Empire-Coos Bay Highway) and Butler Road was considered. Under this agreement, the Engineer stated that the State is to perform the work and the City agrees to pay one-half the cost of installation and all of the maintenance and electrical energy costs. He estimated the total cost of the project at \$22,000 which will be a part of the construction project on the Woodland Drive-Central Avenue Section of the Empire-Coos Bay Highway in Coos County. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

An agreement with the City of Rogue River for installation of illumination at the Rogue River Interchange on the Pacific Highway in Jackson County was discussed. This agreement provides that the State is to perform the work at an estimated cost of \$40,000 and provide maintenance. The City is to pay for all electrical energy requirements. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

April 21, 1970

April 21, 1970

Attention was given to an agreement with the City of Corvallis for installation of traffic signals at the intersection of Conifer Boulevard with the Pacific Highway West in Benton County. The Engineer commented that residential development in this area has created a need for the signal. He estimated the cost of the installation at \$32,000 of which the City of Corvallis is to pay one-half and provide all of the maintenance and power requirements. The State's share of \$16,000 is to be financed from State Construction Funds. The Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was given to requests from the Cities of Medford, Roseburg and Springfield for Federal-aid TOPICS projects. These projects, the Engineer said, have been investigated and are eligible for funding under the Federal-aid TOPICS Program. Based on his favorable recommendation, the Commission approved the projects and authorized the Secretary to sign agreements pertaining thereto on the following projects:

FISCAL YEAR 1970 PROJECTS

<u>CITY</u>	<u>SECTION</u>	<u>PROGRAMMED AMOUNT</u>	<u>STATE COST</u>
Medford	Stevens Street at Biddle Road and Crater Lake Avenue Signals	\$ 40,000	\$ 8,000
Roseburg	Roseburg Urban Area Areawide TOPICS Plan	4,000	800
Springfield	Mohawk Road-"I" Street Mohawk Boulevard Signals and widening	150,000	30,000
TOTAL NEW PROJECTS		<u>\$194,000</u>	<u>\$38,800</u>

SUMMARY BY FISCAL YEAR

	<u>1970</u>	<u>TOTAL</u>
Allocated Funds	\$2,743,000	\$2,743,000
Approved Projects (corrected to date)	<u>510,200</u>	<u>510,200</u>
Unprogramed Balance	\$2,232,800	\$2,232,800
Projects Proposed 4-21-70	<u>194,000</u>	<u>194,000</u>
Unprogramed Balance	\$2,038,800	\$2,038,800

The Engineer presented a supplemental agreement with the Central Oregon Irrigation District providing for an exchange of easement rights required by reconstruction of the District's facilities on the Deschutes River-Redmond Section of the McKenzie Highway in Deschutes County. The supplement provides that the State convey permanent easements to the District for all of its facilities relocated under the 1963 agreement. The District is to convey to the State its interest in easements located within the right-of-way of the Deschutes River-Redmond Section of the McKenzie Highway. The District also has a perpetual right to operate and maintain its facilities which are on State highway right-of-way. The Commission approved the agreement as recommended by the Engineer and authorized the Secretary to sign it for them.

An agreement with Union Pacific Railroad Company and Union County pertaining to construction of the Hot Lake Overcrossing Section of the La Grande-Baker Highway was considered. The Engineer pointed out that the agreement is the standard form required by the Railroad for overcrossing projects and requires the State to bear the entire cost of construction and maintenance. The Railroad is to perform the work including adjustment of signal and communication lines, preliminary engineering and inspection at an estimated cost of \$40,385. Also, the Railroad is to grant permit easements to the State for the overcrossing structure and adjacent slopes for which the State is to pay the Railroad \$600. The agreement must also be approved by Union County to relinquish its rights to the structure which is to be removed upon completion of the new structure. The Commission accepted the Engineer's recommendation for approval.

The Commission considered an agreement with the City of Portland to allow the State to construct a rock buttress wall for slide stabilization purposes on Canyon Road near the Portland Zoo and OMSI on the Sunset Highway in Multnomah County. The Engineer commented that this agreement ties in with a previous arrangement approved by the Commission for placing of the rock by Peter Kiewit Sons' Company. The agreement provides that the State let all contracts and pay the cost of the project, approximately \$525,000. All existing agreements between the State and the City are to remain in force and the City agrees to hold the State harmless for any damages arising out of this project now or in the future. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

A requested extension of a permit granted to Tillamook Treasures, Inc., to explore for buried treasure in Oswald West State Park in Tillamook County was brought up by the Engineer. He pointed out that the original permit expired April 17, 1970, and, although, no treasure has been found there is evidence enough to indicate that further exploration may be justified. He recommended an extension of 60 days from April 17 under the terms of the original agreement. The Commission approved the extension and authorized the Secretary to sign it for them.

The Chairman inquired as to the progress of the beach hearings concerning the restriction of vehicles on the ocean beaches. Mr. Lloyd Shaw, Assistant State Highway Engineer, stated that contacts are being made with local people in setting up the proposed vehicle regulations and hearings have been scheduled in all coast counties.

The Chairman then stated that the Commission wishes to have the final recommendations in its hands by May 28 as it is planned to place the regulations in effect on June 1, 1970. The Commission also instructed that the time for the submission of letters on the hearing in North Bend on May 19 and the hearing at Gold Beach on May 20 be reduced to 5 days.

In connection with the beach hearings, the Commission stated that a special meeting would be held on May 28, 1970, at a site to be determined later to consider rules for regulating vehicle traffic on the beaches.

The Commission approved an expenditure of \$1,200 to assist in the preparation of the old Journal Building site for use by the Portland Rose Festival Association. It was the Commission's understanding that the City of Portland will contribute a like amount.

The Commission also considered and approved an agreement with Mary S. Young in which Mrs. Young agrees to provide up to \$45,000 for riverside improvements along the Mary S. Young State Park in West Linn, Clackamas County. The State is to provide up to \$40,000 for this project. The Commission also authorized the Secretary to sign the agreement for them.

The Commission approved the appointment of J. W. "Bud" Forrester to the State Parks Recreation and Advisory Committee for a term of four years beginning April 17, 1970. The Engineer recalled that in March, 1970, the Commission had recommended Mr. Forrester as a candidate and on April 17 a letter was received from Governor McCall approving his appointment.

Mr. Bill Latham, Mr. Everett Phillips, representing the Trailer Coach Association; Mr. Bill Salmon, representing Pacific Power and Light Company; and Mr. C. O. Boswell of Salem appeared before the Commission requesting permits to move 14-foot wide mobile homes over Oregon highways. Mr. Latham commented that he knew of several major manufacturers who are interested in setting up their plants in Oregon. He emphasized the economic benefit that would accrue to the Oregon economy by the establishment of these manufacturers. He also mentioned that a number of other states allow the movement of 14-foot wide mobile homes.

Chairman Jackson inquired of the Engineer as to the regulations in California and Washington. The Engineer replied that California does not allow movement of 14-foot wide homes but the State of Washington does.

The Chairman commented that movement of the 14-foot wide homes is now allowed on the Interstate Highways by special house moving permit. However, on many other Oregon highways, the width of the roadbed and structures will not allow such movements. The Commission's major responsibility must be highway safety; however, the value to the Oregon economy is recognized and the matter will be studied. He also mentioned that the request had been received only a week ago and the delegation would be advised as soon as the study is completed.

The Commission signed, or authorized the Secretary to sign the following deeds, indentures, agreements, and other papers:

"Relinquishment of Title" to City of Clatskanie re Westport-Clatskanie Section of Columbia River Highway.

"Bargain and Sale Deed" to James and Blossom Burke re Baker-Pleasant Valley Section of Old Oregon Trail in Baker County.

"Grant of Easement" to the State from Laurence and Anna Whiteman and an "Assignment of Easement" to Alice Ward re Nestucca Bay-Neskowin Section of the Oregon Coast Highway.

"Bargain and Sale Deed" to Pilot Rock School District No. 2 conveying 1.72 acres on the Nye-Pilot Rock Section of the Pendleton-John Day Highway in Umatilla County.

"Assignment of Easements" to Central Oregon Irrigation District covering Deschutes River-Redmond Section of the McKenzie Highway in Deschutes County.

"Deed" to Grabenhorsts, et al., covering Salem-12th Street Junction Section of Pacific Highway East.

"Indenture of Access" to City of John Day re Mt. Vernon-John Day Section of the John Day Highway in Grant County.

"Indenture of Access" to Ruth H. Teasdel re Geary Ranch-Green Springs Highway Section of Lake of the Woods Highway in Klamath County.

"Grant of Access" to Lyle G. and Anna E. Truedson re Clatskanie-Delena Section of the Columbia River Highway.

"Release of Roadway Easement" to Jacob and Muriel Jossi, Jr., from the State and Ernest and Elsie Zurcher on the North Plains-Gardiner Ranch Section of the Sunset Highway in Washington County.

"Modification of Access Rights" to Myrtle Trolard, Milton and Elsamae Casey and James and Edith Thompson on the Delmar-China Camp Creek Section of the Oregon Coast Highway in Coos County.

"Petition" to Lincoln County for street vacations within South Newport State Park.

"Agreement" with City of West Linn to construct and maintain a pressure sewer line across Mary S. Young State Park.

"Agreement" with Department of State Police pertaining to beach patrol from June 15 to September 15.

"Agreement" with Marion County abandoning to the County the State Street-North Santiam Section of the Silver Creek Falls Highway.

"Agreement" with Lincoln County pertaining to construction of Siletz River (Kernville) Bridge Section of the Oregon Coast Highway.

"Agreement" with Albany Little Theatre, Inc., to construct an arcade and do the necessary protective work to a building adjacent to proposed Willamette River Bridge at Albany.

"Letter-form Supplemental Agreement" with City of Albany concerning construction of Willamette River (Albany) Bridge Section of Albany-Corvallis Highway.

"Letter-form Supplemental Agreement" with Baker County re construction of Bubbs Ranch-Weatherby Section of Old Oregon Trail through the Burnt River Canyon and the disposition of Gales Public Road.

Two "Agreements" with Union Pacific Railroad Company providing for installation of haul road grade crossing over RR Joseph Branch and Main Line to facilitate construction of La Grande Section of the Old Oregon Trail in Union County.

"Permit of Entry" from Union Pacific Railroad Company allowing State to enter on its property to construct Weatherby-Lime Section of I-80N in Baker County.

"Agreement" with City of Hillsboro for installation of traffic signals at intersection of 10th and Walnut Streets on the Tualatin Valley Highway.

"Agreement" with City of Coos Bay for traffic signal installation at intersection of Ocean Boulevard and Butler Road.

"Agreement" with City of Rogue River for installation of illumination at the Rogue River Interchange on the Evans Creek-Rock Point Section of the Pacific Highway.

"Agreement" with City of Corvallis for installation of traffic signals at Conifer Boulevard and the Pacific Highway West.

"Supplemental Agreement" with Central Oregon Irrigation District covering a procedure for an exchange of easement rights required by the reconstruction of the District's facilities on the Deschutes River-Redmond Section of the McKenzie Highway in Deschutes County.

"Agreement" with Union Pacific Railroad Company and Union County providing for construction of Hot Lake Overcrossing Section of the La Grande-Baker Highway.

"Agreement" with City of Portland to allow the State to construct a rock buttress wall for the control of the Portland Zoo slide.

The meeting was adjourned by the Chairman at 10:10 a.m.

Forrest Cooper
State Highway Engineer

Glenn L. Jackson
Chairman

John J. Earley
Commissioner

Floyd Query
Secretary

Thaddeus B. Bruno
Commissioner

April 21, 1970

Salem, Oregon
June 2, 1970

The Oregon State Highway Commission met in regular session at 9 a.m., in Room 122 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
Forrest Cooper, State Highway Engineer
R. L. Porter, Deputy State Highway Engineer
Tom Edwards, Assistant State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
Leonard I. Lindas, Chief Counsel
John Oakes, Assistant Right of Way Engineer
Floyd Query, Secretary

David H. Moehring, Right of Way Engineer, was excused. Also present were: R. E. Simpson, Division Engineer, Bureau of Public Roads; C. W. Head, Assistant Secretary; V. D. Wolfe, Administrative Assistant; David G. Talbot, State Parks Superintendent; V. E. Skoog, Controller; Frank C. McKinney, Assistant Counsel; Robert N. Bothman, Assistant Maintenance Engineer; R. B. Sipprell, Liaison Engineer; Donald N. Harwell, Assistant County-City Engineer; John J. Earley, Information Officer; and Kenneth A. Chatwood, Administrative Right of Way Agent.

The Commission approved the minutes of the special meeting held on April 8, 1970.

The Assistant Right of Way Engineer presented a list of options, Pages 1 through 43, secured for acquisition of real property needed for State highway use or for other purposes. He mentioned that the amounts offered are on or near the appraised amounts and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 68," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts for the period April 14 to May 25, 1970, was presented by the Assistant Right of Way Engineer and accepted by the Commission. During this time miscellaneous sales totaled \$5,530; land sales \$2,801; timber sales \$100 and rental receipts for April were \$31,652.29.

The Assistant Right of Way Engineer presented a list of properties needed for the uses indicated therein and requested the Commission to declare by resolution the necessity of said properties for the public uses to which they are to be put and to authorize the Right of Way Engineer to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution No. 2580," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

June 2, 1970

The Commission approved the following report of the Assistant Right of Way Engineer on offers tendered to the owners for acquisition of real property prior to the start of condemnation proceedings:

BEAVERTON-JAMIESON ROAD SECTION OF THE BEAVERTON-HILLSDALE HIGHWAY
(WASHINGTON COUNTY)

R-21959 - Garfield R. Hubble, et ux. 1,000 square feet for right-of-way purposes. Offer of \$3,900.00.

CLACKAMAS RIVER-WEST LINN UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY
SECTION OF THE EAST PORTLAND FREEWAY (CLACKAMAS COUNTY)

R-42430 - William O. Moore, et ux. Parcel No. 1: 1.48 acres for right-of-way purposes; Parcel No. 2: 3.5 acres for right-of-way purposes; Parcel No. 3: 2.0 acres for right-of-way purposes; Parcel No. 4: 0.04 acre for right-of-way purposes; Parcel No. 5: 2.75 acres for right-of-way purposes. Offer of \$76,000.00.

R-42986 - Portland Traction Company. 4,900 square feet for permanent easement. Offer of \$200.00

COLUMBIA COUNTY LINE-BURLINGTON SECTION OF THE COLUMBIA RIVER HIGHWAY
(MULTNOMAH COUNTY)

R-43634 - Napoleon Steve Kaptur. Parcel No. 1: 6.7 acres for right-of-way; Parcel No. 2: 7.9 acres for right-of-way; Parcel No. 3: 0.07 acre for permanent easement; Parcel No. 4: 0.4 acre for permit of entry. Offer of \$23,800.00.

DUDLEE HILL-BLODGETT SECTION OF THE CORVALLIS-NEWPORT HIGHWAY
(BENTON COUNTY)

R-43377 - Bruce Starker, et ux. 33.7 acres for right-of-way purposes. Offer of \$35,400.00.

R-44328 - T. J. Starker, et ux. 0.01 acre for right-of-way purposes. Offer of \$50.00.

FERN HILL-BURNSIDE SECTION OF THE COLUMBIA RIVER HIGHWAY (CLATSOP COUNTY)

R-42031, L-5955 - Mary E. Osterholme. 7.76 acres for right-of-way purposes. Offer of \$24,500.00.

JUMPOFF JOE CREEK-GRANTS PASS SECTION OF THE PACIFIC HIGHWAY
(JOSEPHINE COUNTY)

R-43673 - Edward F. Bolt, et ux. 11.5 acres for right-of-way purposes. Offer of \$8,650.00.

LAKE ROAD INTERCHANGE-CLACKAMAS RIVER UNIT OF THE COLUMBIA RIVER-PACIFIC
HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY (CLACKAMAS COUNTY)

R-43419 - Lloyd D. Lanz, et ux. 0.12 acre for right-of-way purposes. Offer of \$375.00.

OCEANSIDE BEACH STATE WAYSIDE (TILLAMOOK COUNTY)

R-42951 - George H. Johnson, et ux. 0.35 acre for park purposes. Offer of \$7,550.00.

WEST LINN-PACIFIC HIGHWAY UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY
SECTION OF THE EAST PORTLAND FREEWAY (CLACKAMAS COUNTY)

R-44078 - Portland General Electric Company. 3.2 acres for right-of-way purposes. Offer of \$9,600.00.

WOODLAND DRIVE-CENTRAL AVENUE SECTION OF THE EMPIRE-COOS BAY HIGHWAY
(COOS COUNTY)

R-41631 - Bertha C. Brooks. Parcel No. 1: 1,000 square feet for right-of-way purposes; Parcel No. 2: 135 square feet for right-of-way purposes; Parcel No. 3: 555 square feet for permanent easement. Offer of \$6,100.00.

R-41632 - Jewel S. Smith, et ux. Parcel No. 1: 1,000 square feet for right-of-way purposes; Parcel No. 2: 135 square feet for right-of-way purposes; Parcel No. 3: 275 square feet for permanent easement. Offer of \$7,000.00.

R-41642 - Frankie D. Cannon, et ux. Parcel No. 1: 1,240 square feet for right-of-way purposes; Parcel No. 2: 3,060 square feet for right-of-way purposes. Offer of \$6,700.00.

R-41646 - Fred Bozeman, et ux. Parcel No. 1: 1,400 square feet for right-of-way purposes; Parcel No. 2: 8,180 square feet for permit of entry. Offer of \$7,300.00.

R-41664 - Lucille D. Hunt. 360 square feet for right-of-way purposes. Offer of \$150.00.

R-43878 - Maurice R. Holst, et ux. 0.09 acre for right-of-way purposes. Offer of \$24,100.00.

Authority was requested by the Assistant Right of Way Engineer to offer at public sale a parcel of property which is no longer required for highway purposes. Minimum value of the property has been determined by competent appraisal and acquisition and other conditions of sale are consistent with those afforded to other properties in the vicinity. The Commission authorized the public sale of the following property and thereupon adopted "Real Property Resolution No. 538," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

- (1) 13.7 acres, File No. 20926, located adjacent to the northeast quadrant of the Lancaster Interchange on the North Santiam Highway at the easterly edge of Salem in Marion County for not less than \$27,400. The sale is subject to a Marion County sewer easement along the easterly boundary of the property. Signboard and junkyard exclusion clauses are to be

included in the deed and no access is to be permitted to the North Santiam Highway. Bureau of Public Roads' approval is not required. (See "Real Property Resolution No. 538.")

Direct sale of a parcel of property was recommended by the Assistant Right of Way Engineer. Public sale, he said, is not feasible because of peculiarities of location. Value of the property has been determined by competent appraisal. The Commission approved the following sale:

- (1) 0.3 acre of land, File No. 24014, at the intersection of the Territorial Highway and Simonsen County Road in Lane County to Herbert E. and Ann L. Miller for \$100. Signboard and junkyard exclusion clauses are to be included in the deed. Access is to be permitted at the existing location only and some fencing will be required. The Bureau of Public Roads gave their approval on May 20, 1970.

Consideration was given to a Relinquishment of Title to the City of Ontario on two acres of land located southwest of the Idaho Avenue Interchange on the Old Oregon Trail in Malheur County. This property is a former quarry site and is needed by the City in a proposed construction of a road connecting an existing road with a prospective industrial site. The Relinquishment is for public road purposes only and no consideration is involved. Approval by the Bureau of Public Roads is not required. Following the Assistant Right of Way Engineer's favorable recommendation, the Commission approved the Relinquishment.

Release of certain easement rights to the United States of America on the Big Eddy-Biggs Section of the Columbia River Highway in Sherman County was brought up by the Assistant Right of Way Engineer. The release, he said, was requested by Sherman County so that the area could be used for recreational purposes. The Release pertains to all excess State Highway right-of-way between Engineer's Stations 434 and 479 on the Columbia River Highway. The Commission approved the Release form.

Indentures of Access on two parcels of property were recommended by the Assistant Right of Way Engineer so that the locations would show as actually constructed. The Commission approved the following Indentures of Access:

- (1) Hume property, File No. 35182, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the northerly side of the relocated Corvallis-Lebanon Highway approximately two miles east of Corvallis in Linn County. Approval by the Bureau of Public Roads was given on April 11, 1969.
- (2) Hanel and Bibb property, File No. 31235, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the westerly side of the

relocated Mt. Hood Highway approximately one-half mile south of the Mt. Hood Post Office in Hood River County. Approval by the Bureau of Public Roads was received August 5, 1969.

The Assistant Right of Way Engineer reported that bids had been received for demolition contracts. The Commission took action as follows and authorized the Secretary to sign the demolition contracts in their behalf.

- (1) Confirmed Commission action of May 18, 1970, awarding a contract to Hal Bailey Equipment Rentals, Inc., in the amount of \$2,222 on the Florence-Eugene Highway in Lane County. This was the low bid received on May 18, 1970.
- (2) Awarded a contract to R.A.V. Wrecking Co. in the amount of \$8,850 for demolition on the East Portland Freeway, Oswego Highway, and Pacific Highway in Portland. This was the low bid received when four bids were opened on June 1, 1970.
- (3) The lone bid received June 1, 1970, was rejected as being too high for demolition on the S.E. Duke-Clackamas River Section of the East Portland Freeway in Clackamas County.
- (4) Awarded a contract to Heard Construction Co. for \$2,061.60 for clearing and equipment rental on the S.E. Holgate-S.E. Duke Section of the East Portland Freeway in Portland. This was the low bid received when two bids were opened June 1, 1970.

The Chief Counsel presented a report concerning cases which have been tried in court since the last Commission meeting. The Commission accepted the report which is summarized as follows:

REPORT OF CONDEMNATION CASES TRIED

<u>Defendant</u>	<u>County</u>	<u>Section and Highway</u>	<u>State's Offer Before Filing Complaint</u>	<u>Defendants' Lowest Demand</u>	<u>Verdict</u>
Herman Hellhake, et al. L-6074	Clackamas	Lake Road Interchange-Clackamas River Unit of the East Portland Freeway	\$13,500	\$21,000	\$14,500

(Report of Condemnation Cases Tried Cont.)

Defendant	County	Section and Highway	State's Offer Before Filing Complaint	Defendants' Lowest Demand	Verdict
John N. Hooper, et al. L-5677A	Marion	Woodburn Interchange-Pacific Highway	(Circuit Court of Appeals)*		Verdict of lower Court affirmed*

*State appealed from lower Court ruling on limitation of valuation evidence.

C.B.C. Co., et al. L-5926	Wheeler	Painted Hills State Park	\$28,300	\$100,000	Mistrial*
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*State moved for and was granted a mistrial when it was discovered defendant Miller, President of C.B.C. Co., was seated with and discussing the case with a juror previously selected to hear the matter.

Gladys Pierce, et vir. L-6080	Tillamook	Neskowin Beach State Wayside			Voluntary Non-Suit*
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*The State was granted a voluntary non-suit in order that it may correct certain deficiencies in the existing proceedings. The case will be refiled if a new attempt to agree with Mrs. Pierce fails.

REPORT OF TRIAL OF OTHER CASES - State Plaintiff

Defendant	County	Cause of Action	Demands of Plaintiff	Verdict or Judgment
Linda Stewart and William Truesdell L-6121	Clatsop	Negligent operation of motor vehicle by defendant resulting in damage to State Park gate	\$386.18	\$386.18
Michael Dennis Williams L-6108	Douglas	Negligent operation of motor vehicle by defendant resulting in damage to guard-rail	320.06	320.06

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(Report of Trial of Other Cases - State Plaintiff Cont.)

Defendant	County	Cause of Action	Demands of Plaintiff	Verdict or Judgment
Betty Jane Rogers L-6112	Hood River	Negligent operation of motor vehicle by defendant resulting in damage to guard-rail	\$261.80	\$261.80
Vernon L. Egge, et al. L-6120	Lane	Tort (automobile accident)	442.78	442.78

REPORT OF TRIAL OF OTHER CASES - State Defendant

Plaintiff	County	Cause of Action	Demands of Plaintiff	Verdict or Judgment
City of Maywood Park L-5802A	Multnomah	Declaratory Judgment and Injunction Relief		*

*Lower Court action, sustaining the Commission's demurrer to the amended complaint of the City of Maywood Park, was affirmed by the Court of Appeals. the latter Court holding that the amended complaint fails to state a cause of action against the defendant Highway Commission.

Pacific Inland Navigation Co., Inc. L-6035	U. S. District Court Western District of Washington	Damage to an oil rig	\$50,000	Motion to quash service of complaint and summons on State of Oregon granted
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A report was also made by the Chief Counsel and accepted by the Commission concerning cases which have been settled out of court as follows:

REPORT OF CONDEMNATION CASES SETTLED

Defendant	County	Section and Highway	State's Offer	State's Highest Appraisal	Amount of Settlement
Rex Trowbridge, et ux. L-6052	Deschutes	Squaw Creek Bridge Section of the McKenzie Highway	\$ 300	\$ 2,100	\$ 2,100

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(Report of Condemnation Cases Settled Cont.)

Defendant	County	Section and Highway	State's Offer	State's Highest Appraisal	Amount of Settlement
Clyde Marriott, et al. L-6075	Douglas	Myrtle Creek Canyonville Section of the Pacific Highway	\$ 100	\$ 100	\$ 2,500
W. J. Swick, et al. L-5547	Hood River	Indian Creek Section of the Hood River Highway	20,450 (for 4 parcels)	5,300*	6,750

*Note: To the figure of \$5,300 should be added the sum of \$742 interest, since possession was taken on August 25, 1967, without a court deposit being made. The landowner is legally entitled to the sum of \$6,042. Therefore, the settlement amount of \$6,750 involves an insubstantial increase of only \$708.

Melvin F. Hoover, et al. L-5879	Jackson	Crater Lake Highway-Brownsboro Section of the Lake of the Woods Highway	2,450	2,450	4,000*
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*Note: Power line easement involved, and damages resulting from such use, due to a reduction of usable area. A review by trial counsel convinces him the State's value witnesses could not maintain their position as to front foot value or damages on searching cross examination.

Dean N. Mann, Jr., et al.	Clackamas	Alder Creek-Wildwood Section of the Mt. Hood Highway	10,500	11,500	12,500*
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*Insubstantial increase and within range of market value.

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(Report of Condemnation Cases Settled Cont.)

Defendant	County	Section and Highway	State's Offer	State's Highest Appraisal	Amount of Settlement
Frank Christensen, et al. L-6144	Clackamas	Alder Creek-Wildwood Section of the Mt. Hood Highway	\$ 250	\$ 250)	\$ 750*
Wilhelmina E. Mikkelsen, et al. L-6145	Clackamas	Alder Creek-Wildwood Section of the Mt. Hood Highway	23,400	24,000)	27,300*
Alma Woodle, et al. L-6146	Clackamas	Alder Creek-Wildwood Section of the Mt. Hood Highway	300	300)	750*

Total Compensation \$28,800*

*Telephonic Approval of Mr. Jackson on April 30, 1970.

L. W. Daniels, et ux. L-6192	Clackamas	Alder Creek-Wildwood Section of the Mt. Hood Highway	3,350	3,500	3,900
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Dorothy Butler, et al. L-5992	Multnomah	Burlington-Sauvie Island Bridge Section of the Columbia River Highway	100	6,000	4,000*
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*High appraisal to apply if owner had access, which we were acquiring. Whether owner had access to existing highway was questionable. It was later determined legal access existed. Owner procured an alternate access across city property and agreed to settlement figure of \$4,000. Original offer was based on proposition owner did not have legal access to existing highway.

Harry O. Trip, et al. L-6036	Multnomah	N.E. Sandy Boulevard-N.E. Glisan Street Section of the East Portland Freeway	8,000	8,250	9,500
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(Report of Condemnation Cases Settled Cont.)

Defendant	County	Section and Highway	State's Offer	State's Highest Appraisal	Amount of Settlement
Shell Oil Co., et al. L-6171	Multnomah	Ross Island Bridge-Reedway Section of the Pacific Highway East	\$60,000	\$60,000	\$60,000
Gretchen Louise Johansen, et vir. L-6177	Multnomah	Ross Island Bridge-Reedway Section of the Pacific Highway East	22,300	22,300	24,500*
*Telephonic Approval of Mr. Jackson on April 30, 1970.					
Garthe Brown, Trustee, et al. L-6185	Multnomah	Ross Island-Reedway Section of the Pacific Highway East	43,500	43,500	50,000
Glen H. Stout, et al. L-5896	Union	La Grande Section of the Old Oregon Trail	250	250	750*
*Well in taking. Question as to its value contested. Settlement figure, under circumstances, considered to be insubstantial.					
Dema McBee L-6130	Klamath	Klamath Falls-Green Springs Section of The Dalles-California Highway	150	100	150
Nicholas Thomas Manos, et ux. L-6124	Multnomah	N.E. Sandy Boulevard-N.E. Glisan Street Unit Section of the East Portland Freeway	12,000	12,000	13,200
William V. Luther, et al. L-6160	Clackamas	Polk Street-Hilda Street Section of the Cascade Highway	350	350	350

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REPORT OF OTHER CASES SETTLED

Plaintiff	Defendant	County	Cause of Action	Demands of Plaintiff	Settlement
State of Oregon L-6150	David Paul Hindman	Multnomah	Negligent operation of motor vehicle by defendant resulting in damage to light pole	\$192.69	\$125.00

The Chief Counsel also reported on a proposed settlement of claim made by Lillie C. Murphy, File L-5849. The settlement for \$12,000, he said, is in connection with road building material stockpiled on property owned by Mrs. Murphy and leased by Warren Northwest, a subcontractor on Contract No. 6643. The subcontractor, however, could not or would not execute a bill of sale to the State for the material because of conditions in the lease with Mrs. Murphy. However, the State did remove the material and placed it on another site. Following this action, legal proceedings were brought against the State and the subcontractor to recover the value of the material in the sum of \$90,000. After considerable negotiation, he said, the subcontractor has agreed that the State may deduct the sum of \$6,000 from the amount due the subcontractor as their contribution to the settlement. The State is to assume payment of the additional \$6,000. He also pointed out that the State on this contract has retained \$45,804.46 for over two years which at six percent interest would more than equal the State's contribution to the settlement. The Commission approved the settlement conditioned upon a complete release from Mrs. Murphy.

A list of four claims was presented by the Chief Counsel on which he recommended that attempts at collection be abandoned. The Commission approved abandonment of the following claims:

- (1) CAO 66-454. Robert Michael Harper for damage to a vehicle in the amount of \$1,447.93 of which \$350 has been paid. This claim involved malicious destruction of State property. Harper was sentenced to two years in the Correctional Institution and has been released under the supervision of the State of Idaho. He has no assets and possibilities of collection are extremely remote.
- (2) CAO 69-364. Vern C. Smith for guardrail damage in the amount of \$853.79. Mr. Smith was killed in the accident in which the guardrail was damaged, and investigation has revealed that his insurance policy was not valid at the time of the accident. No assets have been found in Mr. Smith's estate.
- (3) CAO 69-385. China Gim Wong for guardrail damage in the amount of \$428.47. Subsequent investigation revealed that the accident was caused by a tire blowout and as there was no negligence on the part of Miss Wong no liability is involved.

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- (4) CAO 70-20. Manuel Chavez and Julie Mary Ehrmantraut for damage to a light pole in the amount of \$589.92. All attempts to locate these individuals have failed. Neither of them has a driver's license and neither has a car registered in Oregon. The letters sent to them have been returned marked "Moved, Left No Address."

The Commission accepted a report from the Chief Counsel concerning orders which have been received from the Public Utility Commissioner since the last Commission meeting, summarized as follows:

PUX 758 - SXF 520 - Rye Valley Overcrossing Project on the Old Oregon Trail in Baker County. This involves a county road overcrossing of the Union Pacific Railroad. The Railroad is contributing \$40,800 towards the cost of construction and Baker County is contributing \$6,000.

PUX 763 - SXF 525 - Grade crossing of the Gales Public Road in Baker County across the Union Pacific Railroad required by construction of the Old Oregon Trail. The new crossing will allow closure of a private crossing nearby.

PUX 767 - SXF 529 - Derry Overcrossing Project of the Southern Pacific Transportation Company tracks on the Willamina-Salem Highway near Derry in Polk County. The State is to pay for construction and maintenance of the structure and reimburse the Railroad for any costs incurred during construction. The railroad is to maintain its tracks and other facilities after the structure is completed.

A report was presented by the Chief Counsel and accepted by the Commission concerning legal proceedings since the last Highway Commission meeting, summarized as follows:

- (1) L-6216 - Underwood & Richards Construction Co., Inc., vs. State Highway Commission. The Plaintiff, in performance of Contract No. 6895 on The Dalles-California Highway in Klamath County, seeks to recover \$94,670.78 alleging misrepresentation of materials to be excavated. They also seek the sum of \$7,700 claimed as due under the terms of the contract.
- (2) L-6215 - Jesse J. Laird vs. Walter Glen Denson. This case involves an accident which occurred on the Coos Bay-Roseburg Highway in Coos County on February 17, 1969. The driver of the State truck turned in front of a log truck demolishing the State vehicle and seriously injuring the driver. Jesse Laird, driver of the logging truck, is suing for a total of \$76,000. The case has been referred to the State's insurance company for defense of the State employee.

- (3) L-6217 - Alfred R. O'Bryan vs. State Highway Commission and Al Nibler. This case concerns an accident which occurred August 5, 1969, on the Old Oregon Trail approximately eight miles north of Ontario in Malheur County. Steel stands being carried on the State truck, were dislodged from the truck because of a rough road and fell in the path of a following car. Plaintiff seeks to collect \$18,005.50 which includes damages and attorney fees. The case has been referred to the State's insurance carrier for defense.
- (4) L-6222 - Charles K. Pategian vs. State of Oregon, by and through the State Highway Division, and the State Game Commission. Plaintiff seeks to collect \$14,473 because of the failure of a berm on the Rogue River in Jackson County which allowed the river to wash away portions of the plaintiff's property. Settlement negotiations are underway, and the case has been assigned to an Assistant Attorney General together with counsel for the Game Commission.
- (5) L-6223 - Dennis E. Alley and Nationwide Insurance Company vs. Edward Hoover, et al. This case arises out of an accident which occurred May 22, 1968, on the McKenzie Highway near Milepoint 35.6 in Lane County. Plaintiff Alley and Defendant Hoover were driving their car through State maintenance operations and collided with each other. Both Mr. Hoover and Mr. Alley seek to collect from Highway employees the sum of \$1,426.76 for damages to their vehicles. The case has been referred to the State's insurance carrier.
- (6) L-6224 - Orville Sloan vs. State Highway Commission. Plaintiff seeks to collect \$246.10 plus \$150 attorney fees alleging that he was flagged through maintenance operation on the Santiam Highway in Linn County on December 24, 1969, and ran over a clump of dirt or rock damaging the undercarriage of his vehicle. The case has been referred to the State's insurance carrier for defense.
- (7) L-6218 - Leon L. Braddy and Mary Lou Braddy vs. State Highway Commission. Plaintiffs seek to recover \$7,000 stating that the State failed to pay them an additive of \$5,000 in order to relocate themselves in a decent, safe and sanitary dwelling. Plaintiffs allege that their property was acquired by the State in October, 1969, as a part of the Mt. Hood Freeway in Multnomah County. The case has been assigned to a trial attorney for defense.

The Chief Counsel presented a proposed policy to be followed in the acquisition of right-of-way for State highway, park and recreational purposes. He commented that this matter had been brought to the attention

of the Attorney General by a Portland attorney who complained that Highway Right of Way agents in negotiating for property were not fully discussing with the owners the manner in which appraisals were determined. As a result of discussion with the Attorney General and the Right of Way Engineer, the Chief Counsel recommended the following policy procedures:

- (1) The basic policy is to favor disclosure of germane factors affecting the appraiser's opinion of value.
- (2) Right of Way Agents (negotiators), in their meetings with landowners, should discuss the factors influencing the State appraisers in arriving at their opinion of the value of the property being acquired, including damages, if any, to the remainder property where a partial taking is involved. In so doing, the Right of Way Agents are not to supply a copy of the formal appraisal to the landowners, but should fully discuss with them the appropriate contents thereof. In the event the landowner requests a copy of the State's formal appraisal, the Right of Way Agent, through the Right of Way Engineer (Dave Moehring), will discuss the matter with the Assistant Attorney General and Counsel for the Highway Commission, who will then make a determination if it is in the best interest of all concerned a copy should be furnished the landowner.
- (3) The same procedure will be followed by a Right of Way Agent who is also discussing an acquisition with a landowner's attorney prior to the institution of condemnation proceedings.
- (4) Once the acquisition has become a legal matter and a condemnation action has been filed, the Counsel for the Highway Commission will determine, if in an individual case, it appears to be in the best interest of all concerned that there be an exchange of appraisals.

The Commission approved the right-of-way acquisition procedures as recommended. (The Chief Counsel's letter dated May 22, 1970, containing the above procedures and his comments is filed as "Real Property Resolution No. 539" in the Secretary's Office.)

Confirmation was requested by the Engineer for approval given by the Chairman May 22, 1970, on an agreement with the State Board of Higher Education (Local Government Relations Division) concerning participation in a Coastal Port Region Study for planning and development of State parks and highways in the coastal area. The University of Oregon is to provide a coordinator to direct the work which the Engineer said would be of value in planning and development of State parks and highways. He recommended approval of the agreement with financial participation not to exceed \$5,000. The Commission confirmed the agreement and authority for the Secretary to sign it in their behalf.

Confirmation was also requested for oral authority given by the Commission to lift restrictions on park reservations by out-of-state residents. The Engineer commented that advice had been received from the U. S. Bureau of Outdoor Recreation that discrimination against non-Oregonians in the reservation system would jeopardize the availability of Federal funds in other Federal-aid programs. As Federal-aid funds have been used in the development of a number of State parks, he recommended that the reservation system in State parks be continued but that there be no restriction due to state of residence. The Commission confirmed the action and thereupon adopted "State Parks Resolution No. 29b," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Attention was given to an agreement with the City of Brookings to provide sewage treatment at Harris Beach State Park, Curry County. The Engineer stated that sewage disposal at the park has been troublesome for years. The agreement provides that the City extend its sewer system to a point near the park boundary and that the State connect the park facilities to the extended City line. A one-time connection payment of \$15,987 is to be made to the City and in addition, a service charge of \$5 per year per camp unit. The agreement also provides that if the City increases sewage treatment rates to other users, a proportional increase may be made in charges to the State. The Commission confirmed approval given by the Chairman on May 11, 1970, and authority for the Secretary to sign the agreement for the Commission.

The Commission gave attention to an agreement with Lincoln County Historical Society to use the old Yaquina Bay Lighthouse for public museum purposes. The Engineer recalled that the Society has used the lighthouse for museum purposes for several years and the lease agreement expired June 1, 1970. The new agreement permits the Society to operate in the old Lighthouse for a period of two years beginning June 1, 1970, without monetary consideration. The agreement may be terminated by either party upon 30 days' written notice. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Consideration was also given to an agreement with Lakeside Water District to supply water for William M. Tugman State Park in Douglas and Coos Counties. The Engineer stated that the rates to be charged for the water will be the District's regular out-of-district rate which is $1\frac{1}{2}$ times the in-district commercial and industrial rate. Minimum charge is \$19.50 per month. The Commission confirmed telephonic approval given by the Chairman on April 24, 1970, and authorized the Secretary to sign the agreement for them.

A Grant of Easement in Devils Lake State Park to Lincoln City for a sewer construction project was discussed. The Engineer explained that Lincoln City has requested two permit easements 15 feet in width and two temporary easements 50 feet in width because of sewer construction in the park. No sewer assessment is to be levied against the State and no monetary consideration is involved. The Commission confirmed telephonic approval given by the Chairman on April 24, 1970, and authorized the Secretary to sign the agreement in their behalf.

Purchase of approximately 12 acres of land as an addition to Azalea State Park near Brookings in Curry County was brought up by the Engineer. He recalled that on May 20, 1970, the Chairman had approved purchase of this property from Karl Ostinburg at a cost of \$39,000. Acquisition of this land, he said, would fit in very well in park development plans and would add approximately 50 percent to the size of the present park. The price is in line with appraised values. The Commission confirmed purchase of the property.

An agreement with the City of Albany concerning the purchase of 3.8 acres of land on the Willamette River south of the mouth of the Calapooya River in Linn County was presented by the Engineer. This project, he said, has been approved as a part of the Willamette River Park System and the property has been appraised at \$60,000. Under the agreement, the Bureau of Outdoor Recreation would provide \$30,000, the State \$15,000, and local financing \$15,000. He recommended that the agreement be approved. The Commission accepted his recommendation and authorized the Secretary to sign it in their behalf.

Increases in project authorizations on three contracts were recommended by the Engineer and approved by the Commission as follows:

- (1) Contract No. 7344 on the Pacific Highway in Douglas and Josephine Counties for an increase of \$48,170 (14.9 percent) for removal and reinstallation of guard-rail. Construction of additional guardrail and widening to accommodate flared ends and related drainage modifications were given as the principal reasons for the overrun.
- (2) Contract No. 7351 for work in the Midland Information Center in Klamath County for an increase of \$12,960 (52 percent). The increase was caused by plan modifications, adding a trailer dump station, and construction of safer traffic access. Telephonic approval was given by the Chairman on May 12, 1970.
- (3) Contract No. 7335 in Rooster Rock State Park in Multnomah County for an increase of \$9,300 (7.8 percent). Extension of stairways and additional slope blanket material were given as the principal reasons for the overrun.

The matter of granting an extension of time to the Electric Corporation on Contract No. 7168 for the installation of fog warning signs on the Pacific Highway near Albany in Linn County was discussed. The Engineer stated that the contract had an extremely stringent completion time which was based on information that the Union Metal Company could immediately furnish the sign bridges. This could not be done, but the contractor did use extraordinary means to complete the job. The contractor has submitted good evidence that he should be entitled to an extension of twelve days, however, the Bureau of Public Roads has agreed to participate in only seven days. He recommended that the contractor be granted a twelve-day extension of time and that the State assume responsibility for the five days in which the Bureau will not participate. Six days of overrun still remain for which the contractor will assume liquidated damages in the

amount of \$600. Following the Engineer's favorable recommendation, the Commission approved the extension of twelve-days' time without assessment of liquidated damages.

The Chairman inquired if the fog signals are working as anticipated. The Engineer replied that the installation is an experimental project, but so far it has been successful in that no accordion-type accidents have occurred since the signals were put in operation. In response to an inquiry from the Chairman as to the cost, the Engineer replied that the Federal Government is paying 92 percent on approximately \$140,000 and 100 percent on some additional costs. Commissioner Bruno inquired if the installation is regarded as a good engineering project. The Engineer stated that for a spot installation it is proving very effective but would be too expensive for long distances. He also mentioned that since the project was started it has received national attention.

Payment of \$109.50 to Mr. R. M. Atchison was brought up by the Engineer. He explained that during construction of the 8th Street-Bayshore Section of the Empire-Coos Bay Highway in Coos County a roof drain system owned by Mr. Atchison was overlooked and not connected to the new roadway storm drain system. The situation has been corrected, and he recommended that Mr. Atchison be reimbursed for his out-of-pocket costs in the amount of \$109.50. The Chairman had given his approval on April 24, 1970. The Commission confirmed the payment.

An extension of time through March 31, 1970, for completion of a functional classification study of Oregon roads by the Transportation Research Institute of Oregon State University was considered. The Engineer stated that this latest request for an extension from March 1 to March 31 does not require additional funds and was verbally approved by the Chairman on April 24, 1970. He also mentioned that the Commission had so far expended \$230,596 on this study. The Chairman inquired if any tangible results had been received. The Engineer replied that the study encompasses the classification of five kinds of roads and highways within the State. The Commission confirmed the extension.

Expenditure of \$25,000 of State Construction Funds for paving the Foster-Hufford Road Section of the Santiam Highway in Linn County was brought up by the Engineer. He pointed out that under an agreement with the Army Engineers, a paving contract of 1.9 miles is to be performed at an estimated cost of \$150,000. The Corps of Engineers is to pay \$125,000, leaving \$25,000 as the State's share. This share is caused by a change in specifications increasing the depth of shoulder pavement. He recommended the expenditure of \$25,000 from State Construction Funds and approval of the project for construction. The Commission accepted his recommendation.

The Commission also considered adding to the State Construction Program a project to correct a drainage problem on the N. E. 122nd Avenue-N. E. 140th Avenue Section of the N. E. Portland Highway in Multnomah County. The Engineer stated that the work involves construction of 0.7 mile of storm sewer and an outfall approximately 1,500 feet in length, running northerly to the Columbia Slough. An agreement has been reached with Multnomah County by which the State is to pay \$130,000 and the County \$65,000. The Commission approved the project and authorized the Secretary to sign an agreement in their behalf.

Purchase of two houses and performance of grading work because of a slide on the Coos River Highway near the easterly limits of Eastside in Coos County was considered. The Engineer commented that the slide has already damaged one house and endangered a second house. To correct the slide he stated that it would be necessary to remove the two houses and construct bench slopes. He recommended approval of the project at an estimated cost of \$100,000 which would include purchase of the two houses and the necessary grading work with funds from the State Construction Program. The Commission accepted his recommendation.

Action was deferred on a request from the Trailer Coach Association for permission to move over State highways trailer coaches and building unit components up to a width of 14 feet. The Commission requested that an investigation be made in States other than on the Pacific Coast as to their practices in granting overwidth permits.

The Engineer reported that Contracts Nos. 7124, 7130, 7239, 7251, 7268, 7277, 7297, 7298, 7304, 7305, 7307, 7308, 7313, 7316 and 7324 for highway construction have been completed as required by the contracts or modifications thereof and said contracts are now ready for acceptance or have been accepted by letter since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 185," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The next regular Commission meeting date was confirmed for Tuesday, July 7, 1970, in the Conference Room of the State Highway Building in Salem. The date of August 18, 1970, was set for the following meeting, at which time bids are to be opened for the sale of highway bonds.

The Commission confirmed award of contracts made on May 1, 1970, on which bids had been received April 23 and 24, 1970, and authorized the Secretary to sign the following contracts:

BIDS RECEIVED IN SALEM, APRIL 23, 1970

Contract No. 7352 for grading, paving, structures and signing on Weatherby-Lime Section of the Old Oregon Trail in Baker County. Federal-aid Project No. I-80N-7(30)333. Six bids were received. The Commission awarded the contract to the low bidder, Gibbons & Reed Company, Portland, in the amount of \$6,639,911.50.

Contract No. 7353 for grading and paving on the Dudlee Hill-Blodgett Section of the Corvallis-Newport Highway in Benton County. Federal-aid Project No. F-150(12). Nine bids were received. The Commission elected to accept the low bid of Paul Zimmerly Road Construction, Vancouver, Washington, in the sum of \$1,662,010.30 and directed the State Highway Engineer to award the contract to said bidder as soon as necessary right-of-way is acquired and approval of the Bureau of Public Roads is received.

Barton Bridge Section on the Barton County Road in Clackamas County. County Project. Four bids were received. The Commission referred all bids to Clackamas County.

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Contract No. 7355 for cleaning and painting on the Coos Bay (McCullough) Bridge on the Oregon Coast Highway in Coos County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, H-N Painting, Contractor, Lynnwood, Washington, in the amount of \$134,360.

Contract No. 7356 for grading and paving on Myrtle Creek (3rd Ave. and Division St.) Section in Douglas County. State Project. One bid was received. The Commission elected to accept the lone bid of Roseburg Paving, Inc., Roseburg, in the sum of \$188,433 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Myrtle Creek is received and the sum of \$197,730 is deposited by the City.

Contract No. 7357 for the Condon Rock Production Project on the John Day and Wasco-Heppner Highways in Gilliam County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Vernie Jarl, The Dalles, in the amount of \$41,400.

Contract No. 7358 for the Siskiyou Summit Rock Production Project on the Pacific Highway in Jackson County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, M. C. Lininger & Son, Inc., Medford, in the amount of \$44,200.

Contract No. 7359 for the Chemult Rock Production Project on The Dalles-California Highway in Klamath County. State Project. Eight bids were received. The Commission awarded the contract to the low bidder, L. V. Anderson, General Contractor, Oakridge, in the amount of \$31,350.

Contract No. 7360 for the Odell Butte Rock Production Project on the Willamette Highway in Klamath County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Valley Equipment Company, Salem, in the amount of \$57,400.

Silver Lake Rock Production Project on the Fremont Highway in Lake County. State Project. No bids were received.

Contract No. 7361 for the Agate Beach State Wayside on Oregon Coast Highway in Lincoln County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, E. A. White Company, Walla Walla, Washington, in the amount of \$18,900.

Contract No. 7362 for grading and paving on State Street-Santiam Interchange Section of the Silver Creek Falls Highway in Marion County. FAP No. SU-442(2). One bid was received. The Commission awarded the contract to the lone bidder, Salem Road & Driveway Company, Salem, in the amount of \$454,469.15.

Contract No. 7365 for grading and paving on Pacific Highway East-Ward Drive Section of FAS-741 (Lancaster Dr.) at east edge of Salem in Marion County. FAP No. SU-528(4). Two bids were received. The Commission elected to accept the low bid of D & D Paving Company, Inc.,

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Salem, in the sum of \$334,531.80 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Marion County is received and the sum of \$55,500 is deposited by the County.

Contract No. 7364 for grading and paving 1st Street in Gervais in Marion County. State Project. Two bids were received. The Commission elected to accept the low bid of D & D Paving Company, Inc., Salem, in the amount of \$20,767.30 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Gervais is received and the sum of \$1,725 is deposited by the City.

Contract No. 7365 for structure on the Walla Walla River (Joe West) Bridge on FAS-471 in Umatilla County. FAP No. S-574(1). Eight bids were received. The Commission elected to accept the low bid of M. R. Holst, Oakridge, in the sum of \$74,975 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Umatilla County is received and the sum of \$17,200 is deposited by the County.

Contract No. 7366 for the McAlister Lane Undercrossing on the La Grande Section of the Old Oregon Trail in Union County. FAP No. I-80N-6(44)263. Six bids were received. The Commission awarded the contract to the low bidder, Gordon H. Ball, Inc., Danville, California, in the amount of \$542,201.

Contract No. 7367 for grading, paving and structure on the Hot Lake Overcrossing Section of the La Grande-Baker Highway in Union County. FAP No. RS-570. Five bids were received. The Commission awarded the contract to the low bidder, Gordon H. Ball, Inc., Danville, California, in the amount of \$703,657.80.

Contract No. 7368 for two Bear Creek Bridges on FAS 468 and 491 in Wallowa County. FAP Nos. S-203(4) and S-487(2). Seven bids were received. The Commission elected to accept the low bid of M. R. Holst, Oakridge, in the sum of \$106,550.15 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Wallowa County is received and the sum of \$24,200 is deposited by the County.

Enterprise Rock Production Project on the Enterprise-Lewiston Highway in Wallowa County. State Project. One bid was received. The Commission rejected the bid of E. D. Blumer Crushing Co., Kennewick, Washington in the amount of \$37,500.

Contract No. 7370 for grading and oiling 4th Street and Dufur Avenue in Maupin in Wasco County. State Project. Two bids were received. The Commission elected to accept the low bid of Interstate Paving Company, The Dalles, in the sum of \$29,901.10 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Maupin is received and the sum of \$10,230 is deposited by the City.

Contract No. 7371 for paving on Camp Adair Road-9th Street Section of the Pacific Highway West in Benton County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Morse Bros., Inc., Lebanon, in the amount of \$233,255.00.

Contract No. 7372 for paving on Sugar Pine Butte Road-Fremont Highway Junction Section of The Dalles-California Highway in Deschutes County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Bend Aggregate & Paving Company and H. J. Curl, Jr., Bend, in the amount of \$458,185.

Contract No. 7373 for paving on Winston-South Dillard Section of the Dillard Highway in Douglas County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Roseburg Paving, Inc., Roseburg, in the amount of \$109,205.

Contract No. 7374 for paving on the Kirk Road-Collier State Park Section of The Dalles-California Highway in Klamath County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Asphalt Paving Company, Klamath Falls, in the amount of \$234,750.

BIDS RECEIVED IN SALEM, APRIL 24, 1970

Contract No. 7375 for grading and paving on the Fort Stevens State Park access road in Clatsop County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, Construction West, Ltd., Astoria, in the amount of \$387,033.

Marks Creek Rock Production Project on the Ochoco Highway in Crook County. State Project. One bid was received. The Commission rejected the lone bid of Waybo, Inc., Portland, in the amount of \$78,000.

Contract No. 7377 for the Juntura Rock Production Project on the Central Oregon Highway in Harney County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, N. A. Toole Construction, Ontario, in the amount of \$46,000.

Contract No. 7378 for the Union Creek Rock Production Project on the Crater Lake Highway in Jackson County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, M. C. Lininger & Sons, Inc., Medford, in the amount of \$35,100.

Contract No. 7379 for the Santiam Junction Rock Production Project on the Santiam, North Santiam, McKenzie and Clear Lake Highways in Linn, Lane and Marion Counties. State Project. Five bids were received. The Commission awarded the contract to the low bidder, North Santiam Sand & Gravel, Inc., Stayton, in the amount of \$120,800.

Contract No. 7380 for the Burns Junction Rock Production Project on the I.O.N. and Steens Highways in Malheur and Harney Counties. State Project. Two bids were received. The Commission awarded the contract to the low bidder, N. A. Toole Construction, Ontario, in the amount of \$51,300.

Contract No. 7381 for the Grass Valley Rock Production Project on the Sherman Highway in Sherman County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, W. R. Sutherland, Spokane, Washington, in the amount of \$46,500.

Contract No. 7382 for grading and paving on 5th Avenue in Umatilla in Umatilla County. State Project. Two bids were received. The Commission elected to accept the low bid of Percy E. Jellum Contractor, Inc., Pendleton, in the sum of \$23,593 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Umatilla is received and the sum of \$2,353 is deposited by the City.

Contract No. 7383 for the Ukiah Rock Production Project on the Pendleton-John Day and Ukiah-Hilgard Highways in Umatilla County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Arthur Simonsen & Company, Inc., Baker, in the amount of \$56,100.

Contract No. 7384 for grading and paving Commercial Avenue in North Plains in Washington County. State Project. Two bids were received. The Commission elected to accept the low bid of Cornell Construction Company, Forest Grove, in the sum of \$31,598 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of North Plains is received and the sum of \$12,325 is deposited by the City. (The City could not make the payment and the project was cancelled.)

Contract No. 7385 for leveling course and paving on Shields Creek-Winston Section of Coos Bay-Roseburg Highway in Douglas County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, G. L. Compton, J. C. Compton Company and John C. Compton, McMinnville, in the amount of \$374,995.

Contract No. 7386 for paving and rock production of the Crescent-Willamette Junction Section of The Dalles-California Highway in Klamath County. State Project. One bid was received. The Commission awarded the contract to the lone bidder, Babler Bros., Inc., Portland, in the amount of \$397,600.

Paving on S.W. Oregon Street-Verde Drive (Ontario) Section of the Olds Ferry-Ontario Highway in Malheur County. State Project. One bid was received. The Commission rejected the lone bid of Ontario Asphalt Paving Co., Ontario, in the amount of \$43,550.

Contract No. 7388 for paving on Bay City-Dougherty Slough Section of the Oregon Coast Highway in Tillamook County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, G. L. Compton, J. C. Compton Company and John C. Compton, McMinnville, in the amount of \$186,780.

The Commission also confirmed award of contracts made on May 20, 1970, on which bids had been received May 14, 1970, and authorized the Secretary to sign the following contracts:

BIDS RECEIVED IN SALEM, MAY 14, 1970

Contract No. 7389 for grading, paving, structures, signing, signals and illumination on Gladstone Interchange-Oregon City Interchange Section of the East Portland Freeway in Clackamas County. FAP No. I-205-7(14)299. Five bids were received. The Commission elected to accept the low bid of Gordon H. Ball, Inc., Danville, California, in the sum of \$11,228,777.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

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Contract No. 7390 for paving on the Floras Creek-Sixes River Section of the Oregon Coast Highway in Curry County. State Project. One bid was received. The Commission awarded the contract to the lone bidder, G. W. Woodward Company, Inc., Coquille, in the amount of \$199,489.

Contract No. 7391 for the Heppner Rock Production Project in Morrow County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Vernie Jarl, The Dalles, in the amount of \$41,000.

Contract No. 7392 for paving on the N.W. Kittridge Avenue-N.W. 29th Avenue Section of the Columbia River Highway in Multnomah County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Cascade Construction Company, Inc., Portland, in the amount of \$57,005.

Contract No. 7393 for paving on the Bancroft Street-Lake Oswego Section of the Oswego Highway in Multnomah County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Cascade Construction Company, Inc., Portland, in the amount of \$109,482.50.

Contract No. 7394 for paving on Wades Point-Trout Creek Section of the Wallowa Lake Highway in Wallowa County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, L. W. Vail Company, Inc., Pasco, Washington, in the amount of \$168,339.50.

The Engineer reported that he had awarded contracts which had been referred to him by the Commission to award when certain conditions were fulfilled. The Commission confirmed his award of the following contracts:

- (1) Grading and paving on the Dudlee Hill-Blodgett Section of the Corvallis-Newport Highway in Benton County. Bids received April 23, 1970. Contract No. 7353 awarded May 14, 1970, to Paul Zimmerly Road Construction, Vancouver, Washington, low bidder.
- (2) Grading and paving 3rd Avenue and Division Street in the city of Myrtle Creek in Douglas County. Bids received April 23, 1970. Contract No. 7356 awarded May 20, 1970, to Roseburg Paving, Inc., Roseburg, low bidder.
- (3) Grading and paving on the Pacific Highway East-Ward Drive Section of FAS 741 (Lancaster Drive) in Marion County. Bids received April 23, 1970. Contract No. 7363 awarded May 14, 1970, to D and D Paving, Inc., Salem, low bidder.
- (4) Grading and paving 1st Street in the city of Gervais in Marion County. Bids received April 23, 1970. Contract No. 7364 awarded May 4, 1970, to D and D Paving, Inc., Salem, low bidder.

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- (5) Construction of Walla Walla River (Joe West) Bridge on FAS 471 in Umatilla County. Bids received April 23, 1970. Contract No. 7365 awarded May 22, 1970, to M. R. Holst Construction, Oakridge, low bidder.
- (6) Construction of the Bear Creek Bridges on FAS 468 and FAS 491 in Wallowa County. Bids received April 23, 1970. Contract No. 7368 awarded May 13, 1970, to M. R. Holst Construction, Oakridge, low bidder.
- (7) Grading and oiling in the city of Maupin on 4th Street and Dufur Avenue in Wasco County. Bids received April 23, 1970. Contract No. 7370 awarded May 6, 1970, to Interstate Paving Company, The Dalles, low bidder.
- (8) Grading and paving on 5th Street in the city of Umatilla in Umatilla County. Bids received April 24, 1970. Contract No. 7382 awarded May 4, 1970, to Percy E. Jellum Contractor, Inc., Pendleton, low bidder.

A tabulation was presented by the Engineer showing the proposed allocation of Federal-aid TOPICS funds for the Fiscal Year 1971. He pointed out that during the last four months meetings have been held with the League of Oregon Cities and an agreement has been reached that the allocation of TOPICS funds should be based upon the following three points:

- (1) Allocate the 1971 TOPICS funds on a per capita basis to cities within approved urban areas that have a current population of over 5,000 (same as Fiscal Year 1970 allocation).
- (2) That all governmental jurisdictions within urban areas be informed that future TOPICS allocations (Fiscal Year 1972 and later) will be to urban areas of the state (possibly on an urban population per capita basis) and that, in order for all jurisdictions to be able to participate in the TOPICS program, each urban area will be required to cooperatively develop an Areawide TOPICS Plan according to the requirements of the Bureau of Public Roads' Policy and Procedure Memo 21-18.
- (3) That the State Highway Division will continue to accept project requests only from cities of over 5,000 population under the 18-month clause of PPM 21-18 for funding with Fiscal Year 1970 and Fiscal Year 1971 TOPICS funds.

The Commission approved the allocation of TOPICS Funds as follows and authorized the Secretary to sign appropriate agreements.

(See next page for Fiscal Year 1971 TOPICS Allocation)

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FISCAL YEAR 1971 TOPICS ALLOCATION

CITY	FEDERAL FUNDS	TOTAL FUNDS
		Includes State and Local Matching Money (Rounded to Thousands)
Albany	\$ 32,870	\$ 55,000
Ashland	23,985	40,000
Astoria	19,188	32,000
Baker	16,612	28,000
Beaverton	32,157	54,000
Bend	23,985	40,000
Coos Bay	25,762	43,000
Corvallis	63,790	106,000
Dallas	11,104	19,000
Eugene	140,353	234,000
Forest Grove	12,614	21,000
Gladstone	10,358	17,000
Grants Pass	24,162	40,000
Gresham	17,056	28,000
Hillsboro	24,873	41,000
Klamath Falls	29,760	50,000
La Grande	18,210	30,000
Lake Oswego	25,406	42,000
Lebanon	12,082	20,000
McMinnville	17,323	29,000
Medford	56,853	95,000
Milwaukie	29,137	49,000
Newport	10,482	17,000
North Bend	15,102	25,000
Ontario	11,464	19,000
Oregon City	15,724	26,000
Pendleton	24,410	41,000
Portland	671,215	1,119,000
Roseburg	27,005	45,000
St. Helens	10,305	17,000
Salem	122,737	205,000
Springfield	48,105	80,000
The Dalles	20,965	35,000
Tigard	11,192	19,000
West Linn	12,170	20,000
	\$1,668,516*	\$2,781,000

*Includes \$30,957 in 1970 funds allocated erroneously to three non-urban areas (Cottage Grove, Hermiston, and Woodburn).

SUMMARY, ENTIRE STATE-FISCAL YEAR 1971 TOPICS FUNDS

Total Federal Funds (Approximate)-----	\$1,638,000
Plus estimated required match money-----State Funds	546,000
-----Local Funds	546,000
TOTAL TOPICS FUND-----	\$2,730,000

Note: Above funds allocated to cities of over 5,000 population in urban areas on per capita basis as requested by League of Oregon Cities. Federal funds are estimated to represent approximately 60% of total TOPICS fund with State and local funds estimated to be approximately 20% each.

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Requests were considered from Multnomah and Washington Counties for Federal-Aid Secondary Projects. Also considered was a request from Linn County for cancellation of a project. The Engineer stated that the projects have been investigated and are eligible for the use of FAS funds. The Commission approved the following projects and authorized the Secretary to sign routine construction agreements.

County	FAS	Section & Description	Programmed Amount	State Cost
Multnomah	940	N. Borthwick Avenue-N. Delaware Avenue Section, N. Columbia Blvd. 0.86 mile. Grade, drain, base, curb and pave.	\$350,000	\$ 70,000
Washington	950	Tualatin River (Aloha Expressway) Bridge Section. Grade, drain, base, pave, and structure.	250,000	50,000
TOTAL NEW PROJECTS			\$600,000	\$120,000

Cancellation of Previously Approved Projects

Linn	217	Santiam River (Sweet Home) Bridge, Pleasant Valley Road. Transfer of Federal Funds	\$450,000 \$6,126*
TOTAL CANCELLATION			\$450,000
TOTAL			\$150,000

*Total Federal Funds transferred \$6,126.

This amount of Federal Funds equals \$10,000 FAS Funds.

SUMMARY BY FISCAL YEARS	1970	1971	TOTAL
Allocated Funds	\$5,089,000	\$5,067,000	\$10,156,000
Approved Projects (corrected to date)	5,089,000	2,163,000	7,252,000
Unprogrammed Balance	---	\$2,904,000	\$ 2,904,000
Projects Proposed 6-2-70	---	150,000	150,000
Transferred FAS Funds	---	10,000	10,000
Unprogrammed Balance	---	\$2,744,000	\$ 2,744,000

A request was considered from a contractor for an extension of time to complete a highway contract without assessment of liquidated damages. The Engineer stated that the request had been carefully investigated and the results of the investigation were reported to the Commission by letter. The Commission took action as follows:

Ontario Asphalt Paving Company, Contract No. 7347 on FAS 23-103 in Malheur County, requested a 15-day extension of time. The Commission denied the request.

The Engineer presented for the Commission's approval seven highway corridor and design survey resolutions. He stated that public hearings have been held as required and other requirements by the Bureau of Public Roads have been met. The Commission approved the surveys which include authority to acquire right-of-way and thereupon adopted "Highway Corridor and Design Resolutions Nos. 375 through 379," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

- (1) Hayesville Interchange-Battle Creek Section of the Pacific Highway (I-5) in Marion County. (See "Highway Corridor and Design Resolution No. 375.")
- (2) Elk River-Port Orford Section of the Oregon Coast Highway in Curry County. (See "Highway Corridor and Design Resolution No. 376.")
- (3) Park Street-Tolman Creek Road Section of the Green Springs Highway in Jackson County. (See "Highway Corridor and Design Resolution No. 377.")
- (4) Winston-Shady Interchange Section of the Coos Bay-Roseburg Highway in Douglas County. (See "Highway Corridor and Design Resolution No. 378.")
- (5) N.E. 60th Avenue-N.E. Sandy Boulevard Section of the Northeast Portland Highway in Multnomah County. (See "Highway Corridor and Design Resolution No. 377.")
- (6) Eagle Creek-Estacada Section of the Clackamas Highway in Clackamas County. (See "Highway Corridor and Design Resolution No. 378.")
- (7) Mehama Bridge Section of the Albany-Lyons Highway in Marion and Linn Counties. (See "Highway Corridor and Design Resolution No. 379.")

The Engineer reported that a corridor and design public hearing is to be held today in Portland concerning the S.E. 17th Avenue-Powell Boulevard Intersection Section of the Mt. Hood Highway in Portland, Multnomah County. The City is conducting the hearing in which the State Highway Division is involved because of the Mt. Hood State Highway and he recommended that the Commission adopt a resolution authorizing Portland Mayor Terry Schunk to conduct the hearing. The Commission accepted his recommendation and thereupon adopted "Authorization Resolution No. 51," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A resolution was presented by the Engineer rescinding "Speed Zone Resolution No. 137," and establishing 40 mile-per-hour speed zones on the Coos Bay-Roseburg Highway near the west and south limits of the city of Coquille in Coos County. The Engineer mentioned that the State Speed

Control Board had revised designated speeds within the city of Coquille and the revisions are necessary to correlate with their action. The Commission approved the revision and thereupon adopted "Speed Zone Resolution No. 560," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Completion of the Pendleton Bypass Section of the Old Oregon Trail has caused a change in traffic pattern at the intersection of the Oregon-Washington Highway and the Pendleton Highway in the city of Pendleton, Umatilla County. This change, the Engineer said, requires a revision in stop requirements and he recommended that "Through Highways and Stop Signs Resolution No. 4" dated April 27, 1943 as it pertains to the Oregon-Washington Highway be amended to add the following exception:

"Except that at its intersection with the Pendleton Highway No. 67 traffic making the right turn from northeast to west shall not be required to stop."

He also recommended that "Through Highways and Stop Signs Resolution No. 14," dated August 21, 1950, as it pertains to the Pendleton Highway be amended to add the following:

"Except that at its westerly intersection with the Oregon-Washington Highway No. 8, traffic westbound on the Pendleton Highway No. 67 shall be required to stop."

The Commission accepted his recommendations and adopted "Through Highways and Stop Signs Resolutions Nos. 4t and 14e," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

The Commission considered a request from Greyhound Lines West to be relieved of a stop requirement at the railroad grade crossing on the Oregon Coast Highway at M.P. 19.82 in the city of Seaside, Clatsop County. The Engineer mentioned that this is a spur track to serve a Standard Oil Distribution plant. The track has not been used for more than a year and there are no plans to use it in the future. Commissioner Bruno remarked that he would like an opinion from the Chief Counsel as to any liability that the State might assume if the stop requirement is removed. The Commission deferred action on this matter pending legal advice.

An agreement with the Bureau of Land Management for fencing approximately 4.6 miles on the southwesterly side of the Steens Highway northwest of the Burns Junction in Malheur County was discussed. The Engineer commented that the BLM had proposed a cooperative agreement for fencing in connection with stock range improvements. Under the proposed procedure, the State would pay to the BLM \$924.62 which is the cost of the steel fence posts. The Engineer also mentioned that this agreement is a part of a continuing cooperative effort with the BLM in controlling livestock along State highways. The Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was given to an agreement with Union County pertaining to construction of the North Powder-Powder River Section of the Old Oregon Trail near the Union-Baker County line. The Engineer stated

that the agreement provides for acquisition of right-of-way, construction, maintenance of the project, closure of certain county roads, relocation of utility facilities and other matters. Upon completion of the project, the County is to accept jurisdiction and control of the reconstructed portion of the North Powder River Road and a proposed frontage road. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission also considered an agreement with Klamath County and Weyerhaeuser Company concerning new construction on the Green Springs Highway near the city of Klamath Falls in Klamath County. Under the agreement, approximately 4,600 feet of the State highway is to be relocated. Weyerhaeuser Company is to acquire all necessary right-of-way for a future four-lane facility. The State is to perform the new construction for two lanes and the County is to cooperate in the relocation of utility facilities and to accept jurisdiction over the portion of the State highway to be bypassed. The Engineer estimated the cost to the State at \$200,000 and recommended that the project be approved. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement with the City of Hermiston concerning improvement of the Umatilla-Stanfield Highway within the city in Umatilla County was brought up by the Engineer. He explained that the agreement provides for construction to provide a four-lane facility through the city at an estimated total cost of \$350,000 to be borne 75 percent by the State (\$262,500) and 25 percent by the City. He recommended that the project be added to the list of cooperative projects on which authority for construction will be requested at a later date. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Consideration was given to an agreement with the City of Medford pertaining to the Oak Grove Road-Elm Street Section of the Jacksonville Highway in Jackson County. The Engineer mentioned that the State is to acquire right-of-way and the City is to pay for 25 percent of the construction costs. He estimated cost to the State for right-of-way at \$24,000 and construction at \$105,000 of which amount the State would pay \$78,750 and the City \$26,250. The agreement provides for utilities relocation, intersecting street construction and requires the City to assume into its street system the existing Elm Street connection between 3th Street and Main Street. A companion agreement with Jackson County is being negotiated and will be presented later. The Commission approved the agreement, subject to negotiation of a suitable agreement with Jackson County, and authorized the Secretary to sign the City agreement in their behalf.

Cancellation of an agreement with the City of West Linn for illumination on the East Portland Freeway in Clackamas County was considered. The Engineer pointed out that Oregon City and Gladstone have pleaded poverty and have declined to assume the cost for electrical energy in their respective areas. Lighting is imperative, he said, and is included as a part of the highway construction. As a matter of equal treatment with Oregon City and Gladstone, he recommended that the agreement be cancelled. The Commission approved the cancellation.

Attention was given to an agreement with the City of St. Helens for installation of traffic signals at the SP&S railroad crossing on St.

Helens Street and conversion of signals at the intersection of the Columbia River Highway and Columbia Boulevard in Columbia County to provide for one-way traffic. The agreement provides that the State perform the work with the City to pay one-half the cost of installation and all of the maintenance and electrical energy costs. The Engineer estimated the total cost of the project at \$12,000 with the State's share of \$6,000 to be taken from State Construction Funds. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Consideration was given to an agreement with the City of Newberg for installation of traffic signals at the intersection of River Street with the Pacific Highway West in Yamhill County. The Engineer mentioned that the agreement provides that the cost of installation be shared equally between the City and the State and that the City provide for all maintenance and power consumption. He estimated cost of the installation at \$12,000 with the State's share of \$6,000 to be taken from Minor Betterment Funds. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

The Commission also considered an agreement with the City of Portland for installation of traffic signals on the Cascade Highway at the intersection of S. E. Washington Street and for revision of traffic signals at S. E. Stark Street. The Engineer stated that the work is required in the implementation of the Stark-Washington one-way couplet. The agreement provides that the City perform the installation work, maintain the signals, and pay for electrical energy. The State is to pay one-half the cost which is estimated at a total of \$16,000. He recalled that at the April 21, 1970, meeting the Commission had approved installation at Washington Street at an estimated cost of \$4,000 to the State. He recommended approval of the Stark Street installation at a cost to the State estimated at \$4,000. The Commission approved the project and authorized the Secretary to sign the agreement in their behalf.

An agreement with Marion County, Polk County, the City of Salem, and the Mid Willamette Valley Council of Governments for a continuing study of operations under the Salem Area Transportation Study was discussed. The Engineer commented that the Salem area study has progressed to the point where it should be placed under a continuing operations plan. This will provide more equitable distribution of study work and will permit Federal-aid highway construction in the Salem area to proceed in an orderly fashion. The new agreement involves expenditure by the State Highway Division of \$8,400 annually, which will be financed from Highway Planning Research Funds. He recommended approval of the agreement. The Commission approved the agreement and authorized the Secretary to sign it for them.

Confirmation was requested by the Engineer for verbal approval given by the Chairman on May 1, 1970, for placing the Portland-Vancouver Metropolitan Transportation Study under a continuing operations plan. Such action, he said, will permit better distribution of the study work between the State and local governments and will allow Federal-aid construction in the Portland area to proceed in an orderly fashion. The continuing phase of operations will also facilitate the securing of grant monies involving mass transit and the Columbia Region Association of Government's operations.

The new agreement, he continued, will cancel the agreement entered into in 1965 and will also cancel a letter of intent on cost sharing that was executed by the States of Oregon and Washington. The new agreement between the State of Oregon, the State of Washington and CRAG involves commitment by the two States to expend approximately \$69,000 annually for work involved in the study. A new letter of intent is to be initiated with the State of Washington based on a cost of \$9,126 to be borne by the State of Washington and \$59,874 to be borne by the Oregon Highway Division. Oregon's share is to be financed from HPR funds. The Commission confirmed the agreement and authority for the Secretary to sign it in their behalf.

Attention was given to a supplemental agreement with the City of Baker concerning improvement of Campbell Street as an access route between the downtown area and the proposed new route of the Old Oregon Trail in Baker County. The original agreement dated April 23, 1968, is to remain in effect where applicable. The Engineer stated that it was originally intended to construct Campbell Street to a width of 44 feet. The City, however, has requested that the width be increased to 64 feet and has agreed to pay all added costs caused by the increased width and construction of a larger storm sewer system. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

An agreement with Southern Pacific Transportation Company pertaining to construction of the Jumpoff Joe Creek-Louse Creek Interchange Section of the Merlin-Gallice County Road in Josephine County was brought up by the Engineer. He stated that this is a FAS-C project with Federal-aid provided in the usual manner. The project consists of constructing the new crossing installation, flashing light signals, crossing gates, preliminary engineering and other matters. Cost of the project is to be borne as follows:

Railroad - 10% of signal costs	\$ 3,230
BPR - 60% of 90% of signal costs plus 60% of other costs	\$34,490
County - 20% of 90% of signal costs plus 20% of other costs	\$11,500
State - 20% of 90% of signal costs plus 20% of other costs	<u>\$11,500</u>
Total Cost of Railroad Work	\$60,720

The Commission approved the agreement.

The Commission considered an agreement with the City of Pendleton pertaining to an extension of the one-way couplet system along Emigrant and Frazer Avenues as a part of the Pendleton-John Day Highway in Umatilla County. The Engineer estimated the total cost of the project at \$800,000 of which the State is to pay \$650,000 and the City of Pendleton \$150,000. The City has requested that its share be distributed over two fiscal years. The Engineer recommended that the project be added to the list of cooperative projects and that authority to place it on a construction program would be requested at a later date. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Attention was given to a request from the Central Lane Planning Council for assistance in financing the coding in the Eugene-Springfield metropolitan area. The Engineer commented that the request was for assistance in an amount not to exceed \$14,800 which is fundable under HPR programs paid 85 percent by the Federal Government, 15 percent by the State. The Commission accepted his favorable recommendation and authorized the Secretary to sign the agreement in their behalf. ^

Consideration was given to an agreement with the City of Woodburn and the Southern Pacific Transportation Company concerning reconstruction of the Garfield Street (Young Street) grade crossing on the Hillsboro-Silverton Highway in the city of Woodburn in Marion County. Cost of the project was estimated by the Engineer at \$100,100 to be divided as follows:

	City	State	Railroad
Right-of-way, Grading and Paving	\$10,000	\$10,000	--
Crossing Gates	\$10,775	\$10,775	\$21,550
Track Adjustment, Plank Crossings and Communication Line Adjustment	--	\$18,500	\$18,500
Total Cost	\$20,775	\$39,275	\$40,050

He recalled that in December 1969 the Commission had approved the project at an estimated cost of \$43,000. Cost of the crossing gates is higher than was originally anticipated thus increasing the State's share of the project from \$35,000 to \$39,275. The Commission approved the agreement and authorized the Secretary to initial certain changes made in the agreement.

A Permit of Entry from the Union Pacific Railroad Company allowing the State to enter on Railroad property because of construction on the Bubbs Ranch-Weatherby Section of the Old Oregon Trail in Baker County was discussed. The Engineer pointed out that this permit is an extension of a permit approved at the April 21, 1970, meeting. Following his favorable recommendation, the Commission approved the Permit of Entry.

Attention was given to an agreement with Northern Testing Laboratories to perform inspection of steel to be used in structures on the La Grande Section of the Old Oregon Trail in Union County. Under this agreement the Engineer said that the testing is to be performed at the plant site at a price of \$12 per hour with the total not to exceed \$16,800. Approval has been received from the BPR. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

A delegation from Fossil and Condon came before the Commission concerning means of promoting tourist traffic in Eastern Oregon. The following people were present: Herb Wright, Jack Steiwer and Clarence Asher, County Judge for Wheeler County, all from Fossil; E. R. Fatland, Les Brook, Gilliam County Commissioner; and Bill Flatt from Condon.

Mr. Wright introduced the other members of the delegation and recalled that a delegation in November 1969 had appeared before the Commission

requesting more advertising for tourists in Eastern Oregon. As suggested by the Commission at that time, he said that they have prepared brochures and other information and he exhibited a pamphlet pertaining to Wheeler, Grant, and Gilliam Counties. Packets of these brochures have been placed in information centers. He also commented that considerable assistance had been given to them by Dennis Clarke, the Travel Information Director, and that Commissioner Fred Hill had also met with them. Community efforts, he said, were responsible for cleaning the litter from approximately 26 miles of State highways. He requested that the Commission emphasize tourist advertising for Eastern Oregon.

In response to an inquiry from the Chairman, Assistant Highway Engineer Shaw, stated that advertising so far had consisted of relatively small ads and distribution of literature.

Mr. Wright commented on the need for highway improvement on the John Day Highway between Thirtymile Creek and Condon, and correction of a bad curve north of Cummings Hill near Milepoint 53.3. He commended the Commission for resurfacing work performed between Condon and Fossil and requested that consideration be given to the Clarno Bridge Project on the Shaniko-Fossil Highway.

Mr. Fatland recalled that he had first appeared before the Commission concerning improvements in Central Oregon in 1933. Since that time there has been a considerable change in the manner of moving wheat to the market. The government has encouraged storage of grain on the farms and large trucks now come to the local storage facilities to pick up the wheat. He mentioned that one hauler had stated that it was considerably cheaper to haul the grain over the John Day Highway to Portland than to haul it over the Ochoco Highway (Route 26). He mentioned the increased amount of plywood, chips and other lumber products which are being hauled from the John Day area to Portland. Commenting on another subject, it was his opinion the highway through Shutler Flats across the Weatherford Ranch is wide enough in its present state. He urged that early consideration be given to the improvement of the John Day Highway.

Mr. Flatt stated that he operates school busses between Arlington and Condon and highway widening is badly needed.

Chairman Jackson remarked that not many delegations express thanks for work that has been done and he stated that the Commission is recommending the issuance of Highway Bonds for Eastern Oregon projects. In the meantime, the Highway Division has been taking care of some of the more dangerous conditions with maintenance crews. The Commission, he said, will continue to work on attracting tourists to Central and Eastern Oregon.

A delegation from Waldport in Lincoln County came before the Commission to request complete closure of the beach between Waldport and Yachats. The following people were present all from the City of Waldport: Mr. and Mrs. R. H. Sorensen; Mr. and Mrs. Ralph Hutchins; Mrs. Helen Baldwin; Mr. and Mrs. Carl Vreeland; Mrs. M. Buckler and F. N. Jacoby.

Mr. Sorensen presented to the Commission a number of letters and a petition urging closure of the beach. Mrs. Sorensen commented on the number of accesses by which people may reach the beach on foot and she asked for permanent closure of the beach area between Waldport and Yachats.

Mrs. Baldwin stated that she did not represent any organization but mentioned that her four small children had been nearly run down by jeeps and motorcycles. She also mentioned that a group of cyclists had used their front yard for maneuvering and a four-wheel drive group had removed a log which belonged to the Baldwins. She also pointed out that the presence of drift logs in the dry sand area tends to stabilize the sand from the effects of wind. She requested complete closure of the beach from Waldport to Big Creek.

Mr. Vreeland read a letter urging the prohibition of vehicles from the beach. He also pointed out that the coast is no longer a summer resort area but a great deal of use is made of the beaches during the other seasons of the year.

Mr. Jacoby stated that he owns property at Waconda Beach and that he has several times noticed motorcyclists running among children. He requested that all vehicles be prohibited from using the beach in this area. Mrs. Vreeland stated that they own a lot at Bay Shore and that motorcyclists are very noisy and dangerous to pedestrians. She also mentioned that it's very aggravating to a pedestrian to see a float or some other object on the beach and then have a jeep beat you there.

Mr. Sorensen, who operates a family-type motel, urged that vehicles be prohibited.

Mr. Hutchins stated that automobile drivers who had gotten stuck in the sand used his boards to get out without permission and failed to return the boards.

Mrs. Baldwin mentioned that only in the last two years have the motorcyclists become numerous. It was her feeling that they should be kept off the beach.

Chairman Jackson stated that the Commission had ordered a series of hearings, one in each county on the ocean shore, to determine public opinion and to serve as a basis for setting beach regulations. He mentioned the difficulty in trying to set up these regulations to provide the public with the best use of the beaches. However, regulations will be placed in effect and he emphasized that changes in them can be made based on experience. Changes also can be made as access points to the beach are developed. The first objective for the Commission is to get the program under way and the second to provide policing of the beaches and sanitation facilities. He asked that the public be patient with the new regulations pending a season's experience with them. The delegation was assured that changes will be made when they are justified. He mentioned the difficult problems faced by the Commission in establishing these regulations taking into consideration the points of view represented by local people, by visitors, pedestrians, and vehicle operators. The State Police, he added, are organizing a patrol for the beach area. He urged the group to bear with the regulations until October 1.

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Mr. W. J. Collins of Portland came before the Commission concerning restriction of vehicles on the beach in front of the Gearhart Hotel in Clatsop County. He read a letter he wrote to the Oregon Legislative Interim Committee on Highways stating his feelings. Population in this area, as well as visitors in the summer, have increased greatly in the last few years and he asked that the Commission close the beach to vehicles from the Necanicum River north for a distance of approximately 1,000 yards. He also requested a new point of access to the beach just north of the Gearhart Hotel. The Commission took no action.

The Hon. Lyle Ordway, Clatsop County Commissioner from Astoria; Verne Stratton, Jean Hallaux, and Gene Magee, also of Astoria; came before the Commission concerning regulation of vehicles on the ocean shore between Cannon Beach and Hug Point. County Commissioner Ordway read a letter signed by the County Commissioners in which they urged that Braillier Road be left open and that parking be banned in front of the south end of Tolovana Park. He pointed out that there is no other way for the public to have access to this fine beach area. He also mentioned that the Board of County Commissioners have requested that the Gearhart access be closed when the Del Rey Beach access is opened.

The Chairman mentioned that the Commission in devising regulations for vehicles on the beach had tried to set them up in relation to accessibility.

County Commissioner Ordway commented that for the Seaside hearing local authorities had only three days to look at the beach closure plans prior to the hearing. He also pointed out that many residents in Tolovana Park do not want access constructed to the beach.

The Chairman thanked Commissioner Ordway for appearing before the Commission and stated that there had been a misunderstanding regarding contact with local authorities.

The Chairman called a 15 minute recess at 11:30 a.m. After reconvening, he inquired how long it would take to prepare the signs for the beach regulations. Assistant Engineer Shaw stated that this would take about three weeks. The Chairman then inquired as to status of training for the beach patrol. The Engineer replied that the State Police now have men in training. Chairman Jackson then asked if the beach regulations are made effective June 15, 1970, if the signs would be ready. He was advised that they would be.

The Chairman then announced that the beach regulations prepared by the Highway Division staff would be accepted and made effective as of June 15, 1970. He also mentioned that under the beach law any 20 residents may request a hearing but he hoped that these requests would be delayed

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until the end of the summer season to determine the practical effectiveness of the regulations. The Commission thereupon adopted "Ocean Shore Resolutions Nos. 10, 11, 12, 13, 14, 15, and 16," pertaining to the seven counties bordering the Pacific Ocean, which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

Mr. Forrest Cooper, State Highway Engineer, stated that for some time he has been considering retirement and has concluded he would do so at a time chosen by the Commission. The Chairman complimented Mr. Cooper highly for the 48 years of service he has given to the State and the Highway Division, the progress on the Interstate system, and his leadership in highway beautification and construction of rest areas. Commissioner Bruno stated that he knew of no one more dedicated to his work. Commissioner Hill expressed similar sentiments and they all wished him happiness in his retirement which will be effective June 30, 1970.

The Commission considered acquisition of additional land to Sunset Bay State Park in Coos County. The Engineer stated that lands on the easterly side of the highway near the north end of the park are being commercialized in a manner not in keeping with the park development across the highway. He presented a map showing that the property under consideration is already surrounded on three sides by the existing park. Acquisition of this property would protect the park from commercial intrusions and would provide a house for the park manager's residence near the park entrance. The house is valued at approximately \$12,000. Cost to remove the small businesses already established, he said, would be a small amount. Cost of acquiring the entire 9.9 acre tract is estimated at \$85,000 and he recommended that authority be granted to negotiate for purchase of the property. The Commission granted the authority.

The Commission considered a request from the Route F Committee of Mapleton that the new bridge at Mapleton on the Florence-Eugene Highway in Lane County be designated as the Fred Fisk Bridge. In the discussion of this matter, it was brought out that the request is not considered unworthy but as there are so many names submitted for various highways and structures the Commission wishes to avoid applying such names as much as possible.

An agreement with Deleuw, Cather and Company to conduct a preliminary engineering study on alternate designs of the westerly terminus of I-80N at its connection with I-5 at the east end of the Marquam Bridge in Portland was considered. The Engineer pointed out that such a study is necessary to avoid a traffic snarl when the Mt. Hood Freeway is constructed and in connection with the development of Harbor Drive. The agreement, he said, is on a cost-plus fixed fee basis at an estimated cost of \$133,000 and a fixed fee of \$19,500. The agreement has been approved by the Bureau of Public Roads and will be financed with Interstate Preliminary Engineering Funds. The Commission approved the agreement and authorized the Secretary to sign it for them.

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The Commission authorized the Highway Engineer, or someone designated by him, to sign supplemental agreements covering Bureau of Outdoor Recreation funds.

The Commission considered and accepted a report on the ecology study in the Pacific City area in Tillamook County.

The Commission signed, or authorized the Secretary to sign, the following agreements, deeds, indentures, and other papers.

"Bargain and Sale Deed" to James and Anna Belle Layton covering sale of 2,500 square feet of land on Cedar Point-Coquille Section of Oregon Coast Highway in Coos County.

"Bargain and Sale Deed" to Philip C. McGovern covering the Elk Creek-Blue River Section of the McKenzie Highway in Lane County.

"Bargain and Sale Deed" to Rawlins & Gardner, Inc., covering sale of 1.25 acres on Salem Bypass Section of Pacific Highway East in Marion County.

"Bargain and Sale Deed" to Elmer and Jeanette Jacobs and Veston H. Casey covering the sale of 14.49 acres on Bly Section of Klamath Falls-Lakeview Highway in Klamath County.

"Bargain and Sale Deed" to City of Joseph conveying 17,715 square feet of land on Joseph Section of Wallowa Lake Highway in Wallowa County.

"Indenture and Deed" with Harland W. and Viola I. Kelley covering Ontario-Cairo Junction Section of the Olds Ferry-Ontario Highway in Malheur County.

"Bargain and Sale Deed" to Rawlins Development Company covering the sale of 6.07 acres on Salem-Stout Creek Section of the North Santiam Highway in Marion County.

"Lease and Sale of Road Materials" with Division of State Lands on Hampton-Lake County Line Section of the Central Oregon Highway in Deschutes County.

"Release of Easement Rights" to U.S. of America on the Big Eddy-Biggs Section of the Columbia River Highway in Sherman County.

"Indenture of Access" to Vincent H.S. and Myrtle M. Hume covering Corvallis-Orleans Section of Corvallis-Lebanon Highway in Linn County.

"Indenture of Access" to George and Irene Hanel and Dorothy and Arthur Bibb covering Parkdale Section of the Mt. Hood Highway in Hood River County.

"Agreement" with City of Brookings to provide sewage treatment at Harris Beach State Park in Brookings, Curry County.

"Agreement" with Lincoln County Historical Society to use the old Yaquina Bay Lighthouse for public museum purposes for a period of 2 years beginning June 1, 1970.

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"Agreement" with Lakeside Water District for water supply in William M. Tugman State Park.

"Grant of Easement" to Lincoln City in Devils Lake State Park for a sewer construction project.

"Agreement" with City of Albany for purchase of 3.8 acres of land south of mouth of Calapooya River in connection with Willamette River Park System.

"Agreement" with Bureau of Land Management for fencing approximately 4.6 miles on southwesterly side of Steens Highway.

"Agreement" with Union County pertaining to construction of North Powder-Powder River Section of the Old Oregon Trail near the Union-Baker County Line.

"Agreement" with Klamath County and Weyerhaeuser Company covering new construction and abandonment of a portion of the old right-of-way on approximately 4,600 feet of the Green Springs Highway known as M.P. 56.6-Weyerhaeuser Road Section.

"Agreement" with City of Hermiston concerning improvement of Umatilla-Stanfield Highway within city limits.

"Agreement" with City of Medford pertaining to Oak Grove Road-Elm Street Section of Jacksonville Highway.

"Agreement" with City of St. Helens for installation of traffic signals on Lower Columbia River Highway at St. Helens Street and Columbia Boulevard.

"Agreement" with City of Newberg for installation of traffic signals at intersection of Pacific Highway West and River Street.

"Agreement" with City of Portland for installation of traffic signals at intersection of Cascade Highway and SE Washington Street and for revision of existing traffic signals at intersection of SE 82nd Avenue and SE Stark Street.

"Agreement" with Marion and Polk Counties, City of Salem, and the Council of Governments for a continuing phase of operations under the Salem Area Transportation Study.

"Supplemental Agreement" with City of Baker concerning improvement of Campbell Street as an access route between the downtown area and proposed new routing of I-80N.

"Agreement" with Southern Pacific Transportation Company providing for construction of Jumpoff Joe Creek-Louse Creek Interchange Section of Merlin-Galice County Road in Josephine County.

"Agreement" with City of Pendleton pertaining to an extension of the one-way couplet system along Emigrant and Frazer Avenues as a portion of Pendleton-John Day Highway.

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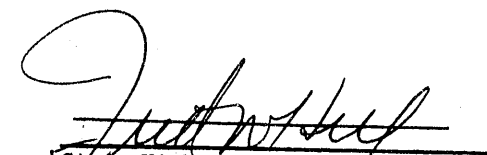
"Agreement" with Central Lane Planning Council for assistance in financing the coding in the Eugene-Springfield Metropolitan area in connection with the transportation study.

"Agreement" with City of Woodburn and Southern Pacific Transportation Company providing for reconstruction of Garfield Street (Young Street) grade crossing on Hillsboro-Silverton Highway.

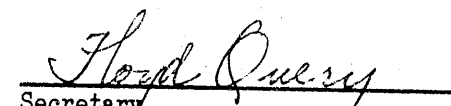
"Permit of Entry" from Union Pacific Railroad Company allowing State to enter on Railroad property to construct the Bubbs Ranch-Weatherby Section of I-80N in Baker County.

"Agreement" with Northern Testing Laboratories for inspection of steel to be used for structures of La Grande Section on Old Oregon Trail.


The meeting was adjourned at 12 noon.



State Highway Engineer


State Highway Engineer


Secretary


Chairman


Commissioner


Commissioner

June 2, 1970

Salem, Oregon
July 7, 1970

The Oregon State Highway Commission met in regular session at 9 a.m., in Room 122 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
R. L. Porter, State Highway Engineer
Tom Edwards, Deputy State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
A. E. Johnson, Assistant State Highway Engineer
Leonard I. Lindas, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

F. B. Klaboe, Assistant State Highway Engineer, was excused. Also Present were: R. E. Simpson, Division Engineer, Bureau of Public Roads; C. W. Head, Assistant Secretary; Victor D. Wolfe, Administrative Assistant; L. H. Young, Program and Planning Engineer; E. S. Hunter, Administrative Engineer; V. E. Skoog, Controller; Frank C. McKinney, Assistant Counsel; Howard Read, Equipment Superintendent; R. B. Sipprell, Liaison Engineer; and John Earley, Information Officer.

Chairman Jackson stated that he had in front of him service award pins for 40 years and one for 45 years service with the State Highway Department. The Commission, he said, appreciates the dedication that these years of service represent and a great many people are using and enjoying the results of their labor. He expressed the Commission's best wishes for their future years and presented pins to the following people:

45-YEAR PIN

Miss Pearl F. Bairey, Clerk 3, Salem

40-YEAR PINS

Mr. James Don, Resident Engineer, Portland
Mr. Arthur Duffy, Resident Engineer, Salem
Mr. Paul R. Enos, Section Foreman, Grants Pass
Mr. Cecil A. Gardner, Bridge Office Engineer, Salem
Mr. George L. Gould, Section Foreman, Eugene
Mr. Edwin A. Pease, Construction Office Engineer, Salem
Mr. Darel D. Rohrbough, Resident Engineer, Portland

The Commission approved the minutes of meetings held on April 21 and June 2, 1970.

The Right of Way Engineer presented a list of options, pages 1 through 50, secured for acquisition of real property needed for State highway use or for other purposes. He mentioned that the amounts offered are on or near the appraised amounts and are in order for Federal-aid. After

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due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 69," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts for the period from May 26 to June 30, 1970, was presented by the Right of Way Engineer and accepted by the Commission. During this time, miscellaneous sales totaled \$22,885 and land sales \$16,340. Rental receipts for May, 1970, were \$36,420.32 and for June, 1970, \$34,163.69.

A list of properties was presented by the Right of Way Engineer for highway and other uses. He requested the Commission to declare by resolution the necessity of said properties for the public uses to which they are to be put and to authorize the Right of Way Engineer to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution No. 2581," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed the following report of the Right of Way Engineer on offers tendered to the owners for acquisition of real property prior to the start of condemnation proceedings:

BROOKINGS-WINCHUCK RIVER SECTION OF THE OREGON COAST HIGHWAY (CURRY COUNTY)

R-43835 - Douglas Ogletree, et ux. 0.33 acre for right-of-way purposes. Offer of \$4,400.00.

CLACKAMAS RIVER-WEST LINN UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY (CLACKAMAS COUNTY)

R-36197 - Portland Traction Company. Parcel No. 20: 0.18 acre for right-of-way purposes; Parcel No. 21: 0.28 acre for right-of-way purposes; Parcel No. 22: 0.5 acre for right-of-way purposes. Offer of \$12,500.00.

FERN HILL-BURNSIDE SECTION OF THE COLUMBIA RIVER HIGHWAY (CLATSOP COUNTY)

R-44289 - Michael Buchman, et ux. 2.7 acres for right-of-way purposes. Offer of \$3,000.00.

HANSON CREEK-SAUNDERS CREEK SECTION OF THE FLORENCE-EUGENE HIGHWAY (LANE COUNTY)

R-43580 - Davidson Industries, Inc. Parcel No. 1: 2.4 acres for right-of-way purposes; Parcel No. 2: 1.8 acres for permit of entry; Parcel No. 3: 0.7 acre for permit of entry. Offer of \$5,050.00.

R-43589 - Lottie L. Benedict. 7.2 acres for right-of-way purposes. Offer of \$6,750.00.

R-43590 - Walter H. Beers, et ux. 0.5 acre for right-of-way purposes. Offer of \$1,100.00.

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LAKE ROAD INTERCHANGE-CLACKAMAS RIVER UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY (CLACKAMAS COUNTY)

R-43902 - Southern Pacific Transportation Company. Parcel No. 1: 0.8 acre for right-of-way purposes; Parcel No. 2: 0.11 acre for right-of-way purposes; Parcel No. 3: 820 square feet for right-of-way purposes; Parcel No. 4: 1.0 acre for right-of-way purposes; Parcel No. 5: 3,150 square feet for permanent easement; Parcel No. 6: 0.16 acre for permanent easement; Parcel No. 7: 0.15 acre for permanent easement; Parcel No. 8: 0.4 acre for permanent easement; Parcel No. 9: 1,500 square feet for permanent easement; Parcel No. 10: 0.35 acre for permanent easement; Parcel No. 11: 0.02 acre for permanent easement; Parcel No. 12: 1.95 acres for permanent easement; Parcel No. 13: 1,850 square feet for permanent easement; Parcel No. 14: 0.09 acre for temporary easement; Parcel No. 15: 800 square feet for temporary easement; Parcel No. 16: 0.01 acre for temporary easement; Parcel No. 17: 0.01 acre for temporary easement. Offer of \$23,800.00.

MAPLETON-KNOWLES CREEK SECTION OF THE FLORENCE-EUGENE HIGHWAY (LANE COUNTY)

R-42995 - Hilda Saubert. Parcel No. 1: 4.4 acres for right-of-way purposes; Parcel No. 2: 2.1 acres for permanent easement. Offer of \$4,200.00.

N.E. SANDY BLVD.-N.E. GLISAN ST. UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY (MULTNOMAH COUNTY)

R-43456 - Benbuilt Homes, Inc. 0.77 acre for right-of-way purposes. Offer of \$37,100.00.

PENDLETON SECTION OF THE OLD OREGON TRAIL (UMATILLA COUNTY)

R-42306 - Marjorie C. Brogoitti. 0.01 acre for permanent easement. Offer of \$50.00.

ROSS ISLAND BRIDGE-REEDWAY SECTION OF THE PACIFIC HIGHWAY EAST (MULTNOMAH COUNTY)

R-43144 - Sylvia Holzman. 5,300 square feet for right-of-way purposes. Offer of \$35,900.00.

R-43149 - Vernon F. Richey, et ux. Parcel No. 1: 1,650 square feet for right-of-way purposes; Parcel No. 2: 815 square feet for permit of entry. Offer of \$9,550.00.

R-43154 - Helen M. Caufield. Parcel No. 1: 800 square feet for right-of-way purposes; Parcel No. 2: 50 square feet for right-of-way purposes. Offer of \$2,675.00.

R-43156 - Utility Trailer & Equipment Co., Inc. Parcel No. 1: 2,295 square feet for right-of-way purposes; Parcel No. 2: 467 square feet for right-of-way purposes. Offer of \$11,050.00.

R-43166 - Dominican Homes, Inc. 32,300 square feet for right-of-way purposes. Offer of \$14,500.00.

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ROSS ISLAND BRIDGE-REEDWAY SECTION OF THE PACIFIC HIGHWAY EAST (MULTNOMAH COUNTY) Cont.

R-43172 - Walter H. Muirhead. 3,814 square feet for right-of-way purposes. Offer of \$2,300.00.

R-43173 - Columbian Bifocal Company. 294 square feet for right-of-way purposes. Offer of \$1,850.00.

R-43175 - Gene Waddle. 250 square feet for right-of-way purposes. Offer of \$1,650.00.

S.E. DIVISION ST.-S.E. FOSTER ROAD UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY (MULTNOMAH COUNTY)

R-41108 - George B. Sturgill, et ux. 3,998 square feet for right-of-way purposes. Offer of \$7,500.00.

R-41111 - Matthew J. Hill, et ux. 7,996 square feet for right-of-way purposes. Offer of \$14,750.00.

S.E. HINKLEY AVE.-LAKE ROAD UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY (CLACKAMAS COUNTY)

R-42680 - Emma C. Hall and Anna Mae Lehman. 2.4 acres for right-of-way purposes. Offer of \$36,500.00.

R-43749 - Otis D. Rawlins, et ux. 3.2 acres for right-of-way purposes. Offer of \$16,100.00.

WILSON RIVER HIGHWAY JUNCTION-NORTH PLAINS SECTION OF THE SUNSET HIGHWAY (WASHINGTON COUNTY)

R-43935 - Charles E. Davis, Jr. Parcel No. 1: 12.5 acres for right-of-way purposes; Parcel No. 2: 0.2 acre for right-of-way purposes. Offer of \$22,450.00.

R-43939 - Lillian M. Langston. 0.08 acre for right-of-way purposes. Offer of \$2,000.00.

R-44029 - Ernest Behrman, et ux. Parcel No. 1: 2.05 acres for right-of-way purposes; Parcel No. 2: 4.2 acres for right-of-way purposes; Parcel No. 3: 0.75 acre for right-of-way purposes; Parcel No. 4: 2.9 acres for right-of-way purposes; Parcel No. 5: 2.6 acres for right-of-way purposes; Parcel No. 6: 0.07 acre for right-of-way purposes; Parcel No. 7: 3.0 acres for right-of-way purposes; Parcel No. 8: 0.13 acre for right-of-way purposes. Offer of \$34,000.00.

Attention was given to a proposed access road easement to the U. S. Bureau of Land Management, File 37061, on the Canyon Creek Pass-Azalea Section of the Pacific Highway in Douglas County. The Right of Way Engineer mentioned that the easement consists of 1.9 acres located near the summit of Canyon Mountain for a consideration of \$100. Approval by the Bureau of Public Roads is not required. Following his favorable recommendation, the Commission approved the easement.

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The Commission also considered transfer of title to Josephine County of 1.46 acres, File 15064-65-66, on the Provolt-Williams Section of the old Williams Highway in Josephine County. The land consists of a former haul road which provided access to a State gravel bar. The State now has a better access and the Right of Way Engineer recommended that the property be transferred to the County without charge for public use only. Approval by the Bureau of Public Roads is not required. The Commission approved the transfer.

Indentures of Access on three parcels of property were brought up by the Right of Way Engineer to show changes in location or in the use restriction. The Commission approved the following Indentures of Access:

- (1) Coos County property, File 27346 and 30048, for a change in location and widening to 35 feet of one point of access on the westerly side of the relocated Oregon Coast Highway approximately ten miles north of Bandon in Coos County. The indenture will provide access to a timber harvest site and will be limited to the development, harvesting, and transportation of forest products only. Approval by the Bureau of Public Roads was given March 20, 1970.
- (2) T. A. McNair property, File 37499, for a change in location of one unrestricted point of access 35 feet wide on the westerly side of the relocated Coos Bay-Roseburg Highway approximately three miles south of Coquille in Coos County. Approval by the Bureau of Public Roads was given April 22, 1970.
- (3) Interstate Tractor and Equipment Company property, File 25827, for the lifting of the residential use restriction on two points of access on the southerly side of the relocated Coos Bay-Roseburg Highway approximately one-half mile west of Coquille in Coos County. The indenture provides access to a mobile home trailer sales business and the approaches are to be widened to 35 feet. \$460 is to be paid to the State for the access privileges. Approval by the Bureau of Public Roads is not required.

Confirmation was requested by the Right of Way Engineer for oral approval given by the Commission on June 26, 1970, for the award of demolition contracts. The Commission confirmed award of the following contracts and authority for the Secretary to sign them in behalf of the Commission.

- (1) To Heard Construction Company, low bidder at \$9,470, for removal of structures, debris, and rough grading on the East Portland Freeway in Clackamas County. Two bids were received.
- (2) To Heard Construction Company, low bidder at \$7,430, for the removal of buildings, debris, and rough grading on 15 lots on the S.E. Duke-Clackamas River Section of the East Portland Freeway in Clackamas County. Two bids were received.

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Renewal of fire insurance on buildings acquired by the Right of Way Section was discussed. The Right of Way Engineer commented that the amount of insurance that has been carried is based on a percentage (usually 25 percent) of the amount paid for the buildings acquired. As properties are acquired, they are placed on a ledger in the Property Manager's office with a notation of insurance coverage desired. The insurance company uses the ledger figure if a claim is made. Present fire insurance is carried under a blanket policy issued by Lloyds of London Insurance Co. He recommended that the policy be renewed for a three-year period beginning August 15, 1970. The Commission approved renewal of the insurance.

The Chief Counsel presented a report concerning cases which have been tried in court since the last Commission meeting. The Commission accepted the report which is summarized as follows:

REPORT OF CONDEMNATION CASES TRIED

Defendant	County	Section and Highway	State's Offer Before Filing Complaint	Defendants' Lowest Demand	Verdict
Joyce Compton, et al. L-5987	Multnomah	Ross Island Bridge-Reedway Section of the Pacific Highway East	\$44,800	\$350,000	\$78,500

(Appraisals revised before trial and reviewed at \$85,000.)

Marvin J. Fager, et al. L-6089	Union	La Grande-North Powder Section of the Old Oregon Trail	7,350	17,000	15,050
J. Peterkort & Co., et al. L-5904	Washington	Sunset Highway-Pacific Highway Section of the Beaverton-Tigard Highway	10,300	51,500	17,300

REPORT OF TRIAL OF OTHER CASES - State Defendant

Plaintiff	County	Cause of Action	Demands of Plaintiff	Verdict or Judgment
Lucius Bradford L-5949	Multnomah	Personal Injury	\$86,614.90	Dismissed as to State employees

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(Report of Trial of Other Cases - State Defendant Cont.)

Plaintiff	County	Cause of Action	Demands of Plaintiff	Verdict or Judgment
Darlene C. Malloy L-5981	Multnomah	Loss of Consortium	\$100,000.00	Dismissed for lack of prosecution
Dorothy Bradford L-6082	Multnomah	Personal Injury	12,000.00	Dismissed as to State employees
Beverly J. Felger L-6096	Multnomah	Personal Injury		Non-suit
Sally Finley L-6056	Tillamook	Property Damage and Personal Injury	22,805.45	Dismissed with prejudice
Power Line Construction Co., Inc. L-6092	Washington	Property Damage (truck and attached equipment)	17,316.40	For Defendant

A report was also made by the Chief Counsel concerning cases which have been settled out of court since the last Highway Commission meeting. The Commission accepted the report which is summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

Defendant	County	Section and Highway	State's Offer	State's Highest Appraisal	Amount of Settlement
G. & H. Cement Products Co., L-6163	Baker	North Powder-Baker Section of the Old Oregon Trail	\$17,000	\$17,000	\$22,500
Tressa Harmsen, et vir. L-6162	Benton	Dudlee Hill-Blodgett Section of the Corvallis-Newport Highway	22,350	22,350	23,900
Earl T. Walker L-6153	Clackamas	West Linn-Pacific Highway-Columbia River-Pacific Highway Section of the East Portland Freeway	37,500	41,500	45,000

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(Report of Condemnation Cases Settled Cont.)

Defendant	County	Section and Highway	State's Offer	State's Highest Appraisal	Amount of Settlement
Harold E. Cox L-6173	Clackamas	Alder Creek-Wildwood Section of the Mt. Hood Highway	\$ 1,150	\$ 1,150	\$ 1,500
John Stein, et al. L-6193	Clackamas	Alder Creek-Wildwood Section of the Mt. Hood Highway	1,675	2,000	2,000
Henry J. Neels, et ux. L-6194	Clackamas	Alder Creek-Wildwood Section of the Mt. Hood Highway	2,125	2,125	2,125
Alonzo B. McClay, et al. L-6170	Multnomah	Ross Island Bridge-Reedway Section of the Pacific Highway	10,500	10,500	10,500
Richard W. Morehouse, et al. L-6172	Multnomah	Ross Island Bridge-Reedway Section of the Pacific Highway	27,000	29,000	32,500
Mattie H. Arthur, et vir. L-6175	Multnomah	Ross Island Bridge-Reedway Section of the Pacific Highway	11,850	16,500 (entire)	18,000 (entire)
Joseph A. Kalin and Benedict J. Kalin L-6101	Union	Oro Dell-Union Junction Section of the Old Oregon Trail	50	35	300
Fred Sagert, et al. L-5839	Washington	West Linn-Pacific Highway-Columbia River-Pacific Highway Section of the East Portland Freeway	55,150	77,742	81,000

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REPORT OF OTHER CASES SETTLED

Plaintiff	Defendant	County	Cause of Action	Demands of Plaintiff	Settlement
Tamara Shane L-5342	Wayne J. Oberding	Coos	Personal Injury	\$750,000	Packaged settlement by insurance company \$110,000
John Doyle Sutherland L-5720	Howard C. Johnson, et al.	Lincoln	Personal Injury	95,000	
Robert Floyd Davis L-5725	Howard C. Johnson	Lincoln	Wrongful Death	25,000	
E. W. Miller L-6140	Jack Gregson	Crook	Personal Injury	27,680.45	Settled by our insurance company
Byron C. Wong L-5155	Morse Bros., Inc.	Douglas	Damage and Personal Injury	150,721.66	All payments made by co-dfts.
Robert George Wong L-5156	Morse Bros., Inc.	Douglas	Damage and Personal Injury	5,509.50	All payments made by co-dfts.
Cherrie Wong L-5157	Morse Bros., Inc.	Douglas	Damage and Personal Injury	154,301.60	All payments made by co-dfts.
State L-6018	Darrell Leland Curtis	Klamath	Damage to State vehicle	172.92 counter-claim 1,000.00	Stipulation to dismiss case and drop counter-claim
Alfred R. O'Bryan L-6217	State	Malheur	Property Damage and Personal Injury	17,505.50	\$ 2,500
Henrietta J. Cross L-5938	Erma Louise Johnson, et al.	Marion	Personal Injury	976.00	Settled by insurance company

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(Report of Other Cases Settled Cont.)

<u>Plaintiff</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Settlement</u>
Henrietta J. Cross L-5937	Erma Louise Johnson, et al.	Marion	Property Damage	\$ 147.00	Settled by insurance company
State L-6068	Kenneth Walter Schilling	Multnomah	Property Damage	312.42	\$ 312.42
Ava Pohrman L-5897	Inland Constr. Co., et al.	Multnomah	Personal Injury	25,000.00	Contractor's insurance company has assumed defense of State Highway employee per Hold Harmless Agreement

The Chief Counsel also presented a report on orders which have been received from the Public Utility Commissioner since the last meeting. The Commission accepted the report which is summarized as follows:

PUX 766, SXF 528: This is a cooperative agreement project between the State, City of Woodburn and the Southern Pacific Transportation Company. It involves the Garfield Street Grade Crossing (Young Street) with the Southern Pacific tracks. The city street is to be extended, and the railroad tracks relocated to improve the safety of the crossing.

The Commission considered a letter from Robert W. Straub, State Treasurer, requesting permission to employ Moody's Investor Service, Inc., to rate the Oregon State Highway Bond Issue, Series 1970, to be sold on August 18, 1970. The Chief Counsel stated that the rating will make competition for the purchase of the bonds more advantageous to the State, and he recommended that the rating be secured at a cost of \$1,350. He mentioned that the matter had been discussed with the Chairman and telephonic authority had been given. The Commission confirmed the action.

A report on the institution of legal proceedings since the last Commission meeting was made by the Chief Counsel. The Commission accepted the report which is summarized as follows:

- (1) L-6246 - Theresa Ellena vs. Orpha Marie Wenner, the State of Oregon and the City of Lake Oswego. This case pertains to an accident which occurred on August 27, 1969, when Miss Ellena was crossing State Street in the City of Lake Oswego, Clackamas County. An investigation revealed that she was not crossing at the

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intersection. There was, however, at one time a pedestrian crosswalk at the point where the accident occurred. The crosswalk was removed in 1965. Plaintiff is suing for \$7,500, and the case has been referred to the State's insurance company for defense.

- (2) L-6247 - Raymond Lester Croft vs. Gulf & Western Industries, Inc., the Oregon State Highway Commission and Don E. Seawood. This case arose out of an accident which occurred May 26, 1969, when two vehicles collided at the intersection of U. S. 99W and Highway 217 in Tigard, Washington County. Plaintiff alleges that the traffic signal showed green in both directions. Plaintiff is suing for \$113,284.45. The case has been referred to the State insurance carrier for defense.
- (3) L-6251 - Armstrong Buick, Inc., vs. Oregon State Highway Commission. This case arises out of an alleged occurrence on December 2, 1969, when State Highway employees were placing asphalt on a street in Gladstone (Highway 99E and Arlington), Clackamas County, adjacent to the plaintiff's car lot. Plaintiff alleges that the wind carried particles across the street onto several cars in the parking lot and that it was necessary to clean and re wax the cars before they could be sold. Damages in the amount of \$880 are sought.
- (4) L-6248 - George L. and Jean Rake vs. State of Oregon by and through its State Highway Commission. This case was filed in the Clatsop County Circuit Court in which it is alleged that on or about August 1, 1968, the defendant, in connection with construction of a segment of the Lower Columbia River Highway, caused a well on the plaintiff's property to run dry. Damages in the amount of \$2,000 are being sought. A member of the legal staff has been assigned for investigation and defense.

Authority was requested by the Chief Counsel to enter into legal action against Calvert Services, Inc., and its surety for their refusal to complete Contract No. 7203 for painting of the McCullough Bridge on the Oregon Coast Highway in Coos County. He recalled that bids were received for this project on March 20, 1969, and that Calvert Services' bid of \$68,100 was \$66,260 less than the low bid received April 23, 1970, after the project had been readvertised. However, Calvert Services did not protest the award of the contract until approximately three months after they had signed it. He pointed out that this is an unusually long time for a contractor to become aware of a serious error in bidding, and it is felt that the State has a good case in seeking to collect for failure to perform the contract. The Commission approved the institution of legal proceedings.

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In the discussion of Contract 7203, the Chairman stated that he had received a considerable number of complaints from travelers who had gotten paint on their cars from the present contractor's operations. He requested that a check be made on the protective measures being employed by the contractor.

The Chairman also brought up the matter of pavement failure alleged by the United States GAO on the Pacific Highway (I-5) south of Albany. The Engineer stated that this pavement was laid between 1956 and 1962. The pavement was laid according to Bureau of Public Roads' specifications which followed AASHO recommendations. As a result of extensive road tests on the load-carrying capacities of various types of construction, heavier specifications were adopted after 1962. The section south of Albany, he said, showed signs of distress within two or three years after it was constructed, but no serious failure has occurred. He also pointed out that there is no perfect pavement. All of them wear out eventually, both asphalt and concrete. In sections subject to unusually heavy traffic or where soil conditions are bad, the State now makes considerable use of steel-reinforced concrete. The Chairman inquired if pavements are laid according to Federal or State standards. The Engineer replied that both the Federal and State standards follow the recommendations of AASHO. The soil conditions south of Albany, he stated, are unusual and no similar failure problem has been encountered in highway construction east of the Cascade Mountains.

Authority was requested by the Engineer to enter into contracts with electric power companies, co-ops, and municipal bodies for certain utility services. He recalled that the Commission previously had authorized him to enter into contracts for the purchase of electrical energy for use in parks and on highways. A new resolution has been prepared which includes contracting of other services from various types of utilities at approved PUC rates or standard established rates. Under this new resolution, the guaranteed payment is not to exceed \$150 per month, nor extend beyond a five-year period, and advance payment for construction and installation is not to exceed \$5,000. This authority, he continued, is to take care of utility services such as supplying water, solid waste disposal, treatment of sewage, and other utility services. The Commission granted the authority as requested and thereupon adopted "Authorization Resolution No. 35b," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Confirmation was requested by the Engineer for telephonic approval given by the Chairman on June 12, 1970, approving purchase of approximately 105 acres of land as an addition to Sunset Bay State Park in Coos County. He stated that negotiations have been completed and an option has been obtained for \$80,000 or approximately \$760 per acre. The Commission confirmed the purchase.

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Confirmation was also requested for telephonic approval given by the Chairman on June 15, 1970, for the purchase of 1.9 acres from Orin Rosenberg in Oceanside, Tillamook County. The Engineer explained that the Rosenberg property is a part of a beach access parking and rest room site. The option is in the amount of \$77,000, ten percent above the appraised value of \$70,000. Rosenberg's asking price, however, was \$93,000. The Commission confirmed the purchase.

The Commission considered an agreement with Deschutes Valley Water District for construction of a 4-inch or larger water main from the existing Water District system to the east boundary of The Cove Palisades State Park in Jefferson County. Development of an overflow camping area requires an additional water supply. The District is to provide all material, obtain any right-of-way or permits required, construct and maintain the water main. The agreement also provides that the State pay the District the sum of \$7,366.61 upon completion of the pipeline installation. Cost of water used is to be the regular rate which at present is 25 cents per 100 cubic feet. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was also given to an agreement with United Telephone Company of the Northwest for telephone service in The Cove Palisades State Park in Jefferson County. The Engineer commented that expanded facilities in the park require the installation of a telephone system to coordinate the park's operation with the new State Park Information Center in Salem. The telephone company is to install the lines and three voice circuits in the park for which the State is to pay them \$6,272.50 plus a monthly service charge of \$51.75. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

A marine facilities agreement form to be used by counties to establish priorities for marine park projects was presented by the Engineer. He commented that the agreements are an outgrowth of legislative action most recently taken by the 1969 Legislative Assembly. This action provides that the State make an annual apportionment of \$150,000 available to local governments for marine park grants. The agreements are valid only in the fiscal year 1971. It was his recommendation that the form be approved and that the Secretary be authorized to sign the agreements in behalf of the Commission. The Commission accepted his recommendation.

An extension of the Marine Facilities Program was presented by the Engineer. This program, he said, has been in effect since 1965. In accord with legislation enacted at the 1969 session he recommended that \$150,000, which is included in the approved 1970 fiscal year budget, be made available to the counties on the following basis: \$37,500 divided equally among the counties and \$112,500 divided among the counties in accordance with a needs study made by the State Marine Board. Approval of this action would continue marine facilities financing through June 30, 1971. The Commission approved allocation of funds as follows:

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MARINE FACILITIES PROGRAM

County Allocations - August 1970

<u>County</u>	
Baker	\$ 1,879.80
Benton	2,554.80
Clackamas	10,204.80
Clatsop	4,568.55
Columbia	3,578.55
Coos	5,794.80
Crook	4,422.30
Curry	3,314.15
Deschutes	11,661.70
Douglas	8,618.55
Gilliam	1,142.90
Grant	1,193.55
Harney	1,390.40
Hood River	1,553.55
Jackson	5,693.55
Jefferson	4,433.55
Josephine	2,352.30
Klamath	6,677.90
Lake	1,789.80
Lane	10,407.30
Lincoln	10,244.15
Linn	3,083.55
Malheur	2,464.80
Marion	5,513.55
Morrow	1,216.05
Multnomah	13,579.80
Polk	2,189.15
Sherman	1,193.55
Tillamook	5,721.65
Umatilla	1,868.55
Union	1,255.40
Wallowa	1,390.40
Wasco	1,840.40
Washington	2,104.80
Wheeler	1,075.40
Yamhill	2,026.05
TOTAL	\$150,000.00

The Chairman commented on delays in getting marine projects underway and suggested that the counties be encouraged to move as rapidly as possible in the construction of these projects.

A petition to the Tillamook County Board of Commissioners for the vacation of certain areas in Nehalem Bay State Park was discussed. The Engineer stated that specifically the petition requests vacation of the following:

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- (1) All of Seabright Addition to Necarney City, lying south of the south line of 11th Street and west of the west line of Necarney Boulevard.
- (2) All of Sunset Beach.
- (3) All of Neppach and Martin First Addition to Nehalem Bay State Park.
- (4) All of Nehalem Bay State Park.
- (5) All of Nehalem Beach.

The Commission approved the petition and authorized the Secretary to sign it for them.

Transfer to Clatsop County of 2.8 acres of land adjacent to the Necanicum Highway where it crosses the north fork of the Nehalem River was considered. The Engineer stated that in 1942 the land was acquired from the County for a stockpile site at no cost to the State. The property is no longer needed by the Highway Division and the County has asked that it be returned to them to use for park purposes. The Engineer recommended that the property be returned to them for \$1. The Commission approved the transfer.

Consideration was given to establishment of the Eugene (Blue Star) Safety Rest Area on the Pacific Highway West in Lane County. The Engineer stated that the proposed rest area qualifies as a landscape and scenic project to be financed entirely with Federal funds. He estimated cost of the project at \$54,000 including a water supply system, rest room facilities and illumination. The Commission approved the project which is to be added to the current list of Highway Beautification Projects.

In discussing the Eugene Rest Area, the Chairman inquired if any program had been outlined for construction of rest areas along primary highways. The Engineer replied that no long-range program has been devised. The Chairman then commented that there is need for more rest areas on the more heavily traveled highways and he requested that studies be made for construction with consideration given to the advance acquisition of the necessary right-of-way.

Attention was given to a request from the City of Portland for two Federal-aid TOPICS projects. One of these concerns the 17th and Powell grade separation on the Mt. Hood Highway in Multnomah County in the amount of \$300,000. No additional State funds will be involved as the State's share has already been set at one-third of the total cost. In the second request, the City asks that a previously approved signal project in the amount of \$20,500 on the Cascade Highway at S. E. Mill Street be cancelled as a TOPICS project. The City wishes to proceed immediately in order to have the signal in operation at the beginning of the school year. Both projects, the Engineer said, have been investigated and appear to be in good order. Based on his favorable recommendation, the Commission approved the new project and the cancellation of the other and authorized the Secretary to sign the 17th and Powell Boulevard project in behalf of the Commission.

Concerning the 17th and Powell Boulevard job, the Chairman commented that the agreement has been approved by the State Highway Commission, that the Railroad is ready to act and that the final step appears to be in the hands of the City of Portland. He requested that the project be expedited as much as possible.

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The next regular Highway Commission meeting date was confirmed for Tuesday, August 18, 1970, in the State Highway Building in Salem. A tentative date of September 29, 1970, was set for the following meeting.

Consideration was given to requests from contractors for extensions of time within which to complete highway contracts without assessment of liquidated damages. The Engineer stated that the requests have been carefully investigated, and the results of the investigations have been reported to the Commission by letter. The Commission took action as follows:

- (1) Laam, Irving and Company, Contract No. 7268 on the Pacific Highway in Josephine and Jackson Counties, requested a 42-day time extension. The Commission granted an extension of 17 days without assessment of liquidated damages. Approval by the Bureau of Public Roads was given by letter dated June 2, 1970.
- (2) Braden, Nelson and Herndon Construction Company, Contract No. 7293 on N.W. 4th Avenue and Broadway in Milton-Freewater, Umatilla County, requested an extension of eight days. The Commission approved an extension of three days thereby eliminating all liquidated damages.
- (3) Klamath Rock Products, Contract No. 7351 requested a 30-day extension of time on the Midland Information Center on The Dalles-California Highway in Klamath County. The Commission approved an extension to May 18, 1970, thereby eliminating all liquidated damages.
- (4) Cascade Construction Company, Inc., Contract No. 7284 on FAS 940 in Portland, Multnomah County, requested a 50-day extension of time. The Commission approved the request without assessment of liquidated damages.
- (5) Rogers Construction, Inc., Contract No. 7097 on the Old Oregon Trail in Umatilla County, requested a 42-day extension of time. The Commission confirmed approval of an extension of 38 days without assessment of liquidated damages. Approval by the Bureau of Public Roads was given by letter dated March 18 and June 16, 1970. (Telephonic approval was given by the Chairman on June 22, 1970.)
- (6) Peter Kiewit Sons' Company, Contract No. 7124 on the Stadium Freeway in Multnomah County, requested an extension of 161 calendar days. The Commission approved an extension of 48 days without assessment of liquidated damages. Approval by the Bureau of Public Roads was given in a letter dated January 19, 1970.
- (7) Bob Angell, Inc., Contract No. 7240 on the Empire-Coos Bay Highway in Coos County, requested an extension of 95 calendar days. The Commission granted the request without assessment of liquidated damages.

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The Engineer reported that Contracts Nos. 7097, 7185, 7240, 7309, 7317, 7318, 7321, 7322, 7327, 7332, 7351 and 7358 for highway construction have been completed as required by the contracts or modifications thereof and said contracts are now ready for acceptance or have been accepted by letter since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 186," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed the award of contracts made on June 12, 1970, for bids received June 4 and 5, 1970, and authorized the Secretary to sign the following contracts:

BIDS RECEIVED IN SALEM JUNE 4, 1970

Contract No. 7395 for grading, paving, structures and signing on the Bubbs Ranch-Weatherby Section of the Old Oregon Trail in Baker County. FAP No. I-80N-7(29)327. Four bids were received. On June 16, 1970, the Commission awarded the contract to the low bidder, Hughes-Ladd & McConnell, Redding, California, in a revised amount of \$8,930,698.50 (the original bid was \$9,044,548.50).

Contract No. 7396 for a retaining wall in the Mary S. Young State Park near West Linn in Clackamas County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Hal Bailey Equipment Rentals, Inc., Eugene, for \$109,500, subject to approval of the estate of Mary S. Young. (Contract canceled on June 25, 1970, as attorneys for Young's estate advised there is no provision for financing project above amount stated in agreement.)

Contract No. 7397 for grading, paving and signal on Woodland Drive-Central Avenue (Coos Bay) Section of Empire-Coos Bay Highway in Coos County. State Project. Three bids were received. The Commission elected to accept the low bid of S. D. Spencer & Son, Vancouver, Washington, for \$623,348.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Coos Bay is received and \$220,000 is deposited by the City.

Contract No. 7398 for the Marks Creek Rock Production Project on the Ochoco Highway in Crook County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Waybo, Inc., Portland for \$59,900.

Contract No. 7399 for grading, paving, signing and illumination on the Quinton-Arlington & Willow Creek Sections of the Columbia River Highway in Gilliam County. FAP Nos. I-80N-4(21)122 and I-80N-5(38)146. Three bids were received. The Commission elected to accept the low bid of E. C. Hall Construction Co., G. L. Compton, J. C. Compton Co., & J. C. Compton, McMinnville, for \$2,675,254.76 and directed the State Highway Engineer to award the contract to said bidder as soon as approval is received from the Corps of Engineer and from the Bureau of Public Roads.

Contract No. 7400 for grading and paving on West Valley View Road in Talent, Jackson County. State Project. Two bids were received.

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The Commission elected to accept the low bid of M. C. Lininger & Sons, Inc., Medford, for \$25,468.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Talent is received and \$4,865 is deposited by the City.

Contract No. 7401 for building on the Midland Information Center on The Dalles-California Highway in Klamath County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Ross Bros. Construction, Inc., Salem for \$90,433.50.

Contract No. 7402 for grading and paving 2nd Avenue and Blocklinger Street in Chiloquin in Klamath County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Asphalt Paving Co., Klamath Falls, for \$21,590.

Contract No. 7403 for the Silver Lake Rock Production Project on the Fremont Highway in Lake County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Melvin H. Barlow, Cave Junction, for \$42,200.

Contract No. 7404 for a traffic signal on 9th Street at Main Street in Cottage Grove on the Goshen-Divide Highway in Lane County. State Project. Six bids were received. The Commission elected to accept the low bid of Hamilton Electric, Inc., Eugene, for \$9,073 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Cottage Grove is received and \$5,200 is deposited by the City. (Contract canceled on July 16, 1970, as City of Cottage Grove would not approve project and submit deposit.)

Contract No. 7405 for the Agate Beach State Wayside on the Oregon Coast Highway in Lincoln County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Robert L. Divine, Vancouver, Washington, for \$25,925.20.

Contract No. 7406 for paving on S.W. Oregon Street-Verde Drive (Ontario) Section of the Olds Ferry-Ontario Highway in Malheur County. State Project. One bid was received. The Commission awarded the contract to the lone bidder, Ontario Asphalt Paving Co., Ontario, for \$38,355.

Contract No. 7407 for railroad relocation on the Columbia County Line-Burlington Section of the Columbia River Highway in Multnomah County. FAP No. F-171(12). Five bids were received. The Commission elected to accept the low bid of R. A. Heintz Construction Co., Portland, for \$278,369 and directed the State Highway Engineer to award the contract to said bidder as soon as necessary right-of-way is acquired and approval of the Bureau of Public Roads is received.

Contract No. 7408 for roadside improvement on the Emigrant Avenue Interchange Section of the Old Oregon Trail in Umatilla County. FAP No. I-80N-5(37)208. Eight bids were received. The Commission awarded the contract to the low bidder, All-City Landscape, Inc., Portland, for \$104,449.

Contract No. 7409 for paving East Coe Avenue in Stanfield in Umatilla County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Hermiston Asphalt Products, Inc., Hermiston, for \$19,500.

Enterprise Rock Production Project on the Enterprise-Lewiston Highway in Wallowa County. State Project. No bids were received.

BIDS RECEIVED IN SALEM JUNE 5, 1970

Contract No. 7410 on the Haines-Wingville Section of the La Grande-Baker Highway in Baker County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, L. W. Vail Co., Inc., Pasco, Washington, for \$240,245.50.

Contract No. 7411 for the Tolovana Beach Wayside on the Oregon Coast Highway in Clatsop County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, All-City Landscape, Inc., Portland, for \$21,141.

Grading, paving and structure on the Del Rey Beach Section access road in Clatsop County. State Project. This project was withdrawn from the bid letting.

Contract No. 7412 for grading and paving "C" Street in Drain in Douglas County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Wildish Construction Co., Eugene, for \$14,399.

Contract No. 7413 for paving Cottonwood Street in Arlington in Gilliam County. State Project. Three bids were received. The Commission elected to accept the low bid of Hermiston Asphalt Products, Inc., Hermiston, for \$30,440 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Arlington is received and \$10,320 is deposited by the City. (City of Arlington could not participate in full amount. On June 17, 1970, the Commission awarded the contract on a reduced quantity basis for \$21,960.)

Contract No. 7414 for grading, paving and structure on the Burns-Lawen Section of the Steens Highway in Harney County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Babler Bros., Inc., Portland, for \$899,242.50.

Contract No. 7415 for grading, paving, guardrail and signing on the Rock Point-Seven Oaks Section of the Pacific Highway in Jackson County. FAP No. I-5-1(72)36. Three bids were received. The Commission awarded the contract to the low bidder, Peter Kiewit Sons Co., Omaha, Nebraska, for \$1,724,977.

Contract No. 7416 for grading and paving Church Street in Phoenix in Jackson County. State Project. Two bids were received. The Commission elected to accept the low bid of M. C. Lininger & Sons, Inc., Medford, for \$18,109 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Phoenix is received and \$2,550 is deposited by the City.

Grading, paving and signing the Jumpoff Joe Creek-Louse Creek Interchange Section of FAS-17-102 in Josephine County. FAP No. S-17-102(1). One bid was received. The Commission rejected the lone bid of Robert D. Copeland, Grants Pass, at \$899,347.40.

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Grading and structure on the Jumpoff Joe Creek (Hugo Road) Bridge Section on County Road in Josephine County. County Project. Two bids were received. The Commission referred the bids to Josephine County.

Structure on the Twenty Mile Creek (Twenty Mile) Bridge on FAS-902 in Lake County. FAP No. S-575(1). Three bids were received. The Commission rejected all bids.

Contract No. 7419 for a footbridge in Ona Beach State Park on the Oregon Coast Highway in Lincoln County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Robert L. Divine, Vancouver, Washington, for \$19,266.30.

Contract No. 7420 for grading and paving F & G Streets in Halsey in Linn County. State Project. Two bids were received. The Commission elected to accept the low bid of Wildish Construction Co., Eugene, for \$18,144 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Halsey is received and \$3,420 is deposited by the City.

Contract No. 7421 for a traffic signal on Commercial Street at Madrona Avenue on the Pacific Highway East in Salem in Marion County. State Project. Six bids were received. The Commission awarded the contract to the low bidder, Electric Corp., Salem, for \$15,735.

Contract No. 7422 for roadside improvement on the West and South Pendleton Interchanges of the Old Oregon Trail in Umatilla County. FAP No. I-80N-5(36)206. Eight bids were received. The Commission awarded the contract to the low bidder, Aichele Landscaping, Inc., Portland, for \$156,513.60.

Contract No. 7423 for cleaning and painting all structural steel on the Youngs Bay, Lewis and Clark River and Nehalem River Bridges on the Warrenton-Astoria and Oregon Coast Highways in Clatsop and Tillamook Counties. State Project. Five bids were received. The Commission awarded the contract to the low bidder, Albert Dierickx Co., Inc., Portland, for \$61,545.

Contract No. 7424 for the Madras (Willow Creek Bridge) in Jefferson County. State Project. Four bids were received. The Commission elected to accept the low bid of E. E. Steinlicht, Bend, for \$24,944 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Madras is received and \$3,836 is deposited by the City.

Contract No. 7425 for grading, paving and facilities in "D" River State Wayside on the Oregon Coast Highway in Lincoln County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Ross Bros. Construction, Inc., Salem, for \$94,546.

Contract No. 7426 for grading and paving the Brogan-Willow Creek Section of the John Day Highway in Malheur County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, L. W. Vail Co., Inc., Pasco, Washington, for \$524,920.

Contract No. 7427 for an extension of an overnight camping area in Detroit Lake State Park on the North Santiam Highway in Marion County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Ross Bros. Construction, Inc., Salem, for \$168,315.50.

The Engineer reported that he had awarded contracts which had been referred to him by the Commission to award when certain conditions were fulfilled. The Commission confirmed his award of the following contracts:

- (1) Grading, paving, structures, signing, signals, and illumination on Gladstone Interchange-Oregon City Interchange Section of the East Portland Freeway in Clackamas County. Bids received May 14, 1970. Contract No. 7389 awarded June 10, 1970, to Gordon H. Ball, Inc., Kent, Washington, low bidder.
- (2) Grading, paving, structures and signing on the Bubbs Ranch-Weatherby Section of the Old Oregon Trail in Baker County. Bids received June 4, 1970. Contract No. 7395 awarded June 16, 1970, to Hughes-Ladd and McConnell, Redding, California, low bidder.
- (3) Grading, paving, and signal on the Woodland Drive-Central Avenue (Coos Bay) Section of the Empire-Coos Bay Highway in Coos County. Bids received June 4, 1970. Contract No. 7397 awarded June 24, 1970, to S. D. Spencer and Son, Vancouver, Washington, low bidder.
- (4) Grading, paving, signing, and illumination on the Quinton-Arlington and Willow Creek Sections of the Columbia River Highway in Gilliam County. Bids received June 4, 1970. Contract No. 7399 awarded June 26, 1970, to E. C. Hall Construction Co., G. L. Compton, J. C. Compton, and J. C. Compton Co., McMinnville, low bidder.
- (5) Grading and paving on Talent (West Valley View Road) Section in Jackson County. Bids received June 4, 1970. Contract No. 7400 awarded June 12, 1970, to M. C. Lininger and Sons, Inc., Medford, low bidder.
- (6) Columbia County Line-Burlington Section of the Columbia River Highway in Multnomah County. Bids received June 4, 1970. Contract No. 7407 awarded June 18, 1970, to R. A. Heintz Construction Company, Portland, low bidder.
- (7) Paving on Cottonwood Street in the City of Arlington in Gilliam County. Bids received June 5, 1970. Contract No. 7413 awarded June 17, 1970, to Hermiston Asphalt Products, Inc., Hermiston, low bidder.

- (8) Grading and paving on Church Street in Phoenix in Jackson County. Bids received June 5, 1970. Contract No. 7416 awarded June 12, 1970, to M. C. Lininger and Sons, Inc., Medford, low bidder.
- (9) Grading and paving F and G Streets in the City of Halsey in Linn County. Bids received June 5, 1970. Contract No. 7420 awarded June 17, 1970, to Wildish Construction Co., Eugene, low bidder.
- (10) Madras (Willow Creek Bridge) in Jefferson County. Bids received June 5, 1970. Contract No. 7424 awarded June 12, 1970, to E. E. Steinlicht, Bend, low bidder.

Consideration was given to requests from Jackson and Union Counties for Federal-Aid Secondary Projects. The Engineer stated that the projects have been investigated and are eligible for the use of Federal-Aid Secondary funds, and he recommended their approval. The Commission approved the following projects and authorized the Secretary to sign routine construction agreements:

County	FAS	Section & Description	Programmed Amount	State Cost
Jackson	15-100	Depot Street Railroad Crossing, Town of Rogue River. Traffic control signals.	\$22,600	---
		This is to be an FAS-G project. Federal funds 90% and Railroad funds 10%		
Union	948	State Ditch (Booth Lane) Bridge Grand Ronde (Booth Lane) Bridge	157,000	\$31,400
		Two structures with 32-foot clear roadway.		
			\$179,600	\$31,400

SUMMARY BY FISCAL YEARS

	1970	1971	TOTAL
Allocated Funds	\$5,089,000	\$5,067,000	\$10,156,000
Approved Projects (corrected to date)	5,089,000	2,826,400	7,915,400
Unprogrammed Balance	----	2,240,600	2,240,600
Projects Proposed	----	179,600	179,600
Unprogrammed Balance	\$ ----	\$2,061,000	\$ 2,061,000

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The Engineer reported that the counties' share of road user funds for the period April 1 through June 30, 1970, had been computed at \$5,148,605.98. The share for each county has not been computed at this time, but he asked authority to disburse the individual amounts when they have been determined. The Commission approved disbursal as recommended.

The Engineer stated that surveys have been completed for highway corridor routes and designs on four sections of State highways. He recommended approval of the following corridor routes and designs and requested authority to purchase necessary right-of-way. The Commission accepted his recommendation and thereupon adopted "Highway Design Resolution No. 365a" and "Highway Corridor and Design Resolutions Nos. 380, 381, and 382."

- (1) Chemawa Road-Hickory Street Section of the Salem Freeway (I-305) in Marion County. (See "Highway Design Resolution No. 365a.")
- (2) Forest Boundary-Little Beech Creek Section of the Pendleton-John Day Highway in Grant County. (See "Highway Corridor and Design Resolution No. 380.")
- (3) Ava Avenue-Burnside Section of the Mt. Hood Highway in Multnomah County. (See "Highway Corridor and Design Resolution No. 381.")
- (4) Patterson Street, Klamath Falls-Malin Junction Section of the Klamath Falls-Lakeview Highway in Klamath County. (See "Highway Corridor and Design Resolution No. 382.")

The Commission considered a petition from residents of the community of Scholls for establishment of a speed zone on the Hillsboro-Silverton Highway and Scholls Highway in Washington County. The Engineer stated that an investigation disclosed that speeds of less than 55 miles per hour should be established. He recommended the following speed zones:

Hillsboro-Silverton Highway No. 140; 45 miles per hour from the Scholls Highway to a point 0.46 mile south of the Scholls Highway.

Scholls Highway No. 143; 45 miles per hour from the Hillsboro-Silverton Highway to a point 0.16 mile south of River Road except for an indicated speed of 20 miles per hour during the hours of school crossings from a point 100 feet south of Rainbow Lane to a point 0.14 mile north of Rainbow Lane.

The Commission approved the speed zones and thereupon adopted "Speed Zone Resolution No. 561," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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The Commission also considered establishment of a speed zone on the Weatherby-Lime and Bubbs Ranch-Weatherby Sections of the Old Oregon Trail in Baker County. The Engineer stated that this proposed speed zone is somewhat out of the ordinary in that its location will vary as construction operations require. This kind of speed zone is requested because motorists do not pay attention to the signs that are erected by the contractor, and a specific speed zone established by the Commission will give traffic officers a better basis for enforcement. He recommended that he be authorized to install signs indicating a 40 mile per hour speed on the Old Oregon Trail between M.P. 327.74 and M.P. 340.85 with the signs to be located as construction operations require. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 562," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer reported that an investigation had been made on traffic conditions on the Klamath Falls-Lakeview Highway just southeast of Klamath Falls in Klamath County. Traffic conditions, he said, could be improved by the prohibition of parking and he recommended that parking be prohibited on both sides of the Klamath Falls-Lakeview Highway between Washburn Way and Summers Lane. The Commission accepted his recommendation and thereupon adopted "No Parking Resolution No. 277," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Attention was given to a request from Greyhound Lines West that commercial busses be relieved of the stop requirement at a railroad grade crossing at M.P. 19.82 on the Oregon Coast Highway in Seaside, Clatsop County. The Engineer recalled that this request had been considered at the previous meeting, and the Chief Counsel was requested to investigate it as to any liability that might accrue to the Highway Commission or Division if the request was granted. A report has been received from the Chief Counsel indicating that no liability would be assumed by removal of the restriction. The railroad track in question is a spur line which has not been used for perhaps ten years. The Chairman inquired if the Public Utility Commissioner has any jurisdiction in this matter. The Chief Counsel replied that he did not. The Commission removed the requirement that commercial busses stop at this railroad crossing and thereupon adopted "Miscellaneous Resolution No. 240-d," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An abandonment resolution pertaining to an old portion of the Oregon Coast Highway through the town of Pistol River in Curry County was considered. The Engineer explained that under an agreement dated September 30, 1969, the County agreed to accept approximately two miles of the old highway in the vicinity of Pistol River as a part of its county road system when the new section was completed. The new bridge and highway, he said, has been completed and he recommended adoption of the resolution. The Commission adopted "Abandonment Resolution No. 510," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An agreement transferring to Benton County a short section of the old Pacific Highway West between Monroe and Junction City was presented by the Engineer. The agreement, he said, applies to approximately

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one-quarter mile of old highway right-of-way which now serves as an access for a county road connecting to the present highway. The County wishes to improve it in order to secure a better approach. Based on his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Engineer also presented a resolution formally transferring to Benton County the quarter-mile section of old Pacific Highway West between Monroe and Junction City. The Commission thereupon adopted "Abandonment Resolution No. 509," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An agreement with Oregon Welcome, Inc., to provide personnel for counseling with tourist organizations, for giving instructive and promotional talks on tourism and operating traveling shows outside of Oregon was presented by the Engineer. The old contract expired June 30, 1970, and a new agreement to cover a period of one year ending June 30, 1971, has been prepared. Maximum cost to the State under the agreement is not to exceed \$12,400 and he recommended approval. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Extending an agreement with De Leuw, Cather and Company to February 1, 1971, for conducting a traffic study on development of the Harbor Drive area in Portland was discussed. The Engineer recalled that completion date on the original agreement was May 12, 1970. However, it was necessary to secure additional data, and he recommended that the completion date be extended to February 1, 1971. The Commission approved the extension.

Consideration was given to an agreement with the City of Portland for installation of traffic signals on the Cascade Highway (S.E. 82nd Avenue) at S.E. Mill Street, Multnomah County. The agreement provides that the City shall do the work, pay one-half the cost of installation, and provide all maintenance and electrical energy to operate the signals. The Engineer estimated the total cost of the project at \$12,000 with the State's share of \$6,000 to be taken from Minor Betterment Funds. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Confirmation was requested for telephonic approval given by the Chairman on June 26, 1970, on an agreement with the Columbia Region Association of Governments. The Engineer explained that the agreement with CRAG is a part of the continuing transportation studies in the Portland-Vancouver area under highway planning and research activities involving socio-economic and land-use data. The cost of the work outlined under the agreement is not to exceed \$13,000. The Commission confirmed the agreement and authority for the Secretary to sign it in their behalf.

An agreement with Klamath County for installation of traffic signals at the intersection of the Klamath Falls-Lakeview Highway at Austin Street near Klamath Falls was brought up by the Engineer. Under terms of the agreement, the State is to perform the installation. The

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County is to pay one-half the cost of installation and provide all of the maintenance and electrical energy necessary for operation of the signals. The Engineer stated that the total cost of the project is estimated at \$22,000, and the State's share of \$11,000 is to be taken from Minor Betterment Funds. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

The Commission also gave attention to an agreement with the City of Lake Oswego for installation of traffic signals on the Oswego Highway at "B" Street and at Middlecrest Road in Clackamas County. The Engineer estimated the cost of the project at \$36,000. Under terms of the agreement, the City is to pay one-half the installation cost and provide all of the electrical energy and maintenance necessary for operation of the signals. The State's share of \$18,000 is to be taken from Minor Betterment Funds. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Engineer presented a letter-type agreement with the City of Milwaukie to correct a traffic problem at the intersection of River Road with Milport Road to the east and Waverly Drive to the west in Clackamas County. The Engineer stated that opening of the new section of the Clackamas Highway has increased the traffic load on River Road to approximately 15,000 vehicles a day. An arrangement has been worked out with the City of Milwaukie in which the City is to do some grading, Clackamas County is to apply the base and paving, and the State is to install traffic signals at the intersection on bases to be supplied by others. The signals are to become the property of the City of Milwaukie and are to be maintained by them. Cost to the State is estimated at \$6,000 from Minor Betterment Funds. Following the Engineer's favorable recommendation, the Commission approved the agreement.

An agreement with the United States Corps of Engineers pertaining to relocation of a section of the Crater Lake Highway caused by construction of the Lost Creek Dam and Reservoir on the Rogue River in Jackson County was considered. The Engineer stated that the relocated section of highway will be on the southerly side of the Rogue River and includes a bridge near McLeod and another bridge near the existing Peyton Bridge. The new facility will be constructed at the expense of the Federal Government. The proposed contract for this project has been reviewed and he recommended that it be approved. The Commission approved the contract.

A trust agreement with Bonneville Power Administration to cover the cost of replacing its access road was presented by the Engineer. He explained that a recent slide on the Fernhill-Burnside Section of the Lower Columbia River Highway in Clatsop County severed an access road to Bonneville Power Administration's power line. Under the agreement, BPA is to construct approximately 1,500 feet of access road at an estimated cost of \$5,260 to be paid by the State. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement for them.

Consideration was given to an easement from Southern Pacific Transportation Company granting the State the right to construct connections to two county roads in construction of the Mt. Angel-Silverton Section of

the Hillsboro-Silverton Highway in Marion County. The Engineer explained that the project has been completed, but execution of the easement had been held up until access problems could be worked out with the Railroad. All of these problems have been resolved, and there is no additional cost to the State. The Commission approved the easement.

The Commission also considered an agreement with Southern Pacific Transportation Company concerning construction of a grade crossing of its tracks near the Gladstone Interchange which is being constructed as a portion of the Gladstone Interchange-Oregon City Interchange Section of the East Portland Freeway in Clackamas County. Crossing gates are to be installed at the new crossing and two existing grade crossings are to be closed. The Railroad is to pay 10 percent of the cost of the gates, and the State is to bear all other costs estimated at \$25,755. The Railroad is to maintain the timber plank crossing, the crossing gates, and other Railroad facilities. The State is to maintain the highway surface, slopes, and drainage under the highway. Following the Engineer's favorable recommendation, the Commission approved the agreement as an Interstate project.

A Permit of Entry from Southern Pacific Transportation Company allowing the State to enter on 17 parcels of Railroad property was brought up by the Engineer. This permit, he said, is necessary in construction of the Gladstone Interchange-Oregon City Interchange Section of the East Portland Freeway in Clackamas County. An agreement has not yet been reached with Southern Pacific as to the monetary consideration for the property taken, therefore, the permit is necessary to allow construction to proceed. The Railroad has been offered \$23,800 which has not yet been accepted. He recommended that the Permit of Entry be approved. The Commission approved the Permit and authorized the Secretary to sign it for them.

An agreement and an indenture with Southern Pacific Transportation Company pertaining to construction of the Derry Overcrossing on the Rickreall-Independence Junction Section of the Willamina-Salem Highway in Polk County was discussed. Under the agreement and indenture, the State is to reimburse the Railroad for all its expenses estimated at \$22,400. The State also is to maintain the structure and other highway facilities and see that the contractor provide the usual insurance coverage. The Railroad is to maintain its facilities after completion of the highway construction. Based on the Engineer's favorable recommendation, the Commission approved the agreement and the indenture.

Consideration was given to an agreement with Central Lane Planning Council allowing the use of Highway Planning and Research Funds in the Eugene-Springfield Area Transportation Study. The Engineer pointed out that this study is a part of a continuing, cooperative transportation study required by the 1962 Federal Highway Act. The agreement provides for a maximum expenditure of \$28,860 of which approximately 85 percent will come from Federal Highway Planning and Research Funds. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission discussed with the Engineer the matter of issuing permits which under certain conditions would allow the use of vehicles on the ocean shore where they are otherwise prohibited by previous regulations. After giving the matter careful consideration, the Commission directed that permits may be issued for firewood gatherers, for elderly people, and for invalids. Permits are to be issued on an individual, one-trip basis, and are to be renewed only upon making a new application. The Commission thereupon adopted "Ocean Shore Resolution No. 18," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed prior action taken by phone on June 30, 1970, concerning the appointment of a State Highway Engineer to succeed Forrest Cooper, who retired on June 30, 1970. The Commission, by unanimous action, appointed Mr. R. L. Porter, Deputy Highway Engineer, as State Highway Engineer for a term of four years effective 12:01 a.m., July 1, 1970. The Commission also appointed Tom Edwards, Assistant Highway Engineer, as Deputy Highway Engineer to succeed Mr. R. L. Porter. Mr. A. E. Johnson, Metropolitan Engineer, was appointed as Assistant Highway Engineer to succeed Tom Edwards. Both appointments were made effective at 12:01 a.m., July 1, 1970. The oath of office was administered to Mr. Porter, Mr. Edwards and Mr. Johnson on July 1, 1970, by C. W. Head, Assistant Secretary. To formally implement these appointments, the Commission thereupon adopted "Appointment Resolutions Nos. 33, 34, and 35," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

The Commission signed, or authorized the Secretary to sign, the following agreements, deeds, indentures, and other papers.

"Bargain and Sale Deed" to Herbert E. and Ann L. Miller covering 0.30 acre of land on Crow-Gillespie Corners Section of Territorial Highway in Lane County.

"Indenture of Access" to Coos County re Davis Slough-Bandon Section of the Oregon Coast Highway in Coos County.

"Indenture of Access" to T. A. McNair re Rink Creek-Glen Aiken Creek Section of the Coos Bay-Roseburg Highway in Coos County.

"Modification of Access Rights" to Interstate Tractor and Equipment Company covering Cedar Point-Coquille Section of the Oregon Coast Highway in Coos County.

"Agreement" with Deschutes Valley Water District for construction of a main from the existing water district system to the east boundary of The Cove Palisades State Park.

"Agreement" with United Telephone Company of the Northwest for telephone service in The Cove Palisades State Park in Jefferson County.

"Petition" to Tillamook County for vacation of platted streets in five subdivisions all located within Nehalem Bay State Park.

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"Agreement" transferring to Benton County a short segment of the Pacific Highway West between Monroe and Junction City.

"Agreement" with Oregon Welcome, Inc., for supplying personnel to counsel with tourist-oriented organizations, giving instructive and promotional talks to civic groups on behalf of tourism and attending or operating travel shows outside Oregon.

"Agreement" with the City of Portland for installation of traffic signals at the intersection of S.E. 82nd Avenue and S.E. Mill Street on the Cascade Highway.

"Agreement" with Klamath County for installation of traffic signals at the intersection of Klamath Falls-Lakeview Highway and Austin Street.

"Agreement" with City of Lake Oswego for installation of traffic signals at intersections of Oswego Highway with "B" Street and Middlecrest Road.

"Agreement" with Corps of Engineers covering relocation of Crater Lake Highway within the Lost Creek Dam and Reservoir Project.

"Trust Agreement" with Bonneville Power Administration to replace an access road caused by a slide on the Fernhill-Burnside Section of the Columbia River Highway.

"Easement" from Southern Pacific Transportation Company granting the State the right to construct connections to two county roads as required by the construction of the Mt. Angel-Silverton Section of the Hillsboro-Silverton Highway.

"Agreement" with Southern Pacific Transportation Company providing for construction of a grade crossing of its tracks near the Gladstone Interchange, which is being constructed as a portion of Gladstone Interchange-Oregon City Interchange Section of the East Portland Freeway.

"Permit of Entry" from Southern Pacific Transportation Company allowing the State to enter on 17 parcels of Railroad property to construct the Gladstone Interchange-Oregon City Interchange Section of the East Portland Freeway in Clackamas County.

"Agreement and Indenture" from Southern Pacific Transportation Company providing for construction of Derry Overcrossing on Rickreall-Independence Junction Section of the Willamina-Salem Highway in Polk County.

"Agreement" with Central Lane Planning Council allowing use of Highway Planning and Research Funds in connection with Eugene-Springfield Area Transportation Study.

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As there was no further business to conduct, the meeting was adjourned by the Chairman at 10:05 a.m.

R. L. Porter
State Highway Engineer

Glenn L. Jackson
Chairman

Fred W. Hill
Commissioner

Floyd Query
Secretary

Thaddeus B. Bruno
Commissioner

Salem, Oregon
August 18, 1970

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 122 of the State Highway Building, in Salem. Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
R. L. Porter, State Highway Engineer
Tom Edwards, Deputy State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
A. E. Johnson, Assistant State Highway Engineer
L. I. Lindas, Chief Counsel
David H. Moehring, Right of Way Engineer
C. W. Head, Assistant Secretary

Floyd Query, Commission Secretary, was excused. Also present were: R. E. Simpson, Division Engineer of the Federal Highway Administration; Victor D. Wolfe, Administrative Assistant; L. H. Young, Program and Planning Engineer; E. S. Hunter, Administrative Engineer; V. E. Skoog, Controller; Frank C. McKinney, Assistant Counsel; R. B. Sipprell, Liaison Engineer; David Talbot, State Parks Superintendent; R. W. Ellison, Planning and Special Studies Engineer; John Oakes, Assistant Right of Way Engineer; Donald N. Harwell, Coordination Engineer; John Earley, Information Officer; and John Widmer, Office Manager, Commission Secretary.

The Commission approved the minutes of the meeting held July 7, 1970.

Mr. Gordon A. Barker, Investment Manager, State Treasury Department, was also present in connection with the opening of bids for the sale of Highway Bonds.

Chairman Jackson announced that bids would be opened and read this morning for the sale of \$15,000,000 Oregon State Highway Bonds, Series 1970, and the Commission would announce its action on the sale later in the meeting.

Mr. Barker read the following bids:

	Net Interest Cost	Effective Interest Rate
First National City Bank		
Bankers Trust Company		
In association with:		
Harris Trust and Savings Bank		
First National Bank of Oregon		
The Chase Manhattan Bank, N.A.		
In association with:		
Bank of America, N.T. & S.A.	\$8,985,525.00	5.7050%

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(Tabulation of Bids Cont.)

	<u>Net Interest Cost</u>	<u>Effective Interest Rate</u>
Morgan Guaranty Trust Company of New York For the Managers and Associates	\$8,995,732.00	5.7115%
Halsey, Stuart & Co., Inc. Smith, Barney & Co., Inc. Merrill Lynch, Pierce, Fenner & Smith, Inc. Continental Illinois National Bank and Trust Company of Chicago In association with: The First National Bank of Chicago		
	9,181,950.00	5.82980%

The Right of Way Engineer presented a list of options, Pages 1 through 59, secured for acquisition of real property needed for State Highway use or for other purposes. He mentioned that the amounts offered are on or near the appraised amounts and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 70," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts for the period from July 1, 1970, to August 11, 1970, was presented by the Right of Way Engineer and accepted by the Commission. During this period, miscellaneous sales totaled \$27,690, land sales \$21,925, and timber sales \$819.33. Rental receipts for the month of July were \$40,317.83.

A list of properties for highway and other uses was presented by the Right of Way Engineer. He requested the Commission to declare by resolution the necessity of said properties for the public uses to which they are to be put and to authorize the Right of Way Engineer to attempt to agree with the owners of said properties as to price. After careful consideration,

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the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution No. 2582," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed the following report of the Right of Way Engineer on offers tendered to the owners for acquisition of real property prior to the start of condemnation proceedings:

ALDER CREEK-WILDWOOD SECTION OF THE MT. HOOD HIGHWAY (CLACKAMAS COUNTY)

R-44370 - Jesse Lee Cooper et ux. 0.28 acre for right of way purposes. Offer of \$210.00.

BEAVERTON-JAMIESON ROAD SECTION OF THE BEAVERTON-HILLSDALE HIGHWAY (WASHINGTON COUNTY)

R-38030 - Robert J. Kreutzer, et al. 1,000 square feet for right of way purposes. Offer of \$2,000.00.

BROOKINGS-WINCHUCK RIVER SECTION OF THE OREGON COAST HIGHWAY (CURRY COUNTY)

R-43847 - William Lloyd Gates, et ux. 0.08 acre for right of way purposes. Offer of \$2,000.00

R-43981 - Lloyd R. Pettinger, et al. 0.3 acre for right of way purposes. Offer of \$1,500.00.

R-43983 - Edwin Sund, et ux. 0.07 acre for right of way purposes. Offer of \$4,000.00.

R-43985 - Jules E. Thompson, et ux. 4.0 acres for right of way purposes. Offer of \$30,300.00.

R-44001 - Robert D. Chambers, et ux. Parcel No. 1: 0.85 acre for right of way purposes; Parcel No. 2: 0.16 acre for right of way purposes. Offer of \$19,700.00.

R-44004 - Darrelle McAdams, et ux. 0.97 acre for right of way purposes. Offer of \$19,050.00.

R-44010 - Buddy L. Savage. 0.15 acre for right of way purposes. Offer of \$2,150.00.

CHEMAWA ROAD-HAYESVILLE SECTION OF THE PACIFIC HIGHWAY EAST (MARION COUNTY)

R-17596 - Elmo W. Frey, et ux. Parcel No. 1: 0.05 acre for right of way purposes; Parcel No. 2: 0.5 acre for right of way purposes. Offer of \$25,800.00.

R-43766 - Clarence V. Zielinski, et ux. 0.10 acre for right of way purposes. Offer of \$18,100.00.

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CHEMAWA ROAD-HAYESVILLE SECTION OF THE PACIFIC HIGHWAY EAST (MARION COUNTY)
Cont.

R-43771 - Marguerite Sumpter, et al. Parcel No. 1: 0.06 acre for right of way purposes; Parcel No. 2: 0.2 acre for right of way purposes. Offer of \$16,500.00.

GRAY CREEK-MYRTLE POINT SECTION OF THE COOS BAY-ROSEBURG HIGHWAY (COOS COUNTY)

R-39842 - Georgia-Pacific Investment Company. 0.42 acre for right of way purposes. Offer of \$1,375.00.

HARRIS BEACH STATE PARK (CURRY COUNTY)

R-17811 - Gordon Kershaw, et ux. Parcel No. 1: 10.3 acres for park purposes; Parcel No. 2: 2.8 acres for park purposes. Offer of \$50,000.00.

LAKE ROAD INTERCHANGE-CLACKAMAS RIVER UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY (CLACKAMAS COUNTY)

R-43907 - Mina Hanson. Parcel No. 1: 0.55 acre for right of way purposes; Parcel No. 2: 0.08 acre for permanent easement; Parcel No. 3: 0.06 acre for permit of entry. Offer of \$2,900.00.

MISSION JUNCTION-EMIGRANT HILL SECTION OF THE OLD OREGON TRAIL (UMATILLA COUNTY)

R-42500 D-16 United States of America (Maudie Craig Antoine) Parcel No. 1: 3.2 acres for right of way purposes; Parcel No. 2: 0.02 acre for right of way purposes; Parcel No. 3: 0.10 acre for right of way purposes. Offer of \$100.00.

R-4345 - Orval McCormmach, et al. Parcel No. 1: 9.7 acres for right of way purposes; Parcel No. 2: 2.2 acres for right of way purposes. Offer of \$400.00.

R-44323 - Catherine Ann DeWaal, et vir. 2.0 acres for stockpile purposes. Offer of \$650.00.

NORTH POWDER-BAKER SECTION OF THE OLD OREGON TRAIL (BAKER AND UNION COUNTIES)

R-42369 - Alma B. Lee. Parcel No. 1: 3.10 acres for right of way purposes; Parcel No. 2: 0.32 acre for right of way purposes; Parcel No. 3: 2.1 acres for permanent easement; Parcel No. 4: 0.07 acre for permanent easement. Offer of \$11,900.00.

R-42370 - Durward E. Hill, et ux. Parcel No. 1: 15.3 acres for right of way purposes; Parcel No. 2: 1.4 acres for permanent easement; Parcel No. 3: 0.42 acre for permanent easement; Parcel No. 4: 200 square feet for permit of entry. Offer of \$6,075.00.

R-42373 - Ronde Valley Lumber Co. Parcel No. 1: 22.9 acres for right of way purposes; Parcel No. 2: 0.37 acre for permanent easement; Parcel No. 3: 0.16 acre for permit of entry; Parcel No. 4: 0.01 acre for permit of entry;

NORTH POWDER-BAKER SECTION OF THE OLD OREGON TRAIL (BAKER AND UNION COUNTIES) Cont.

Parcel No. 5: 100 square feet for permit of entry; Parcel No. 6: 100 square feet for permit of entry. Offer of \$18,825.00.

R-42375 - Arthur E. Powell, et ux. Parcel No. 1: 33.8 acres for right of way purposes; Parcel No. 2: 2.2 acres for permanent easement; Parcel No. 3: 3.7 acres for permanent easement; Parcel No. 4: 0.21 acre for permit of entry; Parcel No. 5: 0.39 acre for permit of entry; Parcel No. 6: 0.69 acre for permit of entry. Offer of \$10,000.00.

R-42378 - Walter C. Colton, et ux. Parcel No. 1: 6.8 acres for right of way purposes; Parcel No. 2: 31.2 acres for right of way purposes; Parcel No. 3: 1.8 acres for right of way purposes; Parcel No. 4: 6.6 acres for right of way purposes; Parcel No. 5: 0.67 acre for permanent easement. Offer of \$4,975.00.

R-42381 - Alvin Culley, et ux. Parcel No. 1: 9.0 acres for right of way purposes; Parcel No. 2: 1.1 acres for right of way purposes; Parcel No. 3: 1.61 acres for permanent easement; Parcel No. 4: 0.86 acre for permanent easement. Offer of \$4,400.00.

R-42383 - Charles M. Colton, et ux. Parcel No. 1: 11.2 acres for right of way purposes; Parcel No. 2: 1.0 acre for right of way purposes. Offer of \$4,275.00.

R-42384 - Kenneth W. Miles, et ux. Parcel No. 1: 14.5 acres for right of way purposes; Parcel No. 2: 0.55 acre for right of way purposes. Offer of \$5,550.00.

R-42387 - Eugene Brent Perkins, et ux. Parcel No. 1: 10.1 acres for right of way purposes; Parcel No. 2: 0.26 acre for right of way purposes; Parcel No. 3: 0.74 acre for permanent easement; Parcel No. 4: 1.29 acres for permanent easement; Parcel No. 5: 0.2 acre for permit of entry. Offer of \$4,025.00.

R-42389 - Lee Savely. 24.2 acres for right of way purposes; Parcel No. 2: 0.09 acre for right of way purposes; Parcel No. 3: 0.6 acre for right of way purposes; Parcel No. 4: 0.14 acre for permanent easement; Parcel No. 5: 0.57 acre for permanent easement; Parcel No. 6: 1.7 acres for permanent easement; Parcel No. 7: 1.8 acres for temporary easement. Offer of \$6,000.00.

R-42396 - Harlan Wendt, et al. Parcel No. 1: 19.5 acres for right of way purposes; Parcel No. 2: 1.95 acres for right of way purposes; Parcel No. 3: 0.01 acre for permanent easement; Parcel No. 4: 0.01 acre for permanent easement; Parcel No. 5: 0.54 acre for permit of entry. Offer of \$9,400.

R-42398 - Helen M. Conklin, et al. Parcel No. 1: 9.6 acres for right of way purposes; Parcel No. 2: 2.3 acres for right of way purposes. Offer of \$9,550.00.

NORTH POWDER-BAKER SECTION OF THE OLD OREGON TRAIL
UNION COUNTIES) Cont.

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R-42403 - James H. Kelly, et al. Parcel No. 1: 4.5 acres for right of way purposes; Parcel No. 2: 0.14 acre for permanent easement. Offer of \$6,650.00.

R-42930 - Verlie E. Moeller, et al. 0.09 acre for right of way purposes. Offer of \$400.00.

R-42938 - Sunny Slope Ranch, Inc., et al. Parcel No. 1: 31.0 acres for right of way purposes; Parcel No. 2: 0.64 acre for permanent easement. Offer of \$1,400.00.

R-43349 - L. H. Williams. Parcel No. 1: 28.4 acres for right of way purposes; Parcel No. 2: 4.18 acres for right of way purposes. Offer of \$2,800.00.

S.E. DIVISION STREET-S.E. FOSTER ROAD UNIT OF THE COLUMBIA RIVER-PACIFIC
HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY (MULTNOMAH COUNTY)

R-41107 - Helen Stokes. 7,996 square feet for right of way purposes. Offer of \$7,350.00.

R-42767 - Gladys H. McLean. 8,152 square feet for right of way purposes. Offer of \$14,650.00.

WILDWOOD-FOREST BOUNDARY SECTION OF THE MT. HOOD HIGHWAY (CLACKAMAS COUNTY)

R-33114 - Harry Bruss. 3,600 square feet for right of way purposes. Offer of \$800.00.

R-33170 - Gorham D. Nicol. 0.02 acre for right of way purposes. Offer of \$150.00.

R-43938 - Fred Hellweg, et ux. 0.14 acre for right of way purposes. Offer of \$6,000.00.

Authority was requested by the Right of Way Engineer to offer at public sale three parcels of property no longer needed for highway purposes. Minimum values have been determined by competent appraisals and access and other conditions of sale are consistent with those afforded to other properties in the vicinity. The Commission authorized public sale of the following properties and thereupon adopted "Real Property Resolution No. 540," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

- (1) 0.15 acre parcel of land, File Nos. 40721 and 41578, located at the northerly end of Laurel Street about 200 feet northerly of Cable Avenue in Klamath Falls on The Dalles-California Highway in Klamath County for not less than \$100. No access will be permitted to The Dalles-California Highway, and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Federal Highway Administration is not required.

- (2) 0.46 acre, File No. 1897, a former stockpile site on Union Street south of the city limits of Bandon on the Oregon Coast Highway in Coos County for not less than \$485. A junkyard exclusion clause is to be included in the deed. Approval by the Federal Highway Administration is not required.
- (3) 3.83 acre triangular-shaped parcel of land, File No. 5209, located adjacent to the Sunset Highway west of Cedar Hills in Washington County for not less than the appraised value. (Appraised value is in excess of \$1,000) No access is to be permitted to the Sunset Highway and signboard and junkyard exclusion clauses will be included in the deed. Approval by the Federal Highway Administration is not required. (See "Real Property Resolution No. 540.")

Direct sales on two parcels of property were recommended by the Right of Way Engineer. He mentioned that public sale is not feasible because of the peculiarities of location and values had been determined by competent appraisals. The Commission approved the following transactions:

- (1) 0.78 acre former stockpile site, File No. 2936 located on the old Coos Bay-Roseburg Highway and undeveloped First Street and Alder Street in the city of Myrtle Point in Coos County to the City of Myrtle Point for \$350 which is one-half the appraised value. The sale is subject to a public use and a junkyard exclusion clause. Approval by the Federal Highway Administration is not required.
- (2) 0.67 acre former stockpile site, File No. 7749, to A. W. Grilley located approximately 2.1 miles northeast of the junction of the Oregon-Washington Highway and the Old Oregon Trail in Umatilla County for \$270. The sale is subject to a signboard and junkyard exclusion clause. No access will be permitted to the Oregon-Washington Highway. A 50-foot strip adjacent to the highway will be retained for possible future widening. Approval of the Federal Highway Administration is not required.

Consideration was given to a relinquishment of title to Lane County for 0.26 acre of land for roadway purposes only north of Heceta Junction on the Oregon Coast Highway in Lane County. The Right of Way Engineer explained that county construction will be done so that elaborate highway reconstruction will not be required when future highway widening becomes necessary by the State. Approval by the Federal Highway Administration is not required. The Commission approved the relinquishment.

Attention was given to granting an easement without cost to the Bureau of Land Management, File Nos. 19948 and 19950, across a gravel pit near the Jacksonville Highway in Jackson County. The Right of Way Engineer mentioned that the Bureau of Land Management wishes to use a 100-foot timber hauling road across the gravel pit. Following his favorable recommendation, the Commission approved the easement.

Indentures of Access on two parcels of property were recommended by the Right of Way Engineer for a change in location and widening. The Commission approved the following Indentures of Access:

- (1) Jeffers property, File No. 40356, for changing location of one 50-foot unrestricted point of access on the southerly side of the relocated Wallowa Lake Highway in La Grande just south of the La Grande Bypass on I-80N in Union County. Approval by the Federal Highway Administration was given July 17, 1970.
- (2) Mars property, File Nos. 23265 and L-2465, for changes of location on two unrestricted points of access on the westerly side of the relocated Pacific Highway (now the Rogue Valley Highway) in the city of Ashland in Jackson County. Both approaches will be widened to 35 feet. Approval by the Federal Highway Administration was given on May 14, 1970.

Confirmation was requested by the Right of Way Engineer for oral approval given by the Commission on July 28, 1970, for award of two demolition contracts. The Commission confirmed award of the following contracts and authorized the Secretary to sign them in their behalf.

- (1) To Hal Bailey Equipment Rentals, Inc., at \$1,690, for removal of five buildings and rough grading on the Garden Valley Road-Fairgrounds Section of the Pacific Highway in Douglas County. Only one bid was received.
- (2) To Hal Bailey Equipment Rentals, Inc., at \$4,650 for removal of fifteen buildings and rough grading on the Drain-Anlauf Section of the Umpqua Highway in Douglas County. Only one bid was received.

Confirmation was requested by the Right of Way Engineer for oral approval given by the Commission on July 23, 1970, for a 15-day extension of time without assessment of liquidated damages on the demolition contract with R.A.V. Wrecking Company on sections of the East Portland Freeway, Oswego Highway and Baldock Freeway in Multnomah County. The 15-day extension was confirmed.

The Right of Way Engineer requested authority to expend \$700 in payment of tuition for attendance of seven Right of Way people at the American Right of Way Association Management Course to be held in the city of Portland from September 21 to 23, 1970. The Commission approved the expenditure.

The Chief Counsel presented a report concerning cases which have been tried in court since the last Commission meeting. The Commission accepted the report which is summarized as follows:

August 18, 1970

REPORT OF CONDEMNATION CASES TRIED

Defendant	County	Section and Highway	State's Offer Before Filing Complaint	Defendants' Lowest Demand	Verdict
H. E. Hollowell, et ux. L-6100	Clackamas	Clackamas River-West Linn Section of the East Portland Freeway	\$ 1,350	\$ 2,500	\$ 3,700
Ruben G. Gehrke, et ux. L-6133	Clackamas	Columbia River-Pacific Highway Section of the East Portland Freeway	4,050	8,000 (Answer)	6,000
Napoleon Steve Kaptur L-6226	Multnomah	Columbia County Line-Burlington Section of the Columbia River Highway	23,800	30,000	34,100
Charles W. Brooks, et al. L-6049	Curry	Sixes River-Elk River Section of the Oregon Coast Highway	1,600	20,975	6,011
Rudolph N. Carriger, et ux. L-6165	Multnomah	Ross Island Bridge-Reedway Section of the Pacific Highway	20,000	39,500	23,000
Nick A. Hazapis L-5104A	Clatsop	Wauna-Westport Section of the Columbia River Highway			*
Ray Stupek, et al. L-5344A	Clatsop	Wauna-Westport Section of the Columbia River Highway			*

*In the above two files the Court of Appeals reversed the trial court and granted a new trial. The issue on appeal was whether or not an abutting owner is entitled to compensation when an intersecting County Road is closed, if the owner has other access to the highway system. The Court of Appeals held that such a closure was not compensable.

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REPORT OF TRIAL OF OTHER CASES - State Plaintiff

<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict or Judgment</u>
Frank D. Cooper L-5908	Douglas	Negligent operation of motor vehicle by defendant resulting in damage to guard-rail.	\$ 73.09	\$ 73.09
Betty Jane Zumwalt L-5984	Marion	Negligent operation of motor vehicle by defendant resulting in damage to guard-rail.	92.22	92.22
Robert Delavney L-5911	Multnomah	Negligent operation of motor vehicle by defendant resulting in damage to guard-rail.	113.47	113.47
Rupert D. Hardy L-6059	Multnomah	Negligent operation of motor vehicle by defendant resulting in damage to bridge structure.	141.42	141.42

REPORT OF TRIAL OF OTHER CASES - State Defendant

<u>Plaintiff</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict or Judgment</u>
Frankie Werth L-5583	Clackamas	Loss of Consortium	\$ 40,000	Motion to Quash as to Forrest Cooper allowed.
William D. Werth L-5584	Clackamas	Personal Injury	206,000	Motion to Quash as to Forrest Cooper allowed.
Frank R. Fanno L-6053*	Washington	Damages and Injunction	25,000	Dismissal
Frank R. Fanno L-6126*	Washington	Injunction	State be enjoined from depositing surface waters on plaintiff's land.	Dismissal

*Condemnation action pending involving same property.

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REPORT OF TRIAL
STATE BOARD OF HIGHER EDUCATION ACQUISITION

<u>Defendant</u>	<u>County</u>	<u>Legal Offer Before Filing Complaint</u>	<u>Defendants' Lowest Demand</u>	<u>Verdict</u>
First Methodist Church of Ashland, et al. L-6220	Jackson	\$37,500	\$122,000	\$65,000

Condemnation action prosecuted by Assistant Attorney General assigned to State Highway Division.

A report was also made by the Chief Counsel concerning cases which have been settled out of court since the last Highway Commission meeting. The Commission accepted the report which is summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

<u>Defendant</u>	<u>County</u>	<u>Section and Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Ray E. Davis, et ux. L-5975	Benton	Blodgett-Marys River Section of the Corvallis-Newport Highway	\$ 6,350	\$ 4,800*	\$ 7,000**

*Does not include fencing cost of \$1,550. Settlement on basis landowner to fence.

**Telephonic Approval of Mr. Jackson on August 11, 1970.

Delbert R. Kessi, et ux. L-6023	Benton	Blodgett-Wren Section of the Corvallis-Newport Highway	700	700	1,000
Alfred Reinertson, et al. L-6182	Coos	Woodland Drive-Central Avenue Section of the Empire-Coos Bay Highway	9,000	9,000	9,000

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<u>Defendant</u>	<u>County</u>	<u>Section and Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
John L. Heydon, et al. L-6228	Coos	Woodland Drive-Central Avenue Section of the Empire-Coos Bay Highway	\$ 4,000	\$ 3,500	\$ 4,500*

*Telephonic Approval of Mr. Jackson on June 15, 1970.

Amelia R. Nevel, et al. L-6176	Multnomah	Columbia County Line-Burlington Section of the Columbia River Highway	11,750	12,000	13,500
Kingsley C. Stone, et al. L-6178	Clackamas	Alder Creek-Wildwood Section of the Mt. Hood Highway	13,000	13,000	15,000
Walter H. Muirhead L-6270*	Multnomah	Ross Island Bridge-Reedway Section of the Pacific Highway East	2,300	2,300	2,500

*Defendant Union Pacific Railroad Company to retain mineral rights in accordance with stipulation filed herein. Mr. Moehring advises reservation of mineral rights acceptable.

REPORT OF OTHER CASES SETTLED

<u>Plaintiff</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demand of Plaintiff</u>	<u>Settlement</u>
State of Oregon L-6253	Warren N. Lane Blanken-ship, et al.	Lane	Negligent operation of motor vehicle by defendant resulting in damage to guard-rail.	\$212.28	\$212.28 plus 5.70 costs
State of Oregon L-6258	Daniel Newport, Vickie Newport and James Lake	Multnomah	Negligent operation of motor vehicle by defendant resulting in damage to guard-rail.	376.73	376.73 plus 13.30 costs

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(Report of Other cases Settled Cont.)

<u>Plaintiff</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demand of Plaintiff</u>	<u>Settlement</u>
State of Oregon L-5477*	United States	Wash. D. C.	Action on contract	\$1,130,206.09	\$923,660.93

*See special report dated August 10, previously submitted.

The Chief Counsel presented for the Commission's consideration the dismissal of the case State vs. Deschutes Power Company, L-5231. He stated that this is a pending condemnation action and an attorney for the Deschutes Power Company has asked that the State either proceed with the case or dismiss it. The Chairman asked where the Highway Division now stands in the use of the area at the mouth of the Deschutes River and if there is a future need for the balance of the property. Mr. Lloyd Shaw, Assistant State Highway Engineer, stated that we are using the area that we now have title to and it would be highly desirable to acquire the remaining property. The Commission approved the dismissal of the case and requested the Division to continue to attempt to acquire lands in the Deschutes River State Recreation area now under control of the Columbia-Deschutes Power Company.

A report on the institution of legal proceedings since the last Commission meeting was made by the Chief Counsel. The Commission accepted the report which is summarized as follows:

- (1) L-6290, Forrest F. Campbell vs. Dale Bessett, et al. This concerns an accident which involved the Campbell vehicle and two animals on the Interstate Highway in Douglas County. The plaintiff has named the permittee of the Highway Division, Mr. Bessett, holder of a permit to remove hay from the right of way of the Interstate Highway, and the owner of the animals along with three Highway Division employees. The plaintiff seeks to collect \$35,769.84. The case has been referred to the State's insurance carrier for defense.
- (2) L-6260, Karen D. Saito vs. Glenn Thomas Norton and Willard Scofield. This case concerns an accident which occurred on July 4, 1968, at the intersection of Hillyard Road and the Mt. Hood Highway in Multnomah County. Willard Scofield, Highway Division employee, is charged with improperly designing the intersection of Hillyard Road with the Mt. Hood Highway. Plaintiff seeks to collect \$45,535.00. The case has been referred to the State's insurance company for the defense of Mr. Scofield.
- (3) L-6261, Edward J. Hoover vs. Joe Nodlinski and Clifford Dornhecker. This case arises out of an accident which occurred on May 22, 1968, on Highway 126 in Lane County.

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The plaintiff alleges that the Highway Division employees were negligent in flagging his car through a construction project and is seeking to collect \$1,709.95. This case has been referred to the State's insurance carrier for defense of the State employee.

- (4) L-6262, Roy Jess Buhrle v. State, et al; L-6263, Charlene Buhrle v. Lowell C. Jaynes, et al; L-6264, Danny Ray Buhrle v. Lowell C. Jaynes, et al; and L-6265, Barbara Buhrle v. Lowell C. Jaynes, et al. These four cases are wrongful death cases. Action is brought by Roberta Helen Heckenlively, Administratrix of the estate of the four individuals. L-6266, Linda Lucille Buhrle v. Lowell C. Jaynes, et al; and L-6288, Dorothy A. Outcult v. Lowell C. Jaynes et al: These two cases are personal injury cases. Roberta Helen Heckenlively is bringing the suit (L-6266) as guardian of Linda Lucille Buhrle. All of these cases arise out of an accident which occurred on August 23, 1969, in which a State Highway vehicle was working on the shoulder of the Lake of the Woods Highway at M.P. 48.98 in Klamath County. A flatbed semi-trailer, operated by Jimmy N. Bushnell, was approaching the State vehicle from the rear, and having observed the warning signs, attempted to put on his brakes and they failed to work properly. He pulled to the left to pass the State vehicle and collided head-on with a vehicle driven by Mr. Buhrle. The collision killed Mr. Buhrle and three of his children and injured a fourth. Dorothy Outcult, also a daughter of Mr. Buhrle, was following in her vehicle and at the time of the accident struck the vehicle operated by her father thus sustaining personal injuries. The amounts of the lawsuits are as follows:

L-6262, Roy Jess Buhrle	Wrongful Death	\$250,907.00
L-6263, Charlene Buhrle	Wrongful Death	75,907.00
L-6264, Danny Ray Buhrle	Wrongful Death	75,907.00
L-6265, Barbara Buhrle	Wrongful Death	75,907.00
L-6266, Linda Lucille Buhrle	Personal Injury	50,507.55
L-6288, Dorothy A. Outcult	Personal Injury	25,360.50

All of these cases have been referred to our insurance carriers for the defense of the State employees.

- (5) L-6289, Edwin W. Smedburg v. State of Oregon. Plaintiff was a former employee of the Right of Way Section of the Highway Division and is asking for a declaratory judgment by the Court that the action of the defendants in dismissing him from State service was improper, and declaring that ORS 240.555 is unconstitutional and void as applied by the defendants. The Attorney General has assigned Clayton Hess of his staff to handle the case.

A status report on an order received from the Public Utility Commissioner was presented by the Chief Counsel and accepted by the Commission summarized as follows: PUX 769 - SXF 531 - North Powder Overcrossing Project with the Union Pacific Railroad on Old Oregon Trail (I-80N) in Union County. The application, with minor changes, has been approved.

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Consideration was given to naming the park which is now under construction near the community of South Beach south of Newport in Lincoln County. Upon the Engineer's recommendation, the Commission named the area South Beach State Park and adopted "State Parks Resolution No. 3-4z" which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission gave attention to a consent agreement granting an easement from the U. S. Forest Service to the U. S. Plywood Champion Papers Inc., for use of a timber access road in Neptune State Park in Lane County. The Engineer mentioned that the State entered into an agreement with the U. S. Forest Service on August 2, 1949, which permitted the Forest Service to construct, maintain, and use a timber access road in the Park. The agreement provided for use by other timber owners and for an assignment of easement rights to a third party with the consent of the State. Following the Engineer's favorable recommendation, the Commission approved the agreement.

The Engineer reported that the Bureau of Outdoor Recreation has requested the State to enter into an agreement with Oregon State University to provide a survey of privately operated recreation facilities to be included in the Statewide Comprehensive Outdoor Recreation Plan. He stated the survey would be a complete listing of establishments, classified into groups, types, locations, etc. An inventory of this scope would require more man power than could be made available from the Parks and Recreation Section. The Federal Cooperative Extension Service of Oregon State University has the necessary facilities to conduct such a survey and to analyze the results. The University also has an interest in the data and analysis resulting from the survey and would absorb costs above \$17,750. Fifty percent of this amount will be reimbursable from the Land and Water Conservation Fund. The Commission approved the agreement as recommended by the Engineer at a cost not to exceed \$17,750 and authorized the Secretary to sign the agreement in their behalf.

The Commission considered adoption of two resolutions reducing the speed on the ocean shore from 25 to 15 miles-per-hour at Cannon Beach in Clatsop County and at Manzanita in Tillamook County. Upon the recommendation of the Engineer, the Commission approved the following Ocean Shore Resolutions which resolutions by this reference are made a part hereof and filed in the Secretary's office:

Resolution No. 19; Fifteen miles-per-hour maximum speed limit within those areas of the ocean shore where motor vehicle travel is permitted, pursuant to Ocean Shore Resolution Number 10, said speed limitation extending from Arch Cape to Elk Creek in Clatsop County. This Resolution rescinds Speed Zone Resolution No. 346.

Resolution No. 20; Fifteen miles-per-hour maximum speed limit within those areas of the ocean shore where motor vehicle travel is permitted, pursuant to Ocean Shore Resolution Number 11, within the city limits of Manzanita in Tillamook County.

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Confirmation was requested by the Engineer for approval given by the Chairman on August 31, 1970, extending the excavation permit of Tillamook Treasures, Inc., to October 1, 1970, to search for treasure trove on State Park property at Neahkahnie Mountain in Tillamook County. The Engineer stated that the request for the extension was made in view of a series of studies made by Geo-Recon, Inc., of Seattle which point to the possibility that the search area has not been properly covered. The Commission confirmed the extension under the terms of the first permit authorized on February 3, 1970.

Approval was requested by the Engineer on two corridor design surveys described below. The Commission approved the request and thereupon adopted "Highway Corridor and Design Resolutions No. 383 and 384" which resolutions are made a part hereof and filed in the Secretary's Office.

- (1) Garden Valley Road-Fairgrounds Section of the Pacific Highway (I-5) in Douglas County, 2.49 miles. A corridor design hearing was held March 17, 1970, and approval was received from the Federal Highway Administration on July 2, 1970. (See "Highway Corridor and Design Resolution No. 383")
- (2) Cape Arago Highway-Woodland Drive Section of the Empire-Coos Bay Highway, in Coos County, 1.54 miles. A corridor and design hearing was held on May 14, 1970, and approval was received from the Federal Highway Administration on July 13, 1970. (See "Highway Corridor and Design Resolution No. 384.")

Increases in project authorization on two contracts were recommended by the Engineer and approved by the Commission as follows:

- (1) Contract No. 7361 on the Oregon Coast Highway in Lincoln County for an increase of \$7,010, (28 percent). The increase was caused by a change in the borrow source for required embankment material which required additional clearing and an increase in the hours of equipment rental.
- (2) Contract No. 7150 on the East Portland Freeway in Clackamas County for an increase of \$771,041.69 (6.6 percent). The increase was attributed to a massive slide problem which developed in the large cut in the southerly part of West Linn, which required immediate removal of several hundred thousand yards of material and extensive adjustment of water supply facilities for the City of West Linn.

A quarterly report of property damage claims collected during the period from April 1, 1970, through June 30, 1970, was presented by the Engineer. He mentioned that during this period \$40,176.10 had been collected and 17 claims totaling \$6,411.88 had been abandoned as it was deemed not feasible to make further attempts to collect. The Commission accepted the report.

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Consideration was given to the expenditure of \$1,250 for completing the engineering studies of the consulting firm Shannon and Wilson, Inc., in connection with the OMSI-Portland Zoo slide in the City of Portland. The Engineer stated that the State and the City of Portland had entered into a cooperative agreement with the firm on March 11, 1969, for the purpose of conducting foundation investigations and engineering studies to develop recommendations for correction of the slide condition in the vicinity of the OMSI-Portland Zoo properties. This additional amount is required to complete the work in an acceptable manner. The City of Portland has been requested to participate in an equal amount of \$1,250. The Commission approved the expenditure. The Commission also approved delaying the landscaping of the OMSI-Zoo slide buttress until the Spring of 1971 as recommended by the Engineer.

Confirmation was requested by the Engineer for approval given by the Chairman on July 27, 1970, for a landscaping project along Harbor Drive between S. W. Alder Street and S. W. Salmon Street (site of the old Journal Building) on the Pacific Highway West in the City of Portland. He mentioned that the City will plant the necessary trees and shrubs, provide and place benches, and illumination as required. The City will also supply the water and maintain the project. The Commission confirmed approval of the project to be financed with State Construction Funds at an estimated cost of \$60,000 and authorized advertising the project for bids to be received on September 3, 1970.

Confirmation was also requested by the Engineer for verbal approval given by the Chairman to permit the movement of 14-foot wide loads effective July 28, 1970, under rigidly controlled conditions. He stated that this would be only on certain highways, and then only after trial runs have been made. Chairman Jackson asked if this action had been coordinated with the State Police. The Engineer replied that conferences had been held with the State Police, the Mobile Home Industry, and Governor's Department of Economic Development. The Commission confirmed the movement of 14-foot wide loads under "Special Provisions Governing Trailer Coach Movements" filed in the Secretary's office as Permit Resolution No. 31.

The Commission confirmed the date for the next regular Commission meeting on Tuesday, September 29, 1970, in the Conference Room of the State Highway Building in Salem. A tentative date of November 17, 1970, was set for the following meeting.

Requests from contractors for extensions of time to complete highway contracts without assessment of liquidated damages were considered. The Engineer stated that the requests have been carefully investigated and the results of the investigations have been reported to the Commission by letter. The Commission took action as follows:

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- (1) All-City Tree and Landscape Service, Contract No. 7154 on the Pacific Highway in Douglas County, requested a 28-day extension of time. The Commission approved the request without assessment of liquidated damages. Approval by the Federal Highway Administration was given by letter dated July 14, 1970.
- (2) Ontario Asphalt Paving Co., Contract No. 7347 for street work in Ontario, Malheur County, requested a 15-day extension of time. The Commission granted an extension of 7 calendar work days without assessment of liquidated damages.
- (3) Rogers Construction, Inc. Contract No. 7173 on the Lake of the Woods Highway in Jackson County, requested an 89-day extension of time. The Commission granted an extension of 77 days without assessment of liquidated damages.
- (4) M. R. Holst Construction, Contract No. 7270 on the Pacific Highway in Lane County, requested an additional 57 calendar days to complete Unit A of the contract. The Commission granted their request without assessment of liquidated damages. Approval by the Federal Highway Administration was given by letter dated July 21, 1970.
- (5) M. R. Holst, Contract No. 7280 on Pacific Highway (I-5) in Douglas County, requested a 69-day extension of time. The Commission denied the request.
- (6) E. A. White Company, Contract No. 7361 on the Oregon Coast Highway in Lincoln County, requested a 23-day extension of time. The Commission approved an extension of 23 days without assessment of liquidated damages.
- (7) W. R. Sutherland, Contract No. 7381 on the Sherman Highway in Sherman County, requested a 6-week extension of time. The Commission approved an extension of time to September 15, 1970.
- (8) Morse Bros., Inc., Contract No. 7224 on FAS 761 in Linn County, requested a 24-day extension of time. The Commission granted an extension of time for the stop work period (October 18, 1969 to June 1, 1970) plus an additional 24 days which establishes a new completion date of June 22, 1970.
- (9) Baughman and Son, Inc., Contract No. 7334 on the Oregon Coast Highway in Lincoln County, requested that the specified completion date of May 31, 1970, be advanced to June 30, 1970. The Commission granted the request without assessment of liquidated damages.

The Engineer reported that Contract Nos. 7173, 7280, 7300, 7303, 7320, 7328, 7329, 7335, 7359, 7382, and 7409 for highway construction have been completed as required by the contracts or modifications thereof and said contracts are now ready for acceptance or have been accepted by letter since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 187," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed award of contracts made on July 31, 1970, on which bids had been received July 23, 1970, and authorized the Secretary to sign the following contracts:

BIDS RECEIVED IN SALEM JULY 23, 1970

Contract No. 7428 for an overnight camp area in the Farewell Bend State Park on the Huntington Highway in Baker County. Five bids were received. The Commission awarded the contract to the low bidder, James A. Seiwald, North Bend, for \$130,792.55.

Contract No. 7429 for grading and paving on Currin Street in Estacada in Clackamas County. Three bids were received. The Commission awarded the contract to the low bidder, Parker-Northwest Construction Company, Portland, for \$15,026.

Contract No. 7430 for the Sunset Safety Rest Area on the Sunset Highway in Clatsop County. Five bids were received. The Commission awarded the contract to the low bidder, All-City Landscape, Inc., Portland, for \$275,911.50.

Contract No. 7431 for grading and paving on 5th Street in Coquille in Coos County. One bid was received. The Commission elected to accept the lone bid of G. W. Woodward Co., Inc., Coquille, for \$38,144.78 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Coquille is received and \$19,535 is deposited by the City.

Contract No. 7432 for grading and paving on Squaw Creek-Cloverdale Road Section of the McKenzie-Bend Highway in Deschutes County. Four bids were received. The Commission awarded the contract to the low bidder, R. L. Coats, Bend, for \$268,455.

Arlington Maintenance Station on the Columbia River Highway in Gilliam County. Three bids were received. The Commission rejected all bids.

Contract No. 7434 for an overnight camp in The Cove Palisades State Park in Jefferson County. Eight bids were received. The Commission awarded the contract to the low bidder, Louis Kowolowski, Madras, for \$230,956.75.

Contract No. 7435 for traffic signals on Alameda Avenue at Esplanade Street (Klamath Falls) Section in Klamath County. Three bids were received. The Commission elected to accept the low bid of Madson and Stokes Electrical Contractors, Roseburg, for \$18,723 and directed the State Highway Engineer to award the contract to said

bidder as soon as approval of the City of Klamath Falls is received and \$10,720 is deposited by the City.

Contract No. 7436 for paving on the Foster-Hufford Section of Santiam Highway in Linn County. One bid was received. The Commission elected to accept the lone bid of Morse Bros., Inc., Lebanon for \$117,008.05 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the U. S. Corps of Engineers is received.

Contract No. 7437 for an overnight camp area in the Champoeg State Park in Marion County. Eight bids were received. The Commission awarded the contract to the low bidder, Ross Bros. Construction Inc., Salem, for \$212,500.50.

Contract No. 7438 for storm sewers on 122nd Avenue-140th Avenue Section of the N. E. Portland Highway in Multnomah County. Eight bids were received. The Commission elected to accept the low bid of Lord Bros. Contractors, Inc., for \$159,261. and directed the State Highway Engineer to award the contract to said bidder as soon as necessary right of way is acquired and advance deposit of \$65,445 is received from the County.

North Portland Maintenance Station on North Columbia Boulevard in Multnomah County. This project was withdrawn from the bid letting.

Contract No. 7439 for grading and paving on the Kittridge Avenue (Portland) Channelization on the Columbia River Highway in Multnomah County. One bid was received. The Commission awarded the contract to the lone bidder, Cascade Construction Company, Inc., Portland, for \$174,195.

Nestucca River (Magarrell) Bridge on the Nestucca County Road in Tillamook County. Six bids were received. The Commission referred all bids to Tillamook County.

Contract No. 7440 for grading, paving and structure on the Willow Creek Bridge on the Wallowa Lake Highway in Union County. Four bids were received. The Commission awarded the contract to the low bidder, Mann Construction Co., Inc., Redmond, for \$126,071.80.

Contract No. 7441 for traffic signals on Tenth Avenue at Walnut Street (Hillsboro) Section in Washington County. Six bids were received. The Commission elected to accept the low bid of Madson and Stokes Electrical Contractors, Roseburg, for \$7,943 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Hillsboro is received and \$4,550 is deposited by the City.

Contract No. 7442 for grading and paving Commercial Avenue in North Plains in Washington County. Four bids were received. The Commission elected to accept the low bid of Frady Construction Co., Portland, for \$25,399. and directed the State Highway Engineer

to award the contract to said bidder as soon as approval of the City of North Plains is received and \$4,792 is deposited by the City.

Contract No. 7443 for traffic signals on First Street at River Street (Newberg) Section in Yamhill County. Six bids were received. The Commission elected to accept the low bid of Madson and Stokes Electrical Contractors, Roseburg, for \$11,370 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Newberg is received and \$6,500 is deposited by the City.

Contract No. 7444 for grading and paving on the Weyerhaeuser Road Section of Green Springs Highway in Klamath County. Three bids were received. The Commission elected to accept the low bid of Garrett and Thomas Construction, Dallas, for \$251,185.50 and directed the State Highway Engineer to award the contract to said bidder as soon as necessary right of way is acquired.

Contract No. 7445 for maintenance painting on the Yaquina Bay Bridge on the Oregon Coast Highway. Three bids were received. The Commission awarded the contract to the low bidder, We Painters, Inc., Lynnwood, Washington, for \$129,300.

The Commission confirmed award of contracts made on July 31, 1970, on which bids had been received July 30, 1970, and authorized the Secretary to sign the following contracts:

BIDS RECEIVED IN SALEM JULY 30, 1970

Contract No. 7446 for grading, paving and structure on the Del Rey Beach Section access road in Clatsop County. Four bids were received. The Commission awarded the contract to the low bidder, E. W. Eldridge, Inc., Sandy, for \$212,938.

Paving in the Fort Stevens, Tolovana and Nehalem Bay State Parks on the Oregon Coast Highway in Clatsop and Tillamook Counties. Two bids were received. The Commission rejected both bids.

Contract No. 7448 for paving in the Jessie M. Honeyman and William M. Tugman State Parks on the Oregon Coast Highway in Lane, Douglas, and Coos Counties. One bid was received. The Commission awarded the contract to the lone bidder, Johnson Rock Products, Inc., North Bend, for \$87,051.50.

Contract No. 7449 for paving the Neskowin Beach State Wayside, Gleneden Beach State Wayside, Agate Beach State Wayside, and South Newport State Park on the Oregon Coast Highway in Tillamook and Lincoln Counties. One bid was received. The Commission awarded the contract to the lone bidder, Road and Driveway Co., Newport, for \$92,065.60.

The Commission awarded contracts for bids received August 13, 1970, and authorized the Secretary to sign the following contracts:

BIDS RECEIVED IN SALEM AUGUST 13, 1970

Contract No. 7450 for Baldock Slough Sand Shed on the Baker-Copperfield Highway in Baker County. Two bids were received. The Commission awarded the contract to the second low bidder, Cliff Welter, Baker, for \$21,944.19. The low bid submitted by Hough Construction, Inc., Milton-Freewater, was improperly qualified.

Contract No. 7451 for N. Huntington Interchange Sand Shed on the Huntington Highway in Baker County. Three bids were received. The Commission awarded the contract to the second low bidder, Ray E. Kenney Construction, Ontario, for \$29,880. The low bid submitted by Hough Construction, Inc., Milton-Freewater, was improperly qualified.

Contract No. 7452 for grading, paving, structures, signing and illumination on the Hubbard Interchange Section of Pacific Highway in Clackamas County. Four bids were received. The Commission awarded the contract to the low bidder, Peter Kiewit Sons Co., Omaha, Nebraska, for \$3,595,599.

Contract No. 7453 for the S. Umpqua River (Oak Avenue) Bridge on FAS 241 in Douglas County. Five bids were received. The Commission elected to accept the low bid of Hamilton Construction Co., Eugene, for \$673,782 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Douglas County is received and \$147,200 is deposited by the County.

Contract No. 7454 for grading and paving the Frenchglen Highway-Wildlife Headquarters Section of FAS 824 (Sod House Road) in Harney County. Five bids were received. The Commission elected to accept the low bid of Babler Bros., Inc., Portland, for \$318,653 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Harney County is received and \$73,100 is deposited by the County.

Contract No. 7455 for Prospect Sand Shed on County Road in Jackson County. Five bids were received. The Commission awarded the contract to the low bidder, Rogue Valley Construction Co., Medford, for \$26,874.

Contract No. 7456 for building the Willamette Pass Maintenance Station on the Willamette Highway in Klamath County. One bid was received. The Commission awarded the contract to the lone bidder, K. G. Bakke & K. G. Bakke Constr., Inc., Portland, for \$26,173.

Contract No. 7457 for structure on the Twenty Mile Creek (Twenty Mile) Bridge on FAS 902 in Lake County. Four bids were received. The Commission elected to accept the low bid of Hermiston Construction, Hermiston, for \$41,098 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Lake County is received and the sum of \$9,500 is deposited by the County.

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Contract No. 7458 for the Lakeview Sand Shed on the Klamath Falls-Lakeview Highway in Lake County. Two bids were received. The Commission awarded the contract to the low bidder, E. E. Steinlicht, Bend, for \$18,060.

Contract No. 7459 for channelization and traffic signals at the intersections of Pacific Highway West and Roosevelt Boulevard and Pacific Highway West and Prairie Road in Eugene in Lane County. Two bids were received. The Commission elected to accept the low bid of Wildish Construction Co., Eugene, for \$197,561.25 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Eugene is received and \$82,900 is deposited by the City.

Contract No. 7460 for the Upper Soda Sand Shed on the Santiam Highway in Linn County. Four bids were received. The Commission awarded the contract to the low bidder, E. E. Steinlicht, Bend, for \$21,741.

Contract No. 7461 for the Santiam Junction Maintenance Station in Linn County. Three bids were received. The Commission awarded the contract to the low bidder, E. E. Steinlicht, Bend, for \$54,337.

Contract No. 7462 for roadside improvement on the Talbot Road-North Albany Interchange Section in Marion and Linn Counties. Three bids were received. The Commission awarded the contract to the low bidder, Wayne O. Harris, Pendleton, for \$69,285 as soon as the approval of the FHA is received. Later the same day approval was received from the FHA.

Contract No. 7463 for grading and paving the Ross Island Bridge-S. E. Reedway Street Section of Pacific Highway East in Multnomah County. Three bids were received. The Commission elected to accept the low bid of K. F. Jacobsen & Co., Inc., Portland, for \$1,381,770 and directed the State Highway Engineer to award the contract to said bidder as soon as necessary right of way is acquired and approval of the FHA is received.

Contract No. 7464 for grading and paving the N. Foss Avenue-N. Woolsey Avenue Section of FAS 940 in Multnomah County. Two bids were received. The Commission elected to accept the low bid of K. F. Jacobsen & Co., Inc., Portland, for \$191,730.90 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Multnomah County is received and \$48,000 is deposited by the County. (Later, Multnomah County refused to accept the bid and the Commission canceled the project.)

Contract No. 7465 for grading, paving and structure on the Johnson Creek (Foster Road) Bridge Section of FAS 639 in Multnomah County. Six bids were received. The Commission elected to accept the low bid of Schubert Company, Inc., Clackamas for \$104,097. and

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directed the State Highway Engineer to award the contract to said bidder as soon as approval of Multnomah County is received and \$22,400.00 is deposited by the County.

Contract No. 7466 for pavement delineation on the Portland Pavement Marker Project on 15 highways in Multnomah, Washington and Clackamas Counties. Five bids were received. The Commission awarded the contract to the low bidder, Adhesive Engineering Company, San Carlos, California, for \$132,553.40 as soon as approval of the FHA is received. Later in day approval was received from the FHA.

Contract No. 7467 for grading and paving the Gap-Tygh Grade Summit Section of The Dalles-California Highway in Wasco County. Eleven bids were received. The Commission awarded the contract to the low bidder, Erickson Paving Co., Bellevue, Washington, for \$1,621,332.50 as soon as approval of the FHA is received. Later in the day approval was received from the FHA.

Contract No. 7468 for illumination on the Tualatin River-Pacific Highway Section of East Portland Freeway in Washington County. Five bids were received. The Commission awarded the contract to the low bidder, W. R. Grasley Co., Portland, as soon as approval of the Federal Highway Administration is received. (FHA approval was received on August 19, 1970).

Ukiah Sand Shed on the Pendleton-John Day Highway in Umatilla County. Two bids were received. The Commission rejected both bids.

Contract No. 7470 for the Arlington Maintenance Station on the John Day Highway in Gilliam County. Four bids were received. The Commission awarded the contract to the low bidder, Meuser Construction Co., Portland, for \$75,517.50.

Contract No. 7471 for the North Portland Maintenance Station in Multnomah County. Five bids were received. The Commission awarded the contract to the low bidder, Schubert Company, Inc., Clackamas, for \$105,937.00.

Contract No. 7472 for paving the Fort Stevens State Park in Clatsop County. Three bids were received. The Commission awarded the contract to the low bidder, Sunset Crushed Rock Co., Astoria, for \$25,840.00.

Contract No. 7473 for paving the Nehalem Bay State Park in Tillamook County. Two bids were received. The Commission awarded the contract to the low bidder, B and K Paving Co., Kelso, Washington, for \$151,400.00.

The Engineer reported that he had awarded contracts which had been referred to him by the Commission to award when certain conditions were fulfilled. The Commission confirmed his award of the following contracts:

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- (1) Paving Foster-Hufford Section of the Santiam Highway in Linn County. Bids received July 23, 1970. Contract No. 7436 awarded July 31, 1970, to Morse Bros., Inc., Lebanon, low bidder.
- (2) Storm sewers on 122nd Avenue-140th Avenue Section of the N. E. Portland Highway in Multnomah County. Bids received July 23, 1970. Contract No. 7438 awarded August 12, 1970, to Lord Bros. Contractors, Inc., Portland, low bidder.
- (3) Traffic signal installation on 10th Avenue at Walnut Street in city of Hillsboro on the Tualatin Valley Highway in Washington County. Bids received July 23, 1970. Contract No. 7441 awarded August 11, 1970, to Madson and Stokes Electrical Contractors, Roseburg, low bidder.
- (4) Grading and paving Commercial Avenue in North Plains in Washington County. Bids received July 23, 1970. Contract No. 7442 awarded July 31, 1970, to Frady Construction Company, Portland, low bidder.
- (5) Traffic signals on First Street at River Street in Newberg in Yamhill County. Bids received July 23, 1970. Contract No. 7443 awarded August 3, 1970, to Madson and Stokes Electrical Contractors, Roseburg, low bidder.
- (6) Grading and paving on the Weyerhaeuser Road Section of the Green Springs Highway in Klamath County. Bids received July 23, 1970. Contract No. 7444 awarded July 31, 1970, to Garrett and Thomas Construction, Dallas, low bidder.
- (7) Traffic signal installation on Alameda Avenue at Esplanade Street in City of Klamath Falls on Klamath Falls-Malin Highway in Klamath County. Bids received July 23, 1970. Contract No. 7435 awarded August 13, 1970, to Madson and Stokes Electrical Contractors, Roseburg, low bidder.

Consideration was given to the reconstruction of the section from Pleasant Valley Road to Green Timber Road on the Oregon Coast Highway in Tillamook County. The Engineer stated that hearings will be required to qualify this project for Federal-aid funding. The total estimated cost for the 2.7 mile section is \$600,000. He recommended the use of Federal-aid funds when available and that the project be added to Program XII. The Commission approved the project.

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The Commission approved the allocation of TOPICS funds for five cities as follows and authorized the Secretary to sign the agreements:

1970 FISCAL YEAR PROJECTS

<u>CITY</u>	<u>SECTION</u>	<u>PROGRAMMED AMOUNT</u>	<u>STATE COST</u>
La Grande	La Grande Urban Area Areawide TOPICS Plan	\$ 4,000	\$ 800
Lake Oswego	TOPICS Signalization Traffic control signals	84,000	16,800
Medford	Riverside Avenue Corridor Signalization Traffic control signals	44,000	8,800
Newport	Newport Urban Area Areawide TOPICS Plan	3,000	600
Roseburg	Stephens Street at Garden Valley Boulevard Signals and channelization	39,000	7,800
	TOTAL	\$174,000	\$34,800

SUMMARY BY FISCAL YEAR

	<u>1970</u>	<u>TOTAL</u>
Allocated Funds	\$2,743,000	\$2,743,000
Approved Projects (Corrected to date)	1,183,700	1,183,700
Unprogramed Balance	1,559,300	1,559,300
Projects proposed 8/18/70	174,000	174,000
Unprogramed Balance	\$1,385,300	\$1,385,300

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Consideration was given to the acceptance of the final report made by the Transportation Research Institute covering the functional study and classification of all roads and streets in Oregon. The Engineer stated that the report has been accepted by the Federal Highway Administration. The Commission tentatively approved the report subject to review of the document.

Attention was given to a revision of equipment rental rates for contract force account or extra work order projects. The Engineer explained that increases in equipment costs prompted the Associated General Contractors to request that the rates be revised, which rates have been in effect since February 1967. The new rates have also been reviewed by the State of Washington and have been approved by the Associated General Contractors and the Federal Highway Administration. The Commission approved the new rates which are to be effective September 1, 1970.

A resolution was presented by the Engineer for the semi-annual apportionment to the cities of highway users funds accrued to them in the amount of \$6,163,070.06 during the first half of 1970. Following his favorable recommendation, the Commission approved the allocation by adopting "City Allocation of State Highway Funds Resolution No. 51," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Requests were considered from Jackson, Malheur, Morrow, Tillamook, Umatilla, and Wasco Counties for Federal-aid Secondary projects. The Engineer stated that the projects have been investigated and are eligible for use of FAS funds. The Commission approved the following projects and authorized the Secretary to sign the routine construction agreements:

FISCAL YEARS 1970 and 1971 COUNTY FAS PROJECTS

<u>COUNTY</u>	<u>FAS</u>	<u>SECTION & DESCRIPTION</u>	<u>PROGRAMMED AMOUNT</u>	<u>STATE COST</u>
Jackson	15-107	Hilton Road-Airport Road Section, Biddle Road. 1.2 miles. (This is to supplement the original \$305,000 which was approved 8/20/68.)	\$ 95,000	\$ 19,000
Malheur	23-119	Jordan Creek (Arock Road) Bridge. Structure only.	100,000	20,000
Morrow	829	I-80N-Middle Fork Juniper Canyon, Bombing Range Road. Grade, drain, base and pave. Approx. 10 miles. (This project to have 80% Federal funds and 20% State funds.)	650,000	130,000
Tillamook	617	Cape Lookout-Sand Lake Section. Netarts-Sand Lake Road. Right of way monumenting 2.8 miles.	5,000	1,000

(Tabulation cont.)

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(CONT. FROM PREVIOUS PAGE)

COUNTY	FAS	SECTION & DESCRIPTION	PROGRAMMED AMOUNT	STATE COST
Umatilla	947	O.L. & W. Canal (Power Line) Bridge, Power Line Road. Structure only.	100,000	20,000
Wasco	949	Juniper Flat Section. Clear, grade and drain approx. 7.2 miles.	100,000	20,000
TOTAL			\$1,050,000	\$210,000

SUMMARY BY FISCAL YEARS	1970	1971	TOTAL
Allocated Funds	\$5,089,000	\$5,067,000	\$10,156,000
Approved Projects (corrected to date)	5,089,000	3,599,000	8,688,000
Unprogrammed Balance	---	1,468,000	1,468,000
Projects Proposed August 18, 1970	---	1,050,000	1,050,000
Unprogrammed Balance	\$ ---	\$ 418,000	\$ 418,000

At 9:30 a.m., Mr. Barker, Investment Manager, State Treasury Department, announced that the highway bond bidders computations had been checked and the low bidder was First National City Bank, Bankers Trust Company. The Commission unanimously accepted the bid of First National City Bank, Bankers Trust Company, for \$15,000,000 of Oregon State Highway Bonds, Series 1970, at an effective interest rate of 5.7050%.

A resolution was presented by the Engineer to coordinate piecemeal speed zones on the Klamath Falls-Lakeview Highway southwest of Klamath Falls in Klamath County. To accomplish this he recommended that "Speed Zone Resolution No. 9," enacted February 5, 1947; "Speed Zone Resolution No. 149," enacted April 1, 1954; "Speed Zone Resolution No. 252," enacted August 8, 1957; and "Speed Zone Resolution No. 32," enacted November 8, 1949, be rescinded and the following speed zones adopted:

35 miles per hour from the Midland Highway at the east city limits of Klamath Falls, M.P. 2.13, to a point 50 feet southeast of Patterson Street at M.P. 4.51.

45 miles per hour from M.P. 4.51 to a point 0.13 mile east of the Klamath Falls-Malin Highway at M.P. 5.65.

The Commission approved the Engineer's recommendation and thereupon adopted "Speed Zone Resolution No. 563," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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The Commission also considered a resolution to establish a speed zone on a frontage road along the Joseph-Wallowa Lake Highway in Wallowa County. The Engineer explained that an existing 30 miles per hour speed zone on the highway itself is proper, but it is desirable to establish a designated speed on the adjacent frontage road. He recommended that "Speed Zone Resolution No. 328," adopted September 29, 1960, be rescinded and that the following speed zones be established:

30 miles per hour from a point 0.13 mile north of the frontage road to Wallowa Lake State Park at M.P. 5.78 to the southerly terminus of the Joseph-Wallowa Lake Highway at the turn-around, M.P. 6.94.

30 miles per hour on the frontage road to Wallowa Lake State Park from the junction with the Joseph-Wallowa Lake Highway to the junction with the Wallowa Lake State Park Road.

The Commission accepted the Engineer's recommendation and thereupon adopted "Speed Zone Resolution No. 564," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was given to a request from Multnomah County for parking restrictions on the southerly side of the Swift Highway (Marine Drive) near the Exposition Center. The Engineer remarked that the parking restrictions are necessary for the proper operation of traffic during the Multnomah County Fair. He recommended that parking be restricted to 30 minutes between M.P. 2.425 and M.P. 2.445 and that all parking be prohibited on the southerly side of the highway between M.P. 2.445 and M.P. 2.455. The Commission accepted his recommendation and thereupon adopted "No Parking Resolution No. 279," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A resolution was presented to the Commission concerning parking of vehicles on the Otter Rock Highway in Lincoln County. The Engineer pointed out that vehicles have been parking on paved shoulders which were constructed for the use of pedestrians. To correct the situation he recommended that parking be prohibited on the northerly side of the Otter Rock Highway from a point 300 feet west of "C" Street to a connection with the Oregon Coast Highway, and on the southerly side of the highway from a point 100 feet west of "C" Street to a connection with the Oregon Coast Highway. The Commission approved the recommendation and thereupon adopted "No Parking Resolution No. 278," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer recalled that at the June 1970 Commission meeting a resolution had been adopted requiring westbound traffic on the Pendleton Highway to stop at its intersection with the Oregon-Washington Highway in Umatilla County. Since that time an acceleration lane has been constructed at the intersection, and it is no longer necessary for westbound traffic to stop. He recommended that "Through Highways and Stop Sign Resolution No. 14e," adopted June 2, 1970, be

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rescinded. The Commission rescinded the resolution and thereupon adopted "Through Highways and Stop Signs Resolution No. 14f," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Attention was given to a resolution pertaining to stop requirements on the Wallowa Lake Highway in the City of Enterprise, Wallowa County. The Engineer stated that an investigation has revealed that it would be desirable to change the present stop indications at two intersections on Second Street. He recommended that "Through Highways and Stop Signs Resolution No. 4," adopted April 27, 1943, be amended to add the following exceptions:

Except that at the intersection of North and Second Streets in Enterprise, all traffic entering the intersection from the west shall stop with the exception of the right turn to the south which shall be permitted to be made without stopping.

Except at the intersection of Second and Main Streets in Enterprise, all traffic entering the intersection from the east shall stop except for the right turn to the north which shall be permitted to move without stopping.

The Commission approved the recommendation and thereupon adopted "Through Highway and Stop Signs Resolution No. 4u," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was given to revising stop requirements at the intersection of the Rogue River Loop Highway and Upper River Road just west of Grants Pass in Josephine County. The Engineer commented that traffic patterns at this intersection have changed requiring that the existing stop signs be changed. He recommended that "Through Highways Resolution No. 13," adopted September 21, 1949, be amended to include the following exceptions:

All traffic northbound on the Rogue River Loop Highway shall stop at its intersection with Upper River Road.

Traffic eastbound on the Upper River Road need not stop at its intersection with the Rogue River Loop Highway.

The Commission accepted the recommendation and thereupon adopted "Through Highways Resolution No. 13-R," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The extension of the Powers Secondary Highway in the City of Powers in Coos County was brought up by the Engineer. He pointed out that the Powers State Highway terminates at First Avenue and Spruce Street in that city but extends southerly to Agness known

as the Coos County Coquille River Road. There is a short section of approximately six blocks within the city which is not maintained by the County. The City has requested that this be added to the State Highway System. The Highway Division has been reluctant to approve the request because of overwidth and overweight log trucks on the section. However, an alternate route bypassing the six-block section has been developed and the Engineer recommended that the section be made a part of the State Highway System. The Commission approved the extension and thereupon adopted "Secondary Highway Designation Resolution No. 73," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An agreement with the Bureau of Land Management for fencing approximately 2.38 miles on the easterly side of the I.O.N. Highway northerly from Sheaville in Malheur County was discussed. The Engineer stated that in lieu of the State furnishing steel fence posts, it is proposed that the Bureau be paid for the cost of the posts in the amount of \$474.76. This project, he added, is one of a continuing program with the BLM for controlling livestock along State highways. The Commission approved the proposal as presented by the Engineer and authorized the Secretary to sign an agreement pertaining thereto in behalf of the Commission.

Attention was given to a letter-form agreement with Washington County pertaining to a reconnaissance study for the extension of Murray Boulevard from the Pacific Highway West near King City to a connection with the Pacific Highway. Under this agreement the State is to determine the feasibility of various routes between the cities of Tigard and Tualatin. The County is to bear the entire cost of the study and assume responsibility for accepting or rejecting all or any part of the final report. The County has made an advance deposit in the amount of \$3,000. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

An agreement with Southern Pacific Transportation Company for the widening of the existing Belt Line Road Overcrossing of their Eugene yard was discussed. The State is to reimburse the Railroad for its expenses on the project estimated at \$42,790 and provide necessary insurance. An aerial easement for the wider structure is to be granted to Lane County by the Railroad. The Engineer commented that as the State is the contracting agency for this work, the agreement must be between the Railroad and the State. Based on his favorable recommendation, the Commission signed the agreement.

The Commission considered an agreement with the City of Klamath Falls concerning construction of the Esplanade Street-Fort Klamath Road Section (East Side Bypass) on the Klamath Falls-Malin Highway. The Engineer explained that the agreement covers only the required street closures and eventual responsibility for relocated and reconstructed city street connections. Other provisions are to be contained in a tri-party FAS-C Construction-Finance Agreement. Federal Aid Secondary Funds are to be used in construction of the project in an estimated total of \$500,000 with the State's portion being \$100,000.

Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement with Ross Island Sand and Gravel Company for construction of a left-turn refuge and installation of traffic signals at the Company's access to the Pacific Highway East in Portland was discussed. The Engineer stated that Ross Island Sand and Gravel Company has submitted a check for \$40,000 as payment of its share of the project, which he estimated would total \$61,000. The work is to be done as a part of the overall project on the Ross Island Bridge-Reedway Section of the Pacific Highway East in the City of Portland. He recommended approval of the agreement. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Consideration was given to an agreement with the City of Portland for installation of traffic signals at the intersection of S. W. Clay Street and S. W. 13th Avenue which forms a ramp terminal for the Stadium Freeway. The Engineer stated that the State is to furnish certain materials and the City is to prepare plans, specifications, materials, and perform the work. After completion, the City is to maintain the signals and pay for electrical energy consumed. Cost to the State is to be charged to Minor Betterment Funds. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

The Commission considered an agreement with Washington County for installation of flashing beacons at intersections of the Pacific Highway West with Beef Bend Road and Bull Mountain Road west of Tigard. Under the agreement the County is to pay one-half the cost of the installations and provide for all future maintenance and power consumption needs. The Engineer estimated the cost of the project at \$6,000 with the State's share of \$3,000 to be taken from Minor Betterment Funds. Based on his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

A supplemental agreement in letter-form with Klamath County was brought up by the Engineer concerning right-of-way acquisition for the Esplanade Street-Fort Klamath Road Section of the Klamath Falls-Malin Highway (East Side Bypass) in the City of Klamath Falls. He recalled that the original agreement of March 10, 1961, provided that right-of-way was to be acquired by the County. The County recognizes the obligation but does not have personnel to complete the work in the required time. The County, therefore, has requested that the State furnish right-of-way personnel to complete the negotiations and has agreed to reimburse the State for expenses incurred. He recommended that the agreement be approved. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Confirmation was requested for verbal approval given by the Chairman on July 15, 1970, on a supplemental agreement with Clatsop County pertaining to construction of a bridge on a connecting road from the Oregon Coast Highway to the Del Rey Beach north of Gearhart. The Engineer explained that the County's efforts to acquire right-of-way have been bogged down by two land developers who have refused to obligate themselves for their share of the cost of the bridge

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unless an upper limit is placed on that obligation. The agreement provides that the obligation for an extra 12 feet of bridge construction be limited to \$10,000. Clatsop County officials feel confident that the right-of-way can be obtained promptly if the cost limitation is approved. The Commission confirmed the agreement and authority for the Secretary to sign it.

Confirmation was also requested for approval given by the Chairman on July 31, 1970, for extension of an agreement with the Board of Higher Education pertaining to the Coastal Port Region Study from July 31, 1970, to December 31, 1970. The Engineer commented that the Governor's Office had requested the extension and that the expenditure limitation be increased from \$5,000 to \$10,000. The Commission confirmed the agreement and authority for the Secretary to sign it for them.

An agreement with Union Pacific Railroad Co. pertaining to construction of the Willow Creek Bridge Section on the Wallowa Lake Highway in Union County was presented by the Engineer. He mentioned that the agreement requires the State to take precautions to avoid damage to the Railroad property and to reimburse the Railroad for any expenses it may incur as a result of this project. The agreement grants to the State an easement for which the State is to pay \$100. The Commission accepted his recommendation for approval.

The Commission also considered an agreement with Union Pacific Railroad providing for installation of a storm sewer on 122nd Avenue-140th Avenue Section of the N. E. Portland Highway, in Multnomah County. The Engineer mentioned that the agreement is required because of highway construction on this section. If the State does not use the pipeline for the purpose originally intended for a period of one year, the Railroad may terminate the agreement and the State must restore the Railroad's right-of-way to its original condition. He estimated that cost of the work by the Railroad to be reimbursed by the State would not exceed \$2,000. Following his favorable recommendation, the Commission approved the agreement.

An agreement with the City of Roseburg for improvement of the storm drainage system near the intersection of Garden Valley Boulevard and Oakland-Shady Highway in Douglas County was discussed. The Engineer stated that upon completion of the project the State is to reimburse the City for costs incurred on the portion lying within the State highway right-of-way in an amount not to exceed \$13,000 from Minor Betterment Funds. The City is to prepare plans, acquire right-of-way, award contracts, and upon completion of the project, is to provide for maintenance on the entire storm drainage system. He recommended approval. The Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was given to an agreement with Pittsburgh Testing Laboratory for inspection service on steel to be used in the Gladstone Interchange-Oregon City Interchange Section of the East Portland Freeway (I-205) in Clackamas County, Contract No. 7389. The agreement provides for inspection at the plant site at a unit price of \$17.50 per ton with a top limit of \$9,850. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it on their behalf.

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The Commission considered a petition submitted by land owners to the Baker Valley Irrigation District. The Engineer stated that in purchasing right-of-way for the Powder River-Baldock Slough and Baldock Slough-Richland Sections of the Old Oregon Trail (I-80N), Baker County, it was necessary to acquire 201.4 acres within the Irrigation District. The petition requests exclusion of these lands from the district and requests that the Highway Commission pay the due portion of construction costs charged to the property and the operation and maintenance assessments up to the date of entry of a final order of exclusion by the Baker Valley Irrigation District. He estimated the cost to the State at \$870 and recommended that the petition be approved. The Commission approved the petition and authorized the Secretary to sign it for them.

Consideration was given to a throughway agreement with Multnomah County concerning the construction of the Jantzen Beach Interchange Section of the Pacific Highway (I-5). The agreement provides for acquisition of right of way, construction, and maintenance of the project. The County is to close certain roads and cooperate in the removal or relocation of utility facilities. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission considered an agreement with Klamath County and the City of Klamath Falls for revision of traffic signals and traffic channelization at the intersection of Washburn Way and the Klamath Falls-Lakeview Highway. The Engineer explained that widening of Washburn Way by the County requires this work. Under the agreement the cost of revision and channelization is to be shared equally by the State, City, and the County. The City is to maintain the traffic signals and pay for the electrical energy consumed. The total cost of the project is estimated at \$2,500 and the State's share of one-third is to be charged to Minor Betterment Funds. The Commission approved the agreement as presented and authorized the Secretary to sign it for them.

Attention was given to a construction-finance agreement with Clackamas County and Oregon City for construction of traffic signals on the Cascade Highway at the Abernethy Road Section. The Engineer estimated the total cost at \$40,000 of which the State is to assume 50 percent, the County 30 percent, and Oregon City 20 percent. Upon completion the City is to assume all maintenance and electrical energy costs. The County is to pay one-half of all major repair expenses exceeding \$500. He recommended approval of the project to be added to the State Construction Program. The Commission approved the project and authorized the Secretary to sign it in their behalf.

Consideration was given to a proposed zone change from residential to light industrial near Chenoweth Creek at The Dalles in Wasco County. Upon the recommendation of the Engineer, the Commission approved the zone change.

The Chairman asked Assistant State Highway Engineer Shaw how the patrol system is working along the Oregon beaches. He replied that there have been very few adverse remarks and a considerable number of letters have been received praising the police action. The Chairman then inquired if the patrols are exercising any control of litter, junk, etc. Mr. Shaw stated that the young college men make a double sweep in their patrols; one, down the wet sand area and then return by way of the dry sand, and they checkup everything they can from their vehicle. Arrest citations have been quite limited, but they have given quite a few warning citations. Commissioner Bruno inquired about acceptance of the patrols by the public. Mr. Shaw stated that the local residents in particular seemed very friendly towards the patrols which is indicative of good relations.

Chairman Jackson inquired about the progress of the beach access program. Assistant State Highway Engineer Lloyd Shaw replied that the State has County concurrence on one large purchase in the vicinity of Pacific City. One project is under contract in Clatsop County and the County is obtaining extra right-of-way at De Laura Beach and contracting will be undertaken as soon as right-of-way is cleared. The right-of-way matters near Neskowin have settled down to routine legal procedures. The Chairman asked for an estimate as to the rate of progress on additional access points for the coming year. Mr. Shaw stated that approximately one-third of them should be cleared up by the end of 1971.

Consideration was given to a request from the Governor's Commission on Youth for the use of State equipment which had been retired and offered for sale. The Commission ordered that steps be taken to work out a program in order that the equipment might be made available.

Consideration was also given to a 10-year program for development and improvement of rest area sites. The Commission approved the program in principle, ordered that work proceed on the acquisition of sites as money becomes available, and that the program of improvement follow when it can be financed.

A delegation from the City of Corvallis appeared before the Commission concerning First Street as a temporary route through Corvallis. Present were: Kenneth H. McGregor, Mayor of Corvallis; Ray Glass, architect; Tony Groh, Public Works Director; and C. Dean Smith, City Manager.

Mayor McGregor recalled that some years ago representatives of the City met with the State Highway Department to request construction of the long-planned First Street bypass. At that time the State Highway Department recommended that a study be made to fully develop the various factors of current and future traffic needs,

to illustrate alternatives and to submit a final recommended plan. This study was presented to the City in preliminary form in June 1969. The study graphically illustrated the impending congestion in downtown Corvallis and recommended construction of the First Street bypass which met with considerable criticism in the community. In January 1970 the City established a bypass steering committee with a broad-based representation. This committee reviewed in detail four bypass proposals and selected the eastbank expressway proposal at an estimated cost of \$21,000,000.

The Civic Affairs Committee's Concept Team also recommended the eastbank proposal. This committee felt that there should be quick action to remove the through traffic from the central business district and that a temporary route on First Street should be initiated immediately.

On July 6, 1970, the City Council accepted the concept plan in principle with strong encouragement for the eastbank bypass at the earliest feasible date. This action, he stated, has been endorsed by the various affected advisory boards, commissions of the City, County, and general support of the public at large.

The City Council has agreed that the City of Corvallis will pay 25 percent of the construction cost and asks the State Highway Department to pay the remaining 75 percent. Mayor McGregor asked the Commission to approve this plan and arrange a schedule to start construction of the First Street Route.

Mr. Ray Glass presented the concept plan by displaying maps showing the proposed one-way streets. He stated the City would like to establish a system of one-way streets using Third and Fourth Streets as they are today and pulling Second Street into a one-way southbound and alternating a one-way street off of Harrison and Van Buren on through the center portion of the City to Western Avenue on the south end. He proposed that all traffic in this area be terminal and that Fifth Street be used as a four-lane no parking street to provide the west side feeder for the traffic to the core area. He also suggested blocking off the ends of Washington, Adam, Jefferson, and the streets on through to be used as parking areas.

Chairman Jackson asked as to the cost of temporary construction. The Engineer stated the cost would be between \$450,000 and \$500,000 based on a reconnaissance type of survey.

The Chairman asked Mr. Glass if the survey took in part of the plan for off-street parking. Mr. Glass replied that the survey had not covered all off-street parking needs but did provide for 220 more cars in the downtown area immediately. The first phase would be the use of through street parking and then using off-street lots located around the core area.

The Chairman pointed out that when all the necessary steps are taken a large amount of money will be required. He commented that this is expensive parking considering the lack of alternatives other than off-street parking as the streets will be loaded with a function they are not designed for. The 21 million dollars involved in the second step he continued, is something for which we have little or no basis of commitment at the moment but, by the same token, if the Commission accepted this plan and agreed to participate, it could not very well limit temporary expenditures to \$500,000 as it appears your plan is predicated upon the idea that the portion of the expenditure is temporary and that the ultimate plan is the 21 million dollar bypass.

The Commission does not wish in any way to interfere with the planning function of the City of Corvallis but it would be necessary to hold a formal hearing relative to this entire plan. At this point about all that the Commission can do is to agree to set a date for a public hearing. The Chairman asked the Mayor if this sounded like a reasonable approach to the problem. Mayor McGregor replied that it was acceptable.

The Chairman said that if the overall plan is put into effect it would mean the immediate expenditure of the State's portion of the \$500,000 plus the acceptance of responsibilities for the second phase; 75 percent of \$21,000,000. He asked when a hearing could be held. The Engineer said in about two months as some field work is required to firm up the estimate.

Chairman Jackson stated if this is satisfactory to the City of Corvallis the State will proceed.

The Commission signed, or authorized the Secretary to sign, the following agreements, indentures, and other papers.

"Agreement Extending Term of Ground Lease" to Weyerhaeuser Company covering a stockpile site on Parker Mountain Section of Green Springs Highway in Klamath County.

"Bargain and Sale Deed" to Curly's Dairy, Inc., covering 13.7 acres on Salem-Stout Creek Section of North Santiam Highway in Marion County.

"Quitclaim Deed" to Portland Terminal Railroad Company covering Fremont Interchange-Sunset Interchange Section of Stadium Freeway.

"Access Road Easement" to Bureau of Land Management covering a haul road across a gravel pit on the Provolt-Jacksonville Section of Jacksonville Highway.

"Relinquishment of Title" to Josephine County covering 1.46 acres on Provolt-Williams Section of old Williams Highway in Josephine County.

"Indenture of Access" to William and Juanita R. Jeffers covering Oro Dell-Union Junction Section of Old Oregon Trail in Union County.

"Indenture of Access" to Edith B. Mars, by Ned S. Mars, Atty. in Fact, covering Ashland Section of Pacific Highway in Jackson County.

"Agreement" consenting to granting of an easement from the US Forest Service to US Plywood-Champion Papers, Inc., for use of a timber access road in Neptune State Park.

"Agreement" with Bureau of Land Management for fencing approx. 2.38 miles on easterly side of ION Highway.

"Letter-form agreement" with Washington County pertaining to a reconnaissance study for the extension of Murray Boulevard from the Pacific Highway West near King City to a connection with Pacific Highway.

"Agreement" with Southern Pacific Transportation Company providing for widening of existing Belt Line Road Overcrossing of their Eugene yard.

"Agreement" with City of Klamath Falls concerning construction of Esplanade Street-Fort Klamath Road Section of Klamath Falls-Malin Highway.

"Agreement" with Ross Island Sand and Gravel Company for construction of a left-turn refuge and installation of traffic signals at its access to Pacific Highway East in Portland.

"Agreement" with City of Portland for installation of traffic signals at intersection of SW Clay Street and SW 13th Avenue.

"Agreement" with Washington County for installation of flashing beacons at intersections of Pacific Highway with Beef Bend Road and Bull Mountain Road west of Tigard.

"Supplemental agreement" with Klamath County concerning right-of-way acquisition of Esplanade Street-Fort Klamath Road Section of Klamath Falls-Malin Highway.

"Supplemental agreement" with Clatsop County limiting the County's obligation to \$10,000 for bridge construction covering construction of a connecting road from the Oregon Coast Highway to Del Rey Beach north of Gearhart.

"Extension agreement" with Board of Higher Education in connection with Coastal Port Region Study.

"Agreement" with Union Pacific Railroad Company concerning construction of Willow Creek Bridge Section of Wallowa Lake Highway in Union County.

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"Pipeline crossing agreement" with Union Pacific Railroad Company providing for installation of a storm sewer required by construction of 122nd Ave.-140th Ave. Section on NE Portland Highway.

"Agreement" with City of Roseburg covering improvement of storm drainage system in vic. of intersection of Garden Valley Blvd. and Oakland-Shady Hwy.

"Agreement" with Pittsburgh Testing Laboratory to inspect structural steel for structures for the Gladstone Interchange-Oregon City Interchange Section of East Portland Freeway in Clackamas County.


"Petition" to exclude land from Baker Valley Irrigation District on the Powder River-Baldock Slough and Baldock Slough-Richland Sections of I-80N.

"Agreement" with Multnomah County concerning construction of Jantzen Beach Interchange Section of Pacific Highway.

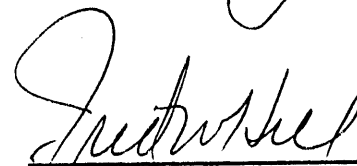
"Agreement" with Klamath County and City of Klamath Falls revising the traffic signals and channelization at intersection of Washburn Way and Klamath Falls-Lakeview Highway.


"Agreement" with Clackamas County and City of Oregon City pertaining to construction of traffic signals at Cascade Highway and Abernethy Road Intersection.

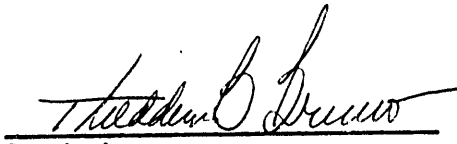
As there was no further business to conduct, the meeting was adjourned by the Chairman at 10:30 a.m.


State Highway Engineer


Chairman


Commissioner


Assistant Secretary


Commissioner

August 18, 1970

Salem, Oregon
September 30, 1970

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 122 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
R. L. Porter, State Highway Engineer
Tom Edwards, Deputy State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
A. E. Johnson, Assistant State Highway Engineer
Leonard I. Lindas, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

Also present were: R. E. Simpson, District Engineer of the Federal Highway Administration; C. W. Head, Assistant Secretary; L. H. Young, Program and Planning Engineer; E. S. Hunter, Administrative Engineer; V. E. Skoog, Controller; Victor D. Wolfe, Administrative Assistant; H. S. Cox, County-City Engineer; Donald N. Harwell, Coordination Engineer; John Oakes, Assistant Right of Way Engineer; John Earley, Information Officer; and Frank C. McKinney, Assistant Counsel.

The Commission approved minutes of the meeting held on August 18, 1970.

The Right of Way Engineer presented a list of options, pages 1 through 73, secured for acquisition of real property needed for State highway use or for other purposes. He mentioned that the amounts offered are on or near the appraised amounts and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 71," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts for the period from August 11, 1970 to September 21, 1970, was presented by the Right of Way Engineer and accepted by the Commission. During this period, miscellaneous sales totaled \$18,617, and timber sales \$540.68. Rental receipts for the month of August were \$35,076.92.

A list of properties needed for highway and other uses was presented by the Right of Way Engineer. He requested that the Commission declare by resolution the necessity of said properties for the public uses to which they are to be put and to authorize the Right of Way Engineer to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted

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authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution No. 2583," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed the following report made by the Right of Way Engineer on offers tendered to the owners for acquisition of real property prior to the start of condemnation proceedings:

ALDER CREEK-WILDWOOD SECTION OF THE MT. HOOD HIGHWAY (CLACKAMAS COUNTY)

R-33005 - Albert T. Strand et ux. Parcel 1: 0.33 acre; Parcel 2: 0.47 acre; Parcel 3: 0.32 acre; Parcel 4: 0.9 acre; all for right of way purposes. \$3,425.00

BEAVERTON-JAMIESON ROAD SECTION OF THE BEAVERTON-HILLSDALE HIGHWAY (WASHINGTON COUNTY)

R-38012 - Stanley J. Sweeting et al. 1,200 square feet for right of way purposes. \$3,200.00

R-38029 - Robert K. Kreutzer et ux. 1,000 square feet for right of way purposes. \$2,950.00

R-40017 - Thomas Heitzman et ux. 1,880 square feet for right of way purposes. \$8,675.00

BROOKINGS-WINCHUCK RIVER SECTION OF THE OREGON COAST HIGHWAY (CURRY COUNTY)

R-43820 - Victor Anderson et ux. 0.5 acre for right of way purposes. \$2,600.00

R-43821 - Janie Dillenburg. 0.3 acre for right of way purposes. \$20,925.00

R-43827 - Lighthouse Assembly of God, Inc. 0.4 acre for right of way purposes. \$6,150.00

R-43843 - Antone G. Rose et ux. 0.52 acre for right of way purposes. \$25,500.00

R-43853 - Stanley D. Colegrove et al. 0.34 acre for right of way purposes. \$2,950.00

R-43859 - Carol Lee Freeman. Parcel 1: 6.7 acres for right of way purposes; Parcel 2: 3.0 acres for information center. \$70,000.00

R-43862 - Edward Wilson Freeman. 0.1 acre for right of way purposes. \$175.00

R-43977 - Dette Olibell Brymer et al. 3.3 acres for right of way purposes. \$27,325.00

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BROOKINGS-WINCHUCK RIVER SECTION OF THE OREGON COAST HIGHWAY (CURRY COUNTY) Cont.

R-43978 - Vernon F. Hanscam et ux. 0.92 acre for right of way purposes. \$4,200.00

R-43982 - Ralph Ebert et ux. 0.38 acre for right of way purposes. \$19,350.00

R-43986 - Blanche McCulloch. 1.83 acres for right of way purposes. \$16,700.00

R-43996 - Roderick P. Gudger et al. 0.7 acre for right of way purposes. \$10,700.00

R-43999 - Wallace R. Myers et ux. 0.09 acre for right of way purposes. \$2,000.00

R-44002 - Lucile M. Max et al. 0.6 acre for right of way purposes. \$27,000.00

R-44013 - Harry W. Veach. 0.07 acre for right of way purposes. \$300.00

R-44014 - Mary E. Wolfe. 0.84 acre for right of way purposes. \$2,500.00

R-44017 - Robert L. Allenby et ux. 0.02 acre for right of way purposes. \$1,000.00

R-44022 - Bee Langworthy. 0.4 acre for right of way purposes. \$19,100.00

R-44076 - Stanley D. Colegrove et al. 0.62 acre for right of way purposes. \$10,200.00

CHEMAWA ROAD-HAYESVILLE SECTION OF THE PACIFIC HIGHWAY EAST (MARION COUNTY)

R-17597 - Emil Ped. 0.1 acre for right of way purposes. \$3,300.00

R-17608 - Percy LeRoy Farley et ux. 0.14 acre for right of way purposes. \$850.00

R-43765 - Clarence W. Hill et al. 0.2 acre for right of way purposes. \$1,875.00

R-44056 - Clarence V. Zielinski et ux. 0.02 acre for right of way purposes. \$450.00

COLUMBIA COUNTY LINE-BURLINGTON SECTION OF THE COLUMBIA RIVER HIGHWAY (MULTNOMAH COUNTY)

R-43628 - Clifford Clayton Cross et al. 0.25 acre for right of way purposes. \$200.00

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COLUMBIA COUNTY LINE-BURLINGTON SECTION OF THE COLUMBIA RIVER HIGHWAY
(MULTNOMAH COUNTY) Cont.

R-43663 - Herbert G. Palmberg et ux. 1.1 acres for right of way purposes. \$675.00

CROWN POINT STATE PARK (MULTNOMAH COUNTY)

R-44132 - Jennie Coffey. 2.1 acres for park purposes. \$8,500.00

EASTSIDE SECTION OF THE COOS RIVER HIGHWAY (COOS COUNTY)

R-44339 - Sam Choat et al. 4.5 acres for right of way purposes. \$3,000.00

GRAY CREEK-MYRTLE POINT SECTION OF THE COOS BAY-ROSEBURG HIGHWAY
(COOS COUNTY)

R-44488 - Clyde L. Head et ux. Parcel 1: 0.52 acre for right of way purposes; Parcel 2: 0.78 acre for permanent easement. \$500.00

JORDAN CREEK-JORDAN VALLEY SECTION OF THE IDAHO-OREGON-NEVADA HIGHWAY
(MALHEUR COUNTY)

R-43406 - Norman White. 0.5 acre right of way purposes. \$1,785.00

MT. HOOD POST OFFICE-FIKES CORNER SECTION OF THE MT. HOOD HIGHWAY
(HOOD RIVER COUNTY)

R-42278 - Oscar M. Tamura et ux. 5.6 acres for right of way purposes. \$25,150.00

R-42288 - Mabel Stratton. 4.05 acres for right of way purposes. \$15,650.00

R-42298 - Lloyd G. Diamond et al. 1.8 acres for right of way purposes. \$8,800.00

N.E. GLISAN ST.-S. E. DIVISION ST. UNIT OF THE COLUMBIA RIVER-PACIFIC
HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY (MULTNOMAH COUNTY)

R-40950 - Lyle Mehlbrech. 4,750 square feet for right of way purposes. \$16,450.00

NORTH POWDER-BAKER SECTION OF THE OLD OREGON TRAIL
(BAKER COUNTY)

R-42927 - Aaron Logsdon et ux. Parcel 1: 14.2 acres; Parcel 2: 0.2 acre; Parcel 3: 1.25 acres; all for right of way purposes; Parcel 4: 0.45 acre; Parcel 5: 0.24 acre; Parcel 6: 0.2 acre; Parcel 7: 0.2 acre; Parcel 8: 0.83 acre; all for permanent easements. \$133,500.00

R-42934 - Ida Sugarman et al. 1.4 acres for right of way purposes. \$7,475.00

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RICKREALL-INDEPENDENCE JUNCTION SECTION OF THE WILLAMINA-SALEM HIGHWAY
(POLK COUNTY)

R-43894 - E. P. Wycaver et ux. 0.28 acre for right of way purposes. \$8,025.00

ROSS ISLAND BRIDGE-REEDWAY SECTION OF THE PACIFIC HIGHWAY EAST
(MULTNOMAH COUNTY)

R-43174 - Russell Waddle. Parcel 1: 0.34 acre; Parcel 2: 6,730 square feet; for right of way purposes. \$190,000.00

SIXES RIVER-ELK RIVER SECTION OF THE OREGON COAST HIGHWAY (CURRY COUNTY)

R-39582 - Gertrude E. Zumwalt et al. Parcel 1: 3.4 acres for right of way purposes; Parcel 2: 1.28 acres; Parcel 3: 3.45 acres for permanent easement. \$3,750.00

S.E. DIVISION ST.-S. E. FOSTER ROAD UNIT OF THE COLUMBIA RIVER-PACIFIC
HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY (MULTNOMAH COUNTY)

R-42722 - Atlas Construction Company. 3.7 acres for right of way purposes. \$186,200.00

SUNSET BAY STATE PARK (COOS COUNTY)

R-43874 - Peter W. Frank et ux. 0.37 acre for park purposes. \$30,100.00

R-43875 - William T. Bartels. 0.36 acre for park purposes. \$5,800.00

WILDWOOD-FOREST BOUNDARY SECTION OF THE MT. HOOD HIGHWAY
(CLACKAMAS COUNTY)

R-33144 - Hannah Greenwood. 0.08 acre for right of way purposes. \$500.00

WILSON RIVER HIGHWAY JUNCTION-NORTH PLAINS SECTION OF THE SUNSET HIGHWAY
(WASHINGTON COUNTY)

R-43941 - J. E. Tapp et ux. Parcel 1: 0.42 acre; Parcel 2: 0.05 acre; for right of way purposes. \$1,700.00

R-44031 - Emil H. Duyck et ux. Parcel 1: 6.4 acres; Parcel 2: 0.05 acre; for right of way purposes. \$40,000.00

Authority was requested by the Right of Way Engineer to offer at public sale a parcel of property no longer needed for highway purposes. Minimum value, he said, has been determined by competent appraisers and access and other conditions of sale are consistent with those afforded to other properties in the vicinity. The Commission approved public sale of the following property and thereupon adopted "Real Property Resolution No. 541," which resolution is made a part hereof and filed in the Secretary's Office.

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- (1) 72 acres of land, Files 23283 and 23284, located on the westerly side of the Pacific Highway just south of Louse Creek Interchange approximately two miles north of Grants Pass in Josephine County for not less than \$11,700. The sale may be made on the basis of a five-year contract at 7½ percent interest with a down payment of \$3,500. The purchaser will be required to pay for moving or relocating the fence. No access is to be allowed to the Pacific Highway, and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Federal Highway Administration is not required. The Commission authorized the Secretary to sign a sales contract in their behalf.

Direct sales on two parcels of property were recommended by the Right of Way Engineer. Public sale, he said, is not feasible because of peculiarities of location. Values of the properties have been determined by competent appraisers. The Commission approved the following sales and thereupon adopted "Real Property Resolutions Nos. 542 and 543," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

- (1) To Lane County, 2.8 acres File 26806, an old stockpile site located on the northwesterly side of the relocated Springfield-Creswell Highway just south of Cloverdale for \$1,400, which is one-half the appraised value of the property. The sale is to contain a public use clause and a junkyard exclusion clause. Federal Highway Administration approval is not required. (See "Real Property Resolution No. 542")
- (2) To the City of Wilsonville, 6.89 acres, File 22383, located on the west side of the Pacific Highway approximately 400 feet north of the Willamette River Bridge near Wilsonville in Clackamas County for \$5,500. This parcel of land is a depleted gravel source to be sold subject to a public use clause and signboard and junkyard exclusion clauses. Approval by the Federal Highway Administration is not required. (See "Real Property Resolution No. 543")

The Commission considered a release of easement to the State Game Commission on 0.53 acre land, File 16074, on the Roseburg-Winchester Section of the Pacific Highway in Douglas County. The Right of Way Engineer explained that in an exchange of properties with the Game Commission on July 24, 1967 the roadway into the Winchester gravel pit acquired as an easement had been overlooked. The Game Commission

has now requested that the easement be transferred to them, as there is no other access to the property. Upon his favorable recommendation, the Commission approved the release of the easement.

Consideration was also given to a release to Henry C. and Ruby Mathews of the State's easement rights to take material and to use a roadway across their property on the Pleasant Hill-Lost Creek Section of the Willamette Highway in Lane County. The Right of Way Engineer stated that the easement which was originally acquired to move gravel and use the roadway is no longer needed, as the gravel source has been depleted. Release of the easement will also remove a cloud from the title to the property, and he recommended that it be granted. The Commission approved the easement release.

Indentures of Access were recommended by the Right of Way Engineer on two parcels of property to show changes in location and widening and to correct the public record. The Commission approved the following Indentures of Access:

- (1) Hill property and Grant County Collection Agency, Inc., File 28491, to show in the public record the proper location of two unrestricted points of access, 35 feet wide on the easterly side of the relocated John Day-Burns Highway approximately six miles south of the City of John Day in Grant County. Approval by the Federal Highway Administration was given on April 30, 1970.
- (2) Betty Jane Ahern property, File 18026, for a change in location and widening from 25 to 35 feet on one point of access on the easterly side of the relocated The Dalles-California Highway approximately eight miles south of Lapine in Klamath County. The use restriction for production and marketing of farm products is to be lifted, and the owners of the property are to pay the State the sum of \$100 for lifting the restriction. Approval by the Federal Highway Administration was given May 21, 1970.

The Right of Way Engineer reported that three bids had been received for removal of buildings and clean-up on the East Portland Freeway and the Columbia River Highway in the City of Portland. The low bid was submitted by Heard Construction Company for \$4,396. Upon his favorable recommendation, the Commission awarded the contract to Heard Construction Company and authorized the Secretary to sign a contract in their behalf.

Confirmation was requested by the Right of Way Engineer for telephonic approval given by the Chairman on September 2, 1970 for the award of a demolition contract on the Florence-Eugene Highway in Lane County. Two bids were received, the low one from Hal Bailey Equipment Rentals, Inc., in the amount of \$1,466. The contract calls for removal of a 13-unit motel and rough grading of the area. The

Commission confirmed award of the contract to Hal Bailey Equipment Rentals, Inc., and authority for the Secretary to sign the contract.

The Chief Counsel presented a report concerning cases which have been tried in court since the last Commission meeting. The Commission accepted the report, which is summarized as follows:

REPORT OF CONDEMNATION CASES TRIED

<u>Defendant</u>	<u>County</u>	<u>Section and Highway</u>	<u>States's Offer Before Filing Complaint</u>	<u>Defendants' Lowest Demand</u>	<u>Verdict</u>
William H. Hodges L-6098	Clackamas	Alder Creek-Wildwood Section of the Mt. Hood Highway	\$20,250	\$40,000	\$32,500

This case involved an elderly couple who operated a typical "Mom and Pop" service station, the source of their livelihood.

Catherine Ann DeWaal, et al. L-6189	Umatilla	Mission Junction Emigrant Hill Section of the Old Oregon Trail Highway	3,900	25,000 (Answer)	14,000
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This case involved the loss of farm crossings, for which the jury found more damages than our appraisers thought existed.

REPORT OF TRIAL OF OTHER CASES - State Plaintiff

<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict or Judgment</u>
Donald Ray Osborn L-6287	Douglas	Negligent operation of motor vehicle by defendant resulting in damage to bridge structure.	\$236.01	\$236.01
Edward Marion Hamilton	Josephine	Negligent operation of motor vehicle by defendant resulting in damage to guardrail.	104.59	104.59

September 30, 1970

A report was also made by the Chief Counsel concerning cases which have been settled out of court since the last Commission meeting. The Commission accepted the report which is summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

<u>Defendant</u>	<u>County</u>	<u>Section and Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Charles C. Baker Ebell, et ux. L-6090	Baker	North Powder-Baker Section of the Old Oregon Trail	\$10,500	↓ (State's offer was increased to \$14,808 plus interest)	\$18,600
Delmer G. Snyder, et al. L-6240	Baker	North Powder-Baker Section of the Old Oregon Trail			Judgment of Nonsuit

Judgment of Nonsuit was filed September 4, 1970, on motion of plaintiff because this file is being consolidated with right of way file No. R-42935

Roy E. Dimick, et al. L-6132	Clackamas	Alder Creek-Wildwood Section of the Mt. Hood Highway	\$10,500	\$12,500	\$13,750
Paul O. Pelletier, et ux. L-6155	Multnomah	Columbia River-Pacific Highway Section of the East Portland Freeway	15,500	15,500	16,900
Edmund J. Morrison, et ux. L-6156	Multnomah	Ross Island Bridge-S. E. Reedway Street Section of the Pacific Highway East	1,750	1,750	2,250

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(Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Section and Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
James Leggett, et al. L-6179	Multnomah	Ross Island Bridge-Reedway Section of the Pacific Highway East	\$38,500	\$38,500	\$42,500
Helen Stokes L-6294	Multnomah	S. E. Division Street- S. E. Foster Road Unit of Columbia River-Pacific Highway Section of the East Portland Freeway	7,350	7,350	7,700
George H. Johnson, et ux. L-6238	Tillamook	Oceanside Beach State Wayside Oregon Coast Highway	7,550		*

*After it was determined that the subject property was not needed as originally believed, a Motion for Nonsuit was filed on July 24, 1970, and a corresponding Order was entered on July 27, 1970, which effected dismissal of the case.

REPORT OF OTHER CASES SETTLED

<u>Plaintiff</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demand of Plaintiff</u>	<u>Settlement</u>
Earl T. Walker L-6151	State of Oregon	Clackamas	Inverse Condemnation		Dismissed

The Chief Counsel also presented a report on the institution of legal proceedings since the last Commission meeting which was approved by the Commission as follows:

September 30, 1970

- (1) Jacob Jensen vs. State, L-6301. Plaintiff claims inverse condemnation alleging that the State appropriated a Frigidaire Rapid Dry Cleaner, valued at \$1,750, and has not paid him for it. This case is an outcome of an argument between Jensen, the tenant, and Kirkpatrick (the owner of the building) as to who owns the Dry Cleaner. The Court is to decide ownership and to whom the money should be paid.
- (2) Ed B. Welch, personal representative of the Estate of Andrew D. Welch vs. Winston Paving Company and the State Highway Commission, L-6313. This action arises out of an accidental death on July 9, 1970, on a private gravelled road which intersects with the Dillard Highway in Douglas County. A steel cable had been placed across the gravelled road about 237 yards from its intersection of the Dillard Highway. The deceased struck the cable while riding a motorcycle. The suit is in the amount of \$100,000 general damages plus \$2,555.74 special damages, and has been referred to the State insurance carrier for defense of state employees.

Selection of a name for a recreational area on the upper Rogue River in Jackson County was considered. The Engineer explained that the U. S. Corps of Engineers in constructing the Lost Creek Dam agreed to make available a large recreational area along the southerly shore of the reservoir when construction is completed. Requests have been received to name the area Joseph H. Stewart State Park when jurisdiction over the area is officially accepted by the Commission. Preference for this name has been expressed by the Parks and Recreation Advisory Committee, the Oregon Geographic Names Board, and the Rogue Basin Flood Control and Water Resources Association. The Commission approved the name as presented and thereupon adopted "State Parks Resolution No. 3-4aa," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Confirmation was requested for approval given by the Chairman on August 24, 1970, on an agreement with the City of Salem for purchase of land on Minto Island located along the easterly shore of the Willamette River in Marion County under the Willamette River Parks System. The Engineer stated that the transaction involves a 308-acre tract appraised by the Highway Division at \$327,000 and by the National Parks Service at \$305,000. The agreement is based upon a price of \$320,000 of which the Federal Government will pay \$152,500, and the City of Salem and the State Highway Division will each pay \$83,750. The Commission confirmed the agreement and authority for the Secretary to sign in their behalf.

Confirmation was also requested by the Engineer for approval given by the Chairman on September 11, 1970, granting the State Highway Engineer, or his designated Assistant, authority to sign agreements for the purpose of securing federal-aid for State, County and other local governmental bodies in connection with the Land and Water

September 30, 1970

Conservation Fund Act administered by the Bureau of Outdoor Recreation. The Engineer explained that a grant in aid program under the National Historic Preservation Act will soon require agreements with the local agencies and no authority for approval of these agreements has been established. He presented a resolution granting authority to sign documents for obtaining federal-aid through the Bureau of Outdoor Recreation or the National Park Service, and to sign forms used in nomination of properties for inclusion in the National Register of Historic Places. The Commission granted the authority and thereupon adopted "Authorization Resolution No. 52", which resolution by this reference is made a part hereof and filed in the Secretary's Office. The Commission rescinded "Authorization Resolutions Nos. 38 and 39."

The Engineer reported that surveys have been completed on four sections of highways, that all required public hearings have been held, and design approval has been received from the Federal Highway Administration. He recommended adoption of the surveys. The Commission accepted his recommendation and thereupon adopted "Highway Corridor and Design Resolutions Nos. 385, 386, and 387," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

- (1) Interstate 5-Pacific East Interchange Section of the Pacific Highway in Multnomah County (See "Corridor and Design Resolution No. 385")
- (2) Hubbard Interchange-Hayesville Interchange Section of the Pacific Highway in Clackamas and Marion Counties (See "Corridor and Design Resolution No. 385")
- (3) Bend East City Limits-Arnold Ice Cave Road Section of the Central Oregon Highway in Deschutes County (See "Corridor and Design Resolution No. 386")
- (4) Williams Creek Bridge Section of the Jacksonville Highway in Josephine County (See "Corridor and Design Resolution No. 387")

An increase in project authorization for the Astoria Bridge Maintenance Painting Project under Contract No. 7339 in Clatsop County was discussed. The Engineer mentioned that the contract is held by Klaas Bros., Inc., and it appears that the final cost will be \$276,625, an increase of \$39,410 (16.6%). Approximately 75% of the overrun was caused by unforeseen cleaning and scraping because of defects in the original paint, and the remainder was due to additional engineering costs because of overtime work put in by the contractor. The Commission approved the increase in authorization.

The Commission reappointed Mr. Cecil W. Head as Assistant Secretary for a four-year term beginning November 1, 1970, and thereupon adopted "Appointment Resolution No. 21c," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

September 30, 1970

The Commission also considered appointment of a member to the Travel Advisory Committee. The Engineer mentioned that there had been two resignations from the Committee, both from the Baker-LaGrande Area. The Travel Advisory Committee has recommended the appointment of Mr. Lloyd Evans of the Ellingson Lumber Company in Unity. The Baker Chamber of Commerce has also suggested the appointment of Mr. Evans. Following the Engineer's favorable recommendation, the Commission appointed Mr. Lloyd Evans of Unity as a member of the Travel Advisory Committee effective this date.

Attention was given to a request from Deschutes and Malheur Counties for approval of Federal-Aid Secondary Projects, and a request from Union County for cancellation of a FAS Project. The Engineer stated that the requests have been investigated and are eligible for the use of FAS Funds and he recommended approval. The Commission approved the projects and the cancellation of one as follows with authority for the Secretary to sign the agreements when prepared:

County	FAS	Section & Description	Programmed Amount	State Share
Deschutes	780	N. Unit Main Canal (Lambert) Bridge Section. Lambert Road. Structure only.	\$ 50,000	\$10,000
Malheur	23-109	Malheur River (Malheur Butte) Bridge Section. Malheur Butte Road. Structure only.	100,000	20,000
TOTAL NEW PROJECTS			\$150,000	\$30,000

Cancellation of Previously Approved Projects

Union	910	Cove City Limits-McNeil Ranch Section. Mill Creek Road. (Transfer of \$535.00 from County to State.)	14,000
GRAND TOTAL			\$136,000

Total Federal funds transferred is \$535.00, which amount represents approximately \$1,000 FAS funds.

SUMMARY BY FISCAL YEARS	1970	1971	TOTAL
Allocated Funds	\$5,089,000	\$5,067,000	\$10,156,000
Approved Projects (corrected to date)	5,089,000	4,646,000	9,735,000
Unprogrammed Balance	- - -	\$ 421,000	\$ 421,000
Projects Proposed 9/29/70	- - -	-136,000	-136,000
Transfer of FAS funds	- - -	-1,000	-1,000
Unprogrammed Balance	\$ - - -	\$ 284,000	\$ 284,000

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The next Commission meeting date was set for Tuesday, November 24, 1970, in the Conference Room of the State Highway Building in Salem, and a tentative date for the following meeting was set for January 5, 1971.

Requests from contractors for extensions of time to complete highway contracts without assessment of liquidated damages were considered. The Engineer stated that the requests have been carefully investigated and the results of the investigations have been reported to the Commission by letter. The Commission took action as follows:

- (1) Slate-Hall, Contract No. 7281 on the Pacific Highway in Linn and Marion Counties, requested a 75-day time extension. The Commission approved an extension of 74 days, without assessment of liquidated damages. Approval by the Federal Highway Administration was given by letter dated September 22, 1970.
- (2) James and Stritzke Construction Company, Contract No. 7333 for park facilities in South Newport State Park (South Beach State Park) in Lincoln County, requested an extension of time to July 31, 1970. The Commission approved the request without assessment of liquidated damages.
- (3) Ross Brothers Construction, Inc., Contract No. 7315 for work in South Newport State Park (South Beach State Park) in Lincoln County, requested an extension of time to the date of completion, July 30, 1970. The Commission granted the request without assessment of liquidated damages.
- (4) E. W. Eldridge, Inc., Contract No. 7335 for work in Rooster Rock State Park in Multnomah County, requested an extension of the completion date to July 8, 1970. The Commission approved the request without assessment of liquidated damages.
- (5) W. B. Frederick Construction, Contract No. 7329 for work in Viento State Park in Hood River County, requested that the completion date be advanced 16 days to the date of completion - June 16, 1970. The Commission granted an extension of 6 days without assessment of liquidated damages.
- (6) Interstate Paving Company, Contract No. 7370 for work on 4th Street and Dufur Avenue in the City of Maupin in Wasco County, requested an extension of 17 days. The Commission approved an extension of 16 days, thereby eliminating all liquidated damages.

- (7) J. C. Compton Company and G. L. Compton, Contract No. 7273 on the Rufus-Quinton Section of the Columbia River Highway in Sherman and Gilliam Counties, requested a 39 calendar workday extension of time on the early phase work. The Commission approved the request without assessment of liquidated damages. Approval was received from the Federal Highway Administration on August 25, 1970, and the Corps of Engineers on August 19, 1970.
- (8) Ross Brothers Construction, Inc., Contract No. 7336 for work in Nehalem Bay State Park in Tillamook County, requested an extension of the completion date to June 26, 1970, (a 26-day extension). The Commission granted an extension of 21 days, without assessment of liquidated damages.
- (9) Drake-Winston, Contract No. 7122 for construction of the Vista Ridge Westbound Tunnel on the Sunset Highway in Multnomah County, requested an extension of the completion date to August 24, 1970, the actual date of completion. The Commission approved an extension from November 15, 1968, to February 25, 1969, for opening to traffic and from June 15, to August 24, 1970, for final completion without assessment of liquidated damages. Approval by the Federal Highway Administration was given by letter dated September 10, 1970.
- (10) Slate-Hall, Contract No. 7262 for work on the Lower Columbia River Highway in Clatsop County, requested an extension of 43 days. The Commission approved the request without assessment of liquidated damages. Approval by the Federal Highway Administration was given in a letter dated September 22, 1970.

The Engineer reported that Contracts Nos. 7230, 7270, 7293, 7334, 7347, 7360, 7361, 7364, 7371, 7373, 7378, 7385, 7400, 7402, 7406, 7412, 7413, 7416 and 7420 for highway construction have been completed as required by the contracts or modifications thereof and said contracts are now ready for acceptance or have been accepted by letter since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 188," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed award of contracts made September 11, 1970, on bids which were received September 3, 1970, and authorized the Secretary to sign the following contracts:

(Contracts listed on next page)

BIDS RECEIVED IN SALEM SEPTEMBER 3, 1970

Overnight camping in Milo McIver State Park in Clackamas County. This project was withdrawn from the bid letting.

Contract No. 7474 for roadside improvement on the West Linn Interchange Section of the East Portland Freeway in Clackamas County. Five bids were received. The Commission awarded the contract to the low bidder, Aichele Landscaping, Inc., Portland, for \$52,902.85.

Contract No. 7475 for roadside improvement on the Willamette Falls S. R. A. & Viewpoint Section of the East Portland Freeway in Clackamas County. Four bids were received. The Commission awarded the contract to the low bidder, Aichele Landscaping, Inc., Portland, for \$63,949.40.

Contract No. 7476 for grading and paving on the Gray Creek-North Fork Coquille River Section of the Coos Bay-Roseburg Highway in Coos County. Three bids were received. The Commission awarded the contract to the low bidder, Slate-Hall, Portland, for \$1,685,088.50.

Contract No. 7477 for a sewer system in Harris Beach State Park on the Oregon Coast Highway in Curry County. Five bids were received. The Commission awarded the contract to the low bidder, Da-Tone Construction, Brookings, for \$31,880.00.

Contract No. 7478 on the Rogue River Interchange Section of the Pacific Highway in Jackson County. Six bids were received. The Commission awarded the contract to the low bidder, Sims Electric, Inc., Roseburg, for \$125,505.25.

Contract No. 7479 for illumination on the Main Street Interchange (Klamath Falls) of The Dalles-California Highway in Klamath County. Four bids were received. (See paragraph on page 35951)

Contract No. 7480 for a structure on the Pacific Highway West-N. W. Expressway Section of FAS-860 in Lane County. Five bids were received. The Commission elected to accept the low bid of Hannan Bros. Construction, Inc., Portland, for \$1,396,500 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Lane County is received and \$738,700 is deposited by the County.

Contract No. 7481 for structure, paving, grading, and signing on the Orleans-Lake Creek Section of the Corvallis-Lebanon Highway in Linn County. Four bids were received. The Commission awarded the contract to the low bidder, Morse Bros., Inc., Lebanon, for \$2,098,478.50.

Contract No. 7482 for grading and paving on the Trail Avenue-Chemawa Road Section of FAS-159 in Marion County. Two bids were received. The Commission elected to accept the low bid of Salem Road and Driveway Company, Salem, for \$384,918.70 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Marion County is received and \$88,000 is deposited by the County.

Contract No. 7483 for grading, paving, signing, and illumination on the Jantzen Beach Interchange Section of the Pacific Highway in Multnomah County. Three bids were received. The Commission elected to accept the low bid of K. F. Jacobsen & Co., Inc., Portland, for \$847,049.65 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the Federal Highway Administration is received.

Contract No. 7484 for roadside improvement on the S.W. Alder-S. W. Salmon Section (Old Journal Building) of the Pacific Highway West in Multnomah County. One bid was received. The Commission elected to accept the lone bid of Aichele Landscaping, Inc., Portland, for \$41,291 and directed the State Highway Engineer to award the contract to said bidder as soon as an agreement is signed and received from the City of Portland.

Contract No. 7485 for Ukiah Sand Shed on the Pendleton-John Day Highway in Umatilla County. Three bids were received. The Commission awarded the contract to the low bidder, Walt Rohde Construction Company, Pendleton, for \$20,635.20.

The Engineer reported that he had made awards of contracts referred to him by the Commission to award when certain conditions had been fulfilled. The Commission confirmed his award of the following contracts:

- (1) Grading and paving on 5th Street in Coquille, Coos County. Bids received July 23, 1970. Contract No. 7431 awarded August 25, 1970, to G. W. Woodward Co., Inc., Coquille, low bidder.
- (2) South Umpqua River (Oak Avenue) Bridge on FAS 241 in Douglas County. Bids received August 13, 1970. Contract No. 7453 awarded August 28, 1970, to Hamilton Construction Co., Eugene, low bidder.
- (3) Grading and paving on the Frenchglen Highway-Wildlife Headquarters Section of FAS 824 in Harney County. Bids received August 13, 1970. Contract No. 7454 awarded September 10, 1970, to Babler Bros., Inc., Portland, low bidder.
- (4) Twenty Mile Creek (Twenty Mile) Bridge on FAS 902 in Lake County. Bids received August 13, 1970. Contract No. 7457 awarded August 27, 1970, to Hermiston Construction, Hermiston, low bidder.
- (5) Ross Island Bridge-SE Reedway Street Section of the Pacific Highway East in Multnomah County. Bids received August 13, 1970. Contract No. 7463 awarded September 11, 1970, to K. F. Jacobsen and Co., Inc., Portland, low bidder.

- (6) Grading, paving and structure on the Johnson Creek (Foster Road) Bridge Section of FAS 639 in Multnomah County. Bids received August 13, 1970. Contract No. 7465 awarded September 11, 1970, to Schubert Co., Inc., Clackamas, low bidder.
- (7) Grading and paving on the Trail Avenue-Chemawa Road Section of FAS 159 in Marion County. Bids received September 3, 1970. Contract No. 7482 awarded September 14, 1970, to Salem Road and Driveway Co., Salem, low bidder.
- (8) Channelization and traffic signals at intersections of 99W and Roosevelt Boulevard and Pacific Highway West and Prairie Road in Eugene. Bids received August 13, 1970. Contract No. 7459 awarded August 18, 1970, to Wildish Construction Company, Eugene, low bidder.
- (9) Pacific Highway West-N. W. Expressway Section of FAS 860 in Lane County. Bids received September 3, 1970. Contract No. 7480 awarded September 28, 1970, to Hannan Bros. Constr., Inc., Portland, low bidder.
- (10) Roadside improvement on SW Alder-SW Salmon Section of Pacific Highway West (Old Journal Building). Bids received September 3, 1970. Contract No. 7484 awarded September 28, 1970, to Aichele Landscaping, Inc., Portland, low bidder.

Consideration was given to a request made by Sims Electric, Inc., to withdraw their bid submitted on September 3, 1970, for the Main Street (Klamath Falls) Interchange illumination project in Klamath County. The Engineer stated that Sims had bid \$16,300, whereas, the next lowest bids were \$22,716 and \$22,912. Sims by telephone and letter stated that he had committed a gross error by omitting from his bid the sum of \$4,193 for miscellaneous material and ditching costs. Sims Electric, Inc., he continued, has a record of integrity and there is no reason to doubt the statement. Following his favorable recommendation, the Commission allowed the bid to be withdrawn without penalty and instructed that the project be readvertised.

The Commission considered requests from the Cities of Ashland, Baker, Bend, Milwaukie, and Salem for Federal-aid TOPICS projects. The Engineer commented that the projects have been investigated and are eligible for funding under the Federal-aid TOPICS Program, and he recommended that they be approved. The Commission approved the following projects and authorized the Secretary to sign the project agreements in their behalf.

City	Section	Programmed Amount	State Cost
Ashland	Ashland Urban Area Areawide TOPICS Plan	\$ 4,000	\$ 800
Baker	Baker Urban Area Areawide TOPICS Plan	4,000	800
Bend	Bend Urban Area Areawide TOPICS Plan	4,000	800
Milwaukie	Harrison Street at 32nd Avenue Signals and widening	61,000	12,200
Salem	Salem Urban Area Areawide TOPICS Plan	12,000	2,400
Salem	S. E. Mission Street at 25th St. Signal, widening & channelization	290,000	58,000
TOTAL		\$ 375,000	\$ 75,000
SUMMARY BY FISCAL YEAR		1970	TOTAL
Allocated Funds		\$2,743,000	\$2,743,000
Approved Projects (corrected to date)		<u>1,357,700</u>	<u>1,357,700</u>
Unprogrammed Balance		1,385,300	1,385,300
Proposed Projects 9/29/70		<u>375,000</u>	<u>375,000</u>
Unprogrammed Balance		\$1,010,300	\$1,010,300

Attention was given to a billing from the AASHO Materials Reference Laboratory in the amount of \$4,400 for the fiscal year 1971. The Engineer stated that the information provided is valuable to the State and he recommended payment of the bill. The Commission approved the payment.

Confirmation was requested by the Engineer for verbal approval given by the Chairman on August 28, 1970, raising the State's commitment from \$750,000 to \$950,000 for relocation of the Hillsboro-Silverton Highway in and near the City of Woodburn. He estimated the total cost of the project at \$1,180,000 of which Marion County is to pay \$150,000 and the City of Woodburn \$80,000. The Commission confirmed the action and authorized the Secretary to sign an agreement covering it.

September 30, 1970

The matter of rescinding a speed zone resolution and the adoption of a revised zone on the Oregon Coast Highway in the community of Depoe Bay in Lincoln County was considered. The Engineer stated that the existing speed zones of 45 miles per hour and 35 miles per hour are reasonable except during the summer months when tourist and pedestrian traffic is very heavy. During that time the 35 mile per hour speed zone, he felt, is too high. He recommended that "Speed Zone Resolution No. 121-b," adopted January 30, 1964, be rescinded and the following speed zones established:

45 miles per hour from a point 0.14 miles south of the southerly entrance to Boiler Bay State Park to Bechill Street; 30 miles per hour from Bechill Street to a point 150 feet south of Evans Street;

45 miles per hour from a point 150 feet south of Evans Street to a point 0.14 mile north of Beach Street except for a school crossing speed zone of 20 miles per hour from a point 600 feet north of Kent Street to a point 300 feet north of Kent Street.

The Commission approved the recommended speed zones and thereupon adopted "Speed Zone Resolution No. 565," which resolution by this reference is made a part hereof and filed in the Secretary's Office. The Commission also rescinded "Speed Zone Resolution No. 121-b."

Consideration was also given to the establishment of a speed zone on the Tiller-Trail Highway through the community of Days Creek in Douglas County. An investigation has revealed the need for a speed zone and the Engineer recommended adoption of a 35 mile per hour speed zone from Days Creek to 0.26 mile east of Days Creek Road, except for a school crossing speed zone of 20 miles per hour from a point 0.18 mile east of Days Creek Road to a point 0.02 mile east of Days Creek Road. The Commission approved the speed zone and thereupon adopted "Speed Zone Resolution No. 566," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A resolution to establish a speed zone on the Oregon-Washington Highway in the vicinity of Athena in Umatilla County was brought up by the Engineer. A recent investigation of this section, he said, indicates the need of a restricted speed zone to prevent accidents. He recommended the establishment of a 50 mile per hour speed zone from a point 0.21 mile west of Campbell Road to a point 0.41 mile east of the Athena-Holdman Highway. The Commission approved the speed zone and thereupon adopted "Speed Zone Resolution No. 567," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer recommended that parking be prohibited on both sides of the Santiam Highway between the city limits of Lebanon at M.P. 14.17 and the city limits of Lebanon at M.P. 14.26 in Linn County. He explained that arrangements have been completed to establish a two-way left-turn lane in the southerly part of Lebanon. The City has prohibited parking within the city limits and the recommended action is to correlate with the City action. The Commission accepted his recommendation and thereupon adopted "No Parking Resolution No. 280," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was given to the restriction of parking or stopping of vehicles on the Interstate Bridge across the Columbia River on the Pacific Highway north of Portland, Multnomah County. The Engineer stated that the Washington State Highway Commission had recently taken action to prohibit stopping or standing of vehicles on the bridge in Washington. Their action was taken to enable the Washington State Patrol to legally remove stalled vehicles from the bridge. He recommended that similar action be taken by the Oregon Highway Commission prohibiting the stopping or standing of vehicles on the Interstate Bridge from the Washington State line to the south end of the Interstate Bridge, a distance of 0.41 mile excepting required stopping when the draw spans are raised. The Commission accepted his recommendation and thereupon adopted "No Parking Resolution No. 281," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A resolution abandoning to Clackamas County the old portion of the Clackamas Highway between the east Milwaukie city limits and the Clackamas Highway was presented by the Engineer. He stated that the new section of highway is now open to public travel and in accord with an agreement with the County dated February 3, 1970, the old section of approximately 2.1 miles is ready to be transferred to the County and he so recommended. The Commission accepted his recommendation and thereupon adopted "Abandonment Resolution No. 500," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer presented an agreement with Yamhill County and also a resolution pertaining to the transfer to Yamhill County of a short segment of the Salmon River Highway at Deer Creek on the Wallace Bridge-McMinnville Section. He explained that construction of the new highway has been completed and under terms of the agreement, the County is to accept jurisdiction over the old highway section as a portion of the County road system. He recommended that it be abandoned to the County by agreement and resolution. The Commission approved the abandonment agreement and authorized the Secretary to sign it in their behalf. The Commission also approved the resolution formally abandoning the section to the County by adopting "Abandonment Resolution No. 511," which resolution by this reference is made a part hereof and filed in the Secretary's office.

The Commission also considered an agreement and a resolution with the City of Union pertaining to the transfer of a portion of the old Medical Springs Highway in Union County to the City. The Engineer stated that the new highway section has been completed and is open to public travel and he recommended approval of the agreement and the resolution. The Commission approved the abandonment agreement and authorized the Secretary to sign it in their behalf. The Commission also approved a resolution formally abandoning the old section and thereupon adopted "Abandonment Resolution No. 512," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A construction-abandonment agreement with Benton County concerning the proposed construction of the Gellatly Summit Section of the Corvallis-Newport Highway was presented by the Engineer. This agreement, he said, provides for construction of the highway on mostly new alignment; for right-of-way acquisition; maintenance and other items. The County has agreed to accept jurisdiction over approximately 600 feet of the old highway when the new section is completed. One section is to be abandoned to the abutting property owner. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Attention was also given to a throughway abandonment agreement with the City of Brookings pertaining to construction of the Brookings-Winchuck River Section of the Oregon Coast Highway in Curry County. The agreement covers right-of-way acquisition, construction, a new bridge across the Chetco River and other matters. The City has agreed to the closure of certain city streets and to cooperate in the location of utility facilities. Also, the City has agreed that upon completion of construction, the City will accept jurisdiction of the old highway bypassed by the new construction within the city boundaries. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was given to a request from the City of Fairview that the Commission consent to annexation to the City of a portion of the N. E. Portland Highway and the Columbia River Highway in Multnomah County. The Engineer stated that property owners involved have petitioned the City for annexation thereby eliminating the formation of enclave, and he recommended that the Commission give its consent. The Commission accepted his recommendation and authorized the Secretary to sign a consent form in their behalf.

Extension of an agreement with the Columbia Region Association of Governments (CRAG) to complete a Dual Independent Map Encoding process referred to as "DIME" was brought up by the Engineer. The project, he said, pertains to population density and land use. Completion has been delayed by reasons beyond the control of CRAG and he recommended that the agreement be extended to October 31, 1970, without any increase in cost. The Commission approved the extension as recommended.

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The Commission gave attention to an addendum to an agreement with the State Water Resources Board and the Local Government Relations Division of the Executive Department pertaining to a Coastal Port Region Study. The Engineer recalled that at the Commission meeting on August 18, 1970, an extension of the agreement to December 31, 1970 and an increase in amount to \$10,000 had been approved. Since that time there have been changes in personnel performing the work, and a request has been made that the agreement be extended to January 28, 1971. The Engineer recommended that the extension be approved and that the maximum amount of \$10,000 be retained. The Commission accepted his recommendation and authorized the Secretary to sign the addendum in their behalf.

A Memorandum of Understanding with Oregon State University concerning a cooperative graduate program in the field of transportation was discussed. The Engineer stated that for some time the Civil Engineering Department at Oregon State University has been interested in graduate work in this field, and they wish to assign graduate students who are candidates for masters degrees to work with the Highway Division in the field of transportation research. The Memorandum of Understanding outlines the scope of the program and provides that the candidates spend one year with the Highway Division working on mutually acceptable projects as Highway Engineers I. The Commission accepted the Engineer's favorable recommendation and authorized the Secretary to sign the memorandum in their behalf.

An agreement with the City of Prineville in Crook County for installation of traffic signals at the intersections of Third Street (Ochoco Highway) with Deer Street and Elm Street was considered. The Engineer stated that the agreement contains the usual provisions in which the State and City are to share equally the cost of installation and the City is to provide for all maintenance and electrical energy. The State is to perform the work. He estimated the total cost of the installation at \$24,000 with the State's share of \$12,000 to be taken from Minor Betterment Funds. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission also considered an agreement with the City of Forest Grove for installation of a fire warning signal at the intersections of Ash Street with the two legs of a one-way couplet on the Tualatin Valley Highway in Washington County. The agreement provides that the State is to furnish equipment valued at approximately \$1,000 to be charged to Minor Betterment Funds. The City is to install the equipment and provide for all maintenance and power needs. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

Consideration was given to an agreement with the City of Eugene for installation of traffic signals at intersections of the Pacific Highway West with Royal Avenue and Fairfield Avenue in

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Lane County. The State is to install the signals at a total estimated cost of \$50,000. The City is to pay one-half the cost of the installation and provide all maintenance and electrical energy requirements. The State's share of \$25,000 is to be taken from Minor Betterment Funds. Based on the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement with the City of Gaston in Washington County for installation of a flashing beacon at the intersection of Front Street (Tualatin Valley Highway) and Main Street was discussed. The Engineer estimated the total cost of the installation at \$1,500 with the State's share of \$750 to be taken from Minor Betterment Funds. The City is to pay one-half the cost of installation and provide for all maintenance and electrical energy requirements. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement for them.

Attention was also given to an agreement with Washington County for replacement of temporary traffic signals at the intersection of Murray Boulevard with the Tualatin Valley Highway. The Engineer estimated the total cost of the project at \$33,000. The County is to pay \$5,000 for removal of the existing traffic signals and interconnection with the railroad. The remaining \$28,000 is to be shared equally by the State and the County, with the State's portion to be taken from Minor Betterment Funds. The County is to maintain the signals and pay for all power consumed. The Engineer recommended that the agreement be approved and the Secretary authorized to sign it. The Commission accepted his recommendation.

Consideration was given to an agreement with Marion County for installation of illumination at the intersection of the Pacific Highway East and Lancaster Drive north of Salem in Marion County. Under the agreement, the State is to install the illumination at an estimated cost of \$18,000 as a part of the construction project on the Chemawa Road-Hayesville Section. The County is to pay for all maintenance and power requirements. The Engineer recommended approval of the agreement. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement with the City of King City for installation of a flashing beacon at the intersection of the Pacific Highway West and Royalty Parkway in Washington County was presented by the Engineer. By terms of the agreement the State is to make the installation at a total estimated cost of \$1,500, with the City to pay one-half of this amount and provide for all maintenance and electrical energy requirements. The State's share of \$750 is to be taken from Minor Betterment Funds. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Attention was given to a throughway agreement with Union County pertaining to construction of the Ladd Canyon-North Powder Section of the Old Oregon Trail. The agreement provides for acquisition of right-of-way, construction, maintenance, closure of certain county roads and other matters. The County is to cooperate in the relocation of utility facilities and upon completion of construction is to assume jurisdiction for certain newly constructed frontage roads. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement for them.

Consideration was given to an agreement with Marion County concerning construction of the Chemawa Road-Hickory Street Section of the Salem Freeway (I-305). The Engineer mentioned that the agreement provides for right-of-way acquisition, construction, and maintenance of the project. The County agrees to closure of certain streets and roads and to cooperate in the relocation of utilities. The County also agrees to accept jurisdiction over certain newly constructed frontage roads and intersecting roads outside the City of Salem. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

The Commission also considered an agreement with Bonneville Power Administration pertaining to crossing of the Forest Grove Section of the Tualatin Valley Highway in Washington County over Bonneville Power Administration's transmission line easement. Under the agreement, the Engineer mentioned, provision is made for access from the highway to the Bonneville transmission line easement. Following his favorable recommendation, the Commission approved the agreement.

A second agreement with Bonneville Power Administration concerning a crossing of the Fargo Road Interchange Section of the Pacific Highway in Marion County over the BPA's transmission line easement was discussed. The Engineer stated that this agreement provides for access from County Road 425 and also from County Road 427. He recommended approval. The Commission approved the agreement.

An agreement with Sanders Irrigation Ditch covering adjustments to their facilities on the North Powder-Powder River Section of the Old Oregon Trail (I-80N) in Baker County was considered. The agreement provides for construction of approximately 2,000 feet of irrigation ditch, installation of a siphon pipe and other work which the Engineer estimated at a cost of \$28,000 to be included in the contract for State highway construction. The agreement also provides for an exchange of right-of-way, and for certain items of maintenance to be performed by the State and by the Irrigation District. If future adjustments are necessary such adjustments shall be performed at State expense. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

Attention was given to a pipeline crossing agreement with Portland Traction Company for installation of a storm sewer beneath the Traction Company's tracks in connection with construction of the

Ross Island Bridge-S. E. Reedway Section of the Pacific Highway East in Portland, Multnomah County. If the pipeline is not used as a storm sewer for a period of one year, the State is required to remove it or fill the pipeline with a material satisfactory to the Railroad. The Engineer recommended approval of the agreement. The Commission accepted his recommendation.

An extension rider to an agreement with Union Pacific Railroad Company dated November 26, 1962, was presented by the Engineer. He mentioned that the rider merely extends the original agreement from November 25, 1970, to November 25, 1972, for the right to make surveys on Railroad property in connection with construction of the Fremont Bridge on the Stadium Freeway in Portland, Multnomah County. The Commission approved the extension.

The matter of sharing the cost with Southern Pacific Transportation Company for preliminary engineering on the 17th and Powell Project (Mt. Hood Highway) in Portland was discussed. The Engineer recalled that in 1966 the Southern Pacific Company, the City of Portland and the State had entered into discussions for the grade separation at 17th and Powell. The State and Southern Pacific agreed to share equally expenses incurred in preliminary engineering; however, there was no firm understanding as to how far back these expenses should apply. He recommended that the agreement be changed so that each organization would pay for its own preliminary engineering. This procedure does not affect a later agreement dated October 16, 1969. The City of Portland, he added, is not involved in this phase of the project. Following his favorable recommendation, the Commission approved the modification as presented.

A Memorandum of Understanding with the City of Portland and Southern Pacific Transportation Company pertaining to the vacation of S. E. Brooklyn Street and construction of a pedestrian overpass was brought up by the Engineer. This action pertains to the 17th and Powell Project on the Mt. Hood Highway in the City of Portland. In reviewing the matter, the Engineer pointed out that the City had held public hearings concerning the closure of certain streets and had received approximately 80 percent remonstrance because of lack of access to manufacturing properties in the area. The remonstrances can be met by providing a pedestrian overpass across the railroad tracks and by providing truck access to one of the manufacturing plants. The cost of these proposals, he said, is minor in nature and he recommended that the Memorandum of Understanding be approved. The Commission approved the Memorandum and authorized the Secretary to sign it in their behalf.

Consideration was given to a Termination of Document by the Southern Pacific Transportation Company which would cancel a 1947 agreement for installing floodlights on the Cascade Highway near Liberal in Clackamas County. The Engineer recalled that in 1947 floodlights were installed at the railroad crossing near Liberal as a joint project by the State and the Railroad Company. Recently automatic gates were installed and the floodlights are no longer needed. The Commission accepted his recommendation for approval of the termination agreement and authorized the Secretary to sign it in their behalf.

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An agreement for a private crossing with Union Pacific Railroad Company at North Nesmith Avenue on the East Fremont Interchange Section of the Stadium Freeway in Portland was presented. The Engineer explained that a crossing agreement had been requested by the contractor on State Highway Contract 7310. The agreement requires the contractor to take the usual safety precautions, provide insurance, keep the gates locked, and reimburse the Railroad for any expenses caused by the agreement. Based on his favorable recommendation, the Commission approved the agreement.

An agreement with John Greene McMillin to conduct a survey and inventory of historic features and a statewide historic preservation plan was considered by the Commission. The Engineer stated that this work is a Federal-aid Program similar to the kind of work handled by the Bureau of Outdoor Recreation but in this instance is under the direction of the U. S. Park Service. A Statewide study is required and a report is to be made within 18 months. Half of the total cost of \$60,000 is to be paid from Federal Funds. The Engineer recommended that Mr. McMillin, who is working on his doctorate, be hired to perform the work at a salary of \$1,400 per month, plus supplies and secretarial help. The agreement contains a 60-day cancellation clause and he recommended that it be approved. The Commission approved the agreement and authorized the Secretary to sign it for them.

Snow removal agreements for 13 ski areas were presented by the Engineer. These agreements, he said, are renewals of previous agreements which provide for snow removal from parking areas at ski resorts during the winter of 70-71. The Commission approved agreements for snow removal and expenditure of funds as follows. The Commission also authorized the Secretary to sign the agreements in their behalf.

<u>Site</u>	<u>Anticipated Cost</u>
Anthony Lakes (Champ Bond)	\$15,000
Mt. Ashland (Mt. Ashland Corp.)	47,000
Bachelor Butte (Mt. Bachelor, Inc.)	64,500
Fish Lake (Fish Lake Resort)	750
Hoodoo (Hoodoo Ski Bowl Developers, Inc.)	11,000
Lake of the Woods (Lawore, Inc.)	750
Multorpor (Multorpor, Inc.)	7,000
Mt. Hood Meadows (Mt. Hood Meadows, Ore. Ltd.)	47,000
Snow Bunny (Commercial Club of Portland)	3,000
Timberline (R. L. K. & Co.)	124,000
Tomahawk (Tomahawk Ski Bowl, Inc.)	300
Warner Canyon (Fremont Highlanders Ski Club)	200
Willamette (Willamette Pass Recreation, Inc.)	1,500
	<u>\$322,000</u>

In response to the Chairman's inquiry, Tom Edwards, Deputy Highway Engineer, estimated the cost of snow removal in these areas at \$269,000 for the 1969-70 winter and \$365,000 for the 1968-69 winter.

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The Chairman then inquired if removing snow from these areas has required additional equipment or a slow down of snow removal from highways. Mr. Edwards replied that no extra equipment has been acquired and the parking areas are cleared after the highways have been plowed. The Chairman then asked if any of the Counties participated in this snow removal cost, to which Mr. Edwards replied that three of them do - Douglas, Morrow, and Hood River- and are reimbursed by the State Highway Division.

The Commission gave attention to a supplemental agreement with Howard, Needles, Tammen and Bergendoff to complete plans and specifications for the Industrial Freeway (I-405) in the city of Portland. The Engineer recalled that an agreement and a supplemental had required studies, design, plans, and specifications for the East and West Fremont Bridge approach complexes. Subsequently the State received approval for the Industrial Freeway which will connect to the Fremont Bridge west interchange. Plans for the Industrial Freeway require modifications to the originally planned work. He recommended approval of the second supplemental agreement to perform this work at a cost not to exceed \$180,000. Approval has been received from the Federal Highway Administration. The Commission approved the supplemental agreement and authorized the Secretary to sign it for them.

The Commission considered an agreement with Oregon Welcome, Inc., to establish and operate out of state sales offices for the dissemination of travel information about Oregon. The agreement extends services provided by Oregon Welcome, Inc., from November 1, 1970, through June 30, 1971, at a cost not to exceed \$10,400. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission also considered an agreement with Oregon Welcome, Inc., to establish and operate programs for disseminating information about Oregon to tourists including cooperative programs with airlines, bus firms, resorts, and other travel oriented businesses. The agreement covers a period of one year from July 1, 1970, through June 30, 1971, at a cost not to exceed \$22,000. The Engineer recommended approval. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement with Sverdrup and Parcel and Associates, Inc., for the preparation of plans and specifications for the bridge over the Columbia River on the East Portland Freeway (I-205) between Oregon and Washington was discussed. In commenting on the agreement, the Engineer mentioned that under an agreement previously entered into with the State of Washington, Oregon has the responsibility for designing and constructing the Interstate Bridge on I-205. Because of a heavy workload, the State Highway Bridge Section will not be able to perform this work. Careful consideration has been given in the selection of an engineering firm to prepare the plans and specifications for this bridge and he recommended hiring Sverdrup and Parcel and Associates, Inc., at a cost not to exceed \$1,887,000. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Chairman inquired as to what would happen if the plaintiffs win their case concerning the proposed expansion of the Portland International Airport. The Engineer replied that such action would require new approval by the Coast Guard in the placement of a structure instead of a fill across the Columbia Slough; however, the location of the highway and bridge would remain the same. The Chief Counsel commented that if the Corps of Engineers lost the suit pertaining to the Portland Airport improvement it would probably be necessary to go to Congress for approval.

Inquiry was then made by the Chairman as to the status of the I-205 hearing held in Portland on September 14, 1970, and if any important new evidence had been presented. The Engineer replied the transcript is expected to be completed in two or three weeks and that no material changes have been presented concerning location of the freeway.

A supplemental agreement with the City of Portland pertaining to landscaping the Old Oregon Journal Building site on the S. W. Alder-S. W. Salmon Section of the Pacific Highway West in Portland was brought up by the Deputy Highway Engineer. The Chairman inquired if the work was limited to landscaping the building site only. The Deputy Engineer replied that it was so limited, and he recommended approval. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission considered assuming maintenance of the bridges across the Columbia River at The Dalles in Wasco County and at Umatilla in Umatilla County when the liquidation of the bonded indebtedness on these bridges has been accomplished. The Commission agreed to assume one-half of the maintenance cost for each bridge provided that they are in first-class condition when transferred to the State and provided further that the State of Washington will assume responsibility for the remaining half of the maintenance cost.

The Commission discussed with the Engineer a request made by Representative Robert F. Smith, Speaker of the House, to prohibit overnight parking in rest stops. No action was taken.

The Commission considered the payment of certain bills submitted by Cole & Weber pertaining to services rendered by them in publicizing the need of pollution abatement within the State and the need of keeping Oregon livable.

The Commission, in incurring this obligation, did so in the belief it was in the best interest of the citizens of the State of Oregon, the majority of which are highway users. They felt, at the time, the expenditure of Highway Funds for this purpose was not only legal, but most desirable.

The Commission further pointed out that upon the publication of the Attorney General's Opinion No. 6747, issued July 31, 1970, which stated that highway funds could not be used to underwrite the sole cost of a statewide advertising campaign directed to the reduction of all types of pollution in all areas of the State, they cancelled their contract with the Cole and Weber concern.

They further noted that the obligation incurred in employing Cole and Weber was done so in good faith and without any knowledge that the use of highway funds to pay for such services was improper, and directed the Controller of the Highway Division to pay the cost of the services rendered by Cole and Weber up to July 31, 1970, the date of the Attorney General's opinion.

The relocation of the Oregon Coast Highway in the Pacific City area in Lincoln County was discussed at some length but no action was taken.

The Commission directed the Engineer to make repairs along the Rogue River adjacent to the Pategian property near Tou Velle State Park in Jackson County to protect from further flooding or channel change by the river. This work is to prevent the river from flowing into the State Game Commission's rearing area and is not an attempt to rechannel the current to its location prior to the wash-out which occurred last winter.

The matter of transferring the abandoned Crane Maintenance Station on the Steens Secondary Highway to Harney County was brought up by the Engineer. The Commission approved the transfer to the county for public purposes for the sum of \$1.

Attention was given to a petition signed by 91 people in the Twin Rocks area in Tillamook County requesting that horses be prohibited on the ocean beach. No action was taken at this time.

The Commission also considered a request from Mrs. Marjorie Peets of Yachats for a special permit to operate a motor vehicle on the beach between Yaquina Bay and Alsea Bay during the time of year when vehicles are prohibited. Based on the Engineer's recommendation, the Commission denied the request.

The Commission considered and approved a request from the State Board of Aeronautics to transfer to that agency title to the area covering the flight strip near Cape Blanco in Curry County.

The matter of a date for sale of the remaining highway bonds authorized by the 1969 Legislature was discussed. The Commission instructed the Engineer and the Chief Counsel to arrange a date for receiving bids as early in January as possible with preference given to January 5, 1971.

Attention was given to an agreement with the City of Portland, Tri-Met, Deleuw, Cather and Company, and the State concerning a comprehensive parking study for the central business district of Portland. The City of Portland, the Engineer stated, is to accept responsibility for the study and administer the finances involved in carrying out the study. The total estimated cost of \$50,000 is to be paid by the City

of Portland in the amount of \$12,500; Tri-Met, \$25,000; and the State Highway Division, \$12,500. The work is to be completed by March 1, 1972. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission signed, or authorized the Secretary, to sign the following deeds, agreements, and other papers.

"Agreement" with Tri-County Metropolitan Transportation District, City of Portland and Deleuw, Cather & Co. re parking program in the City of Portland as required in fulfilling comprehensive planning requirements of Portland-Vancouver Metro. Transportation Study.

"Bargain and Sale Deed" to Albert and Mildred Grilley conveying 0.67 acre of land on Pendleton-State Farm Section of Oregon-Washington Highway in Umatilla County.

"Indenture of Access" to Harry C. Skyrman, Sisters of Charity of Providence in Oregon, and M. C. Lininger and Sons, Inc. covering the easterly side of the Rogue Valley Highway.

"Release" to Henry and Ruby Mathews covering State's easement rights to take materials and to use existing roadway over and across their property on Pleasant Hill-Lost Creek Section of Willamette Highway.

"Indenture of Access" to Lamar and Ernestine Hill covering Canyon City-Seneca Section of John Day-Burns Highway in Grant County.

"Indenture of Access" to Betty Jane Ahern covering Lapine-Diamond Lake Junction Section of The Dalles-California Highway in Klamath County.

"Agreement" with City of Salem for purchase of Minto Island as part of development of Willamette River Park System.

"Agreement" with Yamhill County transferring to the County a short segment of old highway at Deer Creek along the Wallace Bridge-McMinnville Section of the Salmon River Highway.

"Agreement" with City of Union transferring to the City a segment of the Medical Springs Highway.

"Abandonment agreement" with Benton County re Gellatly Summit Section of the Corvallis-Newport Highway.

"Abandonment agreement" with City of Brookings re Brookings-Winchuck River Section of Oregon Coast Highway.

"Consent to Annexation" to City of Fairview re parcels of rights-of-way of N. E. Portland Highway and Columbia River Highway.

"Addendum" to original agreement with State Water Resources Board and Local Government Relations Division of Executive Department covering a Coastal Port Region Study.

"Memorandum of Understanding" with Oregon State University for a cooperative graduate program in the field of transportation.

"Agreement" with City of Prineville for installation of traffic signals at intersections of 3rd St. with Deer St. and Elm St.

"Agreement" with City of Forest Grove for installation of a fire warning signal at intersections of Ash Street with 2 legs of one-way couplet for Tualatin Valley Highway.

"Agreement" with City of Eugene for installation of traffic signals at intersections of Pacific Highway West with Royal Avenue and Fairfield Avenue.

"Agreement" with City of Gaston for installation of a flashing beacon at intersection of Main and Front Streets.

"Agreement" with Washington County for replacement of existing temporary traffic signals at intersection of Tualatin Valley Highway with Murray Boulevard.

"Agreement" with Marion County for installation of illumination at intersection of Pacific Highway East and Lancaster Drive.

"Agreement" with City of King City for installation of flashing beacon at intersection of US99W and Royalty Parkway.

"Agreement" with Union County for construction of Ladd Canyon-North Powder Section of Old Oregon Trail.

"Agreement" with Marion County concerning construction of Chemawa Road-Hickory Street Section of Salem Freeway (I-305).

"Agreement" with Bonneville Power Administration covering crossing of Forest Grove Section of Tualatin Valley Highway over BPA's Forest Grove-McMinnville transmission line easement.

"Agreement" with Bonneville Power Administration covering crossing of Fargo Road Interchange Section of the Pacific Highway over BPA's Oregon City-Chemawa transmission line easement.

"Agreement" with Sanders Irrigation Ditch covering adjustment and relocation of their facilities on North Powder-Powder River Section of I-80N in Baker County.

"Pipeline crossing agreement" with Portland Traction Company providing for installation of a 15-in. storm sewer beneath its tracks as required by constr. of Ross Island Bridge-SE Reedway Section of Pacific Highway E. in Portland.

"Extension rider" to November 26, 1962, agreement with Union Pacific Railroad Company extending the expiration date of the existing license to make surveys on Railroad property for Fremont Bridge from November 25, 1970, to Nov. 25, 1972.

"Memorandum of Understanding" with City of Portland and Southern Pacific Transportation Company for acquiring and improving real property pertaining to vacation of SE Brooklyn Street and construction of pedestrian overpass as part of 17th and Powell job.

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"Termination of Document" by Southern Pacific Transportation Company canceling a 1947 agreement for installing floodlights on Cascade Highway in vicinity of Liberal.

"Private crossing agreement" with Union Pacific Railroad Company for an access road across the Railroad's tracks at North Nesmith Avenue on East Fremont Interchange Section in Portland.

"Agreement" with John Greene McMillin to make a survey and inventory of historic features and a statewide comprehensive historic preservation plan.

"Agreement" with Multitorpor, Inc., covering snow removal.

"Agreement" with Mt. Bachelor, Inc., re snow removal at Bachelor Butte.

"Agreement" with Champ Bond re snow removal at Anthony Lakes in Baker County.

"Agreement" with Mt. Ashland Corporation re snow removal at Mt. Ashland.

"Agreement" with Fish Lake Resort re snow removal.

"Agreement" with Hoodoo Ski Bowl Developers, Inc., re snow removal.

"Agreement" with Lawore, Inc., re snow removal.

"Agreement" with R. L. K. and Co. re snow removal at Timberline Lodge.

"Agreement" with Tomahawk Ski Bowl, Inc., re snow removal at Tomahawk ski and recreational resort.

"Agreement" with Willamette Pass Recreation, Inc., re snow removal.

"Agreement" with Mt. Hood Meadows, Oregon. Ltd., and Mt. Hood Meadows Development Corp., re snow removal at Mt. Hood Meadows.

"Supplemental agreement" with Howard, Needles, Tammen and Bergendoff to complete contract plans and specifications for the Industrial Freeway.

"Agreement" with Oregon Welcome, Inc., to establish and operate out-of-state sales offices for dissemination of information about Oregon.

"Agreement" with Oregon Welcome, Inc., to establish and operate a program for broad dissemination of information about Oregon in addition to services provided under two existing contracts.

"Agreement" with Sverdrup and Parcel and Associates, Inc. to prepare plans and specifications for bridge over Columbia River on I-205 between Oregon and Washington.

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As there was no further business to conduct, the meeting was adjourned by the Chairman at 10:05 a.m.

R. L. Porter
State Highway Engineer

Glenn L. Jackson
Chairman

Fred W. Hill
Commissioner

Floyd Query
Secretary

Thaddeus B. Bruno
Commissioner

September 30, 1970

Crescent City, California
November 18, 1970

On November 18, 1970, the Oregon State Highway Commission met with members of the California Highway Commission at a special luncheon meeting in Crescent City, California to inspect the Redwood Highway in California.

Those in attendance from Oregon were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
R. L. Porter, State Highway Engineer
Tom Edwards, Deputy State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer

During the course of the trip to Crescent City, the Oregon Highway Commission unanimously reaffirmed its previous action of October 27, 1970, when they adopted "Speed Zone Resolution 568" on the Mt. Hood Highway between Gresham and Sandy in Clackamas and Multnomah Counties, which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission also rescinded "Speed Zone Resolution No. 548" which was adopted August 19, 1969.

R. L. Porter
State Highway Engineer

Glenn L. Jackson
Chairman

Fred W. Hill
Commissioner

Floyd Query
Secretary

Thaddeus B. Bruno
Commissioner

November 18, 1970

Salem, Oregon
November 24, 1970

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 122 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
R. L. Porter, State Highway Engineer
Tom Edwards, Deputy State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
A. E. Johnson, Assistant State Highway Engineer
L. I. Lindas, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

Also present were R. E. Simpson, Division Engineer of the Federal Highway Administration; C. W. Head, Assistant Secretary; L. H. Young, Program and Planning Engineer; E. S. Hunter, Administrative Engineer; V. E. Skoog, Controller; Victor D. Wolfe, Administrative Assistant; David G. Talbot, State Parks Superintendent; Frank C. McKinney, Assistant Counsel; John R. Oakes, Assistant Right of Way Engineer; and John J. Earley, Information Officer.

The Commission approved the minutes of the regular meeting held on September 30, 1970, and the special meeting held on November 18, 1970.

The Right of Way Engineer presented a list of options, Pages 1 through 80, secured for acquisition of real property needed for State Highway use or for other purposes. He mentioned that the amounts offered are on or near the appraised amounts and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 72," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts for the period from September 22, 1970, to November 16, 1970, was presented by the Right of Way Engineer and accepted by the Commission. During this period, miscellaneous sales totaled \$15,331; land sales \$29,451; timber sales \$2,175.45. Rental receipts for September 1970 were \$35,751.94, and for October \$36,775.44.

A list of properties needed for highway and other uses was presented by the Right of Way Engineer. He requested the Commission to declare by resolution the necessity of said properties for the public uses to which they are to be put and to authorize the Right of Way Engineer to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolutions Nos. 2584 and 2585," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

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The Commission confirmed the following report made by the Right of Way Engineer on offers tendered to the owners for acquisition of real property prior to the start of condemnation proceedings:

BROOKINGS-WINCHUCK RIVER SECTION OF THE OREGON COAST HIGHWAY
(CURRY COUNTY)

R-43818 - Roger I. Oliver et al. 2.2 acres for right of way purposes. \$11,000.00

R-43861 - Bessie E. Randall. 1.98 acres for right of way purposes. \$13,650.00

R-43971 - James E. Koeller et ux. 1,040 square feet for permanent easement. \$400.00

R-43978 - Vernon F. Hanscam et ux. 0.92 acre for right of way purposes. \$7,450.00

R-43984 - Jules E. Thompson et ux. 0.44 acre for right of way purposes. \$250.00

R-44015 - Robert E. Wilcox. 0.5 acre for right of way purposes. \$2,200.00

R-44020 - Jack J. Maynard et al. 0.05 acre for right way purposes. \$1,650.00

R-44021 - James W. Carson et ux. 0.3 acre for right of way purposes. \$5,000.00

CANNON BEACH BY-PASS SECTION OF THE OREGON COAST HIGHWAY (CLATSOP COUNTY)

R-43277 - John Rein et ux. Access only. \$1,300.00

CAPE KIWANDA-NEWKOWIN SECTION OF THE OREGON COAST HIGHWAY
(TILLAMOOK COUNTY)

R-44079 - Esle R. Faust. 2,627 square feet for right of way purposes. \$2,850.00

CHEMAWA ROAD-HAYESVILLE SECTION OF THE PACIFIC HIGHWAY EAST
(MARION COUNTY)

R-17595 - Werner J. Jarms et ux. 0.3 acre for right of way purposes. \$3,200.00

R-43756 - George A. Stupfel et ux. 1.3 acres for right of way purposes. \$11,400.00

R-43764 - Henry E. Simonson et ux. 0.06 acre for right of way purposes. \$2,850.00

CLYDE C. HOLLIDAY STATE WAYSIDE (GRANT COUNTY)

R-44063 - Clyde C. Holliday et ux. 8.1 acres for park purposes. \$7,500.00

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COLUMBIA COUNTY LINE-BURLINGTON SECTION OF THE COLUMBIA RIVER HIGHWAY
(MULTNOMAH COUNTY)

R-43619 - Frank Humble et al. 2.5 acres for right of way purposes. \$29,000.00

R-43620 - Nancy Starr et al. 0.6 acre for right of way purposes. \$14,600.00

R-43624 - Norwood E. Nash. 1.5 acres for right of way purposes. \$18,300.00

R-43637 - Steve Mahony et ux. Parcel 1 - 0.85 acre for right of way purposes; Parcel 2 - 0.01 acre for permanent easement. \$18,850.00

R-43638 - William L. Smitherman et al. Parcel 1 - 0.6 acre for right of way purposes; Parcel 2 - 0.09 acre for permanent easement. \$23,450.00

R-43640 - Arthur W. Huber et ux. 3.5 acres for right of way purposes. \$37,050.00

R-43642 - Elwood W. Hannah et ux. 0.07 acre for right of way purposes. \$2,000.00

R-43646 - John R. Simmons et ux. 0.65 acre for right of way purposes. \$25,800.00

R-43649 - Clifford N. Stephens. Parcel 1 - 1.4 acres for right of way purposes; Parcel 2 - 0.4 acre for permanent easement. \$23,300.00

R-43659 - Claire R. Bellinger et ux. Parcel 1 - 0.7 acre for right of way purposes; Parcel 2 - 0.04 acre for permanent easement. \$17,150.00

R-43662 - Harriet Ritzheimer et al. 0.4 acre for right of way purposes. \$3,550.00

COLUMBIA RIVER BRIDGE-N. E. SANDY BLVD. UNIT OF THE COLUMBIA RIVER-PACIFIC
HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY (MULTNOMAH COUNTY)

R-44182 - Samuel Frederick Hall Jr. 31,430 square feet for right of way purposes. \$10,000.00

EAGLE CREEK-ESTACADA SECTION OF THE CLACKAMAS HIGHWAY (CLACKAMAS COUNTY)

R-43789 - Ernest Vantz et ux. 2.95 acres for right of way purposes. \$3,600.00

R-43790 - Doreen F. Freitas. 3.7 acres for right of way purposes. \$4,460.00

R-43793 - Kattie Jones et vir. Parcel 1 - 1.65 acres for right of way purposes; Parcel 2 - 0.17 acre for permanent easement. \$2,050.00

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EAGLE CREEK-ESTACADA SECTION OF THE CLACKAMAS HIGHWAY (CLACKAMAS COUNTY) Cont.

R-43794 - Jack W. Kellendonk. 1.6 acres for right of way purposes. \$2,250.00

R-44295 - Darrill W. Mund et ux. 0.1 acre for right of way purposes. \$475.00

R-44310 - Publishers' Paper Co. 3.0 acres for right of way purposes. \$3,000.00

R-44319 - J. Graham Killam. Parcel 1 - 4.2 acres for right of way purposes; Parcel 2 - 1.2 acres for permanent easement. \$7,000.00

ELK RIVER-PORT ORFORD SECTION OF THE OREGON COAST HIGHWAY (CURRY COUNTY)

R-42572 - Ray Whiteside et ux. 0.48 acre for right of way purposes. \$975.00

R-42575 - Ruth M. Wickham. Parcel 1 - 0.68 acre for right of way purposes; Parcel 2 - 0.11 acre for permanent easement. \$700.00

R-42584 - Lloyd A. Read et ux. 0.5 acre for right of way purposes. \$12,850.00

R-42600 - Will am H. Kerber et ux. 14.9 acres for right of way purposes. \$6,675.00

FERN HILL-BURNSIDE SECTION OF THE COLUMBIA RIVER HIGHWAY (CLATSOP COUNTY)

R-44290 - Sylvia B. Mohr. 8.5 acres for right of way purposes. \$10,200.00

GARDEN VALLEY ROAD-FAIRGROUNDS SECTION OF THE PACIFIC HIGHWAY (DOUGLAS COUNTY)

R-43493 - Harold E. Kruse et ux. 7,905 square feet for right of way purposes. \$6,800.00

R-44201 - Nellie W. Compton. 7,900 square feet for right of way purposes. \$19,500.00

HANSON CREEK-SAUNDERS CREEK SECTION OF THE FLORENCE-EUGENE HIGHWAY (LANE COUNTY)

R-43582 - Margaret Lorene Carson. 3,650 square feet for right of way purposes. \$500.00

R-43583 - Margaret L. Carson. 0.04 acre for right of way purposes. \$750.00

R-43946 - Carl Christian Fredericksen. Parcel 1 - 0.24 acre for right of way purposes; Parcel 2 - 0.07 acre for permanent easement; Parcel 3 - 0.06 acre for permanent easement. \$8,300.00

R-43594 - Virgil E. Moore et ux. Parcel 1 - 2.7 acres for right of way purposes; Parcel 2 - 0.5 acre for permit of entry. \$1,100.00

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LAKE ROAD INTERCHANGE-CLACKAMAS RIVER UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY (CLACKAMAS COUNTY)

R-44527 - Ray C. Kallak et ux. 8,388 square feet for right of way purposes. \$14,000.00

MEHAMA BRIDGE SECTION OF THE ALBANY-LYONS HIGHWAY (MARION COUNTY)

R-44271 - Leo Homer Trahan et al. 0.23 acre for right of way purposes. \$11,050.00

R-44274 - Louis C. Schwindt. 0.4 acre for right of way purposes. \$4,100.00

MISSION JUNCTION-EMIGRANT HILL SECTION OF THE OLD OREGON TRAIL (UMATILLA COUNTY)

R-42510 - Orval McCormmach and Marshall McCormmach. Parcel 1 - 8.7 acres; Parcel 2 - 38.5 acres; Parcel 3 - 4.9 acres; Parcel 4 - 14.8 acres; Parcel 5 - 0.6 acre; Parcel 6 - 9.4 acres for right of way purposes. Parcel 7 - 0.87 acre; Parcel 8 - 0.66 acre; Parcel 9 - 1.0 acre for permanent easements. \$5,800.00

MT. HOOD POST OFFICE-FIKES CORNER SECTION OF THE MT. HOOD HIGHWAY (HOOD RIVER COUNTY)

R-42282 - John L. Cross et ux. 0.37 acre for right of way purposes. \$33,400.00

NORTH POWDER-BAKER SECTION OF THE OLD OREGON TRAIL (BAKER COUNTY)

R-42374 - Marion Jacobson. Parcel 1 - 23.4 acres; Parcel 2 - 103.5 acres; Parcel 3 - 2.2 acres; Parcel 4 - 2.1 acres; Parcel 5 - 0.62 acre; Parcel 6 - 0.25 acre all for right of way purposes. Parcel 7 - 0.92 acre; Parcel 8 - 3.9 acres; Parcel 9 - 0.49 acre; Parcel 10 - 0.35 acre; Parcel 11 - 0.36 acre; Parcel 12 - 1.2 acres all for permanent easements. Parcel 13 - 1.44 acres; Parcel 14 4.0 acres; Parcel 15 - 0.52 acre; Parcel 16 - 0.13 acre; Parcel 17 - 0.23 acre and Parcel 18 - 0.1 acre all for permits of entry. \$42,400.00

N. E. SANDY BLVD.-N. E. GLISAN ST. UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY (MULTNOMAH COUNTY)

R-43456 - Benbuilt Homes, Inc. 1.01 acres for right of way purposes. \$37,500.00

OXMAN-BENSON CREEK SECTION OF THE OLD OREGON TRAIL (BAKER COUNTY)

R-44877 - Ronald E. Ferney. 5.4 acres for right of way purposes. \$150.00

R-44878 - Mildred E. Langley. Parcel 1 - 0.5 acre; Parcel 2 - 4.0 acres for right of way purposes. \$225.00

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ROSS ISLAND BRIDGE-REEDWAY SECTION OF THE PACIFIC HIGHWAY EAST
(MULTNOMAH COUNTY)

R-44366 - Robert H. Gibson et ux. Vehicular Access Only.
\$1,250.00

S. E. DIVISION ST.-S. E. FOSTER ROAD UNIT OF THE COLUMBIA RIVER-PACIFIC
HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY (MULTNOMAH COUNTY)

R-44260 - Mathew Miller et ux. 6,877 square feet for right of way
purposes. \$12,500.00

WALLOWA RIVER-ENTERPRISE SECTION OF THE WALLOWA LAKE HIGHWAY (WALLOWA COUNTY)

R-43692 - W. H. Miller. 4.6 acres for right of way purposes. \$825.00

R-43695 - Garner Garrett. Parcel 1 - 0.01 acre for right of way
purposes; Parcel 2 - 1.8 acres for permanent easement. \$300.00

R-43698 - Wilbur K. Zollman et ux. 4.1 acres for right of way purposes.
\$2,500.00

R- 43701 - Horace C. Chenoweth et ux. 1.9 acres for right of way
purposes. \$5,680.00

Authority was requested by the Right of Way Engineer to make a direct sale of 0.18 acre of land (File 36103) located on the southerly side of Century Drive, approximately three and one half miles southwest of Bend in Deschutes County. He stated that because of the location of the parcel, it should be sold to Lawrence L. Baxter and Billie C. Baxter for the sum of \$200, which is the appraised value. The land is to be used by the Baxters only for road purposes as an access to the Century Drive Highway. Signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Federal Highway Administration is not required. The Commission approved the sale.

Indentures of Access pertaining to three ownerships were recommended by the Right of Way Engineer for changes in location and widening of existing points of access. The Commission approved the following Indentures of Access:

- (1) Oppenlander and Erickson property, File 42038, for a change in location of one 35-foot unrestricted point of access on the northerly side of the relocated Columbia River Highway, approximately five miles east of Astoria, in Clatsop County. The Federal Highway Administration approved this change on August 17, 1970.
- (2) Tudor and Barnett property, File 18249, for a change in location and widening to 35 feet on one point of access restricted to residential use on the easterly side of the relocated Oregon Coast Highway, approximately nine miles south of Reedsport, in Coos County. Approval by the Federal Highway Administration was received January 13, 1970.

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- (3) Hansen property, File 2209, for a change in location of two unrestricted points of access 35 feet wide on the westerly side of the Pacific Highway West, approximately one and one-half mile north of the highway overcrossing of the Southern Pacific Railroad in Eugene, Lane County. This change is to provide access for a proposed automotive sales center. Approval by the Federal Highway Administration was given October 2, 1970.

A relinquishment of easement to the owners, Hakon and Borghild Jacobsen was brought up by the Right of Way Engineer. This easement, he said covers 0.11 acre located just west of 51st Avenue and south of the Northeast Portland Highway in Multnomah County. The adjacent land has been brought to the grade of the highway and the slope easement is no longer needed. No consideration is involved. The Federal Highway Administration gave their approval on October 20, 1970. Following his favorable recommendation the Commission approved the relinquishment of easement.

Award of a demolition contract on sections of the East Portland Freeway and Pacific Highway in Multnomah County was brought up by the Right of Way Engineer. Five bids were received for this work, the low bid being submitted by Colhouer Construction Company for \$4,500. The contract requires removal of one concrete building, several frame structures, and grading and removal of debris on fifteen lots. The Commission awarded the contract to Colhouer Construction Company and authorized the Secretary to sign the contract in their behalf.

The Commission considered modification of a lease with Sites Silver Wheel Freightlines, Inc., pertaining to the use of 67,730 square feet of land on the Eastbank Freeway Section of the Pacific Highway in Multnomah County. The Right of Way Engineer recalled that on August 19, 1969, a five-year lease for use of highway property under the Eastbank Freeway between S. E. Madison Street and a point 70 feet north of S. E. Salmon Street had been entered into. The lessee was to make improvements at an estimated cost of \$42,000. However, the lessee was unable to fulfill the terms of the lease and entered into a monthly rental agreement. Recently the lessee has made financial arrangements to complete the terms of the original lease for a five year period beginning November 1, 1970. Federal Highway Administration approval was given July 22, 1969. The Commission approved modification of the lease and authorized the Secretary to sign the lease in their behalf.

The Chief Counsel presented a report concerning cases which have been tried in court since the last Commission meeting. The Commission accepted the report which is summarized as follows:

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REPORT OF CONDEMNATION CASES TRIED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer Before Filing Complaint</u>	<u>Defend- ants' Lowest Demand</u>	<u>Verdict</u>
Estel Powers, et al. L-6174 R-42394	Baker	Old Oregon Trail	\$20,000	\$27,500	\$22,370
Nick A. Hazapis, et ux. L-5104A R-39781	Clatsop	Columbia River Highway			*
*State was successful in its appeal of the case in the Court of Appeals. Landowner then petitioned the Oregon Supreme Court to review action of Court of Appeals, which petition was denied.					
Edward F. Bolt, et al. L-6242 R-43673	Josephine	Pacific Highway	\$ 8,650	\$ 8,625	\$ 8,625
John E. Garson, et al. L-6158 R-41725	Multnomah	East Portland Freeway	\$55,500	\$67,500	\$68,000
Thomas L. Sande, et al. L-6167 R-43164	Multnomah	Pacific East Highway	\$ 4,000	\$11,444	\$ 5,500
Columbia- Deschutes Power Co. L-5231 R-31292	Wasco	Deschutes River State Recreation Area	\$81,250		Voluntary Nonsuit
Harold W. Bancke, et ux. L-6211 R-42981	Clackamas	East Portland Freeway	\$ 1,000	\$10,000	\$ 1,500
Eastern Oregon Meat Co., et al.* L-6028 R-42909	Baker	Old Oregon Trail	\$41,600	\$151,000	\$125,000

*Above report of trial made to Commission on April 21, 1970.

This is to ratify Commission's direction to proceed with payment of judgment, based upon Counsel's opinion no reversible error in court proceedings.

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REPORT OF TRIAL

STATE BOARD OF HIGHER EDUCATION ACQUISITION

<u>Defendant</u>	<u>County</u>	<u>Legal Offer before filing Complaint</u>	<u>Defend- ants' lowest Demand</u>	<u>Verdict</u>
Alden L. Potter L-6221	Lane	\$38,000		\$38,000 *

*Default Judgment

REPORT OF TRIAL OF OTHER CASES - STATE PLAINTIFF

<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict or Judgment</u>
Gary L. Handy L-6111	Lane	Damage to Stalder Slough Bridge	\$1,191.85	\$1,191.85
Robin Lee Busch L-6252	Lane	Negligent opera- tion of motor vehicle by dft. resulting in damage to guard- rail.	\$ 219.69	\$ 219.69
Issiah Rivers and Lloyd Booker L-6259	Malheur	Negligent opera- tion of motor vehicle by dft. resulting in damage to high- way underpass.	\$ 410.38	\$ 410.38
Jesse Arthur Chastain L-6256	Mult.	Negligent opera- tion of motor vehicle by dft. resulting in damage to bridge structure.	\$ 182.82	\$ 182.82

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REPORT OF TRIAL OF OTHER CASES - STATE DEFENDANT

<u>Plaintiff</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict or Judgment</u>
Jesse C. Owre v. Crown Zellerbach Corp.	Clackamas	Wrongful Death	\$151,500	Dft's * Demurrer Sustained

*Previously reported as to the action against Commission. Above verdict is disposition as to other State employees.

Edward J. Hoover v. Dennis Alley and Ross Lee Stock L-6047	Lane	Property Damage	\$1,709.95	For Dfts.
Edward J. Hoover v. Joe Nodlinski and Clifford Dornhecker L-6261 (For additional details see Chief Counsel's letter dated November 19, 1970, in General Files in Salem.)	Lane	Property Damage	\$1,589.95	Nonsuit granted to Dfts.

A report was also made by the Chief Counsel concerning cases which have been settled out of court since the last Commission meeting. The Commission accepted the report which is summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Harry Bruss R-33114	Clackamas	Mt. Hood Highway		\$ 800	\$ 1,400
Thomas Adey Peterson, et al. L-6229 R-41633	Coos	Empire-Coos Bay Highway	\$5,400	5,400	6,500
Bertha C. Brooks, et al. L-6232 R-41631	Coos	Empire-Coos Bay Highway	\$ 300	\$ 300	750
Helen R. Mittleman et vir. L-6037 R-42111	Lincoln	Roads End Beach State Wayside	\$100,000	\$80,000	\$100,000

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(Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Marguerite Sumpter, et al. L-6299 R-43771	Marion	Pacific Highway East	\$16,500	\$16,500	\$18,500
James C. Butler, et al. L-6091 R-42227	Mult.	East Portland Freeway	\$16,250	\$16,250	\$17,250
Reba R. Bier, et vir. L-6187 R-42716	Mult.	East Portland Freeway	\$18,750	\$18,750	\$20,125
Elmer Lewis Perry, et al. L-5957 R-40654	Union	Old Oregon Trial	\$ 600	\$ 1,555*	\$ 1,500

*Appraisal revised and brought up to date. Reviewed and approved in amount of \$1,555. Owner's demand in sum of \$1,500.

Burr Courtright, et al. L-6203 R-42913	Union	LaGrande-Baker Highway	\$ 3,725	\$ 4,425	\$ 5,000
Garfield R. Hubble, et al. L-6210 R-21959	Wash.	Beaverton-Hillsdale Highway	\$ 3,900	\$ 3,900	\$ 4,500
Lillian M. Langston L-6278 R-43939	Wash.	Sunset Highway	\$ 2,000	\$ 2,000	\$ 3,000
Clarence V. Zielinski, et al. Marion L-6277 R-43766	Marion	Pacific Highway East	\$18,100	\$24,000	\$26,500

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(Condemnation Cases Settled Cont.)

<u>Defendant</u>	<u>County</u>	<u>Highway</u>	<u>State's Offer</u>	<u>State's Highest Appraisal</u>	<u>Amount of Settlement</u>
Edward U. Counsell, et al. L-6039 R-41040	Union	Old Oregon Trail			Voluntary Nonsuit*

*This case will be re-filed at a later date.

W. C. Rohde, et al. L-6186 R-43923	Umatilla	Old Oregon Trail	\$ 100	\$ 52	\$ 300
Clarence V. Zielinski L-6324 R-44056	Marion	Pacific Highway East	\$ 450	\$ 450	\$ 800
Hannah Greenwood L-6341 R-33144	Clack.	Mt. Hood Highway	\$ 500	\$ 500	\$ 1,250
Emil T. and Al. Ped L-6298	Marion	Pacific Highway East	\$ 3,300	\$ 4,300	\$ 4,550

REPORT OF OTHER CASES SETTLED

<u>Plaintiff</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Settlement</u>
State L-6119	Harold Richard Cassidy	Clack.	Damage to Carter Bridge	\$39,108.30	\$32,000
State L-6257	Charlotte Sue Randolph	Douglas	Negligent operation of motor vehicle by defendant resulting in damage to guardrail.	\$ 285.18	\$ 285.18
State L-6254	Robert Fabion Merz	Mult.	Negligent operation of motor vehicle by defendant resulting in damage to guardrail	\$ 177.72	\$ 75.00

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(Report of other cases settled cont.)

<u>Plaintiff</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Settlement</u>
Kenneth A. Vanderpool L-6188	Ralph B. Hardy and Manuel Erickson	Umatilla	Personal injury and property damage.	\$8,877.20	\$1,800*

*Settled by Insurance Carrier.

Gregg Case # 68-33	Morrison-Knudsen Co., Inc.	Mult.	Tender of defense of case.	Cost (including attorney fees) of defense of action	\$ 396.30*
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*This settlement in this case is tied into the previously authorized dismissal of the Meinekheim condemnation appeal. (L-5232A)
(For additional details see Chief Counsel's letter dated November 19, 1970, pertaining to cases settled in the General Files in the Salem Office.)

Consideration was given by the Commission to the sale of highway bonds. The Chief Counsel presented a resolution authorizing the sale of 15 million dollars of highway bonds on which bids will be received January 5, 1971. The bonds offered for sale are to bear interest at a rate not to exceed 7 percent, and shall be sold at not less than par value. Each bidder is to submit with his bid a certified check in the amount of \$250,000. The Commission approved the sale of the bonds, it being understood that they are to be used for highway projects in Eastern Oregon, and thereupon adopted "Authorization Resolution No. 53," authorizing sale of the bonds which resolution is filed in the office of the Secretary in Salem.

The Chief Counsel made a brief oral report on the institution of legal proceedings which have been commenced since the last Highway Commission meeting, summarized as follows:

- (1) Cascadia Lumber Company v. Oregon State Highway Commission, L-6325. The plaintiff has instituted an inverse condemnation action alleging that the State Highway Division removed 53,422 cubic yards of rock from land in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 20, Township 10 South, Range 11 West in Lincoln County. He pointed out that this is essentially a boundary dispute concerning material removed from Iron Mountain. Defense of the case has been assigned to a member of the legal staff.

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- (2) United States v. Leon L. and Mary Lou Braddy and State of Oregon, L-6218. A complaint for declaratory judgment has been filed in the U. S. District Court for Oregon in which the United States asks that the case of the Braddy's be permanently enjoined and asks judgment that the State of Oregon is not liable to the Braddy's for a relocation payment on the Mt. Hood Freeway in Multnomah County. The Braddy's alleged that the State Highway Division refused to pay them a relocation payment provided for by the Federal-aid Highway Act of 1968. This question involves interpretation of a Federal law, and the Federal Highway Administration has intervened by filing the above action.
- (3) Meda Coulter Brown v. Lee Johnson, Attorney General; Oregon Highway Commission; and A. R. McMullen, District Attorney for the County of Lincoln, L-6360. The Plaintiff seeks to enjoin the defendants from prosecuting her for operating a motor vehicle on a closed portion of the ocean shore south of Seal Rock in Lincoln County. Plaintiff alleges that the area involved is the property of Lincoln County; that she has an inalienable right to drive on the beach; and the resolution was not properly adopted.

The Engineer presented for the Commission's consideration five projects on the Willamette River Parks System. These, he said, have been approved by the Governor's Willamette River Park System Committee and he recommended approval of the following projects:

- (1) The City of Cottage Grove has requested the acquisition of five parcels of land, four of which are along the west side of River Road, and the fifth is located along the Coast Fork of the Willamette River in Lane County. Cost of the acquisition is estimated at \$15,870, of which the State is obligated for approximately \$3,967, with the remainder to be obtained from Federal and local funds.
- (2) The City of Milwaukie has requested the acquisition of 4.41 acres known as the Milwaukie Riverfront Park No. 1 located opposite Elk Rock at River Mile 19 at the southerly edge of the city in Clackamas County. An option has been obtained for \$60,000 of which the State is obligated for \$15,000 with the remainder to be obtained from Federal and local funds.

- (3) Clackamas County requested a project known as Cedar Island located near Gladstone consisting of 44 acres of land which would add approximately 4,300 lineal feet of frontage on the Willamette River. Cost of the acquisition is estimated at \$56,000 of which the State would be obligated for approximately \$14,000 with the remainder to be obtained from Federal and local funds.
- (4) Linn County requested a project known as Cartney Park located about $3\frac{1}{2}$ miles northwest of Harrisburg and containing 15 acres of land adding approximately 1,500 lineal feet of frontage on the Willamette River. Cost of the land is estimated at \$15,000 of which the State would be obligated for approximately \$3,750 with the remainder to be derived from Federal and local funds.
- (5) The City of Portland requested a project known as Willamette Park and Moorage Extension located about one-half mile north of the west end of the Sellwood Bridge consisting of approximately one-fourth acre of land adding approximately 77 lineal feet of frontage on the Willamette River. Estimated cost of the land is \$9,500 of which the State would be obligated for approximately \$2,375 with the remainder to be derived from Federal and local funds.

The Commission approved the projects as presented and authorized the Secretary to sign Willamette River Park System acquisition agreements in their behalf.

The Commission also considered a cooperative construction agreement with Lincoln County and Gleneden Beach Road District for improvement of an access road to Gleneden Beach Wayside. The Engineer pointed out that in order to reach Gleneden Beach Wayside it is necessary to use a road known as Wesler Street which is under the jurisdiction of the Gleneden Beach Road District, and such use will increase traffic beyond its normal capacity as well as creating mud and dust hazards. Also an existing intersecting road under jurisdiction of the Gleneden Beach Road District requires revision to properly care for traffic to and from the main highway. Among other things the agreement provides that the State construct Gleneden Beach County Road on relocated alignment with the County to assume jurisdiction upon completion of construction. The State is to perform certain work on Wesler Street with Parks Minor Betterment Funds. The remainder of the project is to be financed with Maintenance Minor Betterment Funds. He estimated the total cost of the work at \$40,000 and recommended approval. The Commission approved the work and authorized the Secretary to sign a construction agreement in their behalf.

Consideration was given to a transmission line right-of-way agreement with Bonneville Power Administration across Humbug Mountain State Park in Curry County. The Engineer stated that Bonneville Power Administration wishes to extend its services by constructing an additional line following the general location of the old power line. The agreement gives Bonneville Power Administration an easement across the easterly portion of the park and also the right to operate and maintain sections of unpaved road as access for maintenance of the power line. The agreement also provides for payment of \$10,980 to the State and regulations for cutting of trees and brush to best preserve the appearance of the power line right-of-way.

The Chairman inquired if any objections had been received. The Engineer replied that none had come in so far and care had been taken to write into the permit provisions for preserving the ecology of the area. He also mentioned that the agreement covers a portion of the park which is not in the public view. The Chairman commented that great care should be taken in writing of agreements of this sort to assure that the appearance of the landscape is not unduly damaged. The Commission approved the agreement.

A quarterly report of property damage claims from July 1, 1970, through September 30, 1970, was presented by the Engineer. During this period he pointed out that \$48,431.62 had been collected and 12 claims totaling \$1,866.11 had been abandoned as collection was not feasible. The Commission accepted the report.

The Orindale Draw Section of the Lake of the Woods Highway west of Klamath Falls in Klamath County is expected to be open to traffic within the next few weeks the Engineer stated. Action was previously taken on December 14, 1965, establishing the route of ORE 140 which included the Lake of the Woods Highway. He recommended that the route of ORE 140 be revised to include the Orindale Draw Section as follows:

ORE 140

Over the Lake-of-the-Woods Highway from its junction with the Crater Lake Highway, ORE 62, near Eagle Point, easterly to its junction with the Green Springs Highway, ORE 66, southwest of Klamath Falls.

Thence, easterly over the Green Springs Highway (common with ORE 66) to its junction with The Dalles-California Highway, US 97.

Thence, northerly over the The Dalles-California (common with US 97) to its junction with the Klamath Falls-Lakeview Highway in Klamath Falls.

Thence, easterly over the Klamath Falls-Lakeview Highway (common with US 97 Business on Main and Klamath Streets in Klamath Falls, and common with ORE 39 between the The Dalles-California Highway and the easterly junction with the Klamath Falls-Malin Highway) via Diary, Beatty and Bly to its junction with the Fremont Highway, US 395, in Lakeview.

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Thence, northerly over the Fremont Highway (common with US 395) to its junction with the Warner Highway.

Thence, southeasterly over the Warner Highway via Adel to the Nevada State Line.

To become effective upon completion of the Geary Ranch-Green Springs Highway Section of the Lake-of-the-Woods Highway.

The Commission approved the route revision.

Widening of the Riverside Canyon Bridge on the Oswego Highway in Multnomah County was brought up by the Engineer. He pointed out that this bridge is only 27 feet wide and was constructed in 1926. It is proposed to widen the bridge to 50 feet, 3 inches and construct a retaining wall along the northeast shoulder at a total estimated cost of \$350,000. He recommended approval of the project on the State Construction Program with bids to be received in the Spring of 1971. The Commission accepted his recommendation.

Increases in contract authorizations on three projects were requested by the Engineer and approved by the Commission as follows:

- (1) Contract No. 7442 for a city street project in North Plains in Washington County for an increase of \$6,100 (21%). The overrun was caused by widening of the street an additional 12 feet as requested by the City after the original project had been completed. The City has submitted a deposit to cover the added cost.
- (2) Contract No. 7345 for the Mapleton Bridge across the Siuslaw River on the Florence-Eugene Highway in Lane County for an increase of \$32,512.18 (8.8%). Principal reasons for the increase were given as additional side hill excavation, an overrun in the cost of flagging traffic, and additional costs incurred in re-locating the Mapleton Water District pipelines.
- (3) Contract No. 7362 on the State Street-Santiam Interchange Section of the Silver Creek Falls Highway in Marion County for an increase of \$56,805.07 (10.9%). The overrun was caused principally by the addition of traffic signals at two intersections not included in the original authorization.

Confirmation was requested by the Engineer for verbal approval given by the Commission October 21, 1970, approving the quarterly apportionments to the counties for their share of the motor vehicle funds accumulated between July 1 and September 30, 1970. Apportionment for this period totaled \$5,875,621.45. The Commission confirmed the apportionment.

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The date for the next Commission meeting was confirmed for Tuesday, January 5, in the Conference Room of the State Highway Building in Salem and a tentative date of February 16, 1971, was set for the following meeting.

Attention was given to requests from contractors for extensions of time within which to complete highway contracts without assessment of liquidated damages. The Engineer stated that the requests have been carefully investigated and the results of the investigations have been reported to the Commission by letter. The Commission took action as follows:

- (1) Gibbons and Reed Company and Al Johnson Construction Company, Contract No. 7150 for work on the East Portland Freeway in Clackamas County, requested a 200 day extension of time. The Commission confirmed an oral extension given October 20, 1970, for a 102-day extension of time without assessment of liquidated damages. Approval by the Federal Highway Administration was given by letter dated October 13, 1970.
- (2) Slate-Hall and Hamilton Construction Company, Contract No. 7261 for work on the Clackamas Highway in Clackamas County, requested an extension of 7 days. The Commission approved the request without assessment of liquidated damages. Federal Highway Administration approval was given by letter dated November 4, 1970.
- (3) Salem Road and Driveway Company, Contract No. 7362 for work on the Silver Creek Falls Highway in Marion County, requested a 60-day extension of time. The Commission approved an extension of 60 days without assessment of liquidated damages.
- (4) Road and Driveway Company, Contract No. 7449 for work in Neskowin Beach, Gleneden Beach and Agate Beach State Waysides and South Newport State Park in Tillamook and Lincoln Counties, requested an extension of time. The Commission approved an extension of time to October 14, 1970, without assessment of liquidated damages.
- (5) Roy L. Houck Sons' Corporation, Contract No. 7185 on the Old Oregon Trail (I-80N) in Baker County, requested a time extension of 95 days. The Commission approved an extension of 42 days without assessment of liquidated damages. Federal Highway Administration approval was given by letter dated November 13, 1970.
- (6) R. A. Heintz Construction Company, Contract No. 7407 on the Lower Columbia River Highway in Multnomah County, requested an extension of 76 calendar workdays. The Commission granted an extension of 19 calendar

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workdays without assessment of liquidated damages. Approval by the Federal Highway Administration was given by letter dated November 12, 1970.

- (7) Construction West, Ltd., Contract No. 7375 for work in Fort Stevens State Park in Clatsop County, requested an extension of time to November 4, 1970. The Commission approved the extension without assessment of liquidated damages.

The Engineer reported that Contracts Nos. 7122, 7273, 7315, 7325, 7333, 7336, 7339, 7342, 7355, 7356, 7370, 7374, 7377, 7379, 7380, 7383, 7386, 7388, 7391, 7392, 7424, 7429, and 7448 for highway construction have been completed as required by the contracts or modifications thereof and said contracts are now ready for acceptance or have been accepted by letter since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 189," which resolution by this reference is made apart hereof and filed in the Secretary's Office.

The Commission confirmed verbal award of Contracts made on October 6, 1970, on which bids had been received October 1, 1970, and authorized the Secretary to sign the following contracts.

BIDS RECEIVED IN SALEM OCTOBER 1, 1970

Contract No. 7486 for traffic signal installation on "B" Avenue-Middlecrest Road (Lake Oswego) Section of the Oswego Highway in Clackamas County. Eight bids were received. The Commission elected to accept the low bid of Madson and Stokes Electrical Contractors, Roseburg, for \$26,733 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Lake Oswego is received and \$15,700 is deposited by the City.

Contract No. 7487 for grading and paving on the Esplanade Street-Fort Klamath Road Section of FAS-415 (Klamath Falls-Malin Highway) in Klamath Falls in Klamath County. Two bids were received. The Commission elected to accept the low bid of Asphalt Paving Company, Klamath Falls, for \$423,340.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Klamath County is received, \$97,500 is deposited by the County and all right-of-way is available.

Contract No. 7488 for grading, paving, structures, signing, and illumination on the Wilson River Highway Interchange-North Plains Interchange Section of the Sunset Highway in Washington County. Five bids were received. The Commission awarded the contract to the low bidder, Slate-Hall-Hamilton, Portland, for \$2,853,999.50.

Contract No. 7489 for grading, paving, signing and illumination on the Jantzen Beach Interchange of the Pacific Highway in Multnomah County. Five bids were received. The Commission elected to accept the low bid of S. D. Spencer and Son, Vancouver, Washington, for \$782,399 and directed the State Highway Engineer to award the contract to said bidder as soon as the construction maintenance agreement with Hayden Island Inc., is signed and approval of the Federal Highway Administration is received.

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The Commission confirmed verbal award of a contract made on October 19, 1970, on which bids were received October 16, 1970, and authorized the Secretary to sign the following contract.

BIDS RECEIVED IN SALEM OCTOBER 16, 1970

Contract No. 7490 for the Jordan Creek (Arock Road) Bridge on FAS-23-119 in Malheur County. Eight bids were received. The Commission elected to accept the low bid of E. F. Philpott, Tigard, for \$64,766 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Malheur County is received and \$14,900 is deposited by the County.

The Commission confirmed verbal award of contracts made on November 2, 1970, on which bids have been received October 29, 1970, and authorized the Secretary to sign the following contracts.

BIDS RECEIVED IN SALEM OCTOBER 29, 1970

Contract No. 7491 for grading, paving, structures and signing on the Baldock Slough-Richland Interchange Section of the Old Oregon Trail in Baker County. Eight bids were received. The Commission elected to accept the low bid of Ray Kizer and Ray Kizer Construction Company, Redding, California, for \$3,549,487 and directed the State Highway Engineer to award the contract to said bidder as soon as necessary right-of-way is acquired and approval of the Federal Highway Administration is received.

Contract No. 7492 for grading and paving the Gellatly Summit Section of the Corvallis-Newport Highway in Benton County. Eight bids were received. The Commission awarded the contract to the low bidder, Paul Zimmerly Road Construction, Vancouver, Washington, for \$1,057,674.50.

Contract No. 7493 for grading and paving the Airstrip Road-Pudding River Bridge Section of FAS 117 in Clackamas and Marion Counties. Nine bids were received. The Commission elected to accept the low bid of O and K Construction Company, Gresham, for \$384,575.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Clackamas County is received and \$88,900 is deposited by the County.

Contract No. 7494 for grading, paving, and structures on the Sixes River Section of the Oregon Coast Highway in Curry County. Seven bids were received. The Commission awarded the contract to the low bidder, Ross Bros. Construction, Inc., and G. D. Dennis and Sons, Inc., Salem, for \$1,752,726.

Contract No. 7495 for landscape improvement in Viento State Park in Hood River County. Six bids were received. The Commission awarded the contract to the low bidder, Gannons Landscaping, Portland, for \$13,485.

Contract No. 7496 for traffic signals on Biddle Road-Crater Lake Avenue (Medford) on Stevens Street in Jackson County. Two bids were received. The Commission elected to accept the low bid of Sims Electric of Medford, Inc., Medford, for \$27,800 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Medford is received and \$6,700 is deposited by the City.

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Contract No. 7497 for illumination of Main Street Interchange (Klamath Falls) on The Dalles-California Highway in Klamath County. Three bids were received. The Commission awarded the contract to the low bidder, Sims Electric, Inc., Roseburg, for \$21,500.

Contract No. 7498 for the Knowles Creek Tunnel Section of the Florence-Eugene Highway in Lane County. Eight bids were received. The Commission awarded the contract to the low bidder, Lord Bros. Contractors, Inc., Portland, for \$824,200.

Contract No. 7499 for grading, paving, structures and signing on the Halsey Interchange-Lane County Line Section of the Pacific Highway in Linn County. Six bids were received. The Commission awarded the contract to the low bidder, Wildish Construction Company, Eugene, low bidder, for \$4,158,422.50.

Contract No. 7500 for roadside improvement at two locations on S. W. Hall Street and S. W. Alder Street (Portland) Section of the Stadium Freeway in Multnomah County. Four bids were received. The Commission elected to accept the low bid of Aichele Landscaping, Inc., Portland, for \$87,127.75 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the Federal Highway Administration is received.

Contract No. 7501 for the Nestucca River (Ollie Woods) Bridge on FAS 613 in Tillamook County. Seven bids were received. The Commission elected to accept the low bid of Ross Bros. Construction, Inc., Salem, for \$264,601 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Tillamook County is received and \$60,200 is deposited by the County.

Contract No. 7502 for roadside improvement on the East Portland Freeway-Hubbard Interchange Section of the Pacific Highway in Washington and Clackamas Counties. Seven bids were received. The Commission elected to accept the low bid of Aichele Landscaping, Inc., Portland, for \$120,260 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the Federal Highway Administration is received.

Contract No. 7503 for landscape improvement in Tolovana Beach State Wayside in Clatsop County. Three bids were received. The Commission awarded the contract to the low bidder, Wayne O. Harris, Pendleton, for \$45,915.43.

Contract No. 7504 for a structure in Champoege State Park in Marion County. Ten bids were received. The Commission awarded the contract to the low bidder, Ross Bros. Construction, Inc., Salem, for \$152,967.

Contract No. 7505 for landscape improvement in Neskowin Beach State Wayside in Tillamook County. Four bids were received. The Commission awarded the contract to the low bidder, Wayne O. Harris, Pendleton, for \$25,681.66.

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The Engineer reported that he had made awards of contracts which had been referred to him by the Commission to award when certain conditions were fulfilled. The Commission confirmed his award of the following contracts.

- (1) "B" Avenue-Middlecrest Road (Lake Oswego) Section of the Oswego Highway in Clackamas County. Bids received October 1, 1970. Contract No. 7486 awarded October 12, 1970, to Madson and Stokes Electrical Contractors, Roseburg, low bidder.
- (2) Esplanade Street-Fort Klamath Road Section of FAS 415 in Klamath County. Bids received October 1, 1970. Contract No. 7487 awarded October 29, 1970, to Asphalt Paving Company, Klamath Falls, low bidder.
- (3) Jantzen Beach Interchange Section of the Pacific Highway in Multnomah County. Bids received October 1, 1970. Contract No. 7489 awarded October 21, 1970, to S. D. Spencer and Son, Vancouver, low bidder.
- (4) Jordan Creek (Arock Road) Bridge Section of FAS 23-119 in Malheur County. Bids received October 16, 1970. Contract No. 7490 awarded October 27, 1970, to E. F. Philpott, Tigard, low bidder.
- (5) Baldock Slough-Richland Interchange Section of the Old Oregon Trail in Baker County. Bids received October 29, 1970. Contract No. 7491 awarded November 2, 1970, to Ray Kizer and Ray Kizer Construction Company, Redding, California, low bidder.
- (6) Airstrip Road-Pudding River Bridge Section of FAS 117 in Clackamas and Marion Counties. Bids received October 29, 1970. Contract No. 7493 awarded November 12, 1970, to O and K Construction Company, Gresham, low bidder.
- (7) Biddle Road-Crater Lake Avenue in Medford on Stevens Street in Jackson County. Bids received October 29, 1970. Contract No. 7496 awarded November 9, 1970, to Sims Electric of Medford, Inc., Medford, low bidder.
- (8) Nestucca River (Ollie Woods) Bridge Section of FAS 613 in Tillamook County. Bids received October 29, 1970. Contract No. 7501 awarded November 9, 1970, to Ross Bros. Construction, Inc., Salem, low bidder.
- (9) Roadside improvement on S. W. Hall Street-S. W. Alder Street (Portland) Section of the Stadium Freeway in Multnomah County. Bids received October 29, 1970. Contract No. 7500 awarded November 18, 1970, to Aichele Landscaping, Inc., Portland, low bidder.

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- (10) Roadside improvement on East Portland Freeway-Hubbard Interchange Section of the Pacific Highway in Washington and Clackamas Counties. Bids received October 29, 1970. Contract No. 7502 awarded November 18, 1970, to Aichele Landscaping, Inc., Portland, low bidder.

Requests were received from the Cities of Bend and Eugene for Federal Aid TOPICS Projects. The Engineer stated that the projects have been investigated and are eligible for funding under the TOPICS Program. Following his favorable recommendation, the Commission approved the following projects and authorized the Secretary to sign the agreements in their behalf.

CITY	SECTION	Programmed Amount	State Cost
Bend	S. 3rd Street at Wilson Avenue. Signal.	\$20,000	\$4,000
Eugene	Eleventh Avenue Signalization. Signals and interconnect.	20,000	4,000
	TOTAL	\$40,000	\$8,000

SUMMARY BY FISCAL YEAR	1970	TOTAL
Allocated funds	\$2,743,000	\$2,743,000
Approved Projects (corrected to date)	<u>1,732,700</u>	<u>1,732,700</u>
Unprogrammed Balance	1,010,300	1,010,300
Proposed Projects: 11-24-70	<u>40,000</u>	<u>40,000</u>
Unprogrammed Balance	\$ 970,300	\$ 970,300

Cancellation of a Federal Aid Secondary Project in Umatilla County was brought up by the Engineer. He explained that because of higher standards required by the Federal Highway Administration the County chose to complete the project with its own forces and had requested cancellation. The Commission approved cancellation of the following FAS Project.

CANCELLATION OF PREVIOUSLY APPROVED PROJECTS:

Umatilla	758	Pilot Rock-East Birch Creek Bridge Section, East Birch Creek Road. 3 miles. Paving	\$120,000
		(Transfer of \$824 from County to State.)	<u>\$120,000</u>

Total Federal fund transferred is \$824 which amount represents approximately \$1,000 FAS funds.

(Tabulation cont.)

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SUMMARY BY FISCAL YEARS

	<u>1970</u>	<u>1971</u>	<u>TOTAL</u>
Allocated Funds	\$5,089,000	\$5,067,000	\$10,156,000
Approved Projects (corrected to date)	<u>5,089,000</u>	<u>4,645,000</u>	<u>9,734,000</u>
Unprogrammed Balance	---	422,000	422,000
Projects Proposed 11/24/70	---	---	---
Transfer of FAS funds	---	-1,000	-1,000
Unprogrammed Balance	---	\$ 421,000	\$ 421,000

The Engineer presented a report and recommendation covering the program of street work in cities having a population of less than 5,000 under the \$250,000 fund appropriated by law for the year 1971. He mentioned that 39 applications had been received and all were carefully inspected and analyzed. Out of this number 13 projects were selected for approval as being the most meritorious and which would use all funds that are available. The Commission approved projects for the following cities.

<u>CITY</u>	<u>Region</u>	<u>SCA</u>	<u>CITY</u>	<u>TOTAL</u>
Burns	5	25,000	6,000	31,000
Clatskanie	1	22,000	2,000	24,000
Falls City	2	24,000	--	24,000
Haines	5	20,000	--	20,000
Heppner	5	25,000	5,000	30,000
John Day	5	25,000	10,000	35,000
Lakeview	4	25,000	--	25,000
Milton-Freewater	5	25,000	32,000	57,000
Philomath	2	19,300	1,700	21,000
Powers	3	22,500	1,500	24,000
Scio	2	22,000	2,000	24,000
Silverton	2	25,000	2,000	27,000
Willamina	2	25,000	5,000	30,000
TOTALS		\$304,800	67,200	372,000

Consideration was given to a recommendation by the Engineer that \$100,000 be added to the State Construction Program for work on the Hanson Creek-Walker Creek Road Section of the Florence-Eugene Highway in Lane County. This project, he said, is being contracted by the Federal Highway Administration but due to a delay in funding, the estimated cost of the project at this time is \$1,350,000, or \$100,000 higher than the original estimate. When bids are received further determination can be made to see if the available funds are sufficient. The Commission approved the increase as recommended.

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The Engineer reported on the development of a serious traffic problem in the City of Grants Pass at the intersection of the Redwood Highway with East Park Street in Josephine County. It was his opinion that the installation of traffic signals at 7th Street and at East Park would alleviate the problem. He estimated the total cost of the project at \$40,000 and recommended that it be added to the current State Construction Program with the work to be done by State forces. The Commission accepted his recommendation.

Consideration was given to the installation of traffic signals and overhead advance warning signs at the intersection of 6th Street and Morgan Lane in the City of Grants Pass in Josephine County. The Engineer explained that this intersection is the ramp terminal intersection for the southbound off-ramp at the North Grants Pass Interchange on the Pacific Highway. He estimated the cost of the installation at \$30,000 and recommended approval with financing from Interstate funds as an Interstate Safety Project. The Commission accepted his recommendation.

The Commission also considered installation of traffic signals at the intersection of the Oswego Highway and Riverdale Road in Clackamas County as presented by the Engineer. Traffic volume warrants the installation of signals and he so recommended at an estimated cost of \$13,000 from the State Construction Program. The Commission approved the project.

A roadside improvement project on the Vista Ridge Tunnel Section of the Sunset Highway in Portland, Multnomah County was considered. The Engineer commented that the project includes planting trees, shrubs, vines, and the installation of an automatic irrigation system at an estimated cost of \$88,200. Based on his favorable recommendation the Commission approved the project which is to be added to Federal Aid Program 12.

The Engineer stated that the Highway Division has in its library a duplicate set of Oregon Session Laws from 1935 to 1963. The duplicate set is not needed by the Highway Division and he recommended that it be donated to the Willamette University Law School. The Commission approved the donation.

A reduced speed zone in the community of Shaw on the Silver Creek Falls Highway in Marion County east of Salem was discussed. The Engineer mentioned that considerable roadside development in the community and a railroad grade crossing with restricted sight distance create traffic hazards and he recommended a 40-mile-per-hour speed zone from a point 0.23 mile west of Macleay Road to Macleay Road. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 569," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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The Engineer stated that a recent investigation indicated a need to lower the existing 60-mile-per-hour speed zone westerly from the Sunset Highway Tunnel in Portland. Such action will correlate with the 50-mile-per-hour speed zone established by the State Speed Control Board in the City of Portland. Upon his recommendation the Commission approved certain speed zones from the junction of the Oregon Coast Highway (M. P. 0.00) to east of the Sylvan Undercrossing (M. P. 71.47) and a 50-mile-per-hour speed zone on the Sunset Highway between the west city limits of Portland at M.P. 71.95 and the Sylvan Interchange at M. P. 71.47. The Commission thereupon adopted "Speed Zone Resolution No. 570," which resolution by this reference is made a part hereof and filed in the Secretary's Office. The Commission also rescinded "Speed Zone Resolution No. 528" adopted October 31, 1967.

Prohibition of parking on both sides of the newly constructed State Street-Santiam Interchange Section of the Silver Creek Falls Highway east of Salem in Marion County was recommended by the Engineer. He explained that four lanes of moving traffic can be accommodated and provisions made for a left-turn median if parking is prohibited. The left-turn refuge is, he said, desirable as a safety measure. The Commission accepted his recommendation and thereupon adopted "No Parking Resolution No. 282," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was given to a request from Tri County Metropolitan Transportation District of Oregon for establishment of a bus zone on the N. E. Portland Highway near 102nd Avenue in Multnomah County. Following the Engineer's favorable recommendation, the Commission approved establishment of a "Bus Parking Only Zone" on the southerly side of the N. E. Portland Highway from the west property line of N. E. 102nd Avenue to a point 105 feet westerly and thereupon adopted "No Parking Resolution No. 283," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A cooperative construction-finance-abandonment agreement with Marion County and the City of Woodburn pertaining to proposed relocation of the Hillsboro-Silverton Highway in the northerly part of Woodburn was discussed. The Engineer recalled that this matter had been considered favorably by the Commission at an earlier date. The estimated total cost is \$1,180,000 of which the State is to pay \$950,000; the County \$150,000; and the City \$80,000. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

A throughway-abandonment agreement with Curry County pertaining to the Brookings-Winchuck River Section of the Oregon Coast Highway was considered. The agreement, among other things, provides that the State is to acquire right-of-way and construct the project including a new bridge across the Chetco River. The County agrees to the closure of certain roads and to cooperate in the relocation of utility facilities. Upon completion of the new section, the County is to assume jurisdiction of segments of the existing highway which will be bypassed by the new construction. The project, the Engineer stated, is one of the projects in the State Bond Program and is scheduled for contracting at the December 3, 1970, bid opening. Following his favorable recommendation the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

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Confirmation was requested by the Engineer for verbal approval given by the Chairman on October 20, 1970, releasing to Portland General Electric Company a slope easement in Block 151, Caruthers Addition, City of Portland. He recalled that Portland General Electric had requested release of the easement so that they could construct a retaining wall which would allow them to enlarge one of their facilities. Investigation of the request, he continued, indicates that release of the easement can be made excepting the westerly 15 feet. No access is allowed to the highway and fencing will be required of the Portland General Electric Company. The Commission confirmed release of the easement as outlined by the Engineer.

An additional payment of \$3,676.94 to Howard, Needles, Tammen & Bergendoff for an engineering study and report on the Sunnyside Road-Washington State Line Section of the East Portland Freeway (I-205) in Multnomah County was recommended by the Engineer. He stated that the increase was caused by delays in receiving traffic data, greater complexity in traffic pattern studies, and other matters not under control of the engineering firm. The Federal Highway Administration has approved the additional cost using Interstate Funds. The Commission approved the additional payment thereby increasing the original contract amount from \$57,390 to \$61,066.94.

Confirmation was requested for oral approval given by the Chairman on November 13, 1970, on an agreement with Planning Research Corporation for upgrading existing computer programs and the formulation of new programs pertaining to vehicle accidents in the State. The Engineer commented that the Highway Division has the responsibility for collecting and analyzing accident data on all automobile accidents in the State. The agreement has been arranged on a cost plus fixed-fee basis with the cost estimated at \$54,178 and the fixed fee at \$7,034 or a total cost of \$61,212. The agreement, he added, has been approved by the Federal Highway Administration and is to be financed with Highway Planning and Research Funds. The Commission confirmed the agreement and authorized the Secretary to sign it in their behalf.

The Commission considered a construction agreement with the City of Lyons concerning proposed construction of the North Santiam River (Mehama) Bridge Section of the Albany-Lyons Highway in Linn and Marion Counties. Among other items, the agreement provides for the State to acquire right-of-way and perform construction including a new bridge across the North Santiam River. The City agrees to cooperate in the adjustment of any utility facilities which may be involved within the City. The Engineer stated that the project is scheduled for contracting in the Spring of 1971 and he recommended approval of the agreement. The Commission approved the agreement and authorized the Secretary to sign it for them.

A letter-form agreement with Lane County pertaining to construction of the Hanson Creek-Saunders Creek Section of the Florence-Eugene Highway near the community of Tiernan was considered. The Engineer explained that although the design and construction of this project is the responsibility of the Federal Highway Administration the agreement with the County is necessary to effect the closure of public access to the Siuslaw River. Access is to be provided by construction of a connecting roadway. The State, in addition, to acquiring right-of-way for the project is also responsible for maintenance of the section following completion of construction. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

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The Commission also considered an agreement with Lake County concerning construction of the Crane Creek Road-Cogswell Creek Section of the Fremont Highway. Under terms of the agreement the State is to acquire all necessary right-of-way and perform construction and maintenance on the project. The County agrees to the closure of a County road and to cooperate in the relocation of utility facilities. This project, the Engineer said, is included in the 1971 State Bond Program. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Attention was given to an agreement with the City of Portland pertaining to construction and maintenance of "mini-parks" adjacent to the Stadium Freeway. The Engineer mentioned that the State is to install landscaping, drainage, sprinkling system, trees or shrubs, seeding, and benches. The City is to provide for all maintenance and illumination costs. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement with Clackamas County pertaining to reconstruction of the Lower Boones Ferry Road Interchange which lies within the South Tigard Interchange-East Portland Freeway Section of the Pacific Highway was considered. The agreement, among other things, provides that the State acquire right-of-way, perform construction and maintain the project. The County agrees to the closure of certain roads and to cooperate in the adjustment of utility facilities. Upon completion of construction the County is to assume jurisdiction over a portion of the Lower Boones Ferry Road and over certain cul-de-sacs to be constructed. It is contemplated that bids will be received for the overall project in the fall of 1971. Based on the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was also given to a cooperative construction-finance agreement with the City of Ontario pertaining to improvement of the Verde Drive-Airport Road Section of the Olds Ferry-Ontario Highway within the city of Ontario, Malheur County. The Engineer estimated the cost of the one-mile project at approximately \$1,190,000; the State's share being \$890,500 and the City's share \$297,500 on a 75 percent State, 25 percent City basis. The project will include right-of-way acquisition and normal construction features to accommodate four lanes of traffic with channelization. The City agrees to cooperate in the adjustment of any utility facilities which may be involved. The Engineer also pointed out that the project has not been given finance approval and is not included in any current construction schedule. The Commission approved the agreement, which is to be added to the existing list of cooperative projects with placement on a construction program to be considered at a later date, and authorized the Secretary to sign it in their behalf.

An agreement with Warner and Colton (joint owners of an irrigation ditch) covering reconstruction of their irrigation facilities on the Baldock Slough-Richland Interchange Section of the Old Oregon Trail (I-80N) in Baker County was considered. The Engineer commented that under the agreement the State is to construct certain specified irrigation facilities at an estimated cost of \$43,000. The State also is to perform specified maintenance of the irrigation pipe and the joint owners are to provide structural maintenance upon the remainder of their facilities. The agreement also provides for an exchange of right-

of-way and if future adjustments of the irrigation facilities are required by the State such adjustments will be at State expense. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

An agreement with Baker County, Idaho Power Company and Union Pacific Railroad Company, landowners (Wayne and Anna Morris and William R. Peyron), and Telecommunications of Oregon, Inc., was presented by the Engineer. He recalled that the original joint use agreement had been approved on August 16, 1965, covering a radio station site on Lone Pine Mountain southeast of Baker, in Baker County, which remains in effect until October 1, 1977. The agreement as presented has been expanded to include Telecommunications of Oregon, Inc., and the other participants have agreed to the revision. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

Consideration was given to an agreement with Washington County for installation of traffic signals at the intersection of the Scholls Highway and Marjorie Lane in the vicinity of McKay School. The County and the State are to share equally the expense for installing the signals which the Engineer estimated would cost a total of \$5,000. The County is to provide for all future maintenance and power needs. Based on the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission also considered an agreement with the City of Medford for replacement of an existing traffic signal controller at the junction of the Rogue Valley and Crater Lake Highways in Jackson County. The City is to purchase and install the controller at an estimated cost of \$3,115. The State's share of this cost is not to exceed \$1,557.50 from regional Minor Betterment Funds. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement for them.

An agreement with the City of Beaverton for the installation of traffic signals and an interconnection with the adjacent railroad crossing at the intersection of the Farmington Highway and Cedar Hills Boulevard in Washington County was discussed. The Engineer estimated the cost of the project at \$22,000. The City is to pay one-half the cost of the installation and provide for all future maintenance and power needs. The State's share of \$11,000 is to be charged to the current State Construction Program. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Consideration was also given to an agreement with Columbia County for installation of a flashing beacon at the intersection of the Lower Columbia River Highway and Second Street in Rainier. The Engineer estimated the cost of the project at \$1,500 with the work to be done by the State. The County is to pay one-half of this cost and provide all maintenance and electrical energy requirements. The State's share of \$750 is to be taken from Minor Betterment Funds. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement with the City of Myrtle Point for the revision of traffic signals at the intersection of the Coos Bay-Roseburg Highway and Harris Street in Coos County was discussed. The Engineer estimated the cost of the revision at \$7,000, with the State's share of \$3,500 to be taken from State Construction Funds and recommended approval. The City is to pay one-half the cost of the conversion and continue to provide all required maintenance and electrical energy. The Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission gave attention to a supplemental agreement with Comsis Corporation covering computer services for conducting transportation studies. The Engineer explained that the existing agreement with Comsis expires December 31, 1970, and it is desirable to extend the agreement for another year. The maximum increase in cost under the extension is \$10,000, and he recommended that it be approved using Highway Planning and Research Funds. The Commission approved the supplemental agreement and authorized the Secretary to sign it for them.

Consideration was given to a proposed Service Contract with the Digital Equipment Corporation for maintenance of computer equipment which monitors traffic conditions in the Murder Creek area on the Pacific Highway near Albany in Linn County. The Engineer explained that the warranty period on this equipment ended November 22, 1970, and it is desirable to enter into the Service Contract for maintenance of the equipment. The monthly charge for the service is \$130, for nine months each year. There is also a \$60 minimum service charge for an annual turn-on and turn-off check. He recommended approval of the Service Contract during the three-year life of the research project to be paid for from Highway Planning and Research Funds. The Commission approved the contract and authorized the Secretary to sign it for them.

An easement from the State to the Portland Traction Company granting the company the right to reconstruct and use a platform, track, and associated facilities beneath the East Marquam Interchange of the Pacific Highway in Portland was discussed. The Engineer mentioned that the agreement contains conditions which the railroad must observe and is in accord with the railroad and State agreement of December 14, 1965. The easement, which has been approved by the Federal Highway Administration, bears no monetary consideration. The Commission accepted the Engineer's recommendation for approval.

Two indentures with Southern Pacific Transportation Company granting to the State the right to make installations were presented by the Engineer. The Commission approved the following Indentures:

- (1) An Indenture granting to the State the right to install an electrical conduit beneath Southern Pacific tracks at the intersection of the Pacific Highway West and Conifer Avenue in Corvallis, Benton County. Cost of the installation is to be borne by the State.

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- (2) An Indenture granting to the State the right to install a traffic control box at the intersection of the Rogue Valley Highway, and Stewart Avenue in the City of Medford, Jackson County. The entire cost of the installation is to be borne by the State.

An agreement with Union Pacific Railroad pertaining to construction of overcrossings of their tracks at North Powder on the Old Oregon Trail (I-80N) in Union County was considered. The Engineer explained that the agreement grants to the State an easement to construct the overcrossing structures, and requires the State to reimburse the Railroad for their expenses in the project. The State is to maintain the structures after completion. He estimated cost of adjusting the railroad facilities at \$37,095, and the cost of Railroad protective work at \$28,000. Also State is to pay the Railroad \$190 for the easement. The Commission accepted his recommendation for approval.

The Chairman inquired of the Engineer as to what needs to be done on the Mt. Hood Highway at the Boring Road intersection in Clackamas County for more adequate protection of the traveling public. The Engineer stated that a reduced speed zone of 55-miles-per-hour has been established in the vicinity with a 40-mile-per-hour zone at the Boring Road intersection, however, the final solution lies in the construction of an interchange. After some further discussion, the Commission authorized the Engineer to proceed with the acquisition of right-of-way at this intersection to accommodate construction of an interchange.

A delegation representing the Highway 20 Committee from Sweet Home and Lebanon came before the Commission to urge widening of the highway between Lebanon and Sweet Home in Linn County. The following people were present: Robert Danielson, T. J. Kelleum, Stan and Donna Ego, Roy Clover, Paul Meiling, and Jeff Plummer, from Sweet Home; and Norman Morgan and Jean Blalock, from Lebanon.

Mr. Stan Ego commented on the need for four traffic lanes between the two cities and commented on a visit that the State Highway Engineer had made with them in September. Information, he continued, concerning the need for improvement is being compiled and when it is completed a copy will be sent to the Highway Division staff. He introduced the other members of the delegation.

Mr. Danielson mentioned that in this area there are approximately 25,000 people, two State parks, two reservoirs, and other recreational facilities which in the future will probably include Cascadia and Holley Dams. He pointed out that the highway in this area serves all kinds of recreational activities in addition to log trucks, chip haulers and school buses. In the section of approximately nine miles, access points occur at the average of about every 300 feet. He also mentioned that during the 1970 Spring and Summer approximately 45,000 vehicles visited Green Peter Reservoir and nearly 60,000 at Foster Reservoir.

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During the period 1965-1969, he stated that 357 accidents had occurred on this nine-mile section including 11 fatalities. This total, however, does not include any of the near misses. He called attention to a two-mile section referred to as "the narrows" which contains five or six dangerous curves and should be widened or bypassed. During the school term he estimated that school buses make almost 25,000 stops along the highway to load and unload over 800 students. He stressed the recreation oriented nature of this highway and pointed out that recreation travel is different from the average traffic in that it includes many house and boat trailers.

The Highway Committee he said would like to have a more detailed accounting of the kinds of traffic over this section of highway and urged the Commission to give careful consideration to the need for improvement. He presented to the Commission several pictures taken along the nine-mile section.

Chairman Jackson stated that section from Vail Creek to Crowfoot has been programmed awaiting funding but the entire project will cost around four million dollars. The Commission, he continued, is aware of the need for improvement and he inquired if as a temporary measure pull outs or passing lanes could be installed.

The Engineer stated that some of this kind of work could be done but is not a final solution. The necessary reconstruction of the area, he said, would be on the same general alignment as now exists.

The Chairman instructed the Engineer to determine, as a temporary measure, what might be done in terms of pull-outs or passing lanes. He concluded with a statement that the Commission would give every possible consideration to the project.

The Engineer stated that a request had been received from the AASHO Route Numbering Committee requesting the elimination of US 126 through the State of Oregon. This he said is reasonable and he recommended that the US 126 designation be changed to ORE 126. The Commission approved the change.

The Commission directed that a corridor route be determined and a hearing held on a highway from the junction of the Crater Lake Highway and the Lake of the Woods Highway to the Seven Oaks Interchange in Jackson County.

Attention was given to an agreement with John Greene McMillin to conduct a survey and inventory of historic features and a statewide historic preservation plan. The Engineer recalled that the agreement had been approved by the Commission September 30, 1970, and he asked that it be canceled as arrangements had not worked out as originally contemplated and the cancellation would be desirable for both parties. This matter, he continued, was discussed with the Chairman on October 13, 1970, and was verbally approved by him at that time. The Commission confirmed the cancellation and authorized the Secretary to sign the cancellation agreement in their behalf.

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The Commission directed the Highway Division to proceed without delay in acquiring the Tryon Creek Park site in Clackamas County.

Upon the favorable recommendation of the Engineer, the Commission approved the attendance of Robert L. Schroeder, Metropolitan Engineer, to attend the Highway Management course during January and March 1971 at the University of Mississippi at an estimated cost of \$2,100.

The Commission signed, or authorized the Secretary to sign the following agreements, deeds, indentures and other papers:

"Quitclaim Deed" to Desmond M. and Helen Foley covering Independence Junction-Bonneville Station Section of the Willamina-Salem Highway in Polk County.

"Bargain and Sale Deed" to George M. and Nancy B. Ellessen covering Guy W. Talbot and Bridal Veil Falls State Parks on the Crown Point Highway.

"Bargain and Sale Deed" to Roy V. and W. Marie Ellison covering Ross Island Bridge- S. E. Reedway Section of the Pacific Highway East in Multnomah County.

"Quitclaim Deed" to State Game Commission containing 0.53 acre of land on the North Roseburg Section of the Pacific Highway in Douglas County.

"Bargain and Sale Deed" to U. S. Plywood-Champion Papers, Inc., re Parkdale-Fikes Corner Section of the Mt. Hood Highway in Hood River County.

"Indenture of Access" with Lester R. & Jeannine R. Oppenlander and Carl F. and Lottie B. Erickson covering Fern Hill-Burnside Section of the Columbia River Highway in Clatsop County.

"Indenture of Access" to Charles and Edith Tudor and James and Pearl Barnett covering Forest Boundary-Hauser Section of Oregon Coast Highway in Coos County.

"Agreement" with City of Cottage Grove for acquisition of 5 parcels of land known as River Road No. 5 as part of Willamette River Park System.

"Agreement" with City of Milwaukie for acquisition of Milwaukie Riverfront Park as part of Willamette River Park System.

"Agreement" with Clackamas County for acquisition of 44 acres of land known as Cedar Island as a part of Willamette River Park System.

"Agreement" with Linn County for acquisition of 15 acres of land known as Cartney Park as a part of Willamette River Park System.

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"Agreement" with City of Portland for one-fourth acre of land known as Willamette Park and Moorage Extension as a part of Willamette River Park System.

"Agreement" with Lincoln County and Gleneden Beach Road District for improving access to Gleneden Beach Wayside.

"Agreement" with Bonneville Power Administration granting an easement over a portion of land across the easterly portion of Humbug Mt. State Park in Curry County.

"Agreement" with Marion County and City of Woodburn for cooperative construction-finance abandonment agreement concerning proposed construction of Boones Ferry Road-Pacific Highway East Section of the Hillsboro-Silverton Highway, known as Woodburn Bypass.

"Throughway abandonment agreement" with Curry County covering Brookings-Winchuck River Section of Oregon Coast Highway.

"Partial Release of Slope Easement" to Portland General Electric Company covering land in Portland.

"Agreement" with Planning Research Corporation to upgrade existing computer programs and to formulate new programs covering collecting and analyzing accident data pertaining to all vehicle accidents in the state.

"Agreement" with City of Lyons covering proposed construction of North Santiam River (Mehama) Bridge Section of Albany-Lyons Highway.

"Letter-form agreement" with Lane County concerning construction of Hanson Creek-Saunders Creek Section of Florence-Eugene Highway near community of Tiernan.

"Agreement" with Lake County concerning construction of Crane Creek Road-Cogswell Creek Section of Fremont Highway.

"Agreement" with City of Portland pertaining to construction and maintenance of "Mini-parks" adjacent to Stadium Freeway.

"Agreement" with Clackamas County concerning reconstruction of Lower Boones Ferry Road Interchange which lies within South Tigard Interchange-East Portland Freeway Section of the Pacific Highway.

"Agreement" with City of Ontario covering improvement of Verde Drive-Airport Road Section of the Olds Ferry-Ontario Highway.

"Agreement" with joint owners (E.J. & Emma Hazel Warner and Walter and Doris Colton) of an irrigation ditch covering reconstruction of their irrigation facilities in conflict with Baldock Slough-Richland Interchange Section of I-80N in Baker County.

"Agreement" with Baker County, Idaho Power Company, Union Pacific Railroad Company and landowners Wayne and Anna Morris and Wm. R. Peyron, and Telecommunications of Oregon, Inc., covering a radio station site on Lone Pine Mountain.

"Agreement" with Washington County for installation of traffic signals at intersection of Scholls Highway and Marjorie Lane.

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"Agreement" with City of Medford for replacement of existing traffic signal controller at junction of Rogue Valley and Crater Lake Highways.

"Agreement" with City of Beaverton for installation of traffic signals and interconnection with adjacent railroad crossing at intersection of Farmington Highway and Cedar Hills Boulevard.

"Agreement" with Columbia County for installation of a flashing beacon at intersection of Lower Columbia River Highway and Second Street in Rainier.

"Agreement" with City of Myrtle Point for traffic signals at intersection of 8th Street (Coos Bay-Roseburg Highway) and Harris Street.

"Supplemental agreement" with COMSIS Corporation extending existing agreement to December 31, 1971, covering computer services for conducting transportation studies.

"Service contract" with Digital Equipment Corporation for maintenance on the surveillance computer equipment installed to monitor traffic conditions in the Murder Creek area north of Albany.

"Easement" to Portland Traction Company granting the Railroad the right to reconstruct, operate, maintain & use a platform, track and appurtenances on the East Marquam Interchange Section of the Pacific Highway in Multnomah County.

"Indenture" with Southern Pacific Transportation Company granting the right to the State to install an electrical conduit beneath their tracks at the intersection of the Pacific Highway West and Conifer Avenue in Corvallis.

"Indenture" with Southern Pacific Transportation Company providing for installation of a traffic control box at the intersection of the Rogue Valley Highway and Stewart Avenue in Medford.

"Agreement" with Union Pacific Railroad providing for construction of the overcrossings of their tracks at North Powder on I-80N in Union County.

"Termination agreement" with John Greene McMillin canceling an agreement to complete survey and inventory of historic features and a statewide comprehensive historic preservation plan.

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As there was no further business to conduct, the Chairman adjourned the meeting at 10:30 a.m.

R. L. Porter
State Highway Engineer

Glenn L. Jackson
Chairman

Frederick W. Shel
Commissioner

Floyd Query
Secretary

Thaddeus B. Bruno
Commissioner

November 24, 1970

9:30 a.m.
December 3, 1970

A telephone conference Commission meeting was set up at this time including Chairman Glenn L. Jackson and Commissioner Thaddeus B. Bruno in Portland; State Highway Engineer R. L. Porter, and Secretary Floyd Query in Salem.

Mr. Porter stated that the reason for the conference meeting is to authorize condemnation, if necessary, on approximately 207 acres owned by Ward Cook, Senior and Junior and Grant R. Jones in the Tryon Creek Park area in Multnomah County. He explained that Mr. Cook has secured a building permit for construction in this area, and although the condemnation filing is not anticipated immediately, action by the Commission authorizing the condemnation is necessary to indicate that positive action is being taken for the acquisition of the park land, and for the benefit of County or City authorities in regard to zoning.

Chairman Jackson stated that it should be made known that the Commission is committed to acquire the entire area of approximately 590 acres as soon as financing can be arranged.

Commissioner Bruno stated that he is fully in accord with this action and mentioned that if at some future time it is necessary to widen Terwilliger Boulevard that it would not be necessary then to purchase right-of-way.

Chairman Jackson summarized the conference by stating that the Commission has granted authority to acquire the full tract of approximately 590 acres and has authorized the condemnation of the Ward Cook property if negotiations are not successful. The Commission thereupon adopted "Condemnation Resolution No. 2586," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The conference was concluded at 9:40 a.m.

R. L. Porter
State Highway Engineer

Glenn L. Jackson
Chairman

Frederick W. Shel
Commissioner

Floyd Query
Secretary

Thaddeus B. Bruno
Commissioner

December 3, 1970