



**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: April 6, 2026		Subject: Resolution No. 3239 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. Staff Member: Amanda Guile-Hinman, City Attorney Zach Weigel, P.E. City Engineer Department: Legal & Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input checked="" type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: N/A	
Staff Recommendation: Staff recommends Council adopt the Consent Agenda.			
Recommended Language for Motion: I move to adopt the Consent Agenda.			
Project / Issue Relates To:			
<input type="checkbox"/> Council Goals/Priorities:	<input checked="" type="checkbox"/> Adopted Master Plan(s): Transportation System Plan Project UU-01 & UU-02 and Stormwater Master Plan BC-2	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

Whether to amend Resolution No. 3167 and 3223 to acquire certain real property currently owned by the Brenchley Estates Owners Association.

EXECUTIVE SUMMARY:

The Boeckman Creek Flow Mitigation Project (Project) represents work on the final two elements of the Boeckman Road Corridor Project (BRCP). This work is programmed to occur after the Boeckman Creek Bridge completion: 1. Boeckman Creek stream restoration work to provide fish passage which includes removing the existing culvert and flow control structure and associated massive grading, and 2. Mitigation for the resulting Boeckman Creek flow differential after removing the flow control structure.

At its January 6, 2025 Council meeting, the City Council adopted Resolution No. 3167, authorizing the acquisition of properties and property interests for the Project.

On December 1, 2025, City Council adopted **Resolution No. 3223**, amending Resolution No. 3167 and allowing the City to take title to a property identified as Tract A in **Exhibit A**, which is owned by the Brenchley Estates Owners Association (HOA). Tract A is encumbered by wetlands protected by a conservation easement and is not developable. As part of ongoing negotiations with the HOA, the City and the HOA believed at that time it was in both parties' interest for the City to take title to the property rather than acquiring a stormwater easement identified as Tract J in Exhibit A.

As negotiations with the HOA continue, the project team believes additional flexibility is needed to complete negotiations and acquire property necessary to construct the Project. Staff recommend amending Resolution Nos. 3167 and 3223 to allow the City to either acquire a stormwater easement (Tract J) or take title to the HOA property (Tract A), whichever alternative is in the best interests of Wilsonville as determined by the City Engineer.

EXPECTED RESULTS:

Resolution No. 3239 provides the authority needed for the City to proceed with acquisition activities in accordance with ORS Chapter 35.

TIMELINE:

Upon adoption of Resolution No. 3239, staff anticipates closing on the real estate acquisition in the next couple of months. Construction of the Project is anticipated to begin in May 2026, so time is of the essence.

CURRENT YEAR BUDGET IMPACTS:

The amended Fiscal Year (FY) 2025-2026 budget includes \$2,213,892 in stormwater operating and system development charge funds for design, property acquisition, contract administration, and overhead for the Boeckman Creek Flow Mitigation project, Capital Improvement Project (CIP) #7068. As part of the negotiations with the HOA, staff do not anticipate any additional cost to acquire the property in either alternative described in Exhibit A.

COMMUNITY INVOLVEMENT PROCESS:

The BRCP provided extensive community involvement opportunities and outreach and will continue to do so as the Project begins construction. Neighbors to the project area received

project information letters prior to commencing the project field work. The project team has actively communicated in meetings or via email with the mitigation area property owners throughout the field work activities, including notification about the subject property acquisitions that are needed to complete the project.

Staff and the City's contracted right-of-way agent have engaged in extensive communications with the HOA regarding this specific property acquisition.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

The Project will contribute to restoring natural drainage patterns in the Coffee Lake and Boeckman Creek drainage basins in Wilsonville. Restoring these patterns will allow stream restoration and responsible removal of the culvert and flow control structure in Boeckman Creek that currently obstruct fish passage. The Coffee Lake basin restoration will alleviate increased flows within Boeckman Creek, helping to mitigate potential downstream erosion impacts to private property. Achieving fish passage will allow the City to meet regulatory requirements associated with replacing the Boeckman Dip with a bridge, a much-needed connection for the Wilsonville community's transportation and land use systems.

ALTERNATIVES:

Pursue the stormwater easement previously authorized.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Resolution No. 3239
 - A. Boeckman Creek Flow Mitigation Brenchley Estates Owners Association Property Acquisition Legal Descriptions