RESOLUTION NO. 2016-3269

A RESOLUTION AUTHORIZING NEWBERG TO ENTER INTO AN AGREEMENT OF UNDERSTANDING WITH OREGON DEPARTMENT OF TRANSPORTATION, YAMHILL COUNTY, CITY OF WILSONVILLE, CLACKAMAS COUNTY, AND LADD HILL NEIGHBORHOOD ASSOCIATION FOR RESOLUTION OF THE OREGON 219/PHASE 1 BYPASS/WILSONVILLE ROAD INTERSECTION ALIGNMENT, AND DIRECTING THE MAYOR TO EXECUTE AND SIGN ALL AGREEMENTS

RECITALS:

1. The City of Newberg amended its Transportation System Plan (TSP) in 2013 to reflect the approved Phase 1 Bypass details, which included a full movement intersection at Oregon 219/Phase 1 Bypass/Wilsonville Road. The Oregon Department of Transportation (ODOT) and the Ladd Hill Neighborhood Association (LHNA) have continued to investigate solutions to mitigate concerns raised about additional traffic impacts to Wilsonville Road from the 2013 intersection alignment. In response to the concerns raised by LHNA and their coalition, ODOT explored eight intersection design options seeking to minimize Phase 1 Bypass–related traffic using Wilsonville Road. ODOT submitted an application to the City of Newberg for a TSP amendment to change the Oregon 219/Phase 1 Bypass/Wilsonville Road intersection to Option 8 "No Through Traffic" to mitigate LHNA's safety concerns.

2. The Newberg Planning Commission held hearings on December 10, 2015, and January 14, 2016, to consider the proposal, and ultimately voted to deny the "No Through Traffic" option with a recommendation that the City Council delay their vote on the matter until March 2016 in order to allow time for all entities to meet in an effort to mitigate impacts of the final decision.

3. The City of Newberg has met several times with ODOT, LHNA, City of Wilsonville, Clackamas County, and Yamhill County to come to a resolution on the intersection issue. The group consensus from several meetings is that ODOT will pursue Option 4 (FEIS Wilsonville Road Relocation) in lieu of the originally proposed Option 8 (No Through Traffic), which will also require Option 3 (Right-In/Right-Out at Springbrook Rd/Wilsonville Rd) to be used as an interim measure until Option 4 is constructed.

4. On February 12, 2016, the six parties drafted a letter to Oregon Representative John Davis stating their support for bringing the draft Agreement of Understanding before each of their respective governing bodies for official action to move forward with Option 4. Further meetings have produced a final Agreement of Understanding for each party to advance to their governing bodies for consideration. The Agreement of Understanding is attached as Exhibit "A".

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. Newberg will enter into an Agreement of Understanding with the Oregon Department of Transportation, Yamhill County, City of Wilsonville, Clackamas County, and Ladd Hill

Neighborhood Association for resolution of the Oregon 219/Phase 1 Bypass/Wilsonville Road intersection alignment. The Mayor is directed to execute and sign all necessary agreements.

2. The Agreement of Understanding is hereby attached as Exhibit "A" and by this reference incorporated.

- **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: March 8, 2016.

ADOPTED by the City Council of the City of Newberg, Oregon, this 7th day of March, 2016.

DawnKaren Bevill

DawnKaren Bevill, Deputy City Recorder

ATTEST by the Mayor this 10th day of March, 2016.

Bob Andrews

Bob Andrews, Mayor

February 12, 2016

Representative John Davis
900 Court St. NE, H-483,
Salem, Oregon 97301

Dear Representative Davis,

We want to thank you for all of your efforts in seeking a resolution to the Newberg-Dundee Bypass/Wilsonville Road intersection design and construction as part of the Newberg-Dundee Phase 1 project. You requested that the parties sign a letter indicating acceptance of the Option 4 Final Environmental Impact Statement (FEIS) Wilsonville Road Relocation as a solution by Friday February 12.

The parties have been in discussion on Option 4, and by consensus agree this is the best possible solution based on the eight alternatives evaluated and proposed by the Oregon Department of Transportation. Each of the involved local governments will need to take the specific details of the proposal before their respective governing bodies for official action, as will the Ladd Hill Neighborhood Association before their Board.

By this letter, we want to let you know the parties are supportive of bringing the attached draft Agreement of Understanding before each of their respective bodies for official action. We believe the draft Agreement of Understanding outlines the commitment of each involved party to support the process and steps necessary to bring about Option 4 as the alternative that is the best solution. Though this is only a draft and may be modified by the parties, it expresses the intent of the parties to advance Option 4.

We hope that this letter, along with the attached draft Agreement of Understanding, will be sufficient for you to share with your colleagues on the House Committee on Transportation and Economic Development to demonstrate the commitment of the undersigned parties to the resolution of the issues regarding the intersection of Wilsonville Road and the Newberg-Dundee Bypass.

If you have any questions please contact any of the signing parties below.

Bob Andrews, Mayor
City of Newberg

Matthew Garrett, Director
Oregon Department of Transportation

Attachment 1

To: Rep Davis
Re: Option 4 Letter
February 12, 2016
Page 2

Tim Knapp, Mayor
City of Wilsonville

Mary Starrett, Chair
Yamhill County

John Ludlow, Chair
Clackamas County

Stan Halle, Chair
Ladd Hill Bypass Impact Committee

Attachment: Draft Agreement of Understanding

Attachment 2

PLANNING COMMISSION RESOLUTION 2015-311

A RESOLUTION RECOMMENDING CITY COUNCIL DENY A TRANSPORTATION SYSTEM PLAN AMENDMENT TO CHANGE THE OREGON HIGHWAY 219/PHASE 1 BYPASS/WILSONVILLE ROAD INTERSECTION TO A "NO THRU TRAFFIC" DESIGN

RECITALS:

1. The City of Newberg amended its Transportation System Plan (TSP) in 2013 to reflect the approved Phase 1 Bypass details, which included a full movement intersection at Oregon 219/Phase 1 Bypass/Wilsonville Road. Following approval of the TSP amendment in 2013, the Oregon Department of Transportation (ODOT) and the Ladd Hill Neighborhood Association (LHNA) have continued to investigate solutions to the LHNA concerns regarding the use of Wilsonville Road as a route to get to I-5 from Oregon 219 in Newberg. In response to the concerns raised by LHNA and their coalition, ODOT explored additional design options seeking to minimize Phase 1 Bypass–related traffic using Wilsonville Road. ODOT submitted an application to the City of Newberg for a TSP amendment to change the Oregon 219/Phase 1 Bypass/Wilsonville Road intersection to a "No Thru Traffic" option to mitigate LHNA's safety concerns.

2. Under the "No Thru Traffic" option, no direct connection would be provided between Wilsonville Road and the Phase 1 Bypass. Rather, the eastbound and westbound through movements would be prohibited at the Oregon 219/Phase 1 Bypass/Wilsonville Road intersection. Travelers desiring to travel between Wilsonville Road and the Phase 1 Bypass would need to use one of these alternate routes: U-turn movements northbound and southbound; travel within Springbrook Estates mobile home park; travel on Springbrook Road, Fernwood Road, Corral Creek Road, and Renne Road as an alternate path to and from Wilsonville Road; or travel on 2nd Street and Springbrook Road to circle back around to Oregon 219 and the traffic light at the Oregon 219/Phase 1 Bypass/Wilsonville Road intersection.

3. The "No Thru Traffic" option operational standard is about the same as all other options considered, including the currently adopted "Full Movement" intersection option. However, the city is concerned with additional out of direction travel through neighborhoods, the potential safety issues that may arise from unsafe U-turn movements on Highway 219, and the impacts on the Springbrook Estates mobile home park, which is 126 units served by an internal narrow private drive network.

4. According to the data, the "No Thru Traffic" option would require an estimated 50 vehicles per hour to use the alternate routes. This is the same approximate number of vehicles that would be added to Wilsonville Road (25 cars each direction) using the currently adopted "Full Movement" intersection option. The "No Thru Traffic" option may also cause an increase in travel time, energy use, and potential driver frustration, which can lead to unsafe driving conditions such as speeding through neighborhoods to make up time.

5. Based on safety and livability concerns, the low overall number of trips projected to use Wilsonville Road with the current "Full Movement" intersection option, and the overall good health of the Wilsonville Road corridor expected in the Yamhill County TSP in both 2016 and 2035, no change to the current configuration of the intersection can found to be warranted.

6. After proper notice, the Newberg Planning Commission held a hearing on December 10, 2015 to consider the proposal.

7. Based on an abundance of public testimony and a desire to integrate regional community concerns into a satisfactory solution, the Newberg Planning Commission seeks a solution agreeable to our neighbors as well as our citizens.

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Newberg that it recommends the City Council deny the proposed Transportation System Plan amendment as shown in Exhibit "A". The Planning Commission recommended approval of this Resolution and asks the City Council to delay their vote on the matter until March 2016 in order to allow time for all entities to meet in an effort to mitigate impacts of the final decision. This recommendation is based on the staff report, the findings in Exhibit "B", and testimony.

Adopted by the Newberg Planning Commission this 14th day of January, 2016.

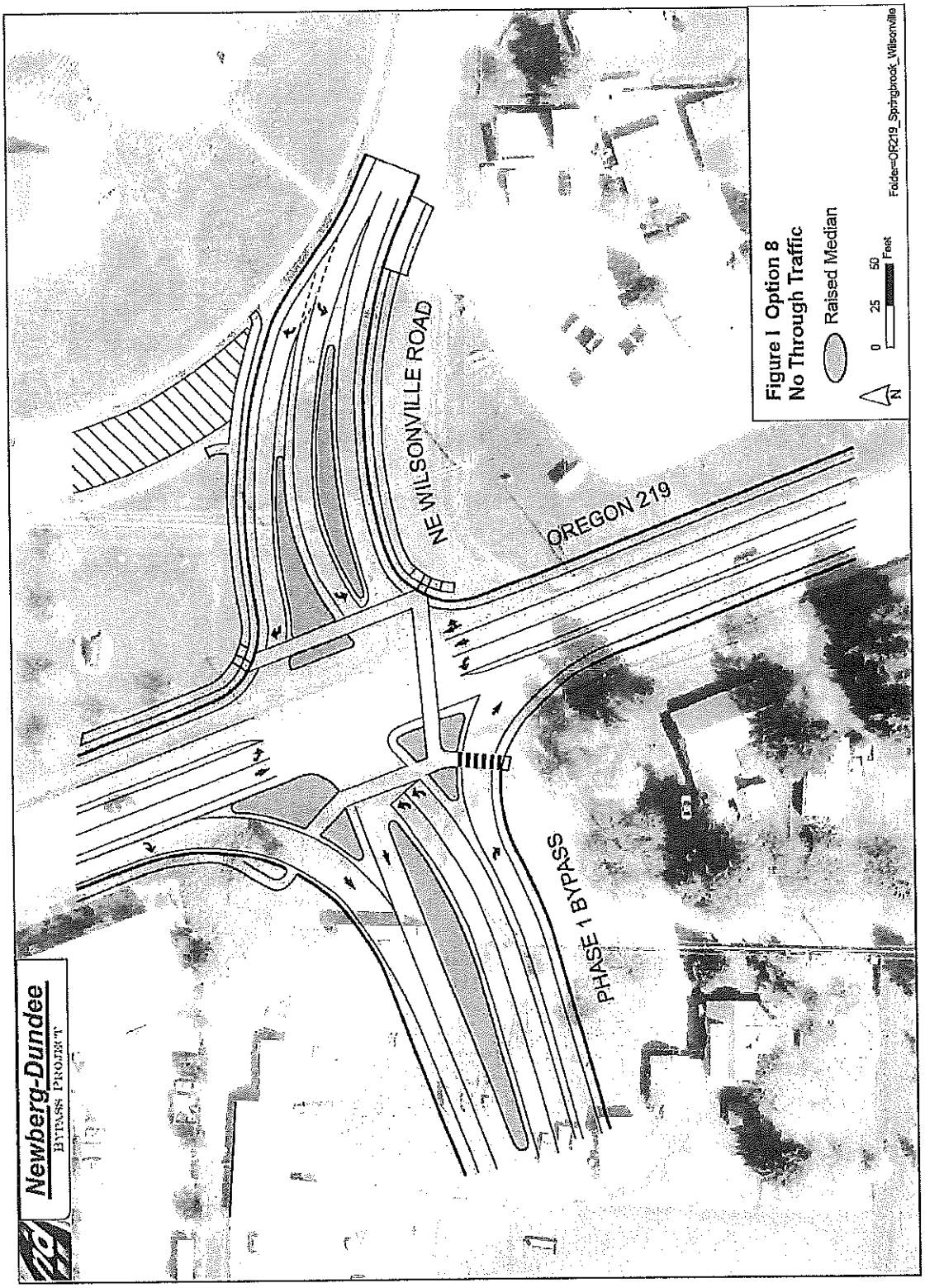
Planning Commission Chair

ATTEST:

Bobbie Morgan

Planning Commission Secretary

Attached:
Exhibit "A": Transportation System Plan amendment
Exhibit "B": Findings


Newberg-Dundee
BYPASS PROJECT
NE WILSONVILLE ROAD
OREGON 219
PHASE 1 BYPASS
Figure I Option 8
No Through Traffic
Raised Median
0 25 50 Feet
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Folder=OR219_Springbrook_Wilsonville

Exhibit "B": Findings
CPTA-15-002 – ODOT TSP Amendments – Resolution No. 2015-311

Applicable Newberg Comprehensive Plan (NCP) Goals and Policies & Applicable Oregon Statewide Planning Goals (SPG)

SPG 1/NCP A. Citizen Involvement. Goal: To maintain a Citizen Involvement Program that offers citizens the opportunity for involvement in all phases of the planning process.

Finding: The city meets this requirement by having various citizen committees with opportunities for the public to testify on general or specific matters. For this specific application, the proposal will go to both the Planning Commission and the City Council, providing multiple opportunities for citizen participation. In addition, a mailed courtesy notice was sent to property owners within 500 feet of the affected intersection and notice was published in the Newberg Graphic newspaper.

SPG 2. Land Use Planning. Goal: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding: This Goal requires that actions related to land use be consistent with acknowledged comprehensive plans of cities and counties. The City of Newberg updated its Transportation System Plan (which is adopted as part of the Comprehensive Plan) in 2013 to include the Newberg Dundee Bypass and Phase 1 realignment of Wilsonville Road. The Goal also requires coordination with affected governments and agencies, evaluation of alternatives, and an adequate factual base. All proposed changes are based on traffic modeling data and professional engineer analysis, and are supported by an adequate factual base.

SPG 6/NCP E. Air, Water, and Land Resource Quality. Goal: To maintain and, where feasible, enhance the air, water, and land resource qualities within the community.

Finding: Goal 6 addresses the quality of air, water, and land resources. In the context of a comprehensive plan amendment, a local government complies with Goal 6 by explaining why it is reasonable to expect that the proposed uses authorized by the plan amendment will be able to satisfy applicable federal and state environmental standards, including air and water quality standards. The same number of travel trips will be moving through the area with either of the proposed intersection configurations; consequently, air quality and stormwater runoff generated by the roadway will not change.

SPG 9. Economic Development/NCP H. The Economy. Goal: To develop a diverse and stable economic base.

Finding: The Phase 1 Bypass project will improve mobility and accessibility generally, and freight movement in particular, throughout the Newberg-Dundee urban area, thus resulting in substantially reduced congestion and fewer hours of delay. Having better freight movement through the area will also be attractive to industries, which will help Newberg create a stable economic base as envisioned by the Goal.

Attachment 2

NCP J. Urban Design. Goal 2: To develop and maintain the physical context needed to support the livability and unique character of Newberg. Policy c: Neighborhoods should be designed to promote safety and interaction with neighbors, with items such as walking paths and neighborhood parks.

Finding: Local neighborhood streets are intended to have relatively small levels of traffic, generally just the neighborhood residents and visitors. Collector and arterial streets then funnel traffic from local streets out to destinations. ODOT is asking for a change to the intersection of a city minor arterial (Highway 219) and a Yamhill County minor arterial (Wilsonville Road) to divert through traffic from the Yamhill County minor arterial. One alternative traffic movement would be travel through the Springbrook Estates mobile home park, which has 126 units and is served by a network of narrow private drives. Adding cut-through traffic to this neighborhood would severely undermine the safety and livability of this area.

SPG 12. Transportation. Goal: To provide and encourage a safe, convenient and economic transportation system. A Transportation Plan shall...(2) be based upon an inventory of local, regional and state transportation needs; (3) consider the differences in social consequences that would result from utilizing differing combinations of transportation modes; (5) minimize adverse social, economic and environmental impacts and costs; (6) conserve energy; (8) facilitate the flow of goods and services so as to strengthen the local and regional economy...

> *Guideline B. Implementation. 2: Plans for new or for the improvement of major transportation facilities should identify the positive and negative impacts on: (1) local land use patterns, (2) environmental quality, (3) energy use and resources, (4) existing transportation systems, (5) fiscal resources in a manner sufficient to enable local governments to rationally consider the issues posed by the construction and operation of such facilities.*
>
> *NCP K. Transportation. Goal 1: Establish cooperative agreements to address transportation based planning, development, operation and maintenance. Policy f: The City shall coordinate with Yamhill County and the State on the development of the Newberg-Dundee Bypass.*
>
> *Goal 4: Minimize the impact of regional traffic on the local transportation system. Policy b: Provide for alternate routes for regional traffic. Policy g: Minimize the use of local and minor collector streets for regional traffic through application of traffic calming measures as traffic operations and/or safety problems occur. Policy s: Special planning and efforts shall be made to retain and create livable and desirable neighborhoods near the bypass. This shall include retaining or creating street connections, pedestrian paths, recreational areas, landscaping, noise attenuation, physical barriers to the bypass, and other community features.*
>
> *Goal 12: Minimize the negative impact of a Highway 99 bypass on the Newberg community.*

Finding: The adopted configuration of the Phase 1 Bypass in Newberg means that there will be some adverse impacts on local and regional circulation due to the use of Springbrook Road as a primary connection to the Bypass: increased traffic along Springbrook Road, impacting residential and commercial properties; increased traffic on other city streets in the eastern part of Newberg as drivers try to avoid the Highway 99W/Springbrook Road intersection and congestion along Springbrook Road; and the reconnection of Wilsonville Road to Highway 219 for operational reasons, which will increase traffic somewhat on Wilsonville Road. Traffic modeling shows an increase of approximately 50 cars in

the PM peak hour on Wilsonville Road due to the new Bypass intersection. The Ladd Hill Neighborhood Association objected to this adverse impact on their neighborhood, and has worked with ODOT on a potential solution that would divert traffic from Wilsonville Road. However, their identified solution adversely impacts local city streets by diverting that same number of cars into out-of-direction travel and alternate routes to reach their destinations.

The city must weigh the alternatives, and filter the proposals through the lens of what is best for Newberg's local transportation and land use system, particularly considering the social, economic, and environmental impacts and costs. ODOT's proposed alternative is referred to as the "No Thru Traffic" option. Under this option, no direct connection would be provided between Wilsonville Road and the Phase 1 Bypass. Rather, the eastbound and westbound through movements would be prohibited at the Oregon 219/Phase 1 Bypass/Wilsonville Road intersection. Travelers desiring to travel between Wilsonville Road and the Phase 1 Bypass would need to use one of these alternate routes:

- Travel northbound and use a median opening to make a U-turn on Oregon 219, or travel southbound and make a U-turn at Wynooski Road or another southbound point, and then turn at the Oregon 219/Phase 1 Bypass/Wilsonville Road traffic signal.
- Make a U-turn at the Oregon 219/Springbrook Road/Industrial Parkway traffic signal and then turn at the Oregon 219/Phase 1 Bypass/Wilsonville Road traffic signal.
- Use Springbrook Road and McKern Court (currently Wilsonville Road). The traveler could then turn left into Springbrook Estates and follow the local network to travel between Wilsonville Road and the Phase 1 Bypass. This would result in cut-through traffic in the Springbrook Estates mobile home park.
- Use Springbrook Road, Fernwood Road, Corral Creek Road, and Renne Road to travel between Wilsonville Road and Bypass.
- Travel northbound, turn right at 2nd Street, right on Springbrook Road, left onto Oregon 219, and then turn at the Oregon 219/Phase 1 Bypass/Wilsonville Road traffic signal.

From an operational standpoint, the "No Thru Traffic" option volume to capacity performance standard is about the same as the other options considered, including the currently adopted "Full Movement" option. However, there are concerns with additional out of direction travel through neighborhoods and the potential safety issues that may arise from unsafe U-turn movements on Highway 219. It is particularly concerning that travel through Springbrook Estates will be an attractive route, as that is a mobile home park with 126 units that is served by a network of narrow private drives. The city believes this to be a significant social equity issue, and that permitting cut-through traffic through this neighborhood would significantly degrade the safety and livability of this area.

According to the data, the "No Thru Traffic" option would require an estimated 50 vehicles per hour to use the alternate routes. This is the same approximate number of vehicles that would be added to Wilsonville Road (25 cars each direction) using the "Full Movement" option. Therefore, the principal issues for consideration come down to: 1) whether 50 cars an hour is a significant impact, and 2) which area should be impacted by the 50 cars – out of direction travel through Newberg/other county roads or Wilsonville Road by a direct connection.

The City Engineer and Planning Division staff have significant concerns about making changes to an intersection that may then cause impacts to safety and livability within the city, as well as the potential safety and social equity issues caused by permitting cut-through traffic through an existing mobile home

park. The "No Thru Traffic" option may also cause an increase in travel time, energy use, and potential driver frustration, which can lead to unsafe driving conditions such as speeding through neighborhoods to make up time. Yamhill County recently adopted an updated TSP, and their analysis was based on the currently adopted Phase 1 layout. The average daily trips estimated for 2016 and 2035 are both in the 3,000-6,000 range, and the overall Wilsonville Road corridor health is rated as being good both in 2016 and 2035. Based on a review of all of the data submitted, including the information submitted by the Ladd Hill Neighborhood Association, we find that there would be an adverse impact to the safety and livability of Newberg's transportation and land use system and cannot find that Goal 12 is met by this proposed change.

SPG 13/NCP M. Energy. Goal: To conserve energy through efficient land use patterns and energy-related policies and ordinances.

Finding: The Bypass project, including Phase 1 and changes to the road and lane configuration of Oregon 219 from north of the Springbrook Road intersection through the Wilsonville Road intersection, are intended to improve statewide and regional mobility through the area and to make existing Oregon 99W more accessible for local and regional traffic. The project will help relieve much of the substantial traffic congestion that already exists along Oregon 99W. Facilitating the smooth flow of traffic at acceptable levels of service helps conserve fuel.

Exhibit "A" to Resolution No. 2016-3269

AGREEMENT OF UNDERSTANDING

Newberg-Dundee Bypass Phase 1/OR 219/Wilsonville Road

THIS AGREEMENT is made and entered into by and between the CITY OF NEWBERG, hereinafter referred to as "Newberg"; STATE OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "State;" CITY OF WILSONVILLE, hereinafter referred to as "Wilsonville"; YAMHILL COUNTY, hereinafter referred to as "Yamhill"; CLACKAMAS COUNTY, hereinafter referred to as "Clackamas"; and LADD HILL NEIGHBORHOOD ASSOCIATION, hereinafter referred to as "Ladd Hill" all herein referred to individually or collectively as "Party" or "Parties."

RECITALS

1. Oregon Jobs and Transportation Act of 2009 (JTA) Program, hereinafter referred to as the "JTA Program", provides funding for preservation and modernization projects chosen by the Oregon Transportation Commission (OTC). On October 21, 2009 the OTC approved funding for the first phase of the Newberg Dundee Bypass project and amended the Statewide Transportation Improvement Program (STIP) to include the project.

2. Oregon Route 99W (OR 99W), Oregon Route 18 (OR 18) and Oregon Route 219 (OR 219), are part of the state highway system under the jurisdiction and control of the OTC. Springbrook Road and Wilsonville Road are part of the city street system under the jurisdiction and control of Newberg. Wilsonville Road outside of the Newberg city limits is under the jurisdiction of Yamhill, Clackamas and Wilsonville. The first phase of the Newberg-Dundee Bypass will be temporarily routed on Springbrook Road and will affect the intersection at Wilsonville Road. This Agreement will address only those portions of the street system within the corporate limits of the City of Newberg and within Yamhill County.

3. Phase 1 of the Newberg-Dundee Bypass (Bypass) will construct two (2) lanes, one (1) in each direction of the four (4) lane Bypass between City of Newberg and City of Dundee; approximately four (4) miles in length. Phase 1 will also include required local circulation improvements needed to accommodate construction of this phase of the Bypass. The Bypass, in Phase 1, will have access points at the two ends, OR 219 in Newberg and OR 99W south of Dundee. The Bypass is designated an expressway and will operate at fifty-five (55) miles per hour. The connection at OR 99W (Dundee) is a temporary connection and may be removed when the Bypass is extended to OR 18 in City of Dayton. This Agreement will address the Project elements constructed within Newberg's corporate limits and within Yamhill County as represented in Exhibits A and B.

4. Newberg and State have entered into an agreement, COOPERATIVE IMPROVEMENT AGREEMENT Oregon Route 18: Newberg-Dundee Bypass - Phase 1 City of Newberg.

5. Yamhill and State are currently in negotiations to enter into an agreement, COOPERATIVE IMPROVEMENT AGREEMENT Oregon Route 18: Newberg-Dundee Bypass - Phase 1W.

6. The City of Newberg amended its Transportation System Plan in 2013 at the request of State to reflect the approved Phase 1 Bypass which included a full movement intersection at OR 219/Phase 1 Bypass/Wilsonville Road.

7. The Parties have been discussing impacts of the Newberg-Dundee Bypass Phase 1 as it relates to the intersection design at OR 219, OR 18 (Newberg-Dundee Bypass Phase 1) and Wilsonville Road for traffic patterns and safety concerns on Wilsonville Road and Newberg's local street system through a Comprehensive Plan Text Amendment to the Newberg Transportation System Plan (CPTA-15-002). State has requested a modification to the intersection design to establish a "No Thru Traffic" option with no direct connection provided between the Newberg-Dundee Bypass Phase 1 and Wilsonville Road.

8. The Newberg Planning Commission adopted Resolution No. 2015-311 recommending that the Newberg City Council delay their vote on the Comprehensive Plan Text Amendment to the Newberg Transportation System Plan until March 2016 to allow time for all entities to meet in an effort to mitigate impacts of the final decision.

TERMS OF UNDERSTANDING

STATE

1. State agrees to the following activities related to OR 219, OR 18 (Newberg-Dundee Bypass Phase 1) and Wilsonville Road:

   a. Identify and allocate funding by April 30, 2016 to design and building the Final Environmental Impact Statement (FEIS) Wilsonville Road Relocation shown as Exhibit A, and associated existing Wilsonville Road modifications.

   b. Advance the design solution for Wilsonville Road that represents FEIS Wilsonville Road Relocation; see Exhibit A, which includes but is not limited to right-of-way, design and construction by July 31, 2020.

   c. Modify the Transportation System Plan amendment for the FEIS Wilsonville Road Relocation.

   d. Modify the construction contract for Phase 1G (Springbrook Road) to include the following:

      i. Remove the Wilsonville Road connection to OR 219 at the OR 18 (Newberg-Dundee Bypass Phase 1) intersection by May 1, 2016.
      ii. Retain the current Wilsonville Road alignment and connection with Springbrook Road (Exhibit B).
      iii. Include a temporary right-in, right-out intersection for Wilsonville Road at the Wilsonville Road and Springbrook Road intersection that may include construction of a traffic median (see Exhibit B).

   e. Construction of FEIS Wilsonville Road Relocation shall include:

i. Removal of the temporary right-in, right-out intersection for Wilsonville Road at the Wilsonville Road and Springbrook Road intersection including the traffic median.
ii. Modification of Wilsonville Road south of Springbrook Road to be a cul-de-sac street.
iii. Working with Newberg and Yamhill to ensure access to impacted properties from the relocation of FEIS Wilsonville Road Relocation.

f. Cooperate with Newberg to modify the COOPERATIVE IMPROVEMENT AGREEMENT Oregon Route 18: Newberg-Dundee Bypass - Phase 1 City of Newberg to reflect the State's obligations in compliance with this Agreement of Understanding.

g. Cooperate with Newberg to make necessary Newberg Comprehensive Plan and Transportation System Plan amendments in compliance with this Agreement of Understanding.

h. Cooperate with Yamhill to execute the COOPERATIVE IMPROVEMENT AGREEMENT Oregon Route 18: Newberg-Dundee Bypass - Phase 1 W to reflect the State obligations in compliance with this Agreement of Understanding.

i. Cooperate with Yamhill to amend the Yamhill County Comprehensive Plan and Transportation System Plan, if necessary, to ensure compliance with this Agreement of Understanding.

j. Submit a quarterly status report starting in May 2016 and every three months thereafter to all signatories of this Agreement (eMail is sufficient), with a courtesy copy to the Governor's Office, Parkway Committee and local State representatives, including progress on Agreement milestones, emerging issues and proposed mitigation.

NEWBERG

1. Newberg agrees to the following activities related to OR 219, OR 18 (Newberg-Dundee Bypass Phase 1) and Wilsonville Road:

a. Agrees to FEIS Wilsonville Road Relocation shown as Exhibit A and associated TERMS OF UNDERSTANDING, STATE 1.b., d. and e.

b. Not object to the modification of the Transportation System Plan amendment for the FEIS Wilsonville Road Relocation with Newberg.

c. Cooperate with State to modify the COOPERATIVE IMPROVEMENT AGREEMENT Oregon Route 18: Newberg-Dundee Bypass - Phase 1 City of Newberg to reflect the State obligations of the Agreement of Understanding.

d. Cooperate with State to make necessary Newberg Comprehensive Plan and Transportation System Plan amendments in compliance with this Agreement of Understanding.

e. Support the final draft of the COOPERATIVE IMPROVEMENT AGREEMENT Oregon Route 18: Newberg-Dundee Bypass - Phase 1 W and any Yamhill County Comprehensive Plan and Transportation System Plan amendments, if necessary, to ensure compliance with this Agreement of Understanding.

YAMHILL COUNTY

1. Yamhill agrees to the following activities related to OR 219, OR 18 (Newberg-Dundee Bypass Phase 1) and Wilsonville Road:

   a. Agrees to FEIS Wilsonville Road Relocation shown as Exhibit A and associated TERMS OF UNDERSTANDING, STATE 1.b., d., and e.

   b. Cooperate with State to execute the COOPERATIVE IMPROVEMENT AGREEMENT Oregon Route 18: Newberg-Dundee Bypass - Phase 1 W to reflect the State obligations of the Agreement of Understanding.

   c. Cooperate with State to amend the Yamhill County Comprehensive Plan and Transportation System Plan amendments, if necessary, to ensure compliance with this Agreement of Understanding.

   d. Support modifications of the COOPERATIVE IMPROVEMENT AGREEMENT Oregon Route 18: Newberg-Dundee Bypass - Phase 1 City of Newberg and Newberg Comprehensive Plan and Transportation System Plan amendments in compliance with this Agreement of Understanding.

   e. Not request a Compatibility Determination through the Department of Land Conservation and Development once the following conditions have been met:

      i. ODOT has verified that the thru-thru design has been removed from the Phase 1 contract;
      ii. ODOT has modified the Newberg Comprehensive Plan and Transportation System Plan amendment request; and
      iii. Necessary Yamhill Comprehensive Plan and Transportation System Plan amendments consistent with FEIS Wilsonville Road Relocation have been approved by Yamhill.

WILSONVILLE

1. Wilsonville agrees to the following activities related to OR 219, OR 18 (Newberg-Dundee Bypass Phase 1) and Wilsonville Road:

   a. Agrees to FEIS Wilsonville Road Relocation shown as Exhibit A and associated TERMS OF UNDERSTANDING, STATE 1.b., d. and e.

   b. Support modifications of the COOPERATIVE IMPROVEMENT AGREEMENT Oregon Route 18: Newberg-Dundee Bypass - Phase 1 City of Newberg, COOPERATIVE IMPROVEMENT AGREEMENT Oregon Route 18: Newberg-Dundee Bypass - Phase 1 W, Newberg Comprehensive Plan and Transportation System Plan amendments in compliance with

this Agreement of Understanding, and any amendments to the Yamhill County Comprehensive Plan and Transportation System Plan, if necessary, to ensure compliance with this Agreement of Understanding.

c. Not request a Compatibility Determination through the Department of land conservation and Development once the following conditions have been met:

i. ODOT has verified that the thru-thru design has been removed from the Phase 1 contract;
ii. ODOT has modified the Newberg Comprehensive Plan and Transportation System Plan amendment request; and
iii. Necessary Yamhill Comprehensive Plan and Transportation System Plan amendments consistent with FEIS Wilsonville Road Relocation have been approved by Yamhill.

CLACKAMAS COUNTY

1. Clackamas agrees to the following activities related to OR 219, OR 18 (Newberg-Dundee Bypass Phase 1) and Wilsonville Road:

a. Agrees to FEIS Wilsonville Road Relocation shown as Exhibit A and associated TERMS OF UNDERSTANDING, STATE 1.b., d. and e.

b. Support modifications of the COOPERATIVE IMPROVEMENT AGREEMENT Oregon Route 18: Newberg-Dundee Bypass - Phase 1 City of Newberg, COOPERATIVE IMPROVEMENT AGREEMENT Oregon Route 18: Newberg-Dundee Bypass - Phase 1 W, Newberg Comprehensive Plan and Transportation System Plan amendments in compliance with this Agreement of Understanding, and any amendments to the Yamhill County Comprehensive Plan and Transportation System Plan, if necessary, to ensure compliance with this Agreement of Understanding.

c. Not request a Compatibility Determination through the Department of Land Conservation and Development once the following conditions have been met:

i. ODOT has verified that the thru-thru design has been removed from the Phase 1 contract;
ii. ODOT has modified the Newberg Comprehensive Plan and Transportation System Plan amendment request ; and
iii. Necessary Yamhill Comprehensive Plan and Transportation System Plan amendments consistent with FEIS Wilsonville Road Relocation have been approved by Yamhill.

LADD HILL

1. Ladd Hill agrees to the following activities related to OR 219, OR 18 (Newberg-Dundee Bypass Phase 1) and Wilsonville Road:

a. Agrees to FEIS Wilsonville Road Relocation shown as Exhibit A and associated TERMS OF UNDERSTANDING, STATE 1.b., d. and e.

b. Support modifications of the COOPERATIVE IMPROVEMENT AGREEMENT Oregon Route 18: Newberg-Dundee Bypass - Phase 1 City of Newberg, COOPERATIVE IMPROVEMENT AGREEMENT Oregon Route 18: Newberg-Dundee Bypass - Phase 1 W, Newberg Comprehensive Plan and Transportation System Plan amendments in compliance with this Agreement of Understanding, and any amendments to the Yamhill County Comprehensive Plan and Transportation System Plan, if necessary, to ensure compliance with this Agreement of Understanding.

c. Not request that a local government or state agency request a Compatibility Determination through the Land Conservation and Development Department once the following conditions have been met:

   i. ODOT has verified that the thru-thru design has been removed from the Phase 1 contract;
   ii. ODOT has modified the Newberg Comprehensive Plan and Transportation System Plan amendment request ; and
   iii. Necessary Yamhill Comprehensive Plan and Transportation System Plan amendments consistent with have been approved by Yamhill.

GENERAL PROVISIONS

1. This Agreement may be further refined by subsequent agreements, comprehensive plan amendments and transportation system plan amendments that clarify the purpose and intent of advancing FEIS Wilsonville Road Relocation, and the temporary Wilsonville Road and Springbrook Road connection (see Exhibits A & B), as the preferred option for the alignment of Wilsonville Road with OR 219.

THE PARTIES, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its TERMS OF UNDERSTANDINGS.

Exhibits:
A. Final Environmental Impact Statement (FEIS) Wilsonville Road Relocation
B. Temporary Right In/Right Out at Springbrook Road/Wilsonville Road

Exhibit "A" to Resolution No. 2016-3269

CITY OF NEWBERG

_____ _____

Bob Andrews, Mayor Date

OREGON DEPARTMENT OF TRANSPORTATION

_____ _____

Matthew Garrett, Director Date

CITY OF WILSONVILLE

_____ _____

Tim Knapp, Mayor Date

YAMHILL COUNTY

_____ _____

Mary Starrett, Chair Date

CLACKAMAS COUNTY

_____ _____

John Ludlow, Chair Date

LADD HILL NEIGHBORHOOD ASSOCIATION

_____ _____

Stan Halle, Chair Bypass Impact Committee Date

Exhibit A

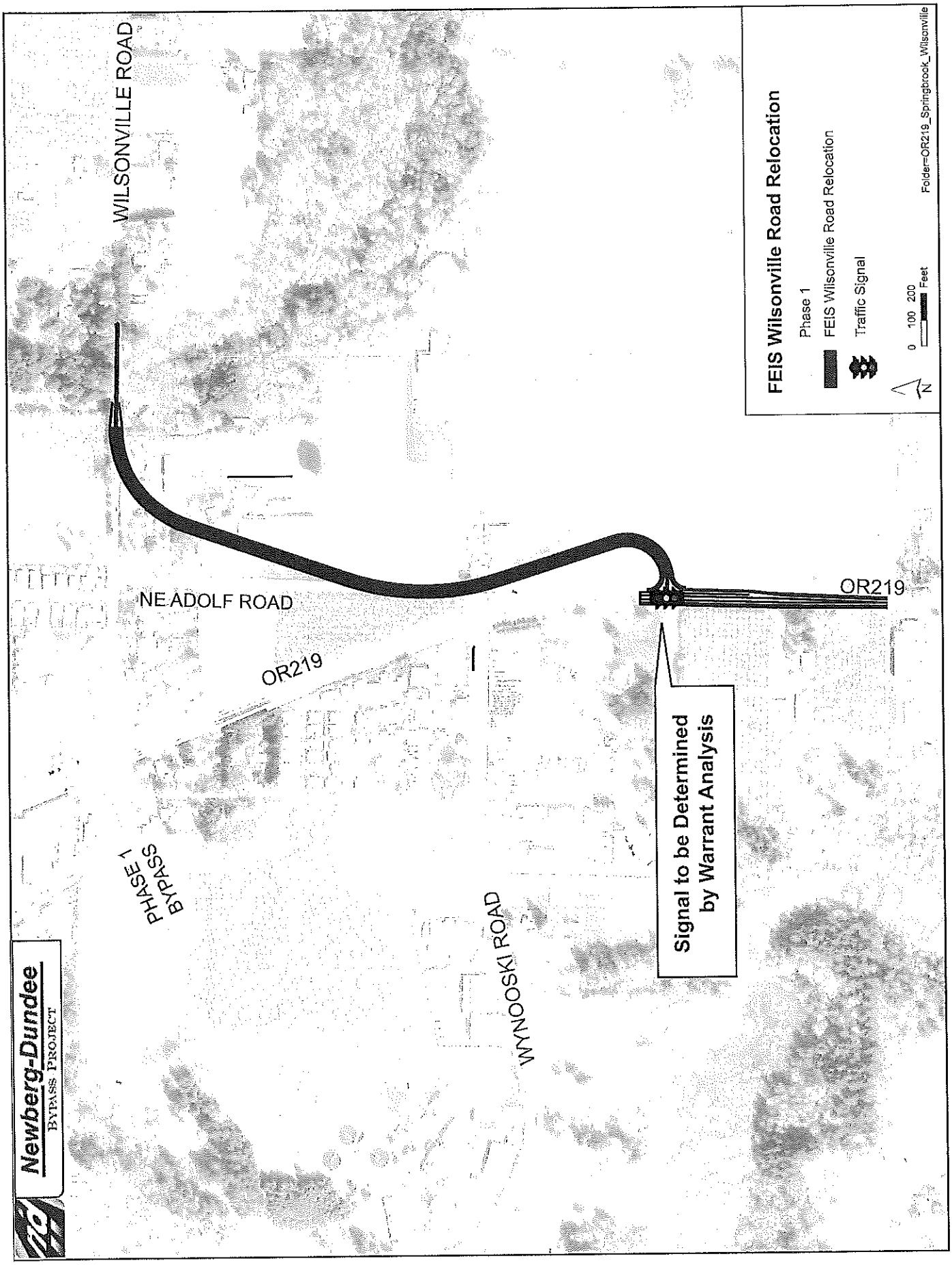
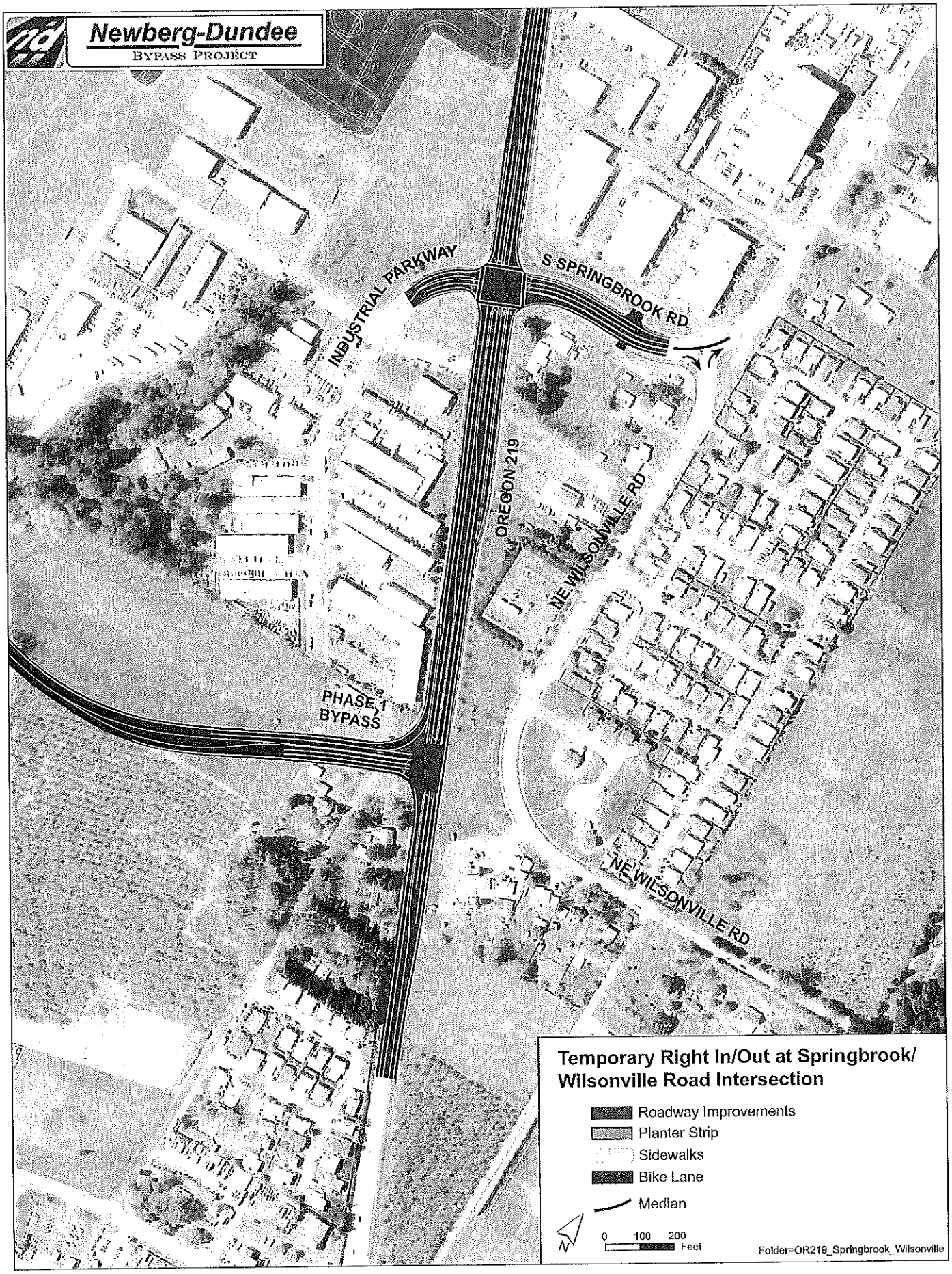

Newberg-Dundee
BYPASS PROJECT
WILSONVILLE ROAD
NE ADOLF ROAD
OR219
PHASE 1
BYPASS
WYNOOSKI ROAD
OR219
Signal to be Determined
by Warrant Analysis
FEIS Wilsonville Road Relocation
Phase 1
FEIS Wilsonville Road Relocation
Traffic Signal
N
0 100 200
Feet
Folder=OR219_Springbrook_Wilsonville

Exhibit B


Newberg-Dundee
BYPASS PROJECT
INDUSTRIAL PARKWAY
S SPRINGBROOK RD
OREGON 219
NE WILSONVILLE RD
PHASE 1
BYPASS
NE WILSONVILLE RD
Temporary Right In/Out at Springbrook/
Wilsonville Road Intersection
Roadway Improvements
Planter Strip
Sidewalks
Bike Lane
Median
N
0 100 200
Feet
Folder=OR219_Springbrook_Wilsonville