



MEMORANDUM

TO: Clackamas County Board of County Commissioners (BCC)  
FROM: County Administration  
RE: Abernethy Green Access project, RAISE Grant Application  
DATE: Request February 14, 2023

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**REQUEST:** Direction on the Boards interest of supporting **Abernethy Green** request for the County to participate in Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant.

**BACKGROUND:** The City of Oregon City, (the City), is working with Summit Development Group (Summit, LLC) on a proposed redevelopment at the site formerly known as the Rossman Landfill (the site). Summit LLC is currently assessing options to provide financial support for redevelopment of the site.

The City is seeking a letter of support to the US Department of Transportation towards a RAISE Grant from Clackamas County for transportation upgrades for Abernethy Road, Washington Street, Redland Road, various paths and needed off-site capacity projects. The formal applicant and revenue recipient would be the City and the County would be identified as the administrator to ensure project delivery. Current information suggests the total funding requested would be \$9,600,000. **The County would be agreeing to and responsible for grant administration, reporting, project design, construction, right-of-way acquisition consistent with the milestones and timeline for the life of the award period.** Matching funds, equal to 20 percent would be supported by Summit, LLC.

RAISE NOFO 2023 Award Schedule:

- Application Deadline: February 28, 2023
- Awards Announced: June 28, 2023
- Fund Obligation Deadline: June 30, 2027
- Funds to be Spent Deadline: September 30, 2032

### **Site and Proposed Use Summary**

The proposed development would convert a closed landfill on approximately 62 buildable acres of property into a mixed-use development complete with an estimated 500 units of housing and retail, office, grocery, entertainment and food establishments. As discussed above, the project application would include several road improvements, pedestrian area upgrades and additional plans to address traffic and congestion, however, the scope of and exact cost estimates of the proposed improvements are not known at this time. The benefits of this proposed redevelopment would include safer transportation and an economic development boost for Oregon City and Clackamas County.

### **Other Considerations:**

County Participation: Current grant details suggest that Oregon City does not have the capacity to manage this project without the County's partnership. Materials envision the County in partnership with the City, ODOT and Summit, LLC throughout the award period. While the County Department of Transportation and Development (DTD) does not have a competing grant for the RAISE program during the cycle, an application by the County for a project of regional significance may be submitted next year. Additionally, staff are evaluating whether there are potential competing applications being pursued for Water Environment Services and North Clackamas Parks and Recreation District for this cycle.

The City Commission approved support to submit the grant at their Commission meeting on February 7, 2023. This project moving forward is also contingent to a vote by Oregon City residents in a special election this May on whether \$44 million in Urban Renewal funds will be approved and in turn providing additional public dollars required to meet the funding gap. If the Urban Renewal vote fails, the RAISE application would be withdrawn.

Project Management Capacity: Currently, DTD is managing over 90 road related projects. Undertaking the management of this project, if awarded, may lead to impacts in existing project timelines and adjusting workload capacity. Managing a federal aid project of this magnitude will take resources above and beyond DTD's current project capacity. Advancing a project of this nature would require the need to secure additional contracted assistance to manage design, inspection and construction management. The scope of the projects described are complicated and scope of improvements are not advanced per the descriptions provided in the grant application. The grant currently references 30% design, but staff is unaware if this is aligned to federal standards. Further, the grant references that the project will be incorporated into the County's Pavement Management Program. Washington Street is currently under Oregon City jurisdiction and if the improvements contemplated were completed, the County would look to turn over those roads, namely Abernethy, to the City of Oregon City for future maintenance.

Readiness: Currently the grant form states that Clackamas County is "ready to move into project initiation". That assumption is not accurate. It is assumed this project would need environmental permitting, has historic property impacts, and has known ground water contamination issues. This further complicates the project delivery.

Financial Risk: Clarification is needed for which entity would be responsible for future financial risk should there be cost overruns. The grant request as proposed appears to suggest the County, but that should be clarified before any authorization to proceed is considered. The City would like to emphasize the capacity to deliver by referencing the County's history of working on federal grants, a summary of the County general transportation budget and miles maintained along with County bond rating.

State: On February 16, there is a public hearing scheduled for [Senate Bill 630](#) to consider an authorization to issue lottery bonds and transfer of net proceeds to Oregon Business Development Department. If passed, this Bill would allow for developers of sites such as the Rossman Landfill to apply for the \$15 million towards redevelopment. This Bill if passed and if awarded to Summit, LLC by OBDD would be separate from and in addition to the RAISE grant. \*In June 2022, the BCC agreed to formally sponsor an EPA brownfield cleanup grant, but due to site being privately owned and the potential award being too low to have impact, that application was no longer pursued.

Staff is seeking direction on whether to support and prioritize implementation of this project.

Respectfully Submitted,

*Christina Fadenrecht*

Christina Fadenrecht  
Policy Advisor

Attachments:  
US Department of Transportation Support Letter

February 15, 2023

The Honorable Pete Buttigieg  
Secretary  
US Department of Transportation  
1200 New Jersey Avenue SE  
Washington, DC 20590

Dear Secretary Buttigieg,

We are writing in strong support of our Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Construction Grant for the Abernethy Green Access project, a long-standing priority for Oregon City and Clackamas County. The Access project is a regionally significant project that will generate jobs and economic development, provide safer transportation facilities for pedestrians, bikes, and vehicles, and environmental sustainability in our growing historic downtown area.

Multimodal improvements are needed to increase safety, further the community's climate goals, and create new and improved connections within a Historically Disadvantaged Community Census Tract. Ultimately, the road improvements included in the RAISE grant application along with \$20+ million in Oregon City Urban Renewal District investments to prepare and mitigate the Rossman Landfill, will facilitate the Abernethy Green Redevelopment Project, a \$350 million private sector investment to redevelop a 64-acre abandoned landfill in the heart of Oregon City.

The transportation improvements the RAISE program will fund represent a critical phase of the project and will facilitate the rest of the site's redevelopment. Three roads abutting the landfill need to be upgraded and transformed into *Complete Streets* to unlock the full potential of Abernethy Green. Washington Street, Abernethy Road and Redland Road will be transformed from congested and unsafe corridors to safe, complete streets that not only improve traffic flow throughout the project area but also better protect pedestrians and cyclists.

If awarded, Clackamas County will administer the grant and ensure the project meets the obligation, readiness and project schedule timeline outlined in the application and consistent with the RAISE NOFO. The County will serve as the project manager and will work in partnership with Oregon City, ODOT and the private sector developer, Summit LLC, to deliver this public-private redevelopment project.

Thank you for your consideration of this worthy project.

Sincerely,

Signatures from Clackamas County Board Members

Or

Chair Tootie Smith