

POWELL VALLEY ROAD WATER DISTRICT - CITY OF PORTLAND**INTERGOVERNMENTAL AGREEMENT**

THIS AGREEMENT is entered into pursuant of the authority granted in Chapter 190 of the Oregon Revised Statutes, by and between the City of Portland, a municipal corporation of the State of Oregon, hereinafter called "City", and the Powell Valley Road Water District, a municipal corporation in the State of Oregon formed under Chapter 264 of the Oregon Revised Statutes, hereinafter called "District". This agreement is to provide for the transfer of responsibility for water service of a portion of District's territory to the City.

WHEREAS, the Oregon Department of Transportation is presently in the process of reconstructing a portion of SE 82nd Avenue in the area of SE Powell Boulevard to SE Holgate Boulevard; and

WHEREAS, both City and District have water supply mains located in SE 82nd Avenue with District's main supplying water to a portion of District's territory located to the west of the I-205 Freeway, hereinafter described as "District's Territory"; and

WHEREAS, in light of the fact that all of "District's Territory" will soon be annexed to the City of Portland, it is appropriate that District not replace its water supply main in the reconstructed portion of SE 82nd Avenue and that City's water supply main in that street provide water to "District's Territory";

THEREFORE, the City and District agree as follows:

1. Commencing January 1, 1987, the City shall assume all water service responsibility to that portion of "District's Territory". This shall include responsibility for maintenance and operation, meter reading and billing, and all customer related services.
2. City shall bill at the then prevailing city water rates and collect and retain all revenues therefrom.
3. City shall assume and pay the pro-rata portion of District's bonded indebtedness represented by "District's Territory".
4. The parties agree that the City shall withdraw "District's Territory" pursuant to ORS Chapter 222, on July 1, 1987. This clause represents an amendment to section 2 of that agreement between the parties executed April 11, 1986 relating to the transfer of service responsibilities between the parties.

IN WITNESS WHEREOF, the authorized representatives of the City and the District as parties hereto pursuant to the authority granted to them hereby approve this agreement and accept the provisions contained herein.

CITY OF PORTLAND

Date: _____

Dick Bogle
Commssioner of Public Works

Date: _____

Jewel Lansing
City Auditor

POWELL VALLEY ROAD WATER DISTRICT

Date: _____

Bob Luce
President
Board of Commissioners

APPROVED:

Jeffrey Rogers, City Attorney

Ordinance No. **159136**

An Ordinance authorizing the Commissioner of Public Works and Auditor to execute an agreement with the Powell Valley Road Water District providing for the transfer of water service responsibilities for a portion of District's territory to the City, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The Oregon Department of Transportation is presently in the process of reconstructing a portion of SE 82nd Avenue in the area of SE Powell Blvd. to SE Holgate Blvd.;
2. Both the City and the Powell Valley Road Water District have water supply mains located in SE 82nd Avenue with District's main supplying water to a portion of District's territory located to the west of the I-205 Freeway;
3. As of November 5, 1986, all of the Powell Valley Road Water District's territory to the west of the I-205 Freeway will be annexed to the City of Portland and since it is the desire of both parties that this annexed territory be withdrawn from the District on July 1, 1987, it is appropriate the District not replace its water supply main in the reconstructed portion of SE 82nd Avenue and that City's water supply main in that street supply water to the area in question. This can be accomplished by an Intergovernmental Agreement;
4. Also, in order to permit the City to withdraw the above described District's territory on July 1, 1987, it is necessary for the parties to amend their existing intergovernmental agreement dated April 11, 1986, relating to the withdrawal of District service territory;
- 5/ The above action is consistent with the City's Urban Services policy.

NOW, THEREFORE, The Council directs:

- a. That the Commissioner of Public Works and Auditor are hereby authorized to execute an agreement entitled " Powell Valley Road Water District - City of Portland, Intergovernmental Agreement" a copy of which is attached to the original only hereof and marked as Exhibit A, providing for the transfer of responsibility for water service delivery of a portion of District's territory to the City and amending an agreement between the parties executed April 11, 1986.

Section 2. The Council declares that an emergency exists because it is necessary that this agreement be executed immediately in order to permit the City to serve the above described portion of District's territory, therefore, this ordinance shall be force and effect from and after its passage by the Council.

Passed by the Council, **NOV 5 1986**

JEWEL LANSING

Auditor of the CITY OF PORTLAND

By

Edna Cervera

Deputy

Commissioner Bogle

URA:8610B126
BUC NO.

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
BOGLE	/	
LINDBERG		—
SCHWAB	/	
STRACHAN	/	
CLARK	/	

FOUR-FIFTHS CALENDAR	
BOGLE	
LINDBERG	
SCHWAB	
STRACHAN	
CLARK	

Calendar No. **2145**

ORDINANCE No. 159136

Title

An Ordinance authorizing the Commissioner of Public Works and Auditor to execute an agreement with the Powell Valley Road Water District providing for the transfer of water service responsibilities for a portion of District's territory to the City, and declaring an emergency.

Filed OCT 31 1986

JEWEL LANSING
Auditor of the CITY OF PORTLAND

By Nancy Dunford
Deputy

INTRODUCED BY	
COMMISSIONER BOGLE	
NOTED BY THE COMMISSIONER	
Affairs	
Finance and Administration	
Safety	
Utilities	
Works <i>Aud Bogle</i>	
BUREAU APPROVAL	
Bureau: WATER WORKS	
Prepared By: Bob Irelan	Date:
Budget Impact Review: <input type="checkbox"/> Completed <input type="checkbox"/> Not required	
Bureau Head <i>Edward Tenny</i> Edward Tenny, Administrator	
CALENDAR	
Consent	Regular
NOTED BY	
City Attorney	
City Auditor	
City Engineer	