



**CITY COUNCIL MEETING
STAFF REPORT**

| | | |
|---|--|--|
| Meeting Date: April 15, 2024 | Subject: Resolution No. 3122 Authorize the City Manager to Enter Into and Execute a Cooperative Maintenance Agreement and Accept the Relinquishment of a Portion of SW Elligsen Road with the State of Oregon Department of Transportation. Staff Member: Zach Weigel, P.E., City Engineer Department: Community Development | |
| Action Required <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 | Advisory Board/Commission Recommendation <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 type="checkbox"/> Adopted Master Plan(s): | <input checked="" type="checkbox"/> Not Applicable |

ISSUE BEFORE COUNCIL:

A City of Wilsonville resolution accepting the relinquishment of a portion of Elligsen Road by the State of Oregon Department of Transportation (State) and approving a Cooperative Maintenance Agreement (CMA) between the City of Wilsonville and the State for the portion of Elligsen Road to be relinquished.

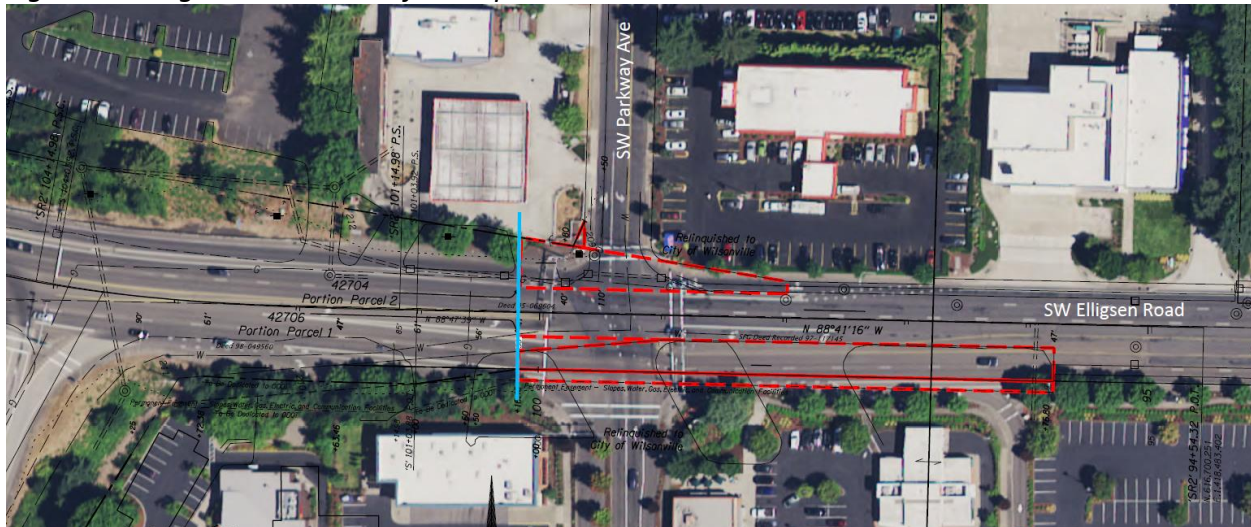
EXECUTIVE SUMMARY:

In January 2020, the City began design of a planned street maintenance project on Elligsen Road, including pedestrian signal improvements, sidewalk curb ramp upgrades, and roadway resurfacing with new striping and signage. The project limits extend from Parkway Avenue to the Wilsonville eastern city limits at Canyon Creek Road. Due to the proximity of Parkway Avenue to the Interstate 5 Elligsen Road Interchange (Exit 286), the City coordinated the street maintenance design and construction work with the State.

During project design, the City began to run into challenges due to the existing irregular Elligsen Road jurisdictional boundary between the State and the City, as shown in the red dashed lines in Figure 1. Further complicating the project design, the existing Elligsen/Parkway traffic signal is under City jurisdiction, while the roadway jurisdiction at the traffic signal is under the State.

Due to the shape of the boundary and location of the traffic signal, the City determined it was not feasible to construct the needed street maintenance improvements without obtaining a State permit. The sections of roadway, sidewalk curb ramp, and pedestrian signals under State jurisdiction have slightly different design and construction standards than the areas under City jurisdiction. The project team estimated up to a year of project delay to work through the design and construction requirements and obtain the required State permits.

Figure 1 – Elligsen Road Area of Relinquishment



In an effort to keep the Elligsen Road project on schedule and to both clarify and simplify the Elligsen Road jurisdictional boundaries and maintenance responsibilities for future work, the City proposed establishment of a clear jurisdictional boundary separation represented by the blue line on Figure 1. Under the proposal, all Elligsen Road roadway, sidewalk, and storm drainage infrastructure east of the blue line, represented by the red dashed lines, would transfer to City responsibility, while west of the blue line would remain under State jurisdiction. The State agreed with this proposal and the City accepted the State’s tentative relinquishment of the Elligsen Road right-of-way on August 12, 2020 as an interim measure while documents were prepared and

State approvals were obtained for the final relinquishment. The City's street maintenance project proceeded on schedule in accordance with Wilsonville design and construction requirements and was completed on November 10, 2021.

As of December 5, 2023, the State has prepared and approved a Relinquishment Deed for the Elligsen Road right-of-way (**Exhibit A**) for City approval. In addition to the Relinquishment Deed, a Cooperative Maintenance Agreement (**Exhibit B**) between the City and State is needed to outline maintenance responsibilities for the portion of Elligsen Road to be relinquished to the City. City Council authorization is required to accept the State relinquishment of the Elligsen Road right-of-way and enter into a Cooperative Maintenance Agreement (CMA) with the State.

EXPECTED RESULTS:

Acceptance of the State relinquishment of a portion of Elligsen Road and approval of the CMA will complete transfer of right-of-way and maintenance responsibilities for roadway, sidewalk, and traffic signal infrastructure at the intersection of Elligsen Road and Parkway Avenue to the City of Wilsonville. This will provide for more expedient and consistent infrastructure replacement and maintenance in the future, resulting in better communication and less impact to roadway users and nearby businesses.

TIMELINE:

Transfer of a portion of the Elligsen Road right-of-way and infrastructure maintenance responsibilities to the City will be completed upon City Council acceptance of the Relinquishment Deed and approval of the CMA.

CURRENT YEAR BUDGET IMPACTS:

There are no current year budgetary impacts that will result from acceptance of the State relinquishment of a portion of Elligsen Road right-of-way or approval of the CMA.

COMMUNITY INVOLVEMENT PROCESS:

N/A

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Transfer of the portion of Elligsen Road right-of-way and infrastructure maintenance responsibilities near Parkway Avenue to Wilsonville will allow the City to have authority over design and construction standards of the subject roadway areas, ensuring the roadway will comply with Wilsonville standards and the Wilsonville Transportation System Plan. Acceptance of the Relinquishment Deed and CMA will clarify road maintenance responsibilities and ensure efficient and consistent road maintenance activities along this portion of Elligsen Road.

ALTERNATIVES:

Acceptance of the Relinquishment Deed for a portion of Elligsen Road and approval of the CMA is necessary to establish more straightforward jurisdictional responsibilities on Elligsen Road at Parkway Avenue, near the Interstate 5 Elligsen Road Interchange (Exit 286). If the Relinquishment Deed is not accepted or the CMA is not approved, the irregular Elligsen Road jurisdiction

boundary between the State and the City will be left in place and continue to create infrastructure rehabilitation and maintenance challenges, resulting in extended time frames, additional costs, and traffic impacts to the Wilsonville community. In addition, the State may require the City to redesign and reconstruct the areas under State jurisdiction, previously completed in November 2021, in accordance with State requirements instead of the City standards.

CITY MANAGER COMMENT:

ATTACHMENTS:

1. Resolution No. 3122
 - A. Relinquishment Deed – Stafford Interchange & Interstate 5 Pavement Section
 - B. Cooperative Maintenance Agreement – SW Elligsen Rd: SW Parkway Ave Relinquishment and Maintenance