



RESOLUTION 2007-083

A RESOLUTION AUTHORIZING THE CITY MANGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE CITY OF TUALATIN REGARDING THE FUTURE BOUNDARY BETWEEN THE TWO CITIES SOUTH OF TUALATIN SHERWOOD ROAD IN THE AREA COMMONLY REFERRED TO AS "AREA 48" OR THE "QUARRY AREA".

WHEREAS, in 2002 Metro added approximately 300 acres of land to the Urban Growth Boundary located between the City of Sherwood and the City of Tualatin for industrial purposes located generally south of SW Tualatin-Sherwood Road; and

WHEREAS, the City staff of Tualatin and Sherwood held a series of discussions concerning future industrial development and transportation issues surrounding the Quarry area and a series of principles have been reached in a proposed MOU (Exhibit 1); and

WHEREAS, The MOU is a precursor to concept planning work and authorization of the MOU will establish the initial framework and understandings for concept planning for the area and identify that the Cities intend to enter into an Intergovernmental Agreement under the authority of ORS 190.110(1) and ORS 195.020 to 195.085 that will reflect and contain provisions representing the intent and understandings set forth in this Memorandum; and

WHEREAS, the Tualatin City Council conducted a work session on the draft MOU on September 10, 2007 and authorized signature on October 22, 2007 and the Sherwood City Council conducted a work session on the draft MOU on October 2, 2007.

NOW, THEREFORE, THE CITY RESOLVES AS FOLLOWS:


Section 1. The City of Sherwood City Council hereby authorizes the City Manager to sign the MOU attached as Exhibit 1, establishing the initial framework for the Area 48 concept planning process.

Section 2: This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 6th day of November 2007.


Keith S. Mays, Mayor

ATTEST:


Sylvia Murphy, City Recorder

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITIES OF TUALATIN AND SHERWOOD
FOR URBAN GROWTH BOUNDARY QUARRY EXPANSION AREA
LOCATED BETWEEN THE TWO CITIES**

Whereas, in 2004 the Metro Council added an area located between the Cities of Tualatin and Sherwood (the Cities), referred to as the Quarry Area (see attached map), to the Urban Growth Boundary for industrial uses; and

Whereas, the Cities share a boundary along Cipole Road to the north, but are separated by an area of unincorporated Washington County south of SW Tualatin-Sherwood Road and east of SW Oregon Street (the "Quarry Area"), and wish to enter into this agreement, in part, to establish the boundary between the Cities; and

Whereas, Title 11 of Metro's Urban Growth Management Functional Plan requires that local governments complete a "concept plan" prior to urbanization; and

Whereas, the Cities wish to work together to do the Title 11 concept planning for this area to assure carefully planned development in the Quarry Area that will be of benefit to the Cities and their residents and to minimize negative traffic impacts on SW Tualatin-Sherwood Road; and

Whereas, once the concept planning for the area is complete, the Cities intend to enter into an Intergovernmental Agreement under the authority of ORS 190.110(1) and ORS 195.020 to 195.085 that will reflect and contain provisions representing the intent and understandings set forth in this Memorandum.

Now, therefore, the Cities set forth their understanding as follows:

1. The boundary between Tualatin and Sherwood shall be the future SW 124th Avenue extension south of SW Tualatin-Sherwood Road, with the entirety of SW 124th Avenue located in the City of Tualatin.
2. Tualatin shall generally control access onto the future SW 124th Avenue, keeping driveway and street accesses to a minimum, to assure better flow of traffic from Pacific Highway 99W to SW Tonquin Road or the I-5/99W Connector consistent with existing street improvement and spacing standards or adopted as part of the concept planning process.
3. The concept planning for the Quarry Area shall include transportation concepts that provide access restrictions onto SW Tualatin-Sherwood Road and the future extension of SW 124th Avenue south of SW Tualatin-Sherwood Road

while ensuring all properties can develop in accordance with the law and the zoning adopted with the concept plan implementation.

4. In exchange for being allowed to control access onto SW 124th, Tualatin agrees to allow the area south of SW Tualatin-Sherwood Road between the future SW 124th extension and SW Oregon Street to be added to the City of Sherwood so that Sherwood may acquire needed industrial land to improve its long-term economic sustainability.

5. The Cities agree the newly added area will generally be considered for industrial type zoning consistent with the UGB expansion ordinance (Ord 02-969B); the specific details and allocation of which will be determined through the concept planning process. The Cities further agree that the scope of the concept plan shall consider the traffic impacts, whether restrictions are needed to limit access or uses (for example warehouse/distribution and commercial) further based on the outcomes of the concept planning process and funding mechanisms for SW 124th as well as other infrastructure needs identified through the process so that traffic impacts on the area will be minimized.

6. The Cities agree to participate in funding improvements to SW 124th Avenue, the details of which will be specified in an Intergovernmental Agreement upon completion of the concept plan.

7. The Cities acknowledge that they have already submitted a joint grant application to Metro for grant funds to concept plan the area. Once the concept planning is complete, the Cities agree to enter into an Intergovernmental Agreement to memorialize these understandings and the outcomes of the concept planning.

ENTERED into this ____ day of _____, 2007.

CITY OF SHERWOOD, Oregon

CITY OF TUALATIN, Oregon

By _____

By _____

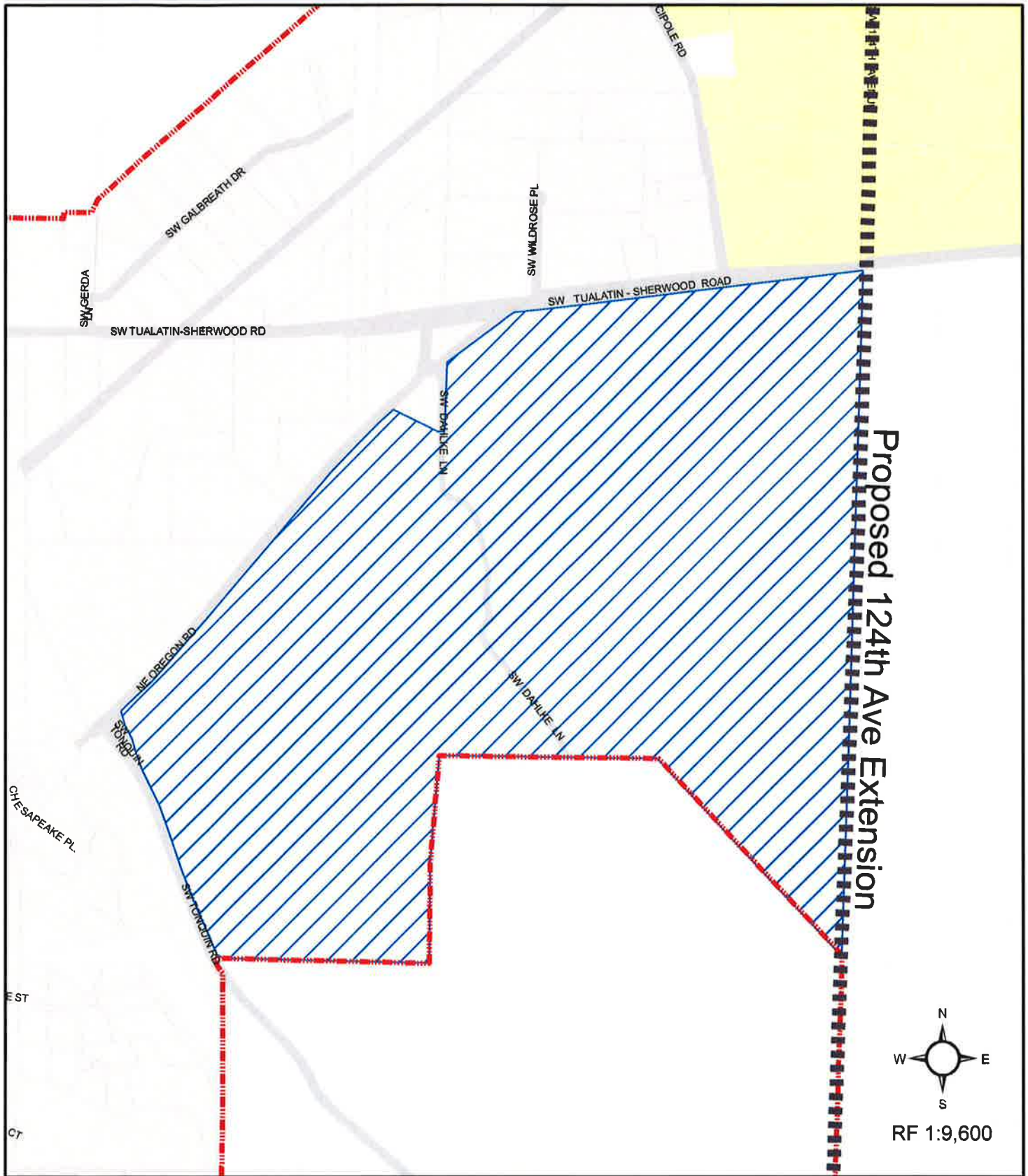
ATTEST:

ATTEST:

By _____

By _____

Quarry Area



 Urban Growth Boundary

 Quarry Area

Sherwood

 Proposed 124th Ave Extension

 Tualatin

This map is derived from various digital database sources. While an attempt has been made to provide an accurate map, the City of Tualatin, OR assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". -Engineering and Building Dept.
Plotted 8/21/2007