



OAK LODGE WATER DISTRICT

Oak Lodge Water District
14496 SE River Road, Oak Grove, OR
March 1, 2017

Members of the public are welcome to testify for a maximum of three minutes on each agenda item.

4:00 p.m. Regular Meeting

1. Call to Order
2. Public Comment (For non-agenda items)
3. Resolution 2017-1; Approving Addendum #2 to the NCCWC
IGA
4. Adjourn

For special assistance, due to disability, please call the Oak Lodge Water District 48 hours prior to the meeting date at 503-654-7765.

For Board Meeting of: March 1, 2017

Agenda Item: Number 3

To: Chair Gibson and OLWD Board Members

From: Dan Bradley, General Manager

Issue

The issue is to adopt the resolution approving the name change from Oak Lodge Water District to Oak Lodge Water Services District in the NCCWC IGA.

Recommendation

It is recommended the Board adopt Resolution 2017-1.

Background

The Second Amended Intergovernmental Agreement (IGA) for the North Clackamas County Water Commission requires the parties to amend the IGA anytime there is a change in ownership. The formation of Oak Lodge Water Services constitutes a change in ownership.

Facts and Findings

Sunrise Water Authority approved Addendum #2 to the NCCWC IGA on February 22, 2017 changing the name from Oak Lodge Water District to Oak Lodge Water Services District.

The City of Gladstone will approve the IGA change on February 28, 2017. The Oak Lodge Water Services District approved the Addendum on February 21, 2017.

Oak Lodge Water District needs to approve the addendum to finalize the IGA

Suggested Motion

I move to adopt Resolution 2017-1; amending the 2nd Amended IGA for the NCCWC.

RESOLUTION 2017-1

A RESOLUTION OF THE OAK LODGE WATER DISTRICT BOARD OF COMMISSIONERS TO AMEND THE SECOND AMENDED INTERGOVERNMENTAL AGREEMENT WITH THE NORTH CLACKAMAS COUNTY WATER COMMISSION TO CHANGE THE OWNERSHIP FROM OAK LODGE WATER DISTRICT TO OAK LODGE WATER SERVICES DISTRICT

WHEREAS, the North Clackamas County Water Commission was created on September 10, 1998 to serve as the finished water treatment facility providing drinking water to Oak Lodge Water District and the Mt. Scott Water District; and

WHEREAS, the Intergovernmental Agreement was amended on May 14, 2001 to amend the ownership from Mt. Scott Water District to Sunrise Water Authority; and

WHEREAS; A Settlement Agreement was reached which created the Second Amended Intergovernmental Agreement on August 3, 2004; and

WHEREAS, Addendum #1 to the Second Amended Intergovernmental Agreement was approved on July 18, 2005 to admit the City of Gladstone as an owner in the North Clackamas County Water Commission; and

WHEREAS, the creation of the Oak Lodge Water Services District on January 1, 2017 was completed which requires an amendment to Addendum Number 1 to the Second Amended Intergovernmental Agreement changing the ownership from Oak Lodge Water to Oak Lodge Water Services District

NOW, THEREFORE BE IT ADOPTED by the Oak Lodge Water District that Addendum Number 1 to the Second Amended Intergovernmental Agreement is amended to change the ownership from Oak Lodge Water District to Oak Lodge Water Services District.

Duly Adopted this 1st day of March, 2017

By _____
Nancy Gibson, Chair

Attest this 21st day of February, 2017

By _____
Dan Bradley, General Manager

**ADDENDUM NO. 2 TO THE SECOND AMENDED INTERGOVERNMENTAL
AGREEMENT FOR THE NORTH CLACKAMAS COUNTY WATER COMMISSION
MAKING OAK LODGE WATER SERVICES DISTRICT A
MEMBER OF THE COMMISSION**

This Addendum No. 2 to the Second Amended Intergovernmental Agreement for the North Clackamas County Water Commission (Addendum No. 2) is effective this ____ day of _____, 2017 by and between Sunrise Water Authority (Sunrise), Oak Lodge Water District (OLWD), Oak Lodge Water Services District (OLWSD) and the City of Gladstone (Gladstone), hereinafter collectively referred to as the Parties.

RECITALS

WHEREAS, Sunrise and OLWD entered into the Second Amended Intergovernmental Agreement for the North Clackamas County Water Commission dated August 3, 2004 (Second Agreement) continuing the North Clackamas County Water Commission (NCCWC) entity to supply treated water for municipal use from water rights assigned by the Parties to the NCCWC; and

WHEREAS, Sunrise, OLWD and Gladstone entered into Addendum No. 1 to the Second Amended Intergovernmental Agreement for The North Clackamas County Water Commission to Add the City of Gladstone As a Member of the Commission dated July 18, 2005 (Addendum No. 1); and,

WHEREAS, the consolidation of the OLWD and the Oak Lodge Sanitary District pursuant to ORS 198.890 created a new entity known as Oak Lodge Water Services District; and,

WHEREAS, the Parties desire to enter into this Addendum No. 2 to consent to the assignment by and transfer of OLWD's interest and obligations under the Agreements to OLWSD and being advised,

AGREEMENT

Section 1. Sunrise and Gladstone consent to the assignment and transfer of all rights, title, interests, covenants and obligations of OLWD under the Second Agreement and Addendum No. 1 to OLWSD as successor in interest to OLWD under ORS 198.890.

Section 2. By signature below, OLWSD accepts the assignment and agrees to be a Party bound by all terms, covenants and conditions of, to fully discharge and comply with all obligations and duties of, and succeed to all rights and privileges of, OLWD as a Party under the Second Agreement and Addendum No. 1.

Section 3. Except as modified herein, the terms and conditions of the Second Agreement and Addendum No. 1 are in full force and effect.

Section 4. This Second Addendum is effective as of the date above.

OAK LODGE WATER DISTRICT

By: _____

Title: _____

SUNRISE WATER AUTHORITY

By: Paul Blake

Title: Chair

CITY OF GLADSTONE

By: _____

Title: _____

ACCEPTED AND AGREED:

OAK LODGE WATER SERVICES DISTRICT

By: _____

Title: _____