

RESOLUTION NO. 3239

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING ACQUISITION OF PROPERTY RELATED TO CONSTRUCTION OF THE BOECKMAN CREEK FLOW MITIGATION PROJECT (CAPITAL IMPROVEMENT PROJECT #7068) AND AMENDING RESOLUTION NOS. 3167 AND 3223.

WHEREAS, the City Council adopted Resolution No. 3167 on January 6, 2025, which authorizes the City to acquire certain property interests in connection with the Boeckman Creek Flow Mitigation Project; and

WHEREAS, when Resolution No. 3167 was adopted, the City anticipated needing a stormwater easement from the property owner Brenchley Estates Owners Association with respect to the certain real property within the area described as Tract J in the attached Exhibit A; and

WHEREAS, the City Council adopted Resolution No. 3223 on December 1, 2025, amending Resolution No. 3167 upon the City and Brenchley Estates Owners Association mutually agreeing that it is in the both parties interest for the City to take title to the property described as Tract A in the attached Exhibit A; and

WHEREAS, property acquisition negotiations with Brenchley Estates Owners Association continue, the City desires additional flexibility to complete negotiations and acquire property necessary to construction the Project; and

WHEREAS, the City desires to amend Resolution No. 3167 and Resolution No. 3223 to allow the City either acquire a stormwater easement described as Tract J in the attached **Exhibit A** or take title to the property described as Tract A in the attached **Exhibit A**, whichever is determined to be in the best interest of the City as determined by the City Engineer.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

Section 1. Determinations and Findings. The City adopts the above recitals and the staff report accompanying this Resolution as findings of the City Council. The land in either alternative described in **Exhibit A** is necessary for the construction of the Boeckman Creek Flow Mitigation Project.

Section 2. Authorization. The City’s project consultant, Brown & Caldwell, right-of way consultant, City staff, and the City Attorney are authorized and directed to negotiate with the owner of the Property as to the compensation to be paid for the acquisition of storm water easement (Tract J) or to take title to the property (Tract A), whichever is determined to be in the best interest of the City as determined by the City Engineer. In the event that there are required modifications to the legal descriptions as the Project moves forward, the City Engineer is authorized to modify the attached legal descriptions, as necessary, to conform to final engineering design for the Project.

Section 3. Amendment of Existing Resolutions. Upon adoption of this Resolution by the City Council, Resolution No. 3167 is hereby amended as to the acquisition of Tract J referenced therein and Resolution No. 3223 is hereby amended as to the acquisition of Tract A referenced therein.

Section 4. Effective Date. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 6th day of April, 2026, and filed with the Wilsonville City Recorder this date.

Shawn O’Neil, Mayor

ATTEST:

Kimberly Veliz, MMC, City Recorder

SUMMARY OF VOTES:

Mayor O’Neil

Council President Berry

Councilor Cunningham

Councilor Scull

Councilor Shevlin

EXHIBITS:

- A. Boeckman Creek Flow Mitigation Brenchley Estates Owners Association Property Acquisition Legal Descriptions