

INTERGOVERNMENTAL COOPERATIVE AGREEMENT

THIS AGREEMENT is made and entered into by and between the CITY OF GLADSTONE, an Oregon municipal corporation (hereinafter "Gladstone"; the CITY OF MILWAUKIE, an Oregon municipal corporation (hereinafter "Milwaukie"); and the CITY OF HAPPY VALLEY, an Oregon municipal corporation (hereinafter "Happy Valley").

W I T N E S S E T H:

RECITALS.

1. The parties hereto are desirous of entering into an intergovernmental cooperative agreement establishing urban service planning areas adjacent to their respective incorporated boundaries. The purpose of the establishment of urban service planning areas would be to facilitate and encourage long range planning which would be of assistance in the future determination of public facility plans, identification of urban service needs and providers, annexation policies, and other related matters.

2. The parties acknowledge that they have authority to execute this cooperative intergovernmental agreement pursuant to the terms of their respective municipal charters and pursuant to ORS 190.010.

NOW, THEREFORE, the premises being in general as stated in the foregoing recital, it is agreed by and between the parties hereto as follows:

1. Explanation of Urban Service Planning Areas. Urban service planning areas are portions of unincorporated Clackamas County adjacent to the incorporated boundaries of one or more of the parties hereto. The party identified with each urban service planning area is deemed to be the city with the closest identification and interest based upon a review of existent and proposed public services, community expectations, and applicable land use policies. The term "urban service" includes public facility systems as defined by OAR 660-11-005 and all other public services provided by municipalities, special districts, and Clackamas County. It is contemplated that the execution of this agreement will lead to the amendment of the dual interest area agreement between each of the parties and Clackamas County to the end that Clackamas County and the party identified with each urban service planning area shall work together cooperatively in the preparation and development of public facility plans,

urban service boundaries, annexation policies, and other related matters. It is not the purpose of establishing urban service planning areas to establish firm boundaries for the purpose of future annexations or to designate ultimate service providers.

2. Identification of Urban Service Planning Areas.
The urban service planning area of each party is identified as follows:

(a) The City of Milwaukie - All of Clackamas County Rural Fire District No. 1, exclusive of that portion of the district generally lying north of Sunnyside Road and to the east of the easterly boundary of the right-of-way of I-205.

(b) The City of Gladstone - All of Clackamas County Rural Fire District No. 71, exclusive of that portion of the fire district located in the Mt. Scott Water District.

(c) The City of Happy Valley - All of the Happy Valley Fire District, that portion of Clackamas County Rural Fire District No. 71 located within the Mt. Scott Water District, and that portion of Clackamas County Rural Fire District No. 1 generally lying north of Sunnyside Road and to the east of the easterly boundary of the right-of-way of I-205.

Those areas are more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

The parties acknowledge that areas immediately adjacent to these boundaries are areas of mutual concern of the parties, and it may be necessary from time to time to amend these boundaries to address changes in public facility delivery systems in these areas. Such amendments would be accomplished pursuant to Section 4 of this agreement.

3. Amendment of Urban Service Planning Areas. There are large areas of unincorporated Clackamas County immediately contiguous to the boundaries of the parties which are not identified herein as specific urban service planning areas. The area located within Oak Lodge Rural Fire Protection District No. 51 is the most important of the deleted areas. Although Gladstone and Milwaukie both have a substantial relationship with this area, it is not the desire of either party at the present time to designate the area as an urban service planning area. Milwaukie and Gladstone,

however, reserve the right to designate this area as an urban service planning area by separate agreement between these two parties at a future time.

During every fifth year after the adoption of this agreement, the parties will review possible adjustment of their common urban service planning area boundaries. Such adjustments shall require the agreement of all parties whose urban service planning area boundaries would be altered by the proposed adjustment. The possible creation of an urban service planning area within Oak Lodge Rural Fire Protection District No. 51 will not be affected by the five year review limitation.

4. Amendment Provisions. The terms of this agreement may be amended by mutual agreement of the parties.

5. Termination of Agreement. This agreement shall continue in effect until terminated by any of the parties with written notice of such intent to terminate provided to the other parties. Termination shall be effective 60 days after such notice is received by the other parties.

6. Written Notice Addresses. All written notices required under this agreement shall be sent to:

Gladstone: City Administrator
 City of Gladstone
 525 Portland Avenue
 Gladstone, OR 97027

Milwaukie: City Manager
 City of Milwaukie
 10722 SE. Main Street
 Milwaukie, OR 97222

Happy Valley: City Recorder
 City of Happy Valley
 10602 SE. 129th Avenue
 Portland, OR 97236

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals as of the date and year hereinabove written.

Gladstone has acted in this matter pursuant to Resolution No. 612, adopted by the City Council on the 12th day of January, 1988.

by motion
Milwaukie has acted in this matter pursuant to Resolu-
tion No. ~~xxxxxxx~~ adopted by its City Council on the 5th day
of January, 1988, ~~xxxx~~

Happy Valley has acted in this matter pursuant to
Resolution No. 88-6, adopted by its City Council on the
2ND day of MAY, 1987.

CITY OF GLADSTONE, by and
through its city officials

By: H. Wade Byers, Jr.
Mayor

By: Jenna Howell
City Recorder

CITY OF MILWAUKIE, by and
through its city officials

By: Roger Hall
Mayor

By: Jeri Z Widner
City Recorder

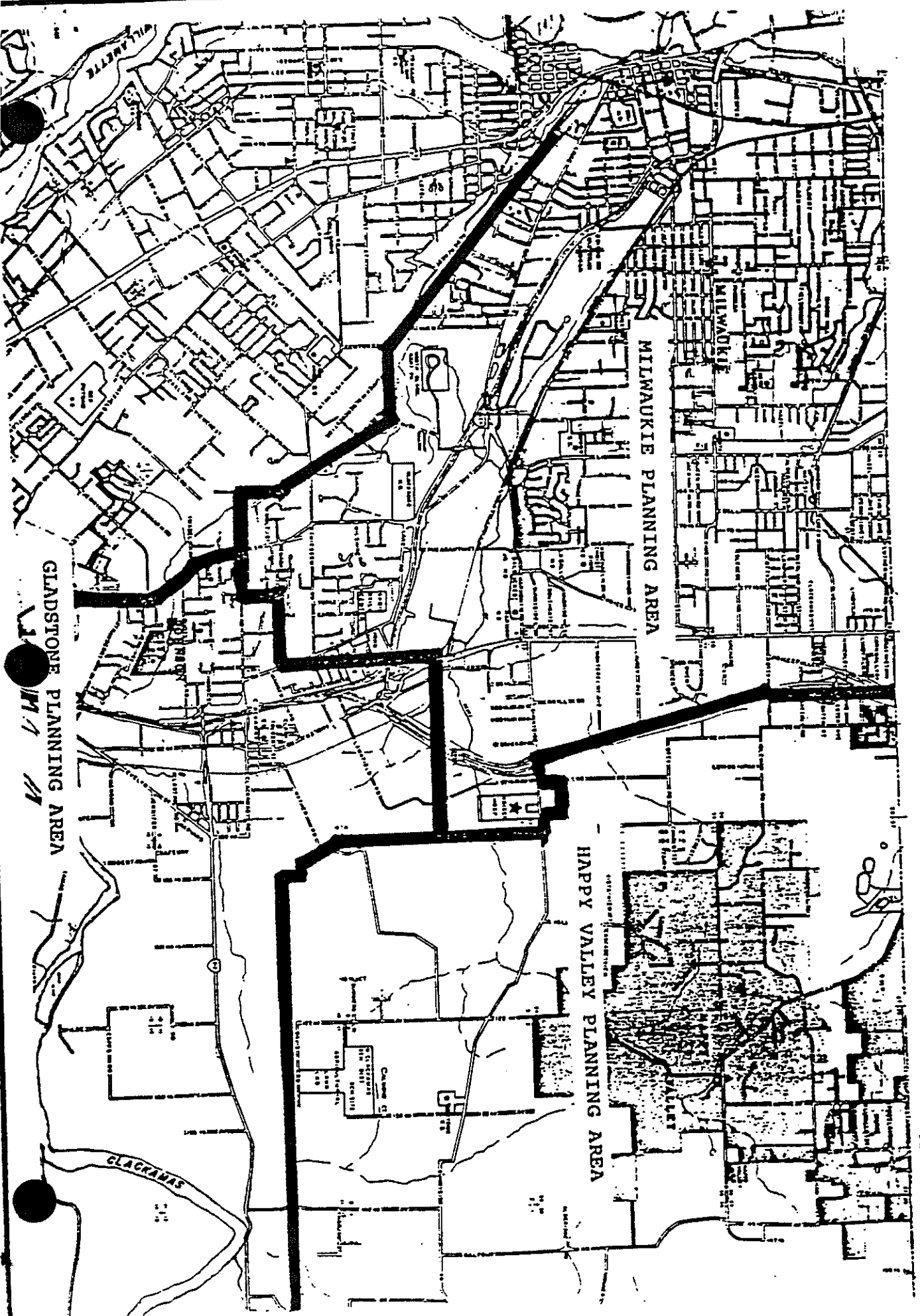
CITY OF HAPPY VALLEY, by and
through its city officials

By: [Signature]
Mayor PRESIDENT

By: [Signature]
City Recorder

URBAN SERVICE PLANNING AREAS, NORTH CLACKAMAS COUNTY

EXHIBIT



RESOLUTION NO. 88-6

CITY OF HAPPY VALLEY, OREGON

A Resolution authorizing entry into Intergovernmental Cooperative Agreement.

WHEREAS, it has been proposed to the City of Happy Valley by the Cities of Gladstone and Milwaukie, both Oregon municipal corporations, that the three cities enter into an Intergovernmental Cooperative Agreement establishing urban service planning areas adjacent to their respective incorporated boundaries; further, that the purpose of the establishment of the urban service planning areas would be to facilitate and encourage long range planning which would be of assistance in the future determination of public facility plans, identification of urban service needs and providers, annexation policies, and other related matters.

WHEREAS, ORS 190.010 provides authority for local governments to make intergovernmental agreements.

WHEREAS, a proposed written Intergovernmental Cooperative Agreement has been presented to the City of Happy Valley for consideration by the Happy Valley City Council, and the City Council having fully discussed the proposal and deeming it in the best interests of the City of Happy Valley, and the Council deeming itself fully advised in the matter,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council for the City of Happy Valley that the City of Happy Valley is authorized to enter into the Intergovernmental Cooperative Agreement, a copy of which is attached hereto as Exhibit "A".

APPROVED by the City Council of the City of Happy Valley this 2nd day of May, 1988.


MAYOR

ATTEST:


CITY RECORDER