

RESOLUTION NO. 3017

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT FOR FROG POND PRIMARY SITE INFRASTRUCTURE BETWEEN THE CITY OF WILSONVILLE AND WEST LINN-WILSONVILLE SCHOOL DISTRICT.

WHEREAS, the City of Wilsonville (“City”), an Oregon municipal corporation, and the West Linn-Wilsonville School District (“District”), an Oregon school district, are authorized pursuant to ORS 190.003 et seq. to enter into intergovernmental agreements for the performance of any and all functions and activities that a party, or its officers or agencies, have authority to perform; and

WHEREAS, City and District are authorized pursuant to ORS 280.150 to “jointly, in such manner as they shall agree upon, construct, acquire, own, equip, operate and maintain facilities which will directly aid each participating governmental unit in performing a duty or duties imposed upon it or aid in exercising a power or powers conferred upon it, and may appropriate money and may issue bonds therefor”; and

WHEREAS, in the exercise of their respective duties and powers, the City and District have previously planned and conferred regarding the residential growth of the City, now and into the future, and the need to plan for, construct, and operate, among other things, school facilities, and infrastructure facilities to serve the planned school facility in coordination with such growth; and

WHEREAS, the development of this school site will require, as conditions for development approval, the construction of a public road system adjacent to the site, improvements to connecting roads serving the site, extension of water and sanitary sewer main lines, and provision of a storm drainage system; and

WHEREAS, to the extent the infrastructure that is required for the District to provide to develop and serve the site also involves extra capacity to serve subsequent development, then the District is entitled to reimbursement by such development; and

WHEREAS, the terms “costs of construction” or “infrastructure costs” for sewer and water and associated facilities used herein shall be intended to include both soft costs such as design, engineering, permitting, inspection, and management of construction, legal, bonding, and like costs and hard costs such as materials, labor, contingency, overhead, and like costs, except as may otherwise be set forth; and

WHEREAS, the District has conferred with the City and duly reviewed the aforementioned conditions recited above, and finds it has the authority to proceed in mutual aid of cooperatively advancing the development of education of its District's children through well-planned and funded schools and safe routes to schools and the necessity of having adequate and timely infrastructure facilities provided to serve schools and that such agreement can be prudently structured for funding appropriation to aid each participating government entity in carrying out its duties and powers to advance the public's interests.

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

Section 1. The above recitals are incorporated by reference herein.

Section 2. A copy of the Intergovernmental Agreement for Frog Pond Primary School Site Infrastructure Between City of Wilsonville and West Linn-Wilsonville School District is marked as Exhibit 1 and attached hereto and incorporated by reference as if fully set forth herein. The City Manager is authorized to execute the Intergovernmental Agreement on behalf of the City, upon the City Attorney's approval as to form.

Section 3. Effective Date. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 16th day of October 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 for Frog Pond Primary School Site Infrastructure between City of Wilsonville and West Linn-Wilsonville School District