



**DAN JOHNSON**  
DIRECTOR

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

January 28, 2020

Board of County Commissioner  
Clackamas County

Members of the Board:

**Approval of Intergovernmental Agreement between Clackamas County and  
the City of Gladstone for  
Traffic Signal Maintenance and Transportation Engineering Services**

<b>Purpose/Outcomes</b>	Clackamas County is seeking approval to allow Department of Transportation and Development (DTD) staff to cooperatively provide annual traffic signal maintenance and transportation engineering services to City of Gladstone to support City's traffic signals and intelligent transportation system infrastructure.
<b>Dollar Amount and Fiscal Impact</b>	Revenue – Varies between \$500 to \$3,000 annual reimbursements for staff time per traffic signal & roadway flashing beacons.
<b>Funding Source</b>	N/A
<b>Duration</b>	Indefinite or upon 60 days' notice by either party
<b>Previous Board Action</b>	X/X/XXX – Taken to issues for discussion
<b>Strategic Plan Alignment</b>	<ol style="list-style-type: none"> <li>1. 1. How does this item align with your department's Strategic Business Plan goals? Provide safe, efficient, and well-maintained transportation system throughout the County.</li> <li>2. 2. How does this item align with the County's Performance Clackamas goals? Build a strong infrastructure and Ensure safe, healthy, and secure communities.</li> </ol>
<b>Counsel Review</b>	Date of Counsel review: Initials of County Counsel performing review.
<b>Procurement Review</b>	<ol style="list-style-type: none"> <li>1. Was the item processed through Procurement? yes <input type="checkbox"/> no <input checked="" type="checkbox"/></li> <li>2. If no, why</li> </ol>
<b>Contact Person</b>	Bikram Raghubansh, Senior Traffic Engineer 503-742-4706

**BACKGROUND:**

The City of Gladstone is requesting a formal agreement with Clackamas County to provide transportation engineering and traffic signal maintenance services to support traffic signal timing, and manage the City's traffic signals, flashing beacons, and intelligent transportation system. This agreement will allow Clackamas County to provide annual routine maintenance support to the City owned traffic signals along with transportation engineering support. Support

provided by County transportation engineering and traffic signal maintenance staff will be reimbursed by the City for time and material costs.

**RECOMMENDATION:**

Staff respectfully recommends that the Board of County Commissioners approve the attached Intergovernmental Agreement with the City of Gladstone for the maintenance of traffic signal related assets and transportation engineering services.

Respectfully submitted,

Bikram Raghubansh  
Senior Traffic Engineer



**DAN JOHNSON**  
DIRECTOR

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

January 28, 2020

Board of County Commissioners  
Clackamas County

Members of the Board:

**Approval of Supplemental Project Agreement No. 34029 with  
Oregon Department of Transportation (ODOT) for the  
OR 211 at Canby Marquam Highway Project**

<b>Purpose/Outcome</b>	Clackamas County Department of Transportation and Development (DTD) is seeking approval for this intergovernmental agreement with Oregon Department of Transportation (ODOT) for the OR 211 at Canby Marquam Highway Project.
<b>Dollar Amount and Fiscal Impact</b>	County is not contributing funds toward the design or construction of project. The project will be financed by the State at an estimated cost of \$723,700. County will be responsible for power costs associated with intersection lighting at the intersection, which is estimated to be less than \$100 annually.
<b>Funding Source</b>	NA
<b>Duration</b>	Effective upon date it is fully executed and approved as required by applicable law
<b>Previous Board Action</b>	1/19/21: Discussion item at issues
<b>Strategic Plan Alignment</b>	1. How does this item align with your department's Strategic Business Plan goals?  2. How does this item align with the County's Performance Clackamas goals?
<b>Counsel Review</b>	Reviewed and approved by Counsel on 12/16/2020
<b>Procurement Review</b>	1. Was this item processed through Procurement? NO 2. If no, provide brief explanation: This is an intergovernmental agreement and procurement review is not applicable.
<b>Contact Person</b>	Christian Snuffin, Senior Traffic Engineer 503-680-5623

**BACKGROUND:**

ODOT is constructing and installing safety improvements on roads approaching and at the intersection of OR 211 and Canby Marquam Highway (north of the intersection) and S. Kropf Road (south of the intersection). The Project includes the following:

- a. constructing a 2" grind/inlay, installing transverse rumble strips, and installing a through route activated warning system on Canby Marquam north of the intersection;

- b. Installing static solar powered flashers on stop signs on S. Kropf Road south of the intersection; and
- c. Installing intersection illumination, enhanced intersection warning signs, and a through route activated warning system on OR 211.

The Project will be financed by State at an estimated cost of \$723,700.00 in federal and state funds. County is not contributing funds to the Project.

**RECOMMENDATION:**

Staff respectfully recommends that the Board of County Commissioners approve the attached Intergovernmental Agreement with ODOT for the OR 211 at Canby Marquam Highway Project.

Respectfully submitted,

Christian Snuffin  
Senior Traffic Engineer/Project Manager



**DAN JOHNSON**  
DIRECTOR

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

January 28, 2021

Board of County Commissioners  
Clackamas County

Members of the Board:

**Approval of a Resolution Declaring the Public Necessity and Purpose for Acquisition of Rights of Way, Easements, and Fee Property for the Jennings Ave: OR99E to Oatfield Rd. Project and Authorizing Good Faith Negotiations and Condemnation Actions**

<b>Purpose/Outcomes</b>	Under ORS 35 and the federal Uniform Act, a local government agency is authorized to declare by resolution or ordinance the necessity and the purpose for which the project is required by enacting a Resolution of Necessity prior to initiating acquisition of the easements or other property rights needed from abutters to the project.
<b>Dollar Amount and Fiscal Impact</b>	The right of way budget for the project is estimated to be \$992,481 and the total amount estimated for this project is \$5,152,316.
<b>Funding Source</b>	Federal Surface Transportation Program (STP) and County Road Funds.
<b>Duration</b>	The Resolution remains active throughout the project's duration and terminates upon completion of the project or when all litigation associated with the project is concluded.
<b>Previous Board Action/Review</b>	1/21/21: BCC approval of Contract Amendment # 1 with Murraysmith Inc. for the Jennings Ave: OR 99E to Oatfield Rd. Project. 01/19/21: Discussion with BCC at issues 10/17/19: BCC approval of a Contract with Murraysmith Inc. for the Jennings Ave: OR 99E to Oatfield Rd Project. 10-11-18: BCC approval of Intergovernmental Agreement for Right of Way Services No. 32338 with Oregon Department of Transportation for the Jennings Ave OR 99E to Oatfield Road Project. 06/29/17: BCC approval of Supplemental Project Agreement No. 31035 with Oregon Department of Transportation for the Jennings Ave. OR 99E to Oatfield Road Project. 01/01/17: BCC Approval of Master Certification Agreement No. 30923 for County implementation of federally funded projects.
<b>Strategic Plan Alignment</b>	1. How does this item align with your department's Strategic Business Plan goals? This item supports the DTD Strategic Focus on Safe Roads and Strategic Result of providing safe roads for the "users of the transportation system so they can travel safely and efficiently in Clackamas County." 2. How does this item align with the County's Performance Clackamas goals? This item aligns with "Build a Strong Infrastructure" and "Ensure

	safe, healthy and secure communities” by constructing bicycle lanes and sidewalks.
<b>Counsel Review</b>	Date of Counsel review: 1/7/21 NB
<b>Procurement Review</b>	1. <i>Was the item processed through Procurement?</i> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> This item is a resolution of necessity, required under ORS 35 as a precursor in support of possible condemnation action.
<b>Contact Persons</b>	Sharan LaDuca, DTD Sr. Right of Way Agent @ 503-742-4675 (o) or 503-679-0619 (c)

The County obtained Federal Surface Transportation Program funding to construct improvements along Jennings Avenue from OR99E to Oatfield Road. The improvements include constructing a curb tight sidewalk on the north side of the road and constructing bike lanes on both sides of the road for enhanced bicycle and pedestrian connectivity. The total length of improvements is approximately three quarters (3/4) of a mile (approximately 3860 feet).

In order to construct the improvements as designed, additional rights of way and easements will be required. The project is expected to impact 46 properties abutting the project alignment. The Board has authority to exercise the power of eminent domain under ORS Chapter 35 to acquire rights of way, easements, and fee property by purchase or condemnation proceedings. In accordance with the procedure set forth in that statute, a Resolution of Necessity is required before offers are made for needed rights of way and easements.

The project design team has collected and analyzed data sufficient to choose an alternative and advance the design of the project. The project has been planned and located in a manner which is most compatible with the greatest public good and which causes the least private injury. The design has progressed through the Department of Transportation and Development (the “Department”) project development procedures and the final legal descriptions required for acquisition of the needed rights of way and easements from 46 properties affected by the Project are being developed and reviewed.

The Department shall negotiate in good faith and accordance with all applicable laws, rules, and regulations in an attempt to reach agreement as to the amount of Just Compensation owed each affected property owner. To fairly determine the amount of Just Compensation, staff will utilize the expertise of authorized real estate appraisers and other such experts to make appraisals and appraisal reviews for acquisitions valued over \$10,000 or staff will utilize their own expertise and reliable data sources to prepare Appraisal Waiver Valuations in accordance with applicable law and regulation for acquisitions valued under \$10,000.

The resolution directs Department staff to proceed with good faith negotiations for the acquisition of the needed property rights and to utilize the expertise of authorized real estate appraisers and other such experts to assist in the acquisition process. The resolution further requires the Director of the Department to notify the Board if the exercise of the power of eminent domain becomes necessary. Only after this process is completed does it authorize the Office of County Counsel to file a Condemnation Action.

**RECOMMENDATION:**

Staff respectfully recommends that the Board of County Commissioners approve the Resolution of Necessity and Purpose authorizing the acquisition of necessary rights of way, easements, and fee property by good faith negotiation if possible, or condemnation, if necessary.

Respectfully,

*Sharan LaDuca*

Sharan LaDuca  
Senior Right of Way Agent