



RESOLUTION 2024-015

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH WASHINGTON COUNTY FOR TRANSPORTATION PLANNING IN THE SHERWOOD WEST URBAN GROWTH BOUNDARY EXPANSION AREA

WHEREAS, the City of Sherwood (City) is preparing to apply for an Urban Growth Boundary expansion for an approximately 1,200-acre Urban Reserve area known as Sherwood West; and

WHEREAS, Sherwood City Council accepted the Sherwood West Concept Plan (Concept Plan) on July 18, 2023 via Resolution 2023-060; and

WHEREAS, City Council accepted a refinement study to the Concept Plan on March 5, 2024 via Resolution 2024-013; and

WHEREAS, a Concept Plan was developed in coordination with Washington County (County) pursuant to Metro Code Chapter 3.07; and

WHEREAS, the Concept Plan was developed jointly by the City and County in conformance with Section III(C) of the Urban Planning Area Agreement (UPAA) between the City and County; and

WHEREAS, the UPAA Section III(C)(1) requires an agreement between the City and County regarding expectations for road funding, jurisdictional transfer of roadways, and access management for county roads in an Urban Reserve Planning Area; and

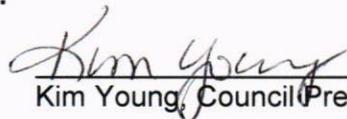
WHEREAS, the City and County have developed an Intergovernmental Agreement for Transportation Planning in Urban Growth Boundary Expansion Areas included as Attachment 1 to the resolution.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. The City Council hereby authorizes the City Manager to enter into an Intergovernmental Agreement for Transportation Planning in Proposed Urban Growth Boundary Expansion Areas with Washington County, in a form substantially similar to Attachment 1.

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

Duly passed by the City Council this 19th day of March 2024.



Kim Young, Council President

Attest:



Sylvia Murphy, MMC, City Recorder

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 SHERWOOD, an incorporated municipality of the State of Oregon, hereinafter referred to as "CITY."

Recitals:

- A. Oregon Revised Statute (ORS) 190.010 provides 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, validated 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, Title 11, as defined in Metro Code Chapter 3.07, cited as the Urban Growth Management Functional Plan (UGMFP), in order to apply for an UGB expansion the city will prepare a concept plan in coordination with the COUNTY and Metro, for the entirety of the 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 service providers of urban services, as defined by ORS 195.065(4), when the area is urbanized.
- E. The UGB expansion area is served by roads under COUNTY jurisdiction and the COUNTY is the transportation service provider on these facilities.
- F. The Urban Planning Area Agreement (UPAA) between CITY and COUNTY was adopted in September 2017. The UPAA specifies that upon completion and acknowledgement of the concept plan by CITY and COUNTY, and the addition of the area into the UGB by Metro, the affected portion of the Urban Reserve Planning Area shall be designated as part of the Urban Planning Area without requiring an amendment to the UPAA.
- G. The COUNTY intends to update the existing Urban Planning Area Agreement with the CITY to include this area.
- H. The CITY has completed a concept plan for a proposed Urban Growth Boundary expansion area to include 1,291 acres of Urban Reserve designated land.

1. If Metro expands the UGB into the proposed UGB expansion area, the CITY will proceed with development and adoption of a comprehensive plan and 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 UGB expansion area.
2. The CITY and COUNTY will agree on a future multi-modal transportation network to support the UGB expansion area and will adopt road alignments, functional class, and lane numbers into CITY and COUNTY TSPs consistent with this network. The CITY and COUNTY shall agree on a financing strategy for county street improvements consistent with the adopted comprehensive plan.
3. The CITY and COUNTY will agree on access management standards for COUNTY roads, and will attempt to close existing access points through the development process where they exist out of compliance with current standards.
4. The CITY and COUNTY will identify roads that will remain under COUNTY jurisdiction, and those for which the CITY will assume responsibility for upon annexation of part or all of the UGB expansion area in the comprehensive plan. 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. Once approved by Metro, the area included in the CITY's application for an UGB expansion will be designated as part of the Urban Planning Area and will be covered by the provisions in the existing UPAA. The area included in the UGB expansion request is as shown in Exhibit A.
7. This Agreement may be terminated by mutual agreement of the parties.
8. Modifications to this Agreement are valid only if made in writing and signed by all parties.
9. 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.

10. 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 SHERWOOD

Signature

Date

Printed Name

Title

WASHINGTON COUNTY

Signature

Date

Printed Name

Title