

# Council Business Meeting

April 7, 2020

<b>Agenda Item</b>	Resolution 2020-17 Requesting the Jurisdictional Transfer of Clay Street and Paradise Lane from Jackson County	
<b>From</b>	Scott Fleury, PE	Interim Public Works Director
<b>Contact</b>	<a href="mailto:Scott.fleury@ashland.or.us">Scott.fleury@ashland.or.us</a> ; (541) 552-2412	

## SUMMARY

Before the Council is a resolution requesting the jurisdictional transfer of Clay Street and Paradise Lane with Jackson County. These sections of roadway are currently under the jurisdictional control of Jackson County even though they are within Ashland City limits. Before the City accepts a roadway via jurisdictional transfer, the roadway must be brought up to City standards. Public Works staff has worked with Jackson County and through a competitive grant process and funding has been obtained by the County to fully improve Clay Street to City standards. Jackson County will place a double chip seal and fog seal over Paradise Lane and another small section of upper Clay Street to achieve their formal City improvements. Reference figures below for jurisdictional transfer locations.

**Figure 1: Clay Street Jurisdictional Transfer Site Maps (see attachment 2 for larger maps)**



**Figure 2: Paradise Lane Jurisdictional Transfer Site Map**



**POLICIES, PLANS & GOALS SUPPORTED**

Council Goals:

Prioritize the “Essential Services”, including the associated infrastructure:

- Streets

Develop and/or enhance the following “Value Services” by leveraging the City’s resources.

- Multi-Modal Transportation
- All-Age Friendly Community

Transportation System Plan:

- Create a green template for other communities in the state and nation to follow
- Make safety a priority for all modes
- Maintain small-town character, support economic prosperity and accommodate future growth.
- Create a system-wide balance for serving and facilitating pedestrian, bicycle, rail, air, transit, and vehicular traffic in terms of mobility and access within and through the City of Ashland.

Climate Energy Action Goals

Evaluate the use of low-carbon concrete (sidewalk)

Department Goals:

- Maintain existing infrastructure to meet regulatory requirements and minimize life-cycle costs
- Deliver timely life cycle capital improvement projects
- Maintain and improve infrastructure that enhances the economic vitality of the community
- Evaluate all city infrastructure regarding planning management and financial resources

## **PREVIOUS COUNCIL ACTION**

The City Council previously supported a Jackson County grant application to fully improve middle Clay Street to City standards ([Staff Report](#)). The City Council previously approved an Intergovernmental Agreement (IGA) with Jackson County to begin the process of Jurisdictional Transfer of Clay Street and Paradise Lane ([Staff Report](#)) ([Minutes](#)).

The City has previously coordinated with Jackson County on grant applications and jurisdictional transfers of roadways that have been improved to City standards. The last project was Peachey Road. Peachey Road was improved to City standard by Jackson County and the City accepted jurisdictional transfer via resolution at the [June 2, 2015 Business Meeting](#).

## **BACKGROUND AND ADDITIONAL INFORMATION**

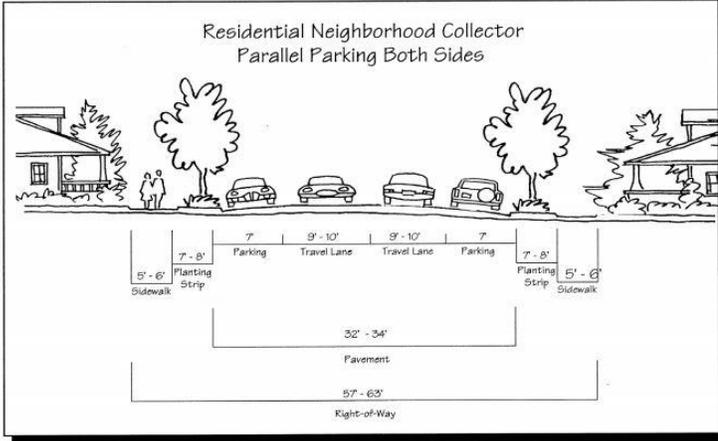
The Council authorized the IGA to begin the process of jurisdictional transfer. This IGA sets the groundwork for additional actions in the process to finalize the jurisdictional transfer and associated improvements to Clay Street and Paradise Lane. The primary action was within 180 days of finalizing the IGA the City must pass the appropriate municipal legislation (ORS373.207 (6)(a)) requesting the jurisdictional transfer of middle Clay Street, upper Clay Street and Paradise Lane. A resolution was drafted by staff and approved by the Legal Department as the appropriate legislative document for jurisdictional transfer. This is the resolution under Council consideration. After the resolution is passed the County will then obtain Commission Board approval within 90 days, to relinquish all rights to Clay Street and Paradise Lane. This is the same process followed with respect to the previous jurisdictional transfer of Peachey Avenue.

### **Previous Background/Funding:**

Through the Metropolitan Planning Organization (MPO) competitive grant funding process, Jackson County was awarded \$4,535,814 Surface Transportation Community Block Grant (STBG) and Congestion Mitigation and Air Quality (CMAQ) grant funding to fully improve Clay Street and bring to an acceptable City standard. The City Council formally supported this grant application with the understanding that if awarded staff would coordinate with Jackson County on the jurisdictional transfer of middle Clay Street. The IGA with Jackson County for the jurisdictional transfer of Clay Street generates the terms and conditions for the transfer associated with the funding stream to fully improve the roadway.

Middle Clay Street from Siskiyou Boulevard to its terminus at Faith Street is under the jurisdictional control of Jackson County and the Oregon Department of Transportation. The County's jurisdiction stops 300 feet north of Takelma Way. The chip sealed roadway is maintained intermittently by Jackson County and generally has no other formal improvements, i.e. sidewalk or park row. Middle Clay Street is classified as a residential neighborhood collector with 60 feet of dedicated right of way (see cross section below). The City requires a roadway to be brought up to City standards, which include; full width paving, sidewalk, park row, as well as ancillary drainage, lighting and ADA improvements before approving a jurisdictional transfer for ownership of the roadway. Public Works staff has received numerous complaints from adjacent residents over the years regarding the overall paved surface condition of Clay Street and its lack of sidewalk connections to Siskiyou Boulevard and Ashland Street. Numerous residents provided letters of support for the improvement project.

**Figure 3: Typical residential collector cross section**



Along with middle Clay Street the County has requested the City also approve of the transfer of Paradise Lane and a small section of upper Clay Street. Paradise Lane is a narrow un-improved road within the city limits that connects to Peachey Avenue and Jackson County is proposing to provide a 12-foot-wide double chip seal from its connection with Peachey Avenue to its terminus. Jackson County is also proposing to chip seal the section of upper Clay Street. The sections of roadway are represented in the site map reference. Chip seal is an appropriate surface treatment for these very low volume roadway sections.

**FISCAL IMPACTS**

There is no fiscal impact associated with approval of the resolution other than staff time expended. Jackson County was awarded a STBG and CMAQ grant for \$4,535,814 for the improvement of middle Clay Street. In addition, Jackson County is required to provide a minimum match of \$512,500 providing for \$5,048,314 in available funding for the improvement. Any projects costs that exceed this amount would be borne by the City of Ashland. As part of the IGA, the City of Ashland Engineering Division would be responsible for managing the project improvement and soft cost would include the staff time necessary to provide for the management of the engineering and construction phases. Full cost of a double chip seal and fog seal to Paradise Lane and upper Clay Street will be borne and completed by Jackson County.

The Council and residents of middle Clay Street have shown significant interest in starting the project as soon as possible. City staff along with Jackson County staff have made this intention known to the Oregon Department of Transportation (ODOT) who administer and manage the grant process. There is the potential to begin early, but at the discretion of ODOT. Once the project is approved by the Oregon Transportation Commission and is shown on the State Transportation Improvement Project list then ODOT staff can determine if there is money available to begin the preliminary engineering (PE) phase prior to October 1, 2021 when a portion of the money becomes available. Most likely even if there is funding available to begin the PE phase it would not start until summer of 2021.

**STAFF RECOMMENDATION**

Staff recommends approval of the resolution for jurisdictional transfer.

**ACTIONS, OPTIONS & POTENTIAL MOTIONS**

1. I move to approve Resolution 2020-17 Requesting the Jurisdictional Transfer of Clay Street and Paradise Lane from Jackson County.
2. I move to amend the Resolution with Jackson County [add amendment].

**REFERENCES & ATTACHMENTS**

Attachment 1: Resolution Authorizing Jurisdictional Transfer

Attachment 2: Site Maps of Roadways for Jurisdictional Transfer

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**RESOLUTION NO. 20-17**

**A RESOLUTION REQUESTING THE JURISDICTIONAL TRANSFER OF CLAY STREET  
AND PARADISE LANE FROM JACKSON COUNTY**

**RECITALS:**

- A. Jackson County, Oregon was awarded grant funding to fully improve middle Clay Street, a county road, to City standards; and
- B. Jackson County will chip seal upper Clay Street, a county road, and Paradise Lane, a county road; and
- C. Clay Street and Paradise Lane are both located within the corporate limits of the City of Ashland (“City”); and
- D. The City will manage the grant funding to fully improve middle Clay Street; and
- E. ORS 373.270 authorizes the transfer of jurisdiction over a county road within a city; and
- F. The City of Ashland (“City”) has entered into an Intergovernmental Agreement with Jackson County for the jurisdictional transfer of middle Clay Street, a portion of upper Clay Street, and Paradise Lane to the City; and
- G. The City is requesting a jurisdictional transfer of middle Clay Street, upper Clay Street, and Paradise Lane from Jackson County to better manage and control road improvements for these rights-of-way located within the City.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ASHLAND, OREGON,  
RESOLVES AS FOLLOWS:**

SECTION 1. The City Council of the City of Ashland, Oregon, deems it necessary or expedient and in the best interest of the City to acquire jurisdiction over Clay Street, or a part thereof, to the same extent as the City has over other public streets and alleys of the City.

SECTION 2. The City Council of the City of Ashland, Oregon, deems it necessary or expedient and in the best interest of the City to acquire jurisdiction over Paradise Lane, or a part thereof, to the same extent as the City has over other public streets and alleys of the City.

SECTION 3. The City is formally requesting a jurisdictional transfer of middle Clay Street from Jackson Co, as set forth in “Exhibit A” which is attached hereto and incorporated herein by this reference.

1 SECTION 4. The City is formally requesting a jurisdictional transfer of upper Clay Street, as set  
2 forth in “Exhibit B” which is attached hereto and incorporated herein by this reference.

3 SECTION 5. The City is formally requesting a jurisdictional transfer of Paradise Lane, as set  
4 forth in “Exhibit C” which is attached hereto and incorporated herein by this reference.

5 SECTION 6. This resolution is effective upon adoption.

6 ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

7 ATTEST:

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9 \_\_\_\_\_

10 Melissa Huhtala, City Recorder

11 SIGNED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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John Stromberg, Mayor

16 Reviewed as to form:

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19 David H. Lohman, City Attorney

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Ashland St

Project Boundary

Faith St

Clay St

Siskiyou Blvd

Project Boundary

N

Clay St (Siskiyou Blvd. to 300' N of Takelma Way)



Project Boundary

Clay St

Project Boundary



Clay St (1450' South of OR HWY 99 to 2190' South of OR HWY 99)

Peachy Ln

Project Boundary

Paradise Ln

Project Boundary

Paradise Lane (Peachy Lane to 555' South)

