



DAN JOHNSON
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD OREGON CITY, OR 97045

September 24, 2020

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 Estacada of a Portion of
Glen Avenue(Aka Wren) and Hinman Road (Both Being County Road #2279) and
Cemetery Road (County Roads #2510)**

Purpose/Outcomes	Jurisdictional transfer of a portion of Glen Avenue, Hinman Road and Cemetery Road to the City of Estacada.
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 Estacada. Initial cost of transfer is \$11,200, which represents the cost of a 2" asphalt overlay of that portion of Cemetery Road being transferred.
Funding Source	Road Fund
Duration	Upon execution; permanent
Previous Board Action	N/A
Strategic Plan Alignment	This transfer will build trust through good government by being efficient with County resources.
Counsel Review	Reviewed and approved by County Counsel on September 14, 2020
Procurement Review	Was this item processed through Procurement? No This item is a transfer of Jurisdiction no procurement needed.
Contact Person	Michael Bays, Survey/CADD Supervisor; 503-742-4667

There are certain County roads, such as Glen Avenue, Hinman Road and Cemetery 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 portions of Glen Avenue, Hinman Road and Cemetery 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 portions of Glen Avenue, Hinman Road and Cemetery Road to be transferred are 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 \$11,200, which is equal to the cost of a 2" asphalt overlay, in

exchange for the City assuming exclusive jurisdiction over the portion of Glen Avenue, Hinman Road and Cemetery Road containing approximately 18,385, 71,930 and 10,085 square feet of Right-of-Way respectively. By accepting jurisdiction over portions of Glen Avenue, Hinman Road and Cemetery 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 over portions of Glen Avenue, Hinman Road and Cemetery Road over to the City pursuant to ORS 373.270(6), (see attached Resolution 26-2020). Pursuant to ORS 373.270(7), 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 related to the transfer of jurisdiction over portions of Glen Avenue, Hinman Road and Cemetery Road and the payment to the City in an amount equivalent to a 2" asphalt overlay of that portion of Cemetery 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 Glen Ave(Aka Wren Ave) and Hinman Rd County Road No. 2279, DTD Nos. 34034, 35035 and Cemetery Rd, County Road No. 2510, DTD No. 34043



Board Order No. _____
Page 1 of 2

This matter coming before the Board of County Commissioners as a result of a request from the City of Estacada, by Resolution Number 2020-006, dated August 10, 2020 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 described in Exhibits "A" and more particularly depicted in Exhibits "B-1" and "B-2" all 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>
Glen Avenue	2279	34034	MP 0.0	MP 0.08	18,385;
Hinman Road	2279	34035	MP 0.0	MP 0.27	71,930;
Cemetery Road	2510	34043	MP 0.48	MP 0.55	10,085; 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 08/27, 09/03, 09/10, 09/17; now therefore,

IT IS HEREBY ORDERED that jurisdiction of a portion of Glen Avenue, Hinman Road and Cemetery 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 100,400 square feet, more or less, be removed from the County's Road Inventory; and,

IT IS FURTHER ORDERED that the County pay the City of Estacada the amount of \$11,200, which is equal to the cost of a 2" asphalt overlay, in exchange for the City assuming exclusive jurisdiction over the portion of Glen Avenue, Hinman Road and Cemetery Road; and

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

In the matter of transferring to the
City of Estacada, jurisdiction over
Glen Ave(Aka Wren Ave) and Hinman
Rd County Road No. 2279, DTD
Nos. 34034, 35035 and Cemetery Rd,
County Road No. 2510, DTD No. 34043



Board Order No. _____

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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 _____, 2020.

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

EXHIBIT A

Hinman Road and Glen Avenue (aka Wren Avenue) Transfer of Jurisdiction

Clackamas County to the City of Estacada

Description

A portion of Hinman Road and Glen Avenue (aka Wren Ave), Both being Clackamas County Road No. 2279 lying in the SE 1/4 of section 17, T.3S., R.4E., W.M. and within the boundary of the City of Estacada, more particularly described below.

All of County Road No. 2279, a 50 foot wide road Right of Way, as dedicated on Plat No. 194, "Morrow Glen Tracts" and accepted by Clackamas County Order 2279 recorded in Book 43, Page 403, Clackamas County deed records;

Excepting, that portion of County Road No. 2279 lying south of a line between point "B", a found 3/4" Iron Pipe, as shown on Partition Plat 2019-13 and Point "D", a found 5/8" Iron Rod, as shown on Partition Plat 2019-13. This excepted portion is also known as "Violet Avenue".

Containing 90,315 Sq.Ft. of Right of Way, more or less.

Cemetery Road Transfer of Jurisdiction

Clackamas County to the City of Estacada

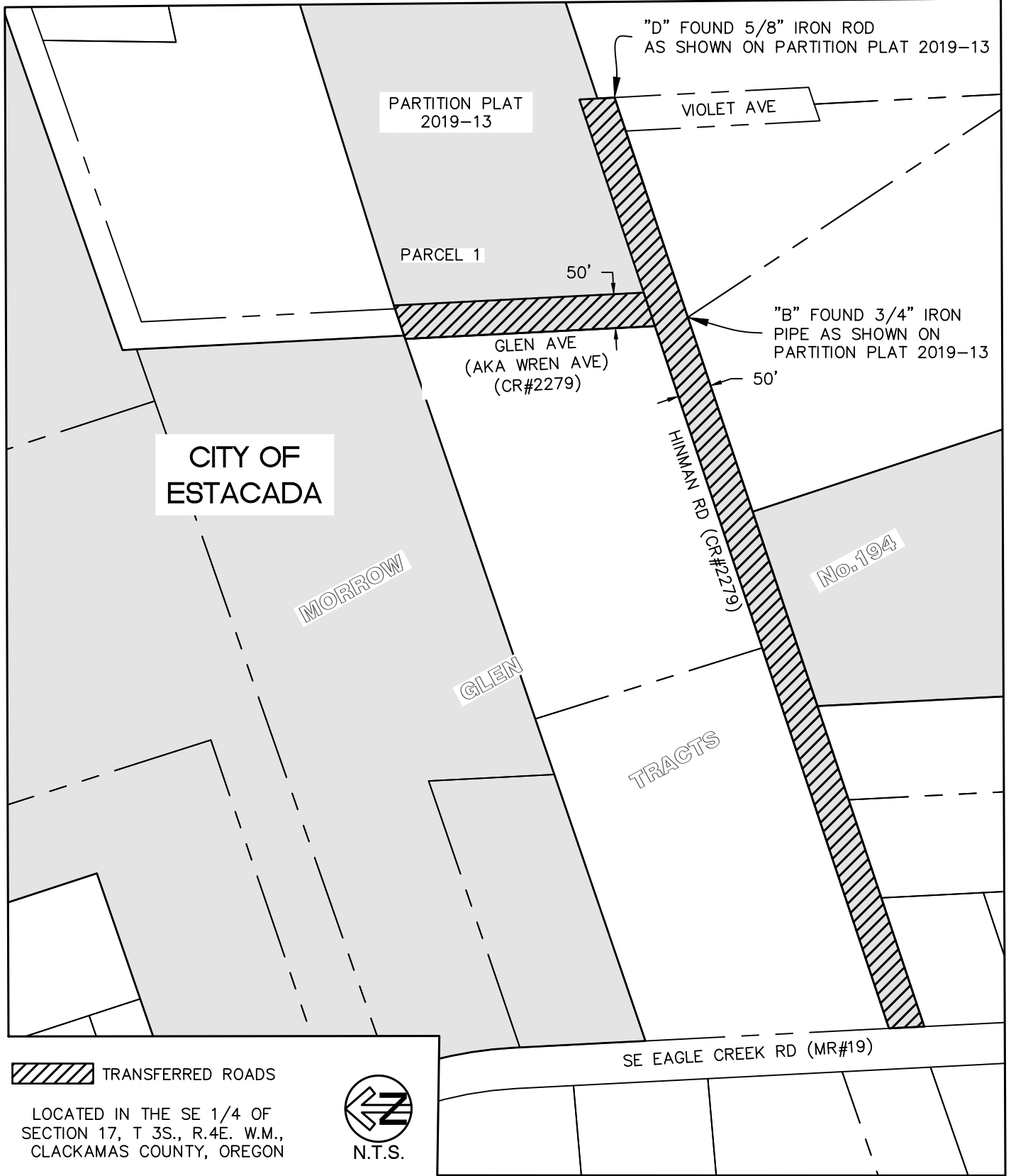
Description

A portion of Cemetery Road, County Road No. 2510 lying in the NW 1/4 of section 21, T3S., R4E., W.M and within the boundary of the city of Estacada, more particularly described below.

All of County Road No. 2510, a variable width road right of way lying north of the northerly right of way of NE Cascadia Ridge Drive adjacent to Lot 115 as shown on the plat of Cascadia Ridge No.3, plat No. 4317, also known as Cemetery Road Mile Point 0.486, Clackamas County Road Maintenance records.

Containing 10,085 Sq.Ft. of Right of Way, more or less.

EXHIBIT "B-1"



 TRANSFERRED ROADS

LOCATED IN THE SE 1/4 OF SECTION 17, T 3S., R.4E. W.M., CLACKAMAS COUNTY, OREGON



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

150 BEAVERCREEK ROAD
OREGON CITY, OR 97045



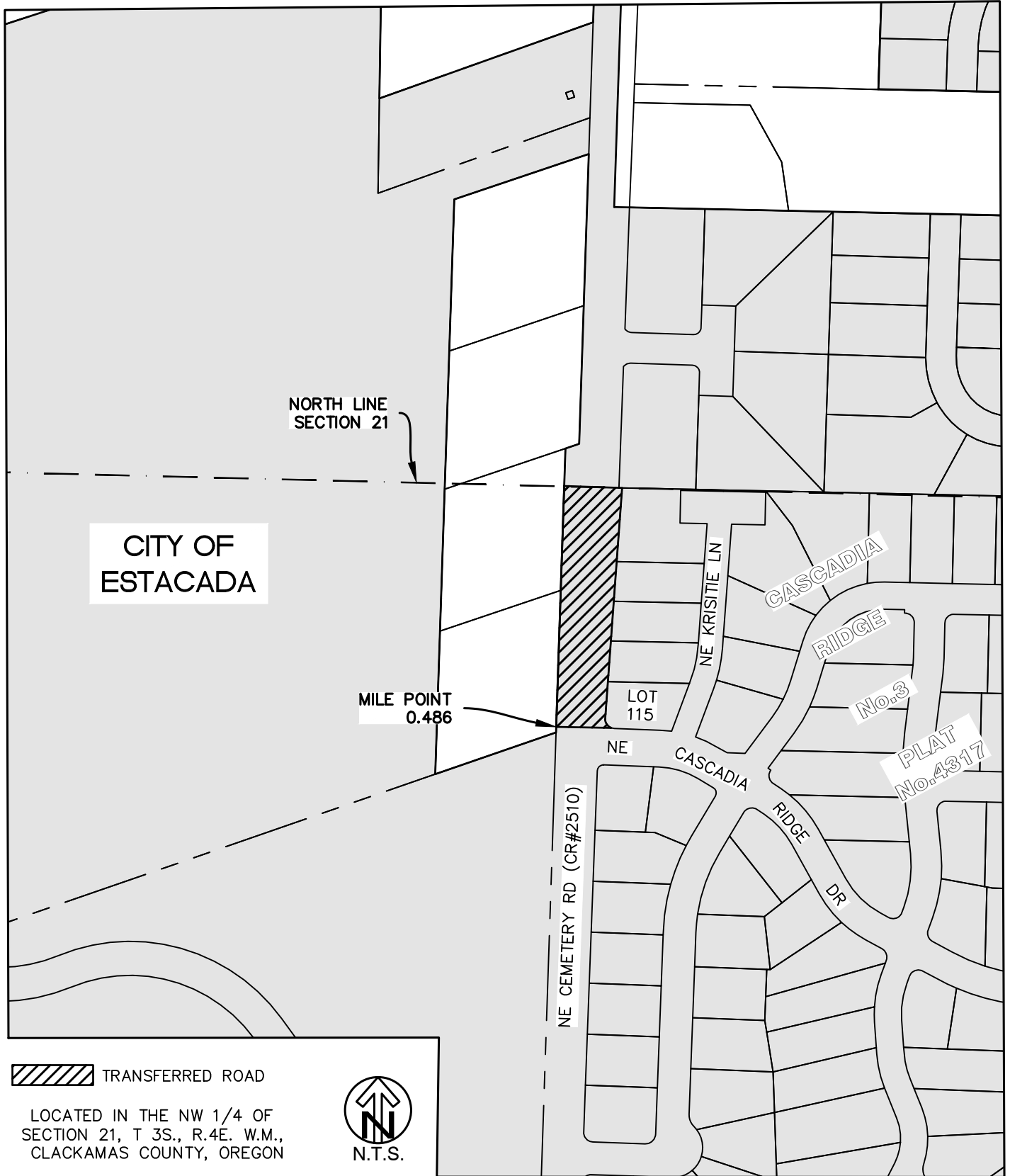
BY: M.BAYS

DATE: 7/15/2020

JURISDICTIONAL TRANSFER
HINMAN RD AND GLEN AVE
COUNTY ROAD #2279

SHEET
1 OF 1

EXHIBIT "B-2"



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



BY: M.BAYS DATE: 7/15/2020
 JURISDICTIONAL TRANSFER
 CEMETERY ROAD
 COUNTY ROAD #2510

SHEET
 1 OF 1

RESOLUTION 2020 - 006

A RESOLUTION REQUESTING CLACKAMAS COUNTY SURRENDER JURISDICTION OVER CERTAIN PORTIONS 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, there is a portion of NE Cemetery Road inside the city limits that Clackamas County has jurisdiction of and it would be beneficial for the City to have control of this section of roadway as shown in Exhibit A; and

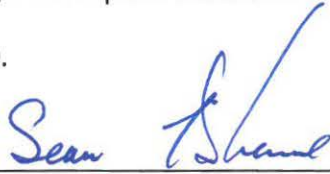
WHEREAS, the Estacada Planning Commission and City Council have approved in application #2020-01 the annexation of, and developments that include improvements in the right-of-way along, the roughly 90,315 square foot portion of SE Hinman Road and Glen (Wren) Avenue shown in Exhibit B; and

WHEREAS, the City wishes to accept exclusive jurisdiction over said portions of SE Hinman Road, Glen (Wren) Avenue, and NE Cemetery 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 Hinman Road, Glen (Wren) Avenue, and NE Cemetery Road allowing the developers to work directly with the City on design standards for their street improvements and right-of-way dedications; and

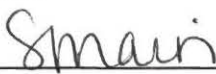
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Estacada, Oregon, that by virtue of the foregoing and pursuant to ORS 373.270, the Estacada City Council hereby requests that Clackamas County undertake the procedure for transferring jurisdiction to the City of Estacada over portions of SE Hinman Road, Glen (Wren) Avenue, and NE Cemetery Road as shown on Exhibits A & B and as referenced in the legal description shown in Exhibit C.

Passed and effective this 10th day of August, 2020.



Sean Drinkwine, Mayor


ATTEST:



Sadie Main, City Recorder

EXHIBIT "A"



 TRANSFERRED ROAD
 LOCATED IN THE NW 1/4 OF
 SECTION 21, T 3S., R.4E. W.M.,
 CLACKAMAS COUNTY, OREGON



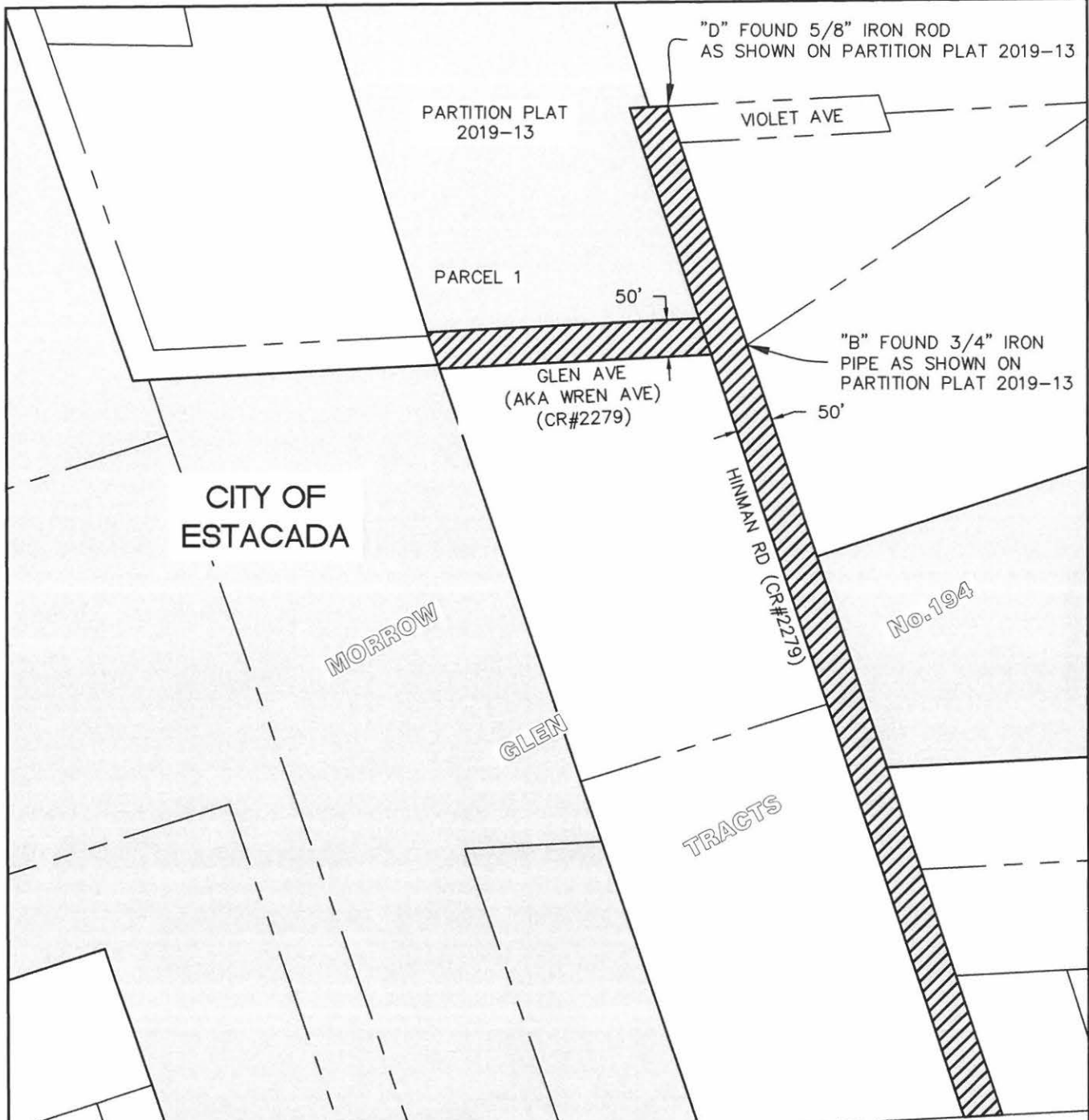
DEPARTMENT OF TRANSPORTATION
 AND DEVELOPMENT
 150 BEAVERCREEK ROAD
 OREGON CITY, OR 97045



BY: M.BAYS DATE: 7/15/2020
 JURISDICTIONAL TRANSFER
 CEMETERY ROAD
 COUNTY ROAD #2510

SHEET
 1 OF 1

EXHIBIT "B"



 TRANSFERRED ROADS

LOCATED IN THE SE 1/4 OF
 SECTION 17, T 3S., R.4E. W.M.,
 CLACKAMAS COUNTY, OREGON



N.T.S.

DEPARTMENT OF TRANSPORTATION
 AND DEVELOPMENT

150 BEAVERCREEK ROAD
 OREGON CITY, OR 97045



BY: M.BAYS

DATE: 7/15/2020

JURISDICTIONAL TRANSFER
 HINMAN RD AND GLEN AVE
 COUNTY ROAD #2279

SHEET
 1 OF 1

Exhibit C

Hinman Road and Glen Avenue (aka Wren Avenue) Transfer of Jurisdiction Clackamas County to the City of Estacada

Description

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Cemetery Road Transfer of Jurisdiction

Clackamas County to the City of Estacada

Description

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