



**DAN JOHNSON**  
DIRECTOR

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

April 18, 2019

Board of Commissioners  
Clackamas County

Members of the Board:

**Approval of a Board Order Accepting a Transfer of Jurisdiction from  
Clackamas County to the City of Estacada of a Portion of  
Darrow Road (County Road #799)**

<b>Purpose/Outcomes</b>	Jurisdictional transfer of a portion of Darrow Road to the City of Estacada.
<b>Dollar Amount and Fiscal Impact</b>	Cost savings in the form of staff time and maintenance monies used on a County maintained portion of road located entirely within the City of Estacada. Initial cost of transfer is \$17,600.00, which represents the cost of a 2" asphalt overlay of that portion being transferred.
<b>Funding Source</b>	Road Fund
<b>Duration</b>	Upon execution; permanent
<b>Previous Board Action</b>	March 28, 2019: Board approval of an IGA with the City of Estacada relating to a transfer of a portion of Darrow Road
<b>Strategic Plan Alignment</b>	Build a strong infrastructure Build public trust through good government
<b>Counsel Review</b>	04/09/2019- County Counsel has reviewed and approved the board order.
<b>Contact Person</b>	Michael Bays, Survey/CADD Supervisor; 503-742-4667

There are certain County roads, such as Darrow Road in Estacada, that are wholly, mostly, or partially within various cities throughout Clackamas County. Fragmented jurisdiction over these roads often results in differing road maintenance activities and confusion by the public as to which agency is responsible for the operation and maintenance of the roads.

Clackamas County and the City of Estacada have agreed to the transfer of a portion of Darrow Road to the City with the intent of streamlining planned roadway improvements, eliminating confusion to the public and to improve the efficiencies of maintenance and public service. The portion of Darrow road is to be transferred is located entirely within Estacada city limits.

The County and the City of Estacada have an agreement to provide funds to the City of Estacada in the amount of \$17,600.00, which is equal to the cost of a 2" asphalt overlay, in exchange for the City assuming exclusive jurisdiction over the portion of Darrow Road containing approximately 21,600 square feet of Right-of-Way. By accepting jurisdiction over a portion of Darrow Road, the City becomes the "Road Authority" responsible for all maintenance, improvement, permitting and road standard activities.

The City has formally requested that the County fully transfer jurisdiction of Darrow Road over to the City pursuant to ORS 373.270(6), (see attached Resolution 2019-002). Pursuant to ORS 373.270(6), the County may finalize the transfer by adopting the proposed order which is attached to this report.

**RECOMMENDATION:**

Staff respectfully requests that the Board approve this Board Order surrendering jurisdiction of a portion Darrow Road and the payment to the City in an amount equivalent to a 2" asphalt overlay of that portion being transferred.

Respectfully submitted,

Michael Bays -Survey/CADD Supervisor

Attachments:

Board Order

Exhibit

City of Estacada Resolution

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the matter of transferring to the City of Estacada, jurisdiction over a portion of Darrow Rd County Road No. 799, DTD No. 34071



Board Order No. \_\_\_\_\_  
Page 1 of 1

This matter coming before the Board of County Commissioners as a result of a request from the City of Estacada, by Resolution Number 2019-002, dated February 11, 2019 and the preceding negotiation between the City of Estacada and Clackamas County Department of Transportation and Development to transfer portions of the following road, more particularly depicted in Exhibit "A" attached to this Order:

<u>Road Name</u>	<u>Cnty #</u>	<u>DTD #</u>	<u>From</u>	<u>To</u>	<u>Square Feet</u>
Darrow Road	799	34071	MP 0.5	MP 0.15	21,600; and,

It further appearing to the Board that said transfer of jurisdiction has been recommended by Dan Johnson, Director of the Department of Transportation and Development; and,

It further appearing to the Board that pursuant to ORS 373.270, notice of the hearing on this matter was provided by publication in the Estcada News on 03/24,3/31,4/7,4/14; now therefore,

IT IS HEREBY ORDERED that jurisdiction of a portion of Darrow Road shall be transferred, Clackamas County jurisdiction shall cease, and full and absolute jurisdiction of said portions of roadway is transferred to the City of Estacada as of the date of this Order; and,

IT IS FURTHER ORDERED that 21,600 square feet, more or less, be removed from the County's Road Inventory; and,

IT IS FURTHER ORDERED that copies of this Order be submitted to the Clackamas County Clerk's office for recording and that copies be subsequently sent without charge to the Clackamas County Surveyor, Tax Assessor, Finance/Fixed Asset Offices, and DTD Engineering.

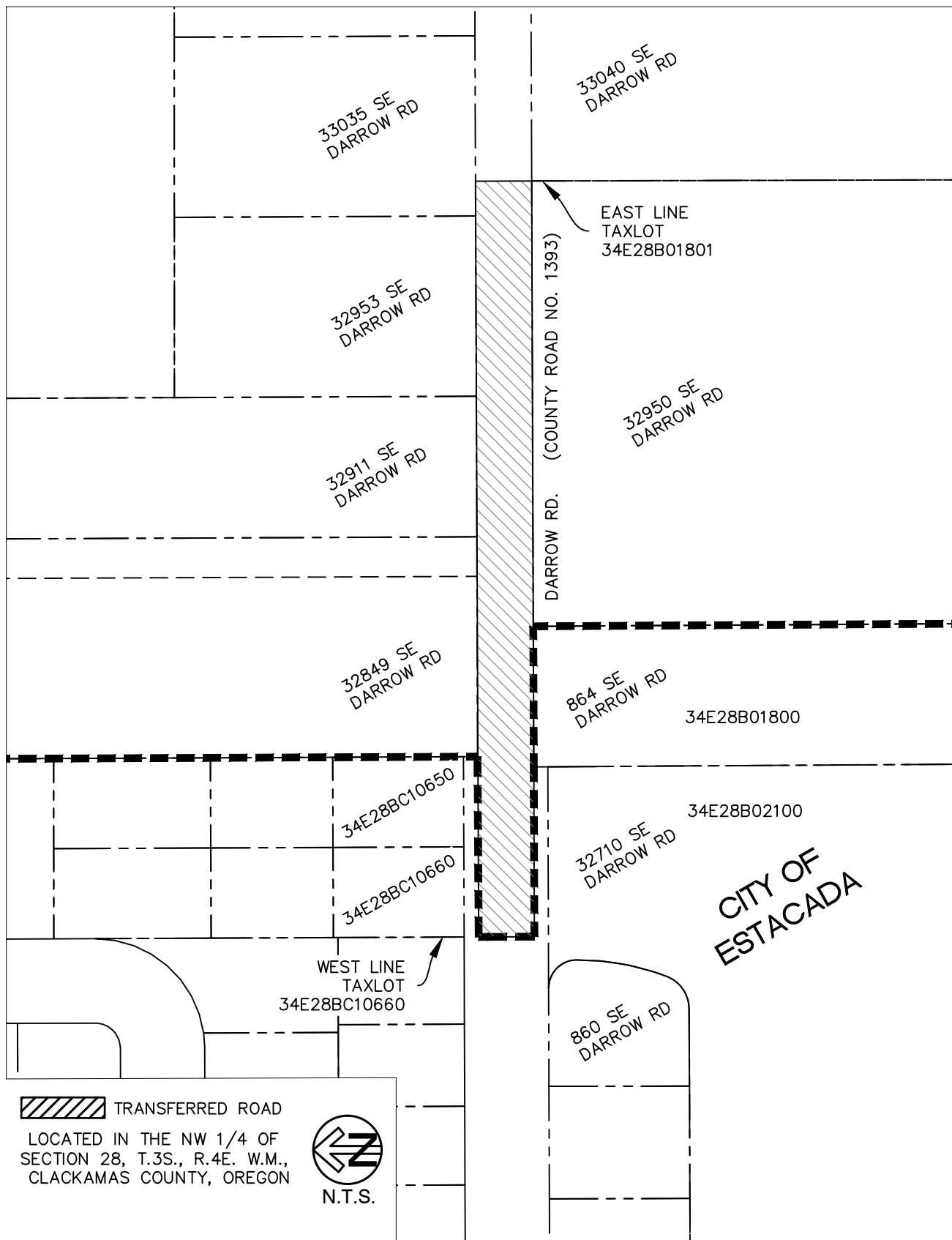
ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.


BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Recording Secretary

# EXHIBIT "A"



 TRANSFERRED ROAD  
 LOCATED IN THE NW 1/4 OF  
 SECTION 28, T.3S., R.4E. W.M.,  
 CLACKAMAS COUNTY, OREGON



**CITY OF  
 ESTACADA**



**RESOLUTION 2019 - 002**

**A RESOLUTION REQUESTING CLACKAMAS COUNTY SURRENDER JURISDICTION OVER A CERTAIN PORTION OF COUNTY ROAD AS DESCRIBED HEREIN.**

**WHEREAS**, Oregon Revised Statutes, Chapter 190 authorizes local governments to enter into intergovernmental agreements for the performance of any or all functions and activities that a local government, its officers or agencies, have the authority to perform; and

**WHEREAS**, Oregon Revised Statutes, Section 373.270 states that jurisdiction over a county road within a city may be transferred whenever the county governing body deems it necessary, expedient or for the best interest of the county to surrender jurisdiction over any county road or portion thereof within the corporate limits of any city; and the governing body of the city deems it necessary or expedient and for the best interests of the city to acquire jurisdiction over the county road or part thereof to the same extent as it has over other public streets and alleys of the city; and


**WHEREAS**, the Estacada Planning Commission and City Council have approved in application #2018-03-S the annexation of, and developments that include improvements in the right-of-way along, the roughly 540-foot-long portion of SE Darrow Road shown in Exhibit A; and

**WHEREAS**, the City wishes to accept exclusive jurisdiction over said portion of SE Darrow Road, the terms of which are addressed in a separate intergovernmental agreement between the parties; and

**WHEREAS**, this transfer would give the City jurisdictional control of the portion of SE Darrow Road, allowing the developers to work directly with the City on design standards for their street improvements and right-of-way dedications; and

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Council of the City of Estacada, Oregon, that by virtue of the foregoing and pursuant to ORS 373.270, the Estacada City Council hereby requests that Clackamas County undertake the procedure for transferring jurisdiction to the City of Estacada over portions of SE Darrow Road as shown on Exhibit A.

Passed and effective this 11<sup>th</sup> day of February, 2019.

  
\_\_\_\_\_  
Sean Drinkwine, Mayor

ATTEST:

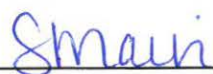
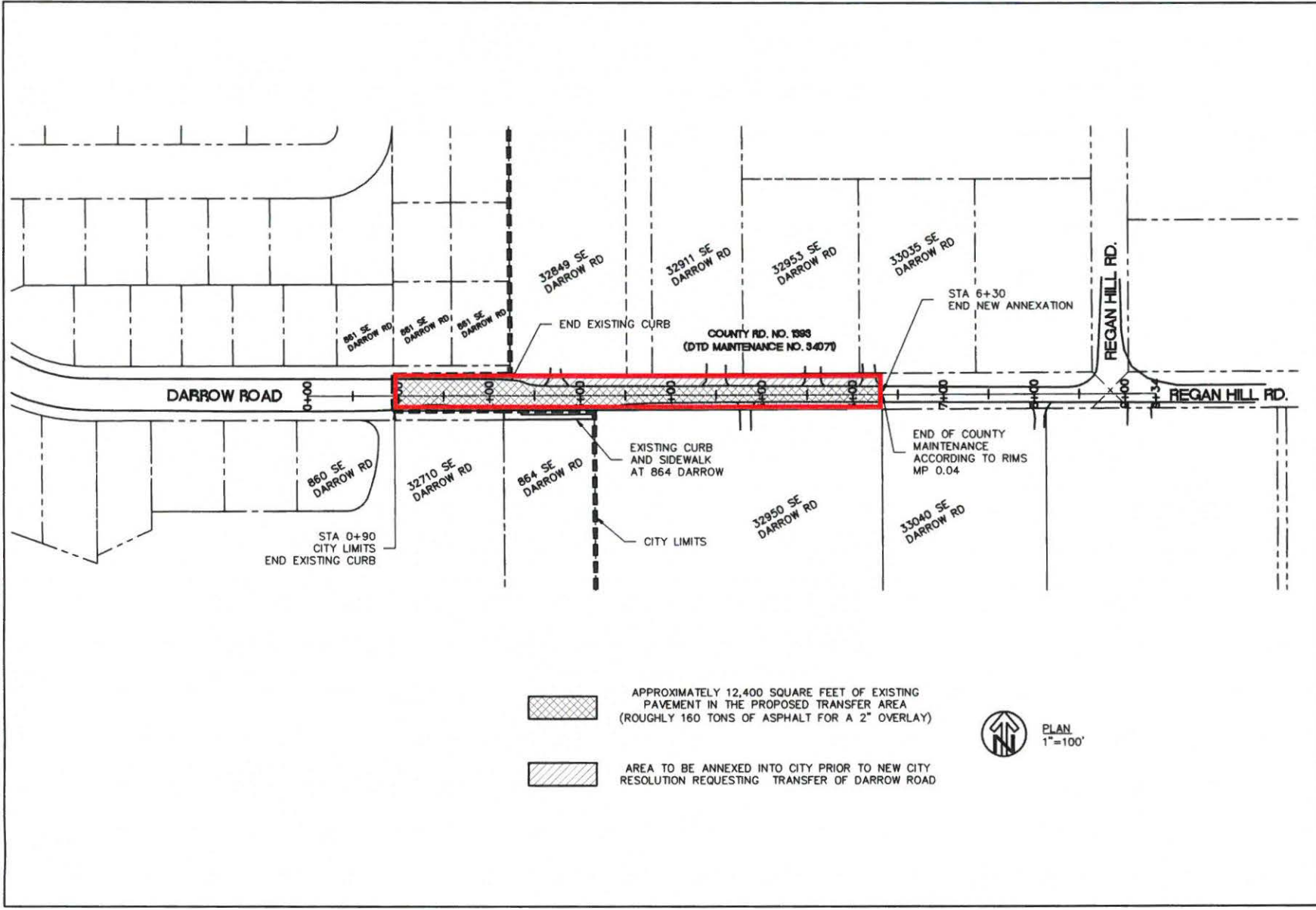


  
\_\_\_\_\_  
Sadie Main, City Recorder

EXHIBIT A


K:\JURIDICTIONAL TRANSFERS\ESTACADA TRANSFERS\DARROW\TRANSFER DARROW WORKING DRAWING.DWG 4/18/2012 2:26 PM



-  APPROXIMATELY 12,400 SQUARE FEET OF EXISTING PAVEMENT IN THE PROPOSED TRANSFER AREA (ROUGHLY 160 TONS OF ASPHALT FOR A 2" OVERLAY)
-  AREA TO BE ANNEXED INTO CITY PRIOR TO NEW CITY RESOLUTION REQUESTING TRANSFER OF DARROW ROAD



PLAN  
1"=100'

	<p>CLACKAMAS COUNTY DIVISION OF PLANNING AND DEVELOPMENT 130 BEAVERCREEK ROAD OREGON CITY, OR 97043</p> 	<p>DIRECTOR DAN JOHNSON</p>	<p>PLAN DARROW ROAD WORKING MAP</p>
<p>DESIGNED BY: STAFF</p> <p>DRAWN BY: JRM</p> <p>CHECKED BY: STAFF</p>	<p>CLACKAMAS COUNTY DIVISION OF PLANNING AND DEVELOPMENT 130 BEAVERCREEK ROAD OREGON CITY, OR 97043</p>	<p>DIRECTOR DAN JOHNSON</p>	<p>PROJECT NO.: DATE: 10/29/2010</p>
<p>REVISIONS</p>	<p>NO. DATE</p>	<p>DIRECTOR DAN JOHNSON</p>	<p>PROJECT NO.: DATE: 10/29/2010</p>
<p>Sheet No. 1</p>			