



City of Oregon City

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Staff Report

File Number: 16-225

Agenda Date: 9/7/2016

Status: Consent

To: City Commission

Agenda #: 8c.

From: Public Works Director John Lewis

File Type: Contract

SUBJECT:

First Amendment to a Settlement Agreement Between Oregon City, South Fork Water Board, Clackamas River Water District, Sunrise Water Authority and the Clackamas Regional Water Supply Commission

RECOMMENDED ACTION (Motion):

Authorize the Mayor to execute the First Amendment to the Settlement Agreement between Oregon City, South Fork Water Board, Clackamas River Water District, Sunrise Water Authority and the Clackamas Regional Water Supply Commission in order to extend the agreement an additional two years for all parties to reach agreement on a methodology for compensation.

BACKGROUND:

On May 24, 2014, the City of Oregon City (City), the South Fork Water Board (SFWB), the Clackamas River Water District (CRW), the Sunrise Water Authority (SWA) and the Clackamas Regional Water Supply Commission (CRWSC) entered into a Settlement Agreement to address the Land Use Board of Appeals (LUBA) litigation over the adoption of a 190 Agreement between CRW and SWA to create the CRWSC.

Section II.C of the Settlement Agreement states that, within two years of the execution of the Settlement Agreement, the Parties will reach an agreement regarding a methodology to determine the value of CRW assets for which CRW will be compensated upon withdrawal. This two year Agreement expired on May 24, 2016 and the Parties to the Agreement were not able to reach agreement before the Agreement expiration. As a result, it has been agreed by all Parties that the Settlement Agreement should be amended to extend the Agreement for one additional two-year period to allow the Parties to reach an agreement.

This amendment was simultaneously presented for approval to the governing bodies of all Parties.

BUDGET IMPACT:

Amount: N/A

FY(s): N/A

Funding Source: N/A