

RESOLUTION NO. 3069

A RESOLUTION OF THE CITY OF WILSONVILLE REPEALING RESOLUTION NO. 3055 AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF WILSONVILLE AND THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON FOR THE ADJUSTMENT OF TRIMET DISTRICT BOUNDARIES.

WHEREAS, prior to 1988, the City of Wilsonville (“City”) was part of the Tri-County Metropolitan Transportation District of Oregon (“TriMet”) service boundary; and

WHEREAS, the Wilsonville business community and the City recognized, in the 1980s, that TriMet offered minimal public transit service to the Wilsonville community while Wilsonville businesses paid significant payroll taxes to TriMet; and

WHEREAS, in 1988, the Wilsonville Innovative Transportation Association successfully petitioned TriMet to withdraw and form an independent City-owned transit system; and

WHEREAS, the City, through its South Metro Area Regional Transit Department (“SMART”), provides nationally recognized and award-winning public transit for the Wilsonville community and larger Portland and Salem-metro area regions; and

WHEREAS, according to TriMet, it currently collects approximately \$273,800 annually in payroll taxes from certain employers within the Wilsonville city limits while providing no transit service to those properties; and

WHEREAS, SMART currently offers service to these properties while receiving no payroll tax contribution because the City believes that public transit should be made available to all who seek to utilize it; and

WHEREAS, TriMet also currently collects nominal income through its payroll tax within the City of Wilsonville urban growth boundary (“UGB”) in the area known as Basalt Creek because the area is within TriMet’s service boundary; and

WHEREAS, as the Basalt Creek UGB area develops, properties will annex into the City of Wilsonville; and

WHEREAS, the Basalt Creek UGB area is identified by the Metro regional government as a Regionally Significant Industrial Area; and

WHEREAS, the City has invested significant resources in the planning and visioning of Basalt Creek with strategies to provide millions of dollars' worth of infrastructural investments to spur industrial growth in the area that will offer high-wage commercial and industrial jobs; and

WHEREAS, the City has previously reached out to TriMet to discuss a boundary adjustment wherein current and future Wilsonville city limits would become part of the SMART service boundary and removed from the TriMet service boundary; and

WHEREAS, such attempts by the City have not resulted in meaningful negotiations to adjust transit service boundaries; and

WHEREAS, after these attempts by the City to work collaboratively failed, the City sought a legislative remedy to adjust the transit service boundaries through the introduction of HB 2666 (2023); and

WHEREAS, after the introduction of HB 2666, TriMet expressed willingness to negotiate a transit service boundary adjustment with the City; and

WHEREAS, the City's goal, in negotiating with TriMet regarding the transit service boundaries, is to find a global solution that will address both the properties within the Wilsonville city limits and the properties within the Wilsonville UGB that are currently within the TriMet service district; and

WHEREAS, at the March 20, 2023 Council meeting, the City approved Resolution No. 3055, which articulated the City's proposed processes for removing the properties within the Wilsonville city limits from the TriMet service district and for removing the properties within the Wilsonville UGB from the TriMet service district; and

WHEREAS, after that meeting, the parties further negotiated the terms of the agreements to effectuate these withdrawals, wherein TriMet proposed changes that are more aligned with the City's goal to incorporate properties that are, or will be, within the Wilsonville city limits, into the SMART service district; and

WHEREAS, the parties are generally in agreement regarding a process for the adjustment of TriMet's boundary regarding the properties within the Wilsonville city limits to occur within this fiscal year and also a process for the withdrawal of the Wilsonville UGB from TriMet's boundary; and

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

Section 1. Findings. The City Council adopts by reference and incorporates as if fully set forth herein the above recitals and the staff report accompanying this Resolution.

Section 2. The City Manager is hereby authorized to execute an intergovernmental agreement (IGA) with the Tri-County Metropolitan Transportation District of Oregon that is substantially similar to Exhibit A attached hereto and incorporated by reference herein, subject to the following condition – that the memorandum of understanding that must be executed contemporaneously with the IGA properly addresses a process to withdraw the Wilsonville UGB from the TriMet service district that is aligned with the City's goal to find a global solution that will address both the properties within the Wilsonville city limits and the properties within the Wilsonville UGB that are currently within the TriMet service district.

Section 3. Resolution No. 3055 is hereby repealed.

Section 4. Effective Date. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 15th day of May, 2023, and filed with the Wilsonville City Recorder this date.

JULIE FITZGERALD, MAYOR

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Linville

Councilor Berry

Councilor Dunwell

EXHIBIT:

A. Intergovernmental Agreement