



**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: January 6, 2025		Subject: Resolution No. 3167 Authorizing Acquisition of Property and Property Interests Related to Construction of the Boeckman Creek Flow Mitigation Project (Capital Improvement Project No. 7068)	
		Staff Member: Andrew Barrett, PE, Capital Engineering Projects Manager and Nancy Kraushaar, PE, Project Engineer	
		Department: 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 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 Resolution No. 3167.			
Recommended Language for Motion: I move to adopt Resolution No. 3167.			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities: Protect and Preserve Wilsonville's Environment	<input checked="" type="checkbox"/> Adopted Master Plan(s): Transportation System Plan Projects UU-01 & UU-02 and Stormwater Master Plan BC-2	<input type="checkbox"/> Not Applicable:	

ISSUE BEFORE COUNCIL:

A City of Wilsonville resolution authorizing the acquisition of portions of properties and property interests associated with the Boeckman Creek Flow Mitigation Project (Capital Improvement Project (CIP) #7068).

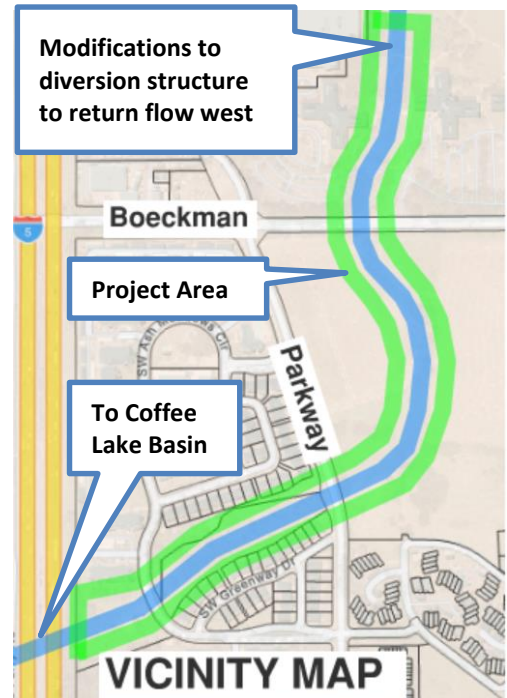
EXECUTIVE SUMMARY:

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.

During the preliminary engineering for the BRCP, Brown and Caldwell (BC) completed the January 2022 “Boeckman Creek Hydraulic Evaluation Technical Memorandum”. Their study concluded that removing the culvert and flow control structure at Boeckman Road would require mitigation for flows that had been diverted to the Boeckman Creek drainage basin from the Coffee Lake drainage basin decades earlier. BC then evaluated mitigation alternatives (May 2023 “Boeckman Creek Flow Mitigation Alternatives Evaluation, Technical Memorandum”) and concluded that the previously diverted flows could be returned to the Coffee Lake basin by constructing modifications to the Coffee Creek conveyance system between Mentor Graphics (Siemens) and I-5 (see map with Project area outlined).

Since last spring, Brown and Caldwell has been preparing the design for modifications to existing drainage conditions that will restore the historic natural flow route to the Coffee Lake basin.





The project design includes modifications to the existing diversion structure and trapezoidal weir on the Siemens property north of Boeckman Road (1 and 2 in graphic), culvert replacement on Boeckman Road just south of the Siemens ponds (3 in graphic), and modifications to culverts that cross under Parkway Avenue and Ash Meadow Road (4 and 5 in graphic).

To complete the work anticipated for the project, temporary construction easements (TCE) and stormwater easements must be planned for and authorized by the City Council. Resolution No. 3167 provides the authority for the City Council to pursue acquisition activities in accordance with Oregon Revised Statutes (ORS) Chapter 35.

Table 1 (below) summarizes the permanent stormwater easements and temporary construction easements that are the best estimate for the proposed property acquisitions. The legal descriptions are considered to be reasonably accurate at this time, although minor modifications may need to occur depending on final design details and site conditions, to be approved and verified by the City Engineer. The detailed legal descriptions of the properties to be acquired along with illustrative maps are included as **Exhibit A** to Resolution No.3167. The legal descriptions reflect the least amount of property necessary to construct and access these portions of the project.

Table 1 – Boeckman Creek Flow Mitigation Project Property Acquisitions

Tract	Owner	Tax Map and Lot #	Acquisition Type	Approx. Area, Sq. Ft.
A	Mentor Graphics Corporation (Siemens)	3 1W 12 00501	Stormwater Easement	2,949
B	Mentor Graphics Corporation (Siemens)	3 1W 12 00501	Stormwater Easement	3,668
C	Mentor Graphics Corporation (Siemens)	3 1W 12 00501	TCE	6,084
D	Mentor Graphics Corporation (Siemens)	3 1W 12 00501	Stormwater Easement	1,717

E	Mentor Graphics Corporation (Siemens)	3 1W 12 00501	TCE	1,517
F	Mentor Graphics Corporation (Siemens)	3 1W 13B 02603	Stormwater Easement	3,354
G	Mentor Graphics Corporation (Siemens)	3 1W 13B 02603	TCE	5,586
H	Mentor Graphics Corporation (Siemens)	3 1W 13B 02603	Stormwater Easement	43,271
I	Mentor Graphics Corporation (Siemens)	3 1W 13B 02603	TCE	10,357
J	Brenchley Estates Owners Association	3 1W 14AD 03100	Stormwater Easement	70,499
K	Lennar Northwest Inc.	3 1W 14AA 02800	Stormwater Easement	4,686
L	Brenchley Estates Owners Association	3 1W 14AD 03100	TCE	216
M	Lennar Northwest Inc.	3 1W 14AA 02800	TCE	4,598
N	Brenchley Estates Owners Association	3 1W 14AD 03100	TCE	1,435
O	Lennar Northwest Inc.	3 1W 14AA 02800	TCE	853
P	Brenchley Estates Owners Association	3 1W 14AD 03100	TCE	4,481
Q	JSP Terrene, LLC.; CSG Terrene, LLC.; TC Terrene, LLC.	3 1W 14A 00201	Stormwater Easement	4,834
R	JSP Terrene, LLC.; CSG Terrene, LLC.; TC Terrene, LLC.	3 1W 14A 00201	TCE	3,436

EXPECTED RESULTS:

Resolution No. 3167 provides the authority needed for the City to proceed with acquisition activities in accordance with ORS Chapter 35.

TIMELINE:

Upon adoption of Resolution No. 3167, the project team will first provide formal notice to impacted property owners to begin the required property acquisition process. Over the next nine months, the project team will work with a qualified property assessor to value the portions of property to be acquired and a right-of-way agent to work with property owners to negotiate compensation. Final construction contract documents, approved environmental permits, and

preparation for construction bidding is anticipated for the fourth quarter of 2025.

CURRENT YEAR BUDGET IMPACTS:

The amended Fiscal Year (FY) 2024-2025 budget includes \$1,558,918 in Stormwater Operating and System Development Charge (SDC) funds for design, property acquisition, contract administration, and overhead for the Boeckman Creek Flow Mitigation project, CIP #7068.

COMMUNITY INVOLVEMENT PROCESS:

The BRCP provided extensive community involvement opportunities and outreach and will continue to do so as the Boeckman Road improvements, sanitary sewer, and bridge are constructed. 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. Additional community involvement and outreach that focuses on the Boeckman Creek Flow Mitigation Project is expected to occur when the project design is further along.

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:

The project team assessed a number of Boeckman Creek flow mitigation options associated with establishment of fish passage and removal of the culvert and flow control structure as part of the BRCP. This assessment is documented in the May 2023 “Boeckman Creek Flow Mitigation Alternatives Evaluation, Technical Memorandum.” Restoration of the Coffee Lake drainage basin through the enhancement of the Ash Meadows drainage was identified as the preferred option as it provides the greatest flow mitigation benefit with the least impact to private property at the most economical cost with a completion date in 2027. (Oregon Department of Fish and Wildlife allowed the City to start the Boeckman Creek Bridge construction early as long as the stream restoration and flow mitigation work submitted environmental permits and started construction by 2026.)

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Resolution No. 3167
 - A. Boeckman Creek Flow Mitigation Project Property Acquisition Legal Descriptions