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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action – County Administrative Office

Agenda Title: APPROVE URBANIZATION FORUM RESOLUTION WITH TRANSMITTAL LETTER

Presented by: Robert Davis, County Administrator

SUMMARY: (Attach Supporting Documents if Necessary)

As your Board is aware, the Urbanization Forum process resulted in a draft Resolution in November of last year. Each of the participating jurisdictions agreed to take it back for consideration by their full elected bodies. The language of the Resolution has been revised several times during the course of this process of consideration by the member jurisdictions, and most have approved the Resolution in its current form (attached).

Your Board discussed the draft Resolution at the Board Retreat held on February 10th. It is now presented for your formal consideration along with a Transmittal Letter to the participating jurisdictions. The Resolution includes major provisions that address both existing urban unincorporated areas as well as any future additions to the Urban Growth Boundary (UGB). The Transmittal Letter (also attached) provides further detail on advancing the policy contained in the Resolution that future additions to the UGB be governed and urbanized by the interested city in the County. It makes it clear that should your Board approve the Resolution, such approval is subject to the provisions of the Letter.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

That your Board approves the Urbanization Forum Resolution subject to the provisions in the Transmittal Letter.

RO 09-63

Agenda Item No.	<u>6.a.</u>
Date:	<u>7/7/09</u>

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

3 In the Matter Adoption of the) RESOLUTION AND ORDER
4 Urbanization Forum Principles for)
5 Jurisdictions Within Washington County) No. 09-63

6 This matter having come before the Board on July 7, 2009; and

7 WHEREAS, in 2008 the cities of Washington County including mayors and managers,
8 Board of Commissioners of Washington County and managers, the largest Special Districts of
9 Washington County including chief executive officers and board chairs (Tualatin Valley Fire &
10 Rescue (TVF&R), Tualatin Hills Park and Recreation district (THPRD), Tualatin Valley Water
11 District (TVWD), Clean Water Services (CWS), and Washington County Sheriff (with respect to
12 all services provided by the Sheriff including the Enhanced Sheriff's Patrol District) convened the
13 Washington County Urbanization Forum and held four (4) public Urbanization Forum meetings in
14 2008 to discuss key urbanization issues, including receiving public comments on such issues;

15 WHEREAS, during Urbanization Forum discussion, the participants explored issues and
16 conditions pertaining to forming consensus policies for the governance and management of: (1)
17 existing unincorporated urbanized areas in the County that contain approximately 200,000 residents,
18 (2) areas added to the regional UGB in the County for future urban development and growth in the
19 County, and (3) imminent growth management issues confronting all Urbanization Forum
20 participants as forecasted population growth in Washington County takes shape; and

21 WHEREAS, Washington County citizens and civic organizations participated in the
22 Urbanization Forum, principally through CPO leadership, through public large group and small
group meetings held in April, June, October, November, and December of 2008; and

1 WHEREAS, it was determined during Urbanization Forum discussions that the following
2 seven (7) urban unincorporated areas within the existing UGB required an area-by-area approach to
3 determine if any changes are appropriate or desired in current service and governance solutions,
4 and separate area-by-area discussions were conducted in each of these areas:

- 5 (1) Cedar Hills/Raleigh Hills/West Slope/Garden Home;
- 6 (2) Bethany/Rock Creek/North Bethany;
- 7 (3) Cedar Mill;
- 8 (4) Bull Mt/Areas 63&64;
- 9 (5) Metzger;
- 10 (6) Reedville; and
- 11 (7) Aloha;

12 and

13 WHEREAS, it was also determined, in Urbanization Forum discussions, that resolution of
14 matters of urbanization governance and management of areas added to the Urban Growth Boundary
15 in Washington County by Metro requires consensus among the Urbanization Forum participants and
16 Metro on a separate urbanization policy prepared by the Urbanization Forum for these areas; and

17 WHEREAS, the Urbanization Forum formed a Steering Committee and a working group and
18 conducted a series of public meetings to formulate and draft proposed policies pertaining to future
19 governance and urbanization within existing unincorporated urban areas and areas outside the UGB
20 that are added to the UGB by Metro; and

21 WHEREAS, Urbanization Forum participants agree that, while an urbanization policy that
22 assigns to cities the governance and management of new areas added to the UGB engenders different
urbanization issues and, accordingly, should be considered distinct from an urbanization policy for
existing unincorporated urban areas not likely to become part of a city in the foreseeable future and
already governed by Washington County, both urbanization policies are connected in terms of the

1 quality and delivery of public services to such areas by their service providers and governing
2 institutions, and the quality of urban life and amenities of residents and communities in both areas;
3 and

4 WHEREAS, future actions of the jurisdictions within Washington County and Metro will be
5 well served by each jurisdiction considering and adopting the consensus recommendations of the
6 Urbanization Forum to serve as guideposts for decisions of the individual jurisdictions on matters of
7 concern to the Urbanization Forum. Now, therefore, it is

8 RESOLVED AND ORDERED that the governing body of Washington County, Oregon,
9 together with the Cities, County, and Special Districts which participated in the Urbanization Forum
10 (Cities of Banks, Beaverton, Cornelius, Forest Grove, Hillsboro, King City, North Plains, Sherwood,
11 Tigard, and Tualatin; Washington County; CWS, THPRD, TVF&R; TVWD), hereby adopts this
12 proposed Urbanization Forum Resolution and thereby commits to undertake and complete the
13 specific actions listed below at the earliest practicable time:

- 14 (1) We expressly recognize and support the process and work of the Urbanization Forum;
- 15 (2) We will join fellow jurisdictions that participated in the Urbanization Forum in preparing and
16 executing mutually-agreed to amendments by December, 2009, to Urban Planning Area
17 Agreements ("UPAA's") and/or executed and pending Urban Service Agreements ("SB 122
18 Agreements"), as deemed necessary and appropriate by each jurisdiction's counsel, to provide
19 that all future additions to the applicable Urban Growth Boundary in Washington County
20 during and after 2010 must be governed and urbanized by the interested City in the County.
21 In this context, "urbanized" means that the interested City has planning responsibility under
22 state law, and land use decision making authority with respect to the subject territory. The

1 decision as to how urban services will be delivered shall be determined by the interested City
2 in consultation with area service providers in accordance with existing law and applicable
3 agreements. "Interested" in this context includes, but is not limited to, designations under
4 UPAA's or SB 122 Agreements;

5 (3) In conjunction with paragraph (2), we will join fellow Jurisdictions that participated in the
6 Urbanization Forum in commonly supporting actions as appropriate to abide by a policy
7 which ensures jurisdiction of roadways, which are deemed by the County to be part of the
8 county-wide road system, shall be under the jurisdiction of Washington County. Concurrent
9 with annexation, the relevant City agrees in good faith to engage in the statutory process for
10 transfer of county roads pursuant to ORS 373.270 and shall request all other roads that are
11 not part of the Countywide Road System be transferred and the County shall transfer these
12 roads;

13 (4) We will join fellow Jurisdictions that participated in the Urbanization Forum in commonly
14 urging Metro to expand the existing Urban Growth Boundary only to such areas as are
15 contiguous to incorporated areas of Washington County;

16 (5) With respect to those existing areas of urban unincorporated Washington County in which
17 the interested Cities do not pursue annexation activities such that these areas remain under
18 the governance of Washington County, we will join fellow Jurisdictions that participated in
19 the Urbanization Forum in identifying and developing financial tools for Washington County
20 to utilize funds collected from urban unincorporated areas or other funding sources consistent
21 with principles of equity and fairness in aligning services with revenue sources, and
22 legislation, attendant thereto as necessary, to provide urban services as needed to such areas

1 while they remain outside the governance of Cities without unduly reducing countywide
2 services paid for by all county residents; and

- 3 6) We will continue to work with fellow jurisdictions in Washington County and the public
4 through the Urbanization Forum and/or other appropriate mechanisms to explore and discuss
5 on a continuing basis the needs of current and future urbanized Washington County; and, it is
6 further

7 RESOLVED AND ORDERED that a copy of this Resolution be transmitted to all
8 jurisdictions who participated as members of the Washington County Urbanization Forum, Metro,
9 the Washington County CPO's, and other interested civic and community organizations.

10
11 DATED this 7th day of July, 2009.

12
13 BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

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22

	AYE	NAY	ABSENT
BRIAN	✓	—	—
SCHOUTEN	✓	—	—
STRADER	✓	—	—
ROGERS	✓	—	—
DUYCK	—	✓	—

Tom Bruar

CHAIR

Barbara Hejtmanek

RECORDING SECRETARY



July 7, 2009

To: Cities and Special Districts Participating in the Urbanization Forum

Re: Transmittal Letter for Urbanization Forum Resolution

This letter requests that the cities and special districts participating in the Urbanization Forum join together with Washington County in a concerted effort to bring about the adoption of polices and enforcement mechanisms that fulfill the common desire stated in the Resolution that "...all future additions to the applicable Urban Growth Boundary in Washington County during and after 2010 must be governed and urbanized by the interested City in the County." The advancement of this key element of the Resolution depends on action by Metro, which is not a signatory to the Resolution itself.

Currently Metro has no formal policy, ordinance or resolution that supports the Urbanization Forum objective of getting future UGB expansions to be contiguous to cities, or to cities being the service provider. The Metro Council has discussed this several times and is "sympathetic" but they will need us to help them bring about the appropriate changes. There are two places where changes can be made. 1) The Urban and Rural Reserves Process. Urban Reserves by statute are the lands Metro will consider for expansion of the Urban Growth Boundary. In that process of mutually identifying Urban Reserve lands, the required agreement between Washington County and Metro could include a requirement that all expansions of the UGB must be contiguous to a city. 2) MPAC could advance a recommendation to change Metro's ordinance requiring Concept Planning to be done before the UGB expansion decision. This would result in the identification of the appropriate city as service provider for the urban growth boundary expansion and further enhance our desired policy result.

Notable for our interest is that Metro's Boundary Change authority was clarified in the 2009 Legislative Session to include Urban and Rural Reserves, i.e., they can stipulate how these new lands will be developed. Another 2009 law change allows Metro's boundary to change automatically with a UGB expansion. While these add strength to Metro's legal authority, our desired changes will also need to be introduced into their process and supported. To this end, approval of this Resolution by the Washington County Board of Commissioners is subject to the following provision:

"Washington County's approval of the Urbanization Forum Resolution is conditioned on the understanding that nothing in the Resolution precludes Washington County from opposing or refusing to consent to "cherry-stem" annexations."

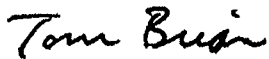
Board of County Commissioners

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The intended effect is to notify the public, business community and other governments of our placing a condition on the Resolution should the needed regulatory framework or actions not be completed by Metro. The goals embedded in the Urbanization Forum Resolution will certainly be difficult to achieve, and are unlikely to happen in the near term or simultaneously. The effort described above is an opportunity for the Urbanization Forum to apply its collaborative work and influence to affect decisions that will move us toward our collective goals. This in itself is something we should all be proud of.

Sincerely,

A handwritten signature in black ink that reads "Tom Brian". The signature is written in a cursive, slightly slanted style.

Tom Brian
Chairman
Washington County Board of Commissioners