

RESOLUTION NO. 17-24

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCAPPOOSE ACCEPTING COLUMBIA COUNTY'S OFFER TO SURRENDER JURISDICTION OVER THE PORTION OF WEST LANE ROAD (COUNTY ROAD D) BETWEEN COLUMBIA AVE AND WAGNER COURT.

Whereas, the City initiated the transfer of the portion of West Lane Road from Columbia Ave to Wagner Court in Resolution 17-06; and

Whereas, Columbia County held a duly noticed public hearing on April 19, 2017 to consider the City's request and determined it was necessary, expedient, and in the best interests of the County to surrender jurisdiction over the County road portion of West Lane Road from its intersection with Columbia Ave to Wagner Court that is already inside the City limits; and

Whereas, Columbia County offered to surrender the portion of West Lane Road from Columbia Ave to Wagner Court in Order No. 23-2017 attached hereto as Exhibit 1; and

Whereas, ORS 373.270 authorizes the City to request Columbia County transfer jurisdiction of County Roads and provides a process for such transfer; and

Whereas, the City wishes to assume the full and absolute jurisdiction over the portion of West Lane Road from Columbia Ave to Wagner Court for all purposes of repair, construction, improvement and the levying and collection of assessments as it is critical to economic development within the City.

Now, therefore, be it resolved:

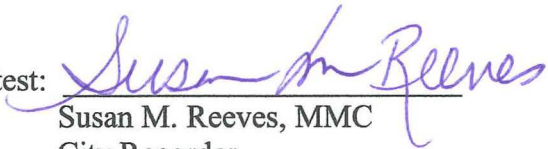
Section 1: The Scappoose City Council hereby accepts Columbia County's offer, as set forth in Exhibit 1, to surrender jurisdiction over the portion of West Lane Road (County Road D) between Columbia Ave and Wagner Court.

Section 2: This resolution is effective immediately upon passage.

PASSED AND ADOPTED by the Scappoose City Council and signed by me, and the City Recorder, in authentication of its passage on this 17th day of July 2017.

CITY OF SCAPPOOSE, OREGON

Attest:


Susan M. Reeves, MMC
City Recorder



Scott Burge, Mayor

Exhibit 1

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Transferring Jurisdiction over
the Portion of County Road D, commonly
known as West Lane Road, between
Columbia Avenue and Wagner Court to the
City of Scappoose

ORDER NO. 23-2017

WHEREAS, on February 6, 2017, the City of Scappoose ("City") passed Resolution No. 17-06, attached hereto as Attachment 1 and incorporated herein by this reference, requesting Columbia County transfer jurisdiction over the portion of West Lane Road that lies entirely within the City limits between Columbia Avenue and Wagner Court, to the City; and

WHEREAS, County Road D, commonly known and hereinafter referred to as West Lane Road, is a county road, and ORS 373.270 allows the County to transfer jurisdiction over a county road to the City if the County determines that such a transfer is necessary, expedient or in the best interest of the County and the City determines that acquiring jurisdiction over the county road is necessary, expedient or in the best interest of the City; and

WHEREAS, a land use action on the Cascade Tissue property requires road improvements to City standards along the subject portion of West Lane Road; and

WHEREAS, because the City has secured grant funding to assist with improvements to West Lane Road at the Cascade Tissue site and extending to adjacent properties to the north and south, the City has determined that acquiring jurisdiction over the subject portion of West Lane Road is in the City's best interest; and

WHEREAS, the County supports the City's efforts to improve West Lane Road, which is necessary for the economic development of the area, and finds that transferring jurisdiction of the subject portion, which is entirely within City limits, is in the County's best interest; and

WHEREAS, in accordance with ORS 373.270, the County initiated proceedings to transfer jurisdiction of the subject portion of West Lane Road by scheduling a public hearing for April 19, 2017, and publishing notice of the hearing in the Spotlight on March 24 and 31 and April 7 and 14, 2017; and

WHEREAS, the Board of County Commissioners held a hearing on April 19, 2017, to hear testimony on the transfer of jurisdiction to the City;

NOW, THEREFORE, THE BOARD HEREBY ORDERS, as follows:

1. The Board finds that it is in the County's best interest to transfer jurisdiction over the portion of West Lane Road (County Road D) between Columbia Avenue and Wagner Court to the City and adopts the above recitals as additional findings in support of its decision.

2. The Board hereby offers to surrender jurisdiction over the portion of West Lane Road (County Road D) between Columbia Avenue and Wagner Court, as depicted on Exhibit A of Attachment 1, to the City of Scappoose.

3. Upon the City's acceptance of the County's offer to surrender jurisdiction, the County's jurisdiction over that portion of West Lane Road (County Road D) between Columbia Avenue and Wagner Court as a county road shall cease, and the full and absolute jurisdiction over such portion of West Lane Road for all purposes of repair, construction, improvement and the levying and collection of assessments therefore shall vest in the City.

4. Upon acceptance of the County's offer to surrender jurisdiction, this Order and the City's acceptance shall be recorded in the Columbia County deed records, without cost.

DATED this 26th day of April, 2017

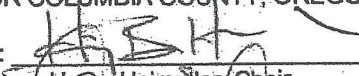
Approved as to form

By:


Office of County Counsel

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By:


Henry Heimüller, Chair

By:


Margaret Magruder, Commissioner

By:


Alex Tardif, Commissioner

ATTACHMENT 1

RESOLUTION NO. 17-06

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCAPPOOSE REQUESTING COLUMBIA COUNTY TRANSFER JURISDICTION OF A PORTION OF WEST LANE ROAD INSIDE THE CITY LIMITS.

Whereas, the portion of West Lane Road from its intersection with Columbia Ave to Wagner Court is already inside the City limits; and

Whereas, a land use action on Cascades Tissue's property along West Lane Road has required frontage improvements consistent with the City of Scappoose Street Standards; and

Whereas, the City of Scappoose has secured state funding from the Immediate Opportunity Fund and the Infrastructure Finance Authority to assist Cascades Tissue with their improvements and expand those improvements to the adjacent property owners both to the north and south; and

Whereas, completing frontage improvements on West Lane Road will make it possible for Cascades Tissue to run their new manufacturing facility and make the adjacent properties more shovel ready; and

Whereas, West Lane Road is critical to economic development in the City of Scappoose; and

Whereas, ORS 373.270 authorizes the City to request Columbia County transfer jurisdiction of County Roads and provides a process for such transfer.

Whereas, the City wishes to initiate the process to have the County transfer the portion of West Lane Road currently within the City limits to the City. Upon completion of the process, Columbia County's jurisdiction over the portions of West Lane Road shall cease, and the full absolute jurisdiction shall, for all purposes of repair, construction, improvement and the levying and collection of assessments therefore, vest in the City.

Now, therefore, be it resolved:

Section 1: The Scappoose City Council hereby requests that the Columbia County Board of Commissioners transfer jurisdiction to the portion of West Lane Road between Columbia Avenue and Wagner Court, as described and depicted in Exhibit A, to the City of Scappoose.

Section 2: This resolution is effective immediately upon passage.

PASSED AND ADOPTED by the Scappoose City Council and signed by me, and the City Recorder, in authentication of its passage on this 6th day of February 2017.

RESOLUTION 17-06

ATTACHMENT 1

CITY OF SCAPPOOSE, OREGON

Attest: Susan M. Reeves
Susan M. Reeves, MMC
City Recorder

Scott Burge
Scott Burge, Mayor

ATTACHMENT 1

Exhibit A

