

REVIEWED  
LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Ratifying the Creation of an Intergovernmental Entity Known as the Deschutes County Road Agency (DCRA), and Declaring an Emergency. \* \* \* \* \* ORDINANCE NO. 2023-005

WHEREAS, ORS 190.085 requires local governments to enact ordinances ratifying the creation of intergovernmental entities through intergovernmental agreements prior to the effective date of the agreement; and

WHEREAS, Deschutes County and the Deschutes County 911 Service District wish to establish an intergovernmental entity comprised of the governing bodies of Deschutes County and the Deschutes County 911 Service District to oversee a county road agency to be created consistent with Oregon HB2174 (2021); and

WHEREAS, the intergovernmental entity shall have the power to receive and distribute U.S. Forest Service Secure Rural Schools (“SRS”) funds for road construction in Deschutes County, Oregon, and all other necessary or appropriate functions related thereto, including but not limited to entering into contracts, adopting rules for administrative and business operations, and perform any lawful act as allowed by ORS Chapter 190; and

WHEREAS, it is the intent of the Board of County Commissioners of Deschutes County, Oregon, to create an intergovernmental entity by intergovernmental agreement; and

WHEREAS, the intergovernmental agreement shall be effective on March 2, 2023 or when both Deschutes County and Deschutes County 911 Service District adopt it, whichever occurs last; now therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, ORDAINS as follows:

Section 1. Pursuant to ORS 190.085, it is the intent of the Board of Commissioners to create an intergovernmental entity known as the Deschutes County Road Agency (DCRA) by intergovernmental agreement among Deschutes County and the Deschutes County 911 Service District for the purpose of receiving and distributing U.S. Forest Service Secure Rural Schools (“SRS”) funds for road construction in Deschutes County, Oregon, and all other necessary or appropriate functions related thereto, including but not limited to entering into contracts, adopting rules for administrative and business operations, and performing any lawful act as allowed by ORS Chapter 190; and establishing that the governing bodies of the two entities will provide coordinated oversight of the Deschutes County Road Agency.

Section 2. The DCRA Intergovernmental Agreement, Document No. 2023-131, a copy of which is attached hereto as Exhibit 1, is ratified by Deschutes County.

Section 3. The DCRA Intergovernmental Agreement creating the DCRA shall be effective on March 2, 2023 or whenever all the parties approve it, whichever occurs last.

Section 4. The public purpose of the DCRA is to establish a governing body to oversee the receipt and distribution of U.S. Forest Service Secure Rural Schools (“SRS”) funds for road construction in Deschutes County, Oregon, and all other necessary or appropriate functions related thereto, including but not limited to entering into contracts, adopting rules for administrative and business operations, and performing any lawful act as allowed by ORS Chapter 190.

Section 5. The DCRA shall have the powers, duties and functions as set out in the Intergovernmental Agreement.

Section 6. EMERGENCY. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

Dated this \_\_\_\_\_ of March, 2023

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

\_\_\_\_\_  
ANTHONY DEBONE, Chair

\_\_\_\_\_  
PATTI ADAIR, Vice Chair

ATTEST:

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
PHIL CHANG, Commissioner

Date of 1<sup>st</sup> Reading: \_\_\_\_\_ day of March, 2023.

Date of 2<sup>nd</sup> Reading: \_\_\_\_\_ day of March, 2023.

	Record of Adoption Vote			
Commissioner	Yes	No	Abstained	Excused
Anthony DeBone	_____	_____	_____	_____
Patti Adair	_____	_____	_____	_____
Phil Chang	_____	_____	_____	_____

Effective date: \_\_\_\_\_ day of March, 2023.