

RESOLUTION NO. 335

A RESOLUTION AUTHORIZING THE CITY OF WILSONVILLE TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A SENIOR CITIZENS CENTER WITH CLACKAMAS COUNTY, SUBJECT TO APPROVAL OF THE SENIOR CENTER SERIAL LEVY.

WHEREAS, the City Staff has prepared a report on the above captioned subject which is attached hereto as Exhibit "A", and

WHEREAS, the City Council has duly considered the subject and the recommendation(s) contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Wilsonville does hereby adopt the staff report attached hereto as Exhibit "A", with the recommendation(s) contained therein and further instructs that action appropriate to the recommendation(s) be taken.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 20th day of June, 198 , and filed with the Wilsonville City Recorder this same day.


WILLIAM G. LOWRIE, Mayor

ATTEST:


VERA A. ROJAS, City Recorder, Pro-Tem

CITY OF WILSONVILLE

MEMO

June 20, 1983

DATE

TO: Mayor and City Council
FROM: Daniel O. Potter, City Administrator
SUBJECT: Senior Center Agreement with Clackamas County

I attach hereto an Intergovernmental Agreement proposed between the City of Wilsonville and Clackamas County on the proposed Senior Center.

This Agreement has been modified from that which was reviewed in March.

The basic modifications are: Page 1, Item C. This section specifies the Boones Ferry Park. New language would allow for a contract modification if the site were to be removed.

Page 4, Section 1 (h) (3). This section originally required a \$30,000. cash contribution. The new language would authorize cash or in-kind contributions for sidewalks, curbing and landscaping to a maximum of \$30,000. It also provides for an exchange of letters relating to the process which we may use to satisfy this requirement. We must be able to "fully disclose how the required contribution will be met prior to COUNTY calling for bids on the project."

Page 5, Section 2a. This relates to hours of Center operation. New language requires 5 days a week operation and 40 hours per week.

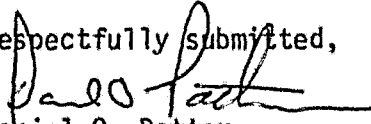
These were the primary concerns expressed in March. There were other, and smaller requirements that have not changed, and probably will not change. I say this because these requirements are in other Senior Center contracts.

Based on these modifications I believe we have a workable contract.

Any action on this issue must be conditions on the passage of the Senior Center Serial Levy on June 28th.

Recommendation: I recommend that Council authorize the Mayor to sign the Intergovernmental Agreement attached hereto if the Senior Center Serial Levy is passed by a vote of the people at the June 28, 1983, Special City Election. This authorization is void if the election on the Senior Center Serial Levy fails.

Respectfully submitted,


Daniel O. Potter

DOP/fr

Attachment

INTERGOVERNMENTAL AGREEMENT
BETWEEN
CLACKAMAS COUNTY AND THE CITY OF WILSONVILLE

This Agreement is entered into between Clackamas County (COUNTY) and the City of Wilsonville (CITY) for the cooperation of units of local government under the authority of ORS 190.010. It will become effective upon adoption by the parties and will continue until terminated as provided herein.

The circumstances surrounding the making of this Agreement are as follows:

- A. The CITY desires the design and construction of a senior center within its boundaries for the use of citizens of the CITY and the COUNTY.
- B. The COUNTY, acting through its Department of Human Resources, Community Development Agency, has applied for the received funds from the United States Department of Housing and Urban Development (HUD) for design and construction of a senior center in the City of Wilsonville to serve the citizens of the CITY and the COUNTY.
- C. The CITY has determined that the most appropriate site for the senior center is an area approximately 1.0 acres on real property owned by the CITY at the southwest one-quarter of Section 23, T.35., R1W of the Willamette Meridian in the City of Wilsonville and development approvals and permits are necessary to develop the property. It is recognized that the City is exploring another site and may request a contract modification if such site should prove to be more beneficial.

- D. With the advice of the CITY, the COUNTY will: 1) appropriately solicit and contract for an architect to design the senior center; and 2) undertake the necessary bidding and contracting for construction of the senior center.
- E. The CITY desires to operate and maintain or repair the proposed senior center after construction.
- F. The CITY desires to install off site improvements and to contribute up to \$30,000 for on site landscaping, sidewalks, and curb construction. Such contribution may be by a monetary contribution, or by in-kind contribution.

NOW, THEREFORE, in consideration of the mutual promises made herein, and the mutual benefits received hereunder, the parties agree as follows:

- 1. The COUNTY and the CITY agree to facilitate the design and construction of the senior center.
 - a. The COUNTY will apply project funds in the amount of \$52,000 from 1982 Block Grant Funds for preliminary design, and final design services and project funds in the amount of \$315,000 from 1982 and 1983 Block Grant Funds, for construction and COUNTY Administration. The obligations of the COUNTY are expressly subject to the COUNTY receiving funds from HUD for this project, and in no event shall the COUNTY's financial contribution exceed the amount finally granted, released, and approved by HUD for this project.
 - b. The COUNTY and the CITY will jointly determine the scope of the improvements to be made, and in the event not all of the improvements can be made with the project funds, the COUNTY and

the CITY will jointly determine the priority of the improvements to be made.

- c. The CITY agrees to allow the construction of the senior center on the selected site.
- d. The parties agree to cooperate in the preparation of the selected site for construction. This cooperation includes exchange of information concerning the proposed Wilsonville Senior Center.
- e. To the extent allowed by applicable law, the CITY will grant land use and development approvals, water and sewer hookups, and permits and plan checks convenient or desirable for the proposed senior center, at no cost to the COUNTY. To the extent allowed by applicable law and at the request of the COUNTY, the CITY will initiate land use and development approvals and permits convenient, necessary or desirable for the proposed senior center, including zone changes, comprehensive plan changes, and variances.
- f. The CITY will install all necessary off-site improvements to service the selected senior site with water, sanitary sewer, storm sewer, and any street improvement necessary for development of the site.
- g. With the advice of the CITY, the COUNTY will appropriately solicit and contract for an architect to design a senior center for construction on the selected site.
- h. The COUNTY will appropriately bid and contract for construction of the senior center and with the advice of the CITY, will approve changes, modifications, or amendments as necessary in the public interest. In such contract, the COUNTY will assume the rights and

responsibilities of the owner of the project, except that the CITY will provide the following without cost to the COUNTY:

- (1) The CITY will provide all other necessary information and services under its control.
- (2) The CITY will bear risk of loss from fire, extended coverage, and will purchase and maintain property insurance, including builder's All-Risk Insurance, upon the entire work at the site to its full insurable value. The CITY will bear the risk of loss from accidents coverable by owner's liability insurance, and may, at its option, maintain such insurance.
- (3) The CITY acknowledges a requirement for a cash or in-kind contribution to the project not to exceed \$30,000 for all on-site landscaping, sidewalks, and curbing necessary for the completion of construction of the Senior Center as designated on the approved construction plans. The specifics of this minimum required contribution will be by letter agreement between CITY and COUNTY working through the COUNTY Community Development Division. CITY will fully disclose through a written plan how the required contribution will be met prior to the COUNTY calling for bids on the project.
- (4) The CITY will assure that all procedures for construction plan approval, permit application, inspection documentation are adhered according to those rules and regulations as administered by the Planning Department, Building Department, Public Works Department, and those procedures as set forth in the Wilsonville Public Works Standard, Comprehensive Plan, and the Uniform Building and Plumbing Codes.

