

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Study Session Worksheet

Presentation Date: May 10, 2011 Time: 10:30 AM Length: 30 min.

Presentation Title: OR 43 (Oswego Highway) Jurisdictional transfer

Department: Transportation and Development

Presenters: Cam Gilmour, Elissa Gertler, Mike Bezner

POLICY QUESTION

Should Clackamas County continue negotiations with the Oregon Department of Transportation, Lake Oswego and West Linn on the jurisdictional transfer of Hwy 43?

ISSUE & BACKGROUND

The Oregon Department of Transportation has offered to transfer their ownership of the Highway 43 (OR 43/Oswego Highway) to the City of Portland, Multnomah County, and Clackamas County. Each jurisdiction would assume the responsibilities to maintain and improve the highway within their jurisdictional boundaries.

It has been understood from the beginning of the transfer discussions which began early last year that Clackamas County would condition its acceptance of the transfer on the cities of Lake Oswego and West Linn agreeing to accept ownership once the highway was transferred to the county. It is unclear at this time whether ODOT would allow this subordinate transfer to occur. This is one of many details that remain to work out with ODOT, and the cities.

The parties discussing the transfer are in general agreement that Highway 43 will function more effectively as an urban arterial under the jurisdiction of local government. At this time the parties are not in agreement on the sum of money needed for the transfer to occur. ODOT's offer is \$3.5 million dollars.

County staff has developed a cost estimate that is closer to \$9 million. This is a sum that would keep the county engaged in the transfer negotiation, because it would bring the pavement condition over the entire length to a good or better condition.

Lake Oswego and West Linn still have the matter under review and each jurisdiction has had one work session. West Linn has been clear that they do not have the financial resources to assume ownership of the highway. Financing is the main factor affecting progress on the transfer at this time.

QUESTION(S) PRESENTED FOR CONSIDERATION

Is the sum of \$3.5 million stipulated by ODOT for the transfer of Hwy 43 to Clackamas County satisfactory as presented by ODOT?

OPTIONS AVAILABLE

1. Accept the transfer of the highway for a sum of \$3.5 million with conditions stipulated by ODOT for the transfer.
2. Decline the transfer offer.
3. Continue to negotiate the transfer with ODOT, remain engaged with West Linn and Lake Oswego, and participate in Working Group meetings should future meetings be scheduled.

RECOMMENDATIONS

Option 3. There are good reasons to continue negotiations with ODOT as the role Highway 43 continues to evolve, transitioning from being a state highway to an urban arterial. Local control of Highway 43 will allow the function of the highway to be more compatible with the land use plans of Lake Oswego and West Linn.

SCHEDULE FOR STUDY SESSION

Division Director/Head Approval _____
Department Director/Head Approval Cam Gilmour
County Administrator Approval _____

For information on this issue or copies of attachments, contact Cam Gilmour @ 503 742-4340