

AGENDA

EXHIBIT 27

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use & Transportation (CPO 6)

Agenda Title: ENTER INTO AN INTERGOVERNMENTAL AGREEMENT (IGA) WITH THE CITY OF BEAVERTON FOR TRANSPORTATION PLANNING IN THE PROPOSED URBAN GROWTH BOUNDARY (UGB) EXPANSION AREA

Presented by: Andrew Singelakis, Director of Land Use & Transportation

SUMMARY:

The city of Beaverton completed concept planning for the Cooper Mountain area in 2014, and the plan was acknowledged by the Board in 2015. This planning effort included concept planning for the 1232 acre Urban Reserve area located between the South Cooper Mountain and North Cooper Mountain areas. Beaverton has asked Metro to expand the Urban Growth Boundary (UGB) to include this area. County staff was involved throughout the concept planning phase and Beaverton staff presented the plan to the Board at the March 13, 2018 worksession.

As a part of the application to Metro for an expansion of the UGB, Beaverton is required to enter into agreements with the service providers who will ultimately serve the area. As the transportation service provider, Washington County is entering into an Intergovernmental Agreement (IGA) with Beaverton to guide transportation planning and development of a funding plan during the comprehensive planning process.

Attachment: Map

DEPARTMENT’S REQUESTED ACTION:

Approve Intergovernmental Agreement with the city of Beaverton and authorize its execution

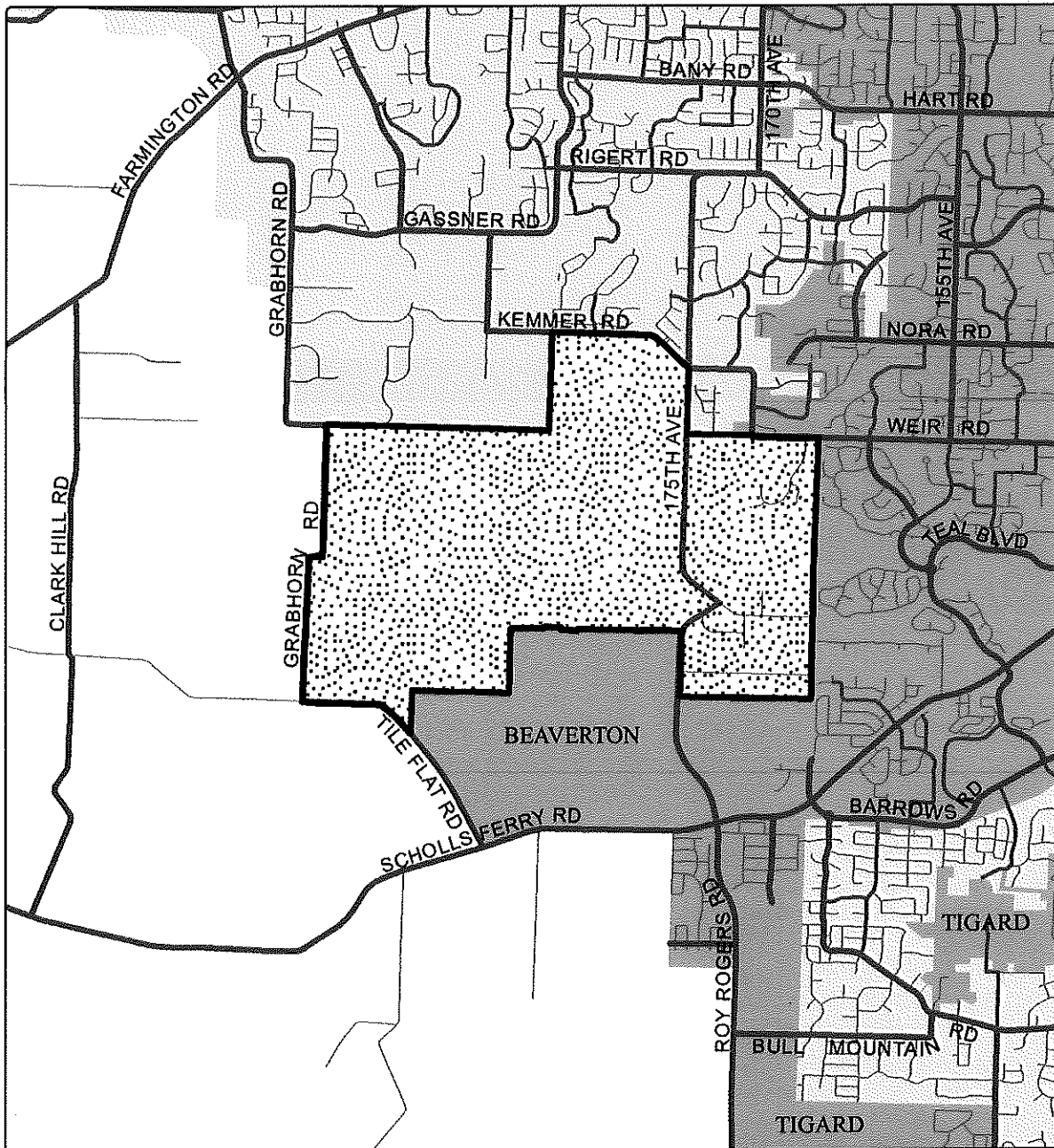
COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

APPROVED WASHINGTON COUNTY
BOARD OF COMMISSIONERS
MINUTE ORDER #18-147.....
DATE5-15-18.....
BY Barbara Heitmanek
CLERK OF THE BOARD


Agenda Item No. 2.p.
Date: 05/15/18

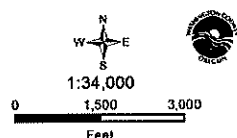
125



Washington County - Long Range Planning

Exhibit A

-  Proposed Expansion
-  Urban Incorporated
-  Urban Unincorporated
-  Washington County



The information on this map was derived from several databases and care was taken in its creation. Washington County cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties for this product. However, notification of any errors will be appreciated.

Intergovernmental Agreement for

Transportation Planning in Proposed Urban Growth Boundary Expansion Areas

This Intergovernmental Agreement (IGA) is entered into by the following parties: WASHINGTON COUNTY, a political subdivision in the State of Oregon, hereinafter referred to as "COUNTY"; and the CITY of BEAVERTON, an Oregon municipal corporation, hereinafter referred to as "CITY."

Recitals:

- A. Oregon Revised Statutes (ORS) 190.010 provide that units of local government may enter into agreements for the performance of any or all functions and activities that a party to the agreement, its officers, or agents, have authority to perform.
- B. The State legislature, with House Bill 4078-A in 2014 and House Bill 2047 in 2015, fixed the acknowledged UGB and Urban and Rural Reserves established through the Metro Regional process involving both the COUNTY and the CITY.
- C. Pursuant to Metro Code, Chapter 3.07 (the Urban Growth Management Functional Plan (UGMFP)), Title 11, the city will prepare a concept plan in coordination with the COUNTY and Metro for the entire area they are proposing to add to the UGB.
- D. Pursuant to Metro Code, Title 11, 3.07.1110 C. (7), the concept plan for the proposed UGB expansion area will include an agreement between or among CITY, COUNTY and applicable service districts that preliminarily identifies the likely providers of urban services, as defined by ORS 195.065(4), when the area is urbanized.
- E. The transportation needs of the UGB expansion area are currently served by COUNTY roads.
- F. In a 2013 intergovernmental agreement, the COUNTY granted planning authority to the CITY for the area included in the CITY's application for a UGB expansion. The COUNTY intends to update the existing Urban Planning Area Agreement with the CITY to include the expansion area.
- G. The CITY of BEAVERTON has completed a concept plan for a proposed Urban Growth Boundary expansion area to include 1,232 acres of Urban Reserve.

- H. If Metro expands the UGB to include the proposed UGB expansion area, the city will proceed with amendments to the comprehensive plan addressing the new area, develop a financing strategy, and proceed with annexation.

Agreement:

NOW, THEREFORE, the parties mutually agree as follows:

1. Prior to adopting a comprehensive plan amendment for the UGB expansion area, the CITY will coordinate with the COUNTY to develop a traffic study for the area and a cumulative traffic study that reflects the impacts to existing transportation facilities from other proposed UGB expansions.
2. The CITY and COUNTY will agree on a financing strategy for COUNTY road improvements necessitated by development in the UGB expansion area, that is consistent with the amended comprehensive plan. The CITY and COUNTY will agree on a future multi-modal transportation network to support the UGB expansion area and adopt road alignments, functional class, and lane numbers into CITY and COUNTY Transportation System Plans consistent with this network.
3. The CITY and COUNTY will agree on access management standards for COUNTY roads, and, during development, attempt to close existing access points where they are out of compliance with agreed-upon standards.
4. The CITY and COUNTY will identify roads that will remain under COUNTY jurisdiction, and those for which the CITY will assume responsibility upon annexation of part or all of the UGB expansion area. Road jurisdiction transfer will be determined through a separate agreement between the CITY and COUNTY.
5. This IGA is effective until the CITY has adopted a comprehensive plan for the area.
6. The COUNTY and CITY will amend their existing Urban Planning Area Agreement to include the area specified in the CITY's application for a UGB expansion before comprehensive planning is complete.
7. Exhibit A: Map of the proposed expansion
8. Each party shall comply with all applicable federal, state and local laws; and rules and regulations on non-discrimination in employment because of race, color,

ancestry, national origin, religion, sex, sexual orientation, marital status, age, medical condition or handicap.

9. Each party is an independent contractor with regard to each other party(s) and agrees that the performing party has no control over the work and the manner in which it is performed. No party is an agent or employee of any other.
10. No party or its employees is entitled to participate in a pension plan, insurance, bonus, or similar benefits provided by any other party.
11. This Agreement may be terminated by mutual agreement of the parties.
12. Modifications to this Agreement are valid only if made in writing and signed by all parties.
13. Subject to the limitations of liability for public bodies set forth in the Oregon Tort Claims Act, ORS 30.260 to 30.300, and the Oregon Constitution, each party agrees to hold harmless, defend, and indemnify each other, including its officers, agents, and employees, against all claims, demands, actions and suits (including all attorney fees and costs) arising from the indemnitor's performance of this Agreement where the loss or claim is attributable to the negligent acts or omissions of that party.
14. Each party shall give the other immediate written notice of any action or suit filed or any claim made against that party that may result in litigation in any way related to this Agreement.
15. Each party agrees to maintain insurance levels or self-insurance in accordance with ORS 30.282, for the duration of this Agreement at levels necessary to protect against public body liability as specified in ORS 30.269 through 30.274.
16. Each party agrees to comply with all local, state and federal ordinances, statutes, laws and regulations that are applicable to the services provided under this Agreement.
17. This Agreement is expressly subject to the debt limitation of Oregon counties set forth in Article XI, Section 10 of the Oregon Constitution, and is contingent upon funds being appropriated therefore.
18. This writing is intended both as the final expression of the Agreement between the parties with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement.

WHEREAS, all the aforementioned is hereby agreed upon by the parties and executed by the duly authorized signatures below.

City of Beaverton
Jurisdiction

Denny Doyle
Signature

5/18/18
Date

Denny Doyle
Printed Name

Mayor
Title

Address: 12725 SW Milliken Way, Beaverton OR 97076

WASHINGTON COUNTY:

Andy Duyck
Signature

5-15-18
Date

Andy Duyck
Printed Name

Chairman Board of Commissioners
Title

Address:

Mail Stop #

Hillsboro, OR

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use and Transportation (CPO 6)

Agenda Title: ACKNOWLEDGE THE SOUTH COOPER MOUNTAIN
CONCEPT PLAN

Presented by: Andrew Singelakis, Director of Land Use & Transportation

SUMMARY:

The City of Beaverton has completed concept planning for the South Cooper Mountain area pursuant to the February 11, 2013 Intergovernmental Agreement (IGA) between the City and Washington County. This IGA designated Beaverton as the jurisdiction responsible for concept planning for the area. The approximately 2,300 acre planning area (see attached) includes land annexed by Beaverton in 2013 (South Cooper Mountain Annexation Area) as well as two areas under county jurisdiction (North Cooper Mountain and the Urban Reserve area). County staff was involved throughout the concept planning phase and will lead community planning for the North Cooper Mountain area in 2015, pending direction by the Board of Commissioners.

The South Cooper Mountain Concept Plan provides a long-term and comprehensive guide for land use, housing, transportation, natural resources, public facilities, infrastructure funding and intergovernmental coordination for each of the above three areas and creates a framework for implementing regional requirements of Metro's Title 11 (Planning for New Urban Areas). The Concept Plan is a non-binding document expected to serve as a guide for future community-level planning for North Cooper Mountain and for the Urban Reserve Area if and when the Urban Reserve is brought into the Urban Growth Boundary. Acknowledging the Concept Plan will inform but not limit the Board's options for future planning specific to North Cooper Mountain.

Beaverton has asked the Board to acknowledge the Concept Plan through a Resolution and Order. On January 13, 2015, the Beaverton City Council is scheduled to hold its first hearing to consider acknowledgement of the Concept Plan and adoption by ordinance of the South Cooper Mountain Community Plan. Acknowledgment of the Concept Plan would demonstrate county support for the 18-month planning effort and address compliance with Title 11 of Metro's Regional Framework Plan.

Attachments: Resolution and Order
South Cooper Mountain Concept Planning Area Map

DEPARTMENT'S REQUESTED ACTION:

Authorize the Chair to sign a Resolution and Order to acknowledge the South Cooper Mountain Concept Plan.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

RO 15 - 4

Agenda Item No.	<u>2.d.</u>
Date:	01/20/15

1
2 IN THE BOARD OF COMMISSIONERS
3 FOR WASHINGTON COUNTY, OREGON

4 In the Matter of Acknowledgment) RESOLUTION AND ORDER
5 Of the South Cooper Mountain)
6 Concept Plan) No. 15-4

7 This matter having come before the Washington County Board of Commissioners at its
8 meeting of January 20, 2015; and

9 WHEREAS, Metro Ordinance No. 11-1264b directed the City of Beaverton, in coordination
10 with Washington County, to undertake and complete the planning for the South Cooper Mountain
11 Concept Plan area, which includes the North Cooper Mountain, the Urban Reserve Area, and the
12 South Cooper Mountain Annexation Area; and

13 WHEREAS, Washington County and the City of Beaverton IGA of February 11, 2013 laid out
14 provisions for effective governance that implements policies of Title 11 ("Planning for New Urban
15 Areas") of Metro's Urban Growth Management Functional Plan; and

16 WHEREAS, the South Cooper Mountain Concept Plan is intended to establish a vision for
17 future growth, natural resource preservation and enhancement, and development in the 2,300-acre
18 planning area; and

19 WHEREAS, the planning effort engaged community members, partnering service agencies,
20 and potentially impacted stakeholders in the identification of issues and involved these same parties
21 in developing recommendations to address such issues; and

22 WHEREAS, the South Cooper Mountain Concept Plan is not a binding land use decision, but
23 a non-regulatory document expected to inform future community planning for North Cooper Mountain
24 and the Urban Reserve Area; and

25 WHEREAS, the City of Beaverton, in coordination with Washington County, has completed
26 the South Cooper Mountain Concept Plan; and

27 WHEREAS, the Beaverton City Council acknowledged the South Cooper Mountain Concept
28 Plan by resolution on January 13, 2015;

1 WHEREAS, Metro and the City of Beaverton request the Washington County Board of
2 Commissioners to acknowledge the South Cooper Mountain Concept Plan by Resolution and Order;
3 now therefore be it

4 RESOLVED AND ORDERED that the Washington County Board of Commissioners hereby
5 acknowledge the South Cooper Mountain Concept Plan.

6 DATED this 20th day of January, 2015.

7
8 BOARD OF COMMISSIONERS
9 FOR WASHINGTON COUNTY, OREGON

10 

Chairman

11 APPROVED AS TO FORM:

12 

13 County Counsel
14 For Washington County, Oregon

15 

Recording Secretary

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
16 DUYCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17 SCHOUTEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18 MALINOWSKI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19 ROGERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20 TERRY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>