

## INTERGOVERNMENTAL AGREEMENT

This Agreement is entered into, by and between Washington County, a political subdivision of the State of Oregon, the City of Tigard.

WHEREAS ORS 190.010 authorizes the parties to enter into this Agreement for the performance of any or all functions and activities that a party to the Agreement has authority to perform.

Now, therefore, the parties agree as follows:

1. The effective date is: July 1, 2015, or upon final signature, whichever is later.  
  
The expiration date is March 1, 2016; unless otherwise amended.
2. The parties agree to the terms and conditions set forth in Attachment A, which is incorporated herein, and describes the responsibilities of the parties, including compensation, if any.
3. Each party shall comply with all applicable federal, state, and local laws; and rules and regulations on non-discrimination in employment because of race, color, ancestry, national origin, religion, sex, marital status, age, medical condition or handicap.
4. To the extent applicable, the provisions of ORS 279B.220 through ORS 279B.235 and ORS 279C.500 through 279C.870 are incorporated by this reference as though fully set forth.
5. Each party is an independent contractor with regard to each other party(s) and agrees that the performing party has no control over the work and the manner in which it is performed. No party is an agent or employee of any other.
6. No party or its employees is entitled to participate in a pension plan, insurance, bonus, or similar benefits provided by any other party.
7. This Agreement may be terminated, with or without cause and at any time, by a party by providing \_\_\_\_\_ (30 if not otherwise marked) days written notice of intent to the other party(s).
8. Modifications to this Agreement are valid only if made in writing and signed by all parties.
9. Subject to the limitations of liability for public bodies set forth in the Oregon Tort Claims Act, ORS 30.260 to 30.300, and the Oregon Constitution, each party agrees to hold harmless, defend, and indemnify each other, including its officers, agents, and employees, against all claims, demands, actions and suits (including all attorney fees and costs) arising from the indemnitor's performance of this Agreement where the loss or claim is attributable to the negligent acts or omissions of that party.
10. Each party shall give the other immediate written notice of any action or suit filed or any claim made against that party that may result in litigation in any way related to this Agreement.

11. Each party agrees to maintain insurance or self-insurance in accordance with ORS 30.282, for the duration of this Agreement at levels necessary to protect against public body liability as specified in ORS 30.269 through 30.274.
12. Each party agrees to comply with all local, state and federal ordinances, statutes, laws, and regulations that are applicable to the services provided under this Agreement.
13. This Agreement is expressly subject to the debt limitation of Oregon Counties set forth in Article XI, Section 10 of the Oregon Constitution, and is contingent upon funds being appropriated therefore.
14. This writing is intended both as the final expression of the Agreement between the parties with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement.

WHEREAS, all the aforementioned is hereby agreed upon by the parties and executed by the duly authorized signatures below.

**CITY OF TIGARD**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

Address: \_\_\_\_\_

**WASHINGTON COUNTY**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

Address: \_\_\_\_\_

\_\_\_\_\_  
Mail Stop # \_\_\_\_\_  
Hillsboro, OR 97123

# ATTACHMENT “A”

## WASHINGTON COUNTY / UNIVERSITY OF OREGON INTERGOVERNMENTAL AGREEMENT SCOPE OF WORK FOR NATURAL HAZARDS MITIGATION PLAN

### ROLES AND RESPONSIBILITIES

#### University of Oregon (UO):

- Serve as the primary contact for information about the natural hazard mitigation plan update process
- Serve as a technical advisor to Washington County emergency management staff
- Provide plan development support to the County through training sessions, conference calls, e-mails, completion of plan update tasks as identified in the objectives section, and face-to-face meetings
- Communicate with the Washington County project lead a minimum of once per month
- Participate in local Natural Hazards Mitigation Action Plan (NHMAP) update meetings as needed on invitation from the Washington County Project Lead
- Provide the following planning resources:
  - FEMA plan update resources and UO’s 2009-10 Natural Hazards Mitigation Plan Update Manual
  - Washington County NHMAP resource website on UO’s website (<http://csc.uoregon.edu/UO>)
  - UO’s Natural Hazard Mitigation Plan Templates
  - Sample Action Item Report
  - UO’s Action Item Form
  - Plan Appendix – Cost-Benefit Analysis of Mitigation Actions
- Write the Natural Hazard Mitigation Plan
- Guide the draft plan through the FEMA review process and local adoption process
- Grant administration

#### Washington County:

- Convene, coordinate and staff the Washington County NHMAP Steering Committee. This committee will serve as an advisory board to Washington County Emergency Management (WCEM) (*See Task 2*)
- Coordinate and support development Tigard’s NHMAP within the county NHMAP document (*See Task 1*)
- Coordinate and implement public outreach process (*See Task 3*)
- Facilitate and document the local planning process as defined in the tasks of this Scope of Work (*See Task 1 – 11*)
- Develop, design and co-facilitate with UO three plan update work session meetings with the Washington County steering committee (*See Task 4, Mtg. 1; Task 5 – 6, Mtg. 2; Task 7 – 8, Mtg. 3*)
- Document plan updates and amendments throughout the process (*See Task 1 – 11*)

- Track and fulfill agreement deliverables and complete and submit quarterly progress reports (*See Task 1 - 11*)
- Work with UO to submit the draft NHMAP to WCEM and FEMA for review and pre-approval (*See Task 10*)
- Present the FEMA pre-approved plan to the Washington County Board of Commissioners for local adoption (*See Task 12*)
- Submit a record of hours worked on the NHMAP update by Washington County, Tigard, and other staff and cost per hour or submit payment for up to \$3,350.00 to meet the 25% non-federal cost share

### **Tigard:**

- Convene a local NHMAP steering committee (e.g. planning commission, city council or ad hoc committee)
- Provide at least one representative and actively participate in the county steering committee meetings and Plan Update Work Sessions
- Participate in the County’s public outreach and engagement process
- Develop locally relevant mitigation strategies
- Track project in-kind or financial contributions for project cost-share requirements
- Present the FEMA pre-approved plan to the City Council for adoption

## **PROJECT BUDGET AND COMMITMENTS**

### Project Budget:

Total project cost:       \$28,000.00

25% matching cost:       \$7,000.00

Washington County has allocated funds in the FY15-16 budget in the amount of \$3,350.00, and this is the amount Washington County has committed under this agreement for matching funds in the form of direct financial contribution; however, it is anticipated that in-kind matching sources by participating organizations will meet the 25% cost share requirement of approximately \$7,000.00. Project organizations eligible for matching requirements include (additional organizations may be included):

- City of Hillsboro
- City of Tigard
- Clean Water Services
- Tualatin Valley Water District
- Tualatin Valley Fire and Rescue
- Washington County Department of Land Use and Transportation

Organizations eligible for contributing toward the cost share through in-kind match will keep detailed records of time spent on the project, hourly costs, and activities conducted. In-kind matching for Washington County parties is effective as of March 1, 2015.

# OVERVIEW OF TASKS AND TIMELINES

## Local NHMAP Update Technical Assistance and Support

The following section outlines the tasks that UO will implement to assist Washington County in updating their natural hazards mitigation action plan.

### *Objective 1: Project Kickoff and Coordination*

*Task 1.1:* UO will participate in monthly update conference calls with Washington County Emergency Management (WCEM) to provide project updates.

*Task 1.1 Timeline:* Monthly

*Task 1.2:* UO will meet with the WCEM staff (Emergency Management Supervisor and DLUT Emergency Management Coordinator) to clarify the goals and objectives of the project and discuss the project timeline and potential participants. UO will work with the WCEM staff to identify steering committee participants. This meeting will be held in-person at the WCEM office.

*Task 1.2 Timeline:* March 11, 2015

*Task 1.2 Product(s):* Project lead identified (DLUT Emergency Management Coordinator)

### *Objective 2: Finalize Project Work Plan*

*Task 2.1:* Project lead [DLUT Emergency Management Coordinator] will identify project steering committee members with guidance from UO. Project lead will recruit steering committee members and solidify project commitments. Project lead will identify and recruit participation from cities wishing to join the mitigation plan update process and have county and city mitigation plans coupled in this update.

*Task 2.1 Timeline:* Project weeks 2 and 3 (June, 2015)

*Task 2.1 Product(s):* Mitigation Plan Steering Committee identified

*Task 2.2:* Project lead will obtain and review sample Intergovernmental Agreements (IGA) and Scopes of Work (SOW) which will be used to solidify relationships between Washington County and UO for the plan update. UO will provide sample IGA and SOW documents to support the development for this plan update.

*Task 2.2 Timeline:* Project week 1 (June 2015)

*Task 2.2 Product(s):* IGA and SOW examples provided by UO

*Task 2.3:* Project lead will coordinate with Washington County Support Services, Purchasing to identify the project relationship with partnering organizations, which will be formalized through an IGA.

*Task 2.3 Timeline:* Project weeks 4 and 5 (July 2015)

*Task 2.3 Product(s):* Draft IGA ready for review by Washington County Purchasing and UO

*Task 2.4:* Project lead will create a Scope of Work (SOW)

*Task 2.4 Timeline:* Project weeks 4 and 5 (July 2015)

*Task 2.4 Product(s):* Draft SOW to be included as Attachment “A” for the IGA (this document)

*Task 2.5:* Project lead will provide the draft IGA to Washington County, Purchasing for review. Upon approval, will provide the draft to UO for review and approval

*Task 2.5 Timeline:* Project weeks 4 through 6 (July, 2015)

*Task 2.5 Product(s):* Approved project IGA

*Task 2.6:* Project lead will coordinate a project kick off meeting where UO will provide to the Washington County NHMAP Steering Committee an overview of the NHMAP update process, review the scope of work, present a draft Community Profile (if ready), and discuss the project timeline. Topics to discuss at this meeting include:

- **Overview of Natural Hazards Mitigation.** Committee members will be briefed on natural hazard mitigation, its purpose, and the benefits that a mitigation plan can provide a community.
- **Plan update process and timeline.** This meeting will discuss the planning process for updating or developing a NHMAP, and a rough timeline for completing before the plan expires February 11, 2016.
- **Hazard Identification:** UO will provide an overview of hazards impacting the County and discuss what variations exist, if any, for the participating jurisdictions.
- **Discuss Risk Assessment:** Risk assessment methodologies, common risk assessment barriers and ways to deal with them will be discussed. The County will have a chance to review the existing risk assessment.
- **Mitigation Strategy:** The Disaster Mitigation Act of 2000 requires that mitigation plans include a set of plan goals. Plan goals will be discussed and developed. The steering committee will preview existing mitigation actions items and begin a discussion on their update.

*Task 2.6 Timeline:* Project week 9 (August, 2015)

*Task 2.6 Product(s):* Project Kickoff Meeting

### ***Objective 3: Distribute Planning Resources***

*Task 3.1:* Once the project leads and steering committee are established, UO will distribute planning resources to include UO’s Pre-Disaster Mitigation Training Manual and the Pre-Disaster Mitigation Plan Update Manual. These documents describe the process, resources and steps needed to update

a NHMAP to meet and in most cases, exceed the minimum FEMA planning requirements. Additional resources are available on the UO website.

*Task 3.2 Timeline:* Project week 7 (July, 2015)

*Task 3.2 Product(s):* UO's Pre-Disaster Mitigation Training Manual and the Pre-Disaster Mitigation Plan Update Manual

*Task 3.2:* In addition to the plan development training manual, UO will provide a planning initiative website for this project. The website will be part of the UO's website and will include all available electronic documents and resources presented at the work sessions. The website, in cooperation with the University of Oregon's Scholars' Bank, will also serve as the repository for final adopted plans, making them web accessible to the general public.

*Task 3.2 Timeline:* Project week 7 (July, 2015)

*Task 3.2 Product(s):* Project website: <http://UO.uoregon.edu/current/Washington>

#### **Objective 4: Update Community Profile**

*Task 4.1:* UO will update existing community profile information for Washington County and participating cities and make any necessary changes to relate information in the profile to natural hazards mitigation. The profiles will include information about the county environment, climate, and geography; population and demographic data for the 16 Washington County cities and unincorporated areas; information on vulnerable populations; land use and development data; the economy including critical infrastructure and key resources and the labor force; infrastructure and critical facilities data; and cultural and historic assets. Potential data sources for completing community profiles include: comprehensive plans, storm water ordinances, community wildfire protection plans, US Census, national register of historic places, and the Portland State University Population Research Center. Additionally, the community profile will describe the government structure, existing plans and policies, and community organizations and programs.

*Task 4.1 Timeline:* Project weeks 4 through 9 (July through August, 2015)

*Task 4.1 Product(s):* Draft Community Profile for Washington County (Section 2 of updated NHMAP)  
Draft Community Profiles for Hillsboro and Tigard

*Task 4.2:* UO will review the comprehensive plans of each of the participating communities and will identify opportunities to integrate information from the mitigation plans therein through completion of a "Goal 7 Crosswalk." UO will prepare a Comprehensive Plan Crosswalk summary as well as a Conclusions and Recommendations Memo that identifies specific areas within the Comprehensive Plan to be updated.

*Task 4.2 Timeline:* Project weeks 11 through 14 (August and September, 2015)

*Task 4.2 Product(s):* Comprehensive Plan Crosswalks and Conclusions and Recommendations Memo

### ***Objective 5: Update Natural Hazard Identification and Risk Assessment***

*Task 5.1:* UO will work with local, regional and state partners to identify and compile the best available hazard data for the following hazards: flood, landslide, winter storm, wildfire, earthquake, and volcanic eruption. UO will query partners at OEM, DOGAMI, DLCD, USGS, USFS and others to ensure the most current, relevant hazard data for the region is captured. UO will partner with Washington County GIS or a contractor for any updates to hazard maps.

*Task 5.1 Timeline:* Project weeks 5 through 17 (July through September, 2015)

*Task 5.1 Product(s):* Updated draft hazard description and history information in Section 3: Natural Hazard Identification and Risk Assessment; Updated draft hazard description and history information for Hillsboro and Tigard

*Task 5.2:* As part of this objective, UO will work with the staff leads in the county and each participating city (Hillsboro and Tigard) to obtain lists of all known local hazard data sets. NHMAP Steering Committee members and city leads will provide current hazard data to compliment the query results.

*Task 5.2 Timeline:* Project weeks 9 through 12 (August 2015)

*Task 5.2 Product(s):* Updated draft hazard information in Section 3: Natural Hazard Identification and Risk Assessment; Updated draft hazard information for Hillsboro and Tigard

*Task 5.3:* UO will work with Washington County and participating cities staff (Hillsboro and Tigard) to compile and analyze best available hazard and development trend data to support the development of a vulnerability analysis, using 2012 Washington County Hazard Analysis as the basis for this task.

*Task 5.3 Timeline:* Project weeks 11 through 17 (August and September, 2015)

*Task 5.3 Product(s):* Updated draft vulnerability analysis information in Section 3: Natural Hazard Identification and Risk Assessment; Updated draft vulnerability analysis information for Hillsboro and Tigard

*Task 5.4:* The Washington County NHMAP Risk Assessment utilizes a hazard analysis matrix and a scoring system dependent upon four factors: history, vulnerability, maximum threat, and probability. Using updated hazard information from Tasks 5.1 and 5.2, the Steering Committee will update the Risk Assessment in a risk assessment update meeting. The steering committee will conduct the risk assessment for the county and cities and update Section 3: Natural Hazard Identification & Risk Assessment. UO will work with Washington County to ensure that updated information developed

through this task is available for incorporation into other existing emergency management documents (e.g. Hazard Analysis, Emergency Operations Plan, Continuity of Operations, etc.).

*Task 5.4 Timeline:* Project weeks 16 through 20 (September and October, 2015); Risk Assessment Update Meeting project weeks 18, 19, or 20 (October, 2015)

*Task 5.4 Product(s):* Updated draft risk assessment information in Section 3: Natural Hazard Identification and Risk Assessment; Updated draft risk assessment information for Hillsboro and Tigard; Project lead facilitated risk assessment update meeting with NHMAP Steering Committee and UO

### ***Objective 6: Update Action Items and Plan Implementation***

*Task 6.1:* UO will obtain data from the NHMAP committee and assemble a list of 2011 NHMAP action items that have been completed since the plan was adopted. This list will be used to provide input on the 2016 NHMAP action items (Section 4: Action Items and Implementation).

*Task 6.1 Timeline:* Project weeks 8 through 11 (July and August, 2015)

*Task 6.1 Product(s):* Completed action items list

*Task 6.2:* The NHMAP Steering Committee and UO will convene to evaluate 2011 NHMAP action items and assess their viability for the 2016 NHMAP. UO and the NHMAP Steering Committee will develop new mitigation action items. The 2011 NHMAP implementation schedule will be reviewed and an implementation strategy for the 2016 NHMAP will be created. This meeting will be in conjunction with the Risk Assessment Update meeting (Task 5.4).

*Task 6.2 Timeline:* Project week 18, 19, or 20 (October, 2015)

*Task 6.2 Product(s):* -

*Task 6.3:* Following the action items meeting, UO will update and create a draft 2016 NHMAP Section 4: Action Items and Implementation. City representatives will update action items and implementation section for city appendices.

*Task 6.3 Timeline:* Project week 21 and 22 (October and November, 2015)

*Task 6.3 Product(s):* Updated draft action items for 2016 NHMAP (Section 4: Action Items and Implementation); Updated draft action items for the cities of Hillsboro and Tigard

*Task 6.4:* UO will update Appendix A: Action Item Change Memo.

*Task 6.4 Timeline:* Project week 21 and 22 (October and November, 2015)

*Task 6.4 Product(s):* Updated draft Appendix A: Action Item Change Memo; Updated draft complementary information for the respective city appendices

### **Objective 7: Public Outreach**

*Task 7.1:* Throughout the plan update process, mitigation plan update project managers from neighboring jurisdictions will meet to discuss activities and coordinate public outreach and engagement strategies.

*Task 7.1 Timeline:* Project weeks 2 through 22 (June through November, 2015)

*Task 7.1 Product(s):* -

*Task 7.2:* Project lead will attend public engagement meetings / events hosted by Portland Bureau of Emergency Management (June 22, 2015) and other neighboring jurisdictions to learn about their update process, gather and evaluate public input, and assess their engagement strategies. These events will be evaluated as potential options for use in Washington County.

*Task 7.2 Timeline:* Project weeks 2 through 18 (June through October, 2015)

*Task 7.2 Product(s):* -

*Task 7.3:* Project lead with input from steering committee members and UO will create an online survey as a tool to obtain public input on the planning process and current mitigation activities.

*Task 7.3 Timeline:* Project weeks 7 through 17 (July through September, 2015)

*Task 7.3 Product(s):* Online survey to gather public input

*Task 7.4:* Project lead and / or NHMAP Steering Committee members will participate in public events to engage citizens and gather input and / or advertise the public survey. The cities are encouraged to participate in the public outreach efforts.

*Task 7.4 Timeline:* Project weeks 4 through 18 (July through October, 2015)

*Task 7.4 Product(s):* Public input on mitigation actions for the county

*Task 7.5:* UO will aggregate public input data and share with NHMAP Steering Committee members for review and input. Information gathered will be reviewed and the NHMAP Steering Committee will determine viability for action items at the action items meeting.

*Task 7.5 Timeline:* Project weeks 18 and 19 (October, 2015)

*Task 7.5 Product(s):* List of aggregated public input data for use as potential mitigation actions

*Task 7.6:* UO will update Appendix C: Public Process to reflect public engagement activities. City leads will update the public process information for their respective appendices.

*Task 7.6 Timeline:* Project weeks 18 and 19 (October, 2015)

*Task 7.6 Product(s):* Updated draft Appendix C: Public Process. Updates draft public process sections in the city appendices.

### ***Objective 8: Draft Plan Preparation and Review***

*Task 8.1:* UO and the NHMAP project lead will update the Appendix F: Additional Maps and Appendix G: Acronyms section of the plan.

*Task 8.1 Timeline:* Project weeks 22 and 23 (November, 2015)

*Task 8.1 Product(s):* Updated draft Appendices F: Additional Maps and G: Acronyms

*Task 8.2:* UO will complete final draft plan edits and assemblage and provide the draft to the NHMAP Steering Committee.

*Task 8.2 Timeline:* Project week 24 (November, 2015)

*Task 8.2 Product(s):* Initial draft of 2016 Washington County NHMAP

*Task 8.3:* Upon receiving the draft NHMAP, the NHMAP Steering Committee members will review the plan.

*Task 8.3 Timeline:* Project week 24 (November, 2015)

*Task 8.3 Product(s):* -

*Task 8.4:* UO will submit the draft 2016 Washington County NHMAP to OEM for submittal to FEMA for review. FEMA will review the draft plan and submit comments / changes needed for plan compliance.

*Task 8.4 Timeline:* Project weeks 25 through 28 (November and December, 2015)

*Task 8.4 Product(s):* FEMA plan review

*Task 8.5:* UO will incorporate FEMA input in the draft plan and provide the final draft to the NHMAP Steering Committee. NHMAP Committee members will review the final plan.

*Task 8.5 Timeline:* Project weeks 29 (December, 2015)

*Task 8.5 Product(s):* Final draft 2016 Washington County NHMAP

**Objective 9: Final Plan Review and Adoption**

*Task 9.1:* NHMAP project lead will request a Washington County Board agenda item to submit the plan for adoption. Cities will seek plan adoption of their respective city addenda.

*Task 9.1 Timeline:* Project weeks 30 through 32 (December, 2015 and January, 2016)

*Task 9.1 Product(s):* Washington County approved 2016 NHMAP

*Task 9.2:* UO will submit the approved 2016 NHMAP to OEM for final approval by FEMA

*Task 9.2 Timeline:* Project weeks 33 through 36 (January and February, 2016)

*Task 9.2 Product(s):* FEMA approved 2016 Washington County NHMAP