



DAN JOHNSON
DIRECTOR

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

November 24, 2021

Board of Commissioners
Clackamas County

Members of the Board:

**Approval of a Board Order Accepting a Request to Transfer Jurisdiction from
Clackamas County to the City of Molalla of a Portion of
S. Ona Way (County Road #1303, DTD #52003) to the City**

Purpose/Outcomes	Jurisdictional transfer of a portion of S. Ona Way
Dollar Amount and Fiscal Impact	Cost savings in the form of staff time and Maintenance monies used on County maintained portions of roads located entirely within the City of Molalla. No General funds used.
Funding Source	N/A
Duration	Upon execution; permanent
Previous Board Action	12/6/18: Approval of an IGA with the city of Molalla pursuant to this transfer approved. 10/7/21: Approval to set a hearing date for road transfer
Strategic Plan Alignment	-This transfer will directly align with our departments Business Plan goal of completing jurisdictional transfer of roads to cities. -The cost savings realized by this transfer will allow transparency for the budget.
Counsel Review	Reviewed and approved by County Counsel: NB 10/25/21
Procurement Review	Was this item processed through Procurement? No This item is a transfer of Jurisdiction
Contact Person	Michael Bays, Survey/CADD Supervisor; 503-742-4667

There are certain County roads, such as S. Ona Way in Molalla, 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 Molalla have agreed to the transfer of portions of S. Ona Way 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 portions of S. Ona Way to be transferred are located entirely within Molalla city limits.

On August 11, 2021 City of Molalla formally requested that the County fully transfer jurisdiction over portions of S. Ona Way over to the City pursuant to ORS 373.270(6), in Resolution 2021-

22. Pursuant to ORS 373.270(7), the County may finalize the transfer by adopting the proposed order at a formal hearing.

By accepting jurisdiction over portions S. Ona Way, with approximate right of way area of 52,800 square feet, the City becomes the "Road Authority" responsible for all maintenance, improvement, permitting, and road standard activities.

RECOMMENDATION:

Staff respectfully requests that the Board approve this Board Order related to the transfer of jurisdiction over portions of S. Ona Way.

Respectfully submitted,

Michael Bays

Michael Bays -Survey/CADD Supervisor

Attachments:

Board Order

Exhibits

City of Molalla Resolution

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

In the matter of transferring to the City of Molalla, jurisdiction over S. Ona Way, County Road No. 1303, DTD Nos. 52003



Board Order No. _____

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This matter coming before the Board of County Commissioners as a result of a request from the City of Molalla, by Resolution Number 2021-22, dated August 11, 2021 and the preceding negotiation between the City of Molalla and Clackamas County Department of Transportation and Development to transfer portions of the following road, more particularly described in Exhibit "A" and more particularly depicted in Exhibit "B" both of which are attached to this Order.

<u>Road Name</u>	<u>Cnty #</u>	<u>DTD #</u>	<u>From</u>	<u>To</u>	<u>Square Feet</u>
S. Ona Way	13003	52003	MP 0.00	MP 0.25	52,800; 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 the Clackamas County Road Official; 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 Clackamas Review on 10/24, 11/03, 11/10 and 11/17; now therefore,

IT IS HEREBY ORDERED that jurisdiction of a portion of S. Ona Way shall be transferred, Clackamas County jurisdiction shall cease, and full and absolute jurisdiction of said portions of roadway is transferred to the City of Molalla as of the date of this Order; and,

IT IS FURTHER ORDERED that 52,800 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 _____, 2021.

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

EXHIBIT A

All that portion of S. Ona Way, County Road No. 1303, as shown on Exhibit "B", attached hereto and by this reference a part hereof, said road lying south of and between the southerly right of way line of State Highway 211 (mile point 0.00) and the southerly right of way line of South Molalla Forest road (mile point 0.25), said road being approximately 1320' long and 40' wide.

Containing 52,800 square feet, more or less.

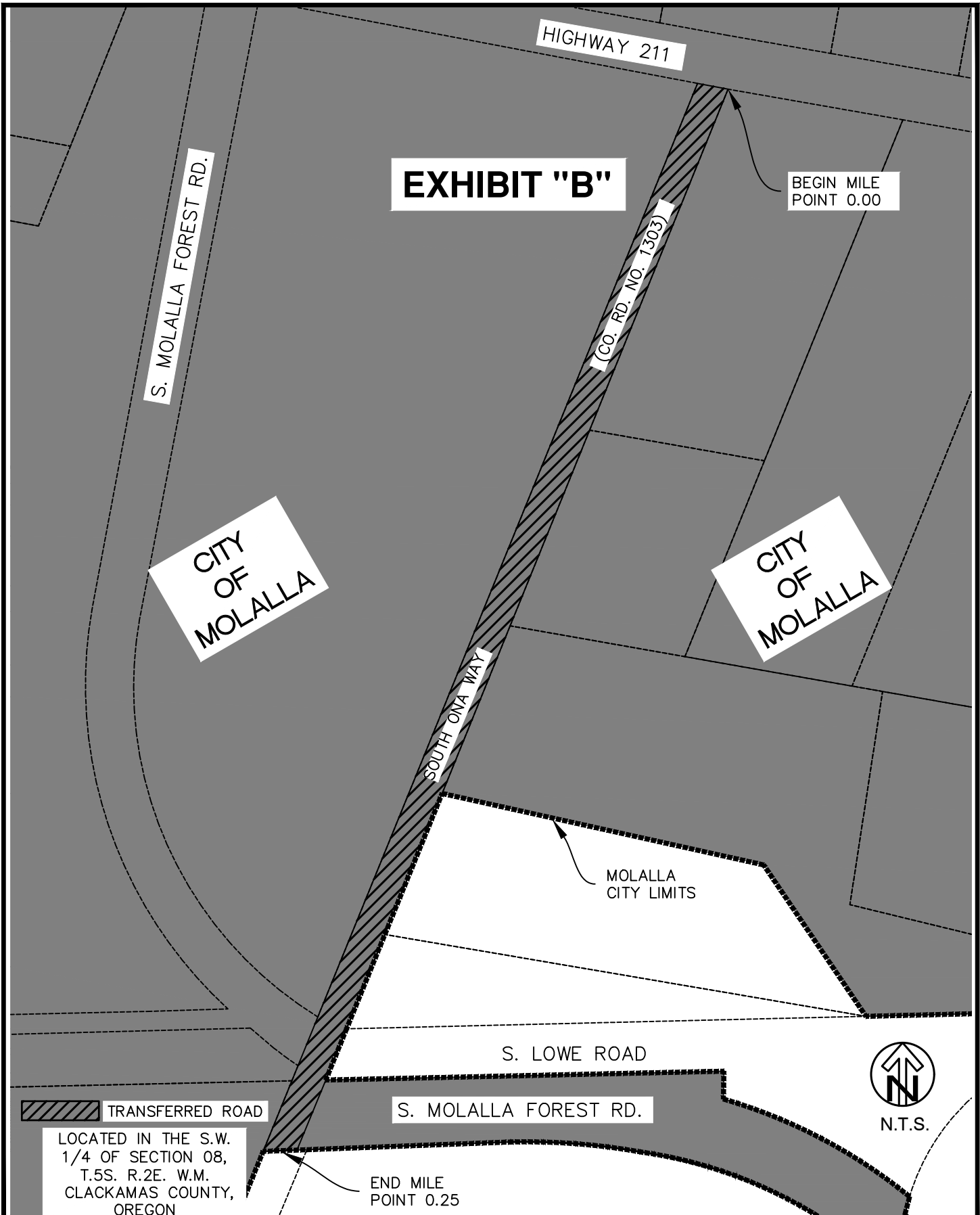


EXHIBIT "B"

HIGHWAY 211

S. MOLALLA FOREST RD.

BEGIN MILE POINT 0.00

(CO. RD. NO. 1303)

CITY OF MOLALLA

CITY OF MOLALLA

SOUTH ONA WAY

MOLALLA CITY LIMITS

S. LOWE ROAD

S. MOLALLA FOREST RD.



N.T.S.

TRANSFERRED ROAD

LOCATED IN THE S.W. 1/4 OF SECTION 08, T.5S. R.2E. W.M. CLACKAMAS COUNTY, OREGON

END MILE POINT 0.25



RESOLUTION NO. 2021-22

**A RESOLUTION OF THE CITY OF MOLALLA, OREGON
TRANSFERRING JURISDICTIONAL AUTHORITY OF A SECTION OF S. ONA
WAY TO THE CITY OF MOLALLA**

WHEREAS, ORS 373.270 authorizes the transfer of jurisdiction over a county road within a city;
and

WHEREAS, the portions of S. Ona Way, County Road No. 1303, lying south of and between the southerly right of way line of State Highway 211 (mile point 0.00) and the southerly right of way line of South Molalla Forest Road (mile point 0.25), said road being approximately 1320' long and 40' wide, subject to this resolution are located entirely within the boundaries of the City and are County Roads, as defined in ORS 368.001; and

WHEREAS, the City of Molalla is best suited to assume primary responsibility for operation, maintenance and permitting of S. Ona Way described above; and

WHEREAS, Clackamas County completed a roadway reconstruction on S. Ona Way; and

WHEREAS, pursuant to ORS 373.270, the City Council is requesting a jurisdictional transfer of S. Ona Way from Clackamas County to the City to better manage and control frontage and road improvements, and to direct maintenance activities.

Now, Therefore, the City of Molalla Resolves as follows:

Section 1. The City of Molalla formally requests the full and absolute transfer of jurisdiction over S. Ona Way, as described in Exhibit "A" and shown in Exhibit "B", pursuant to ORS 373.270 and the approved Intergovernmental agreement between the City of Molalla and Clackamas County related to the transfer of a portion of S. Ona Way.

Section 2. This Resolution is and shall be effective upon adoption by City Council and ratification by the Clackamas County Commission under its Resolution.

Signed this 11th day of AUGUST 2021.



Scott Keyser, Mayor

ATTEST:



Christie Teets, City Recorder

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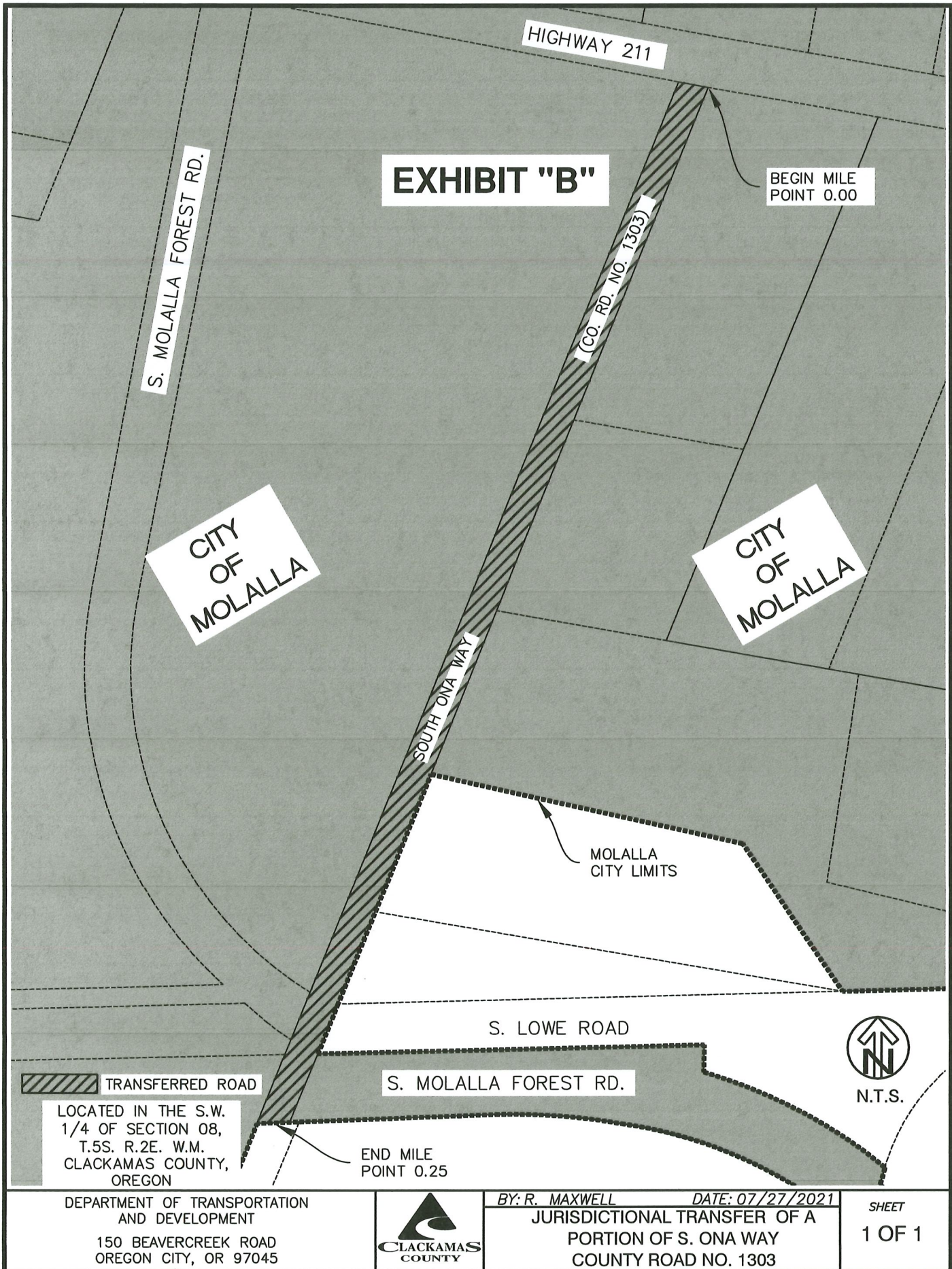


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DEPARTMENT OF TRANSPORTATION
AND DEVELOPMENT
150 BEAVERCREEK ROAD
OREGON CITY, OR 97045



BY: R. MAXWELL DATE: 07/27/2021
JURISDICTIONAL TRANSFER OF A
PORTION OF S. OÑA WAY
COUNTY ROAD NO. 1303

SHEET
1 OF 1