

**BEFORE THE CITY COUNCIL FOR THE  
CITY OF LAFAYETTE, OREGON**

**An Ordinance Forming an )  
Intergovernmental Entity to Administer and )           **ORDINANCE NO. 615**  
Develop Willamette River Water Rights )**

**THE CITY COUNCIL (the “Council”) OF THE CITY OF LAFAYETTE, OREGON**  
(the “City”) sat for the transaction of City business on Thursday, November 8, 2012 at 6:30 p.m. in the Council Chambers at City Hall.

**WHEREAS**, the cities of Lafayette, Carlton, Dayton, and McMinnville, acting by and through its McMinnville Water and Light Commission, have spent several months planning for future water supplies to meet the needs of our respective communities; and

**WHEREAS**, this regional planning effort resulted in an application to the State of Oregon to procure regional water rights from the Willamette River and such rights would be held and developed by a regional entity yet to be created; and

**WHEREAS**, the State of Oregon is now ready to convey these rights to the regional water entity for the benefit of all cities involved.

**THE CITY OF LAFAYETTE, OREGON ORDAINS AS FOLLOWS:**

**Section 1. Authority**

This Ordinance is enacted pursuant to ORS 190.010, 190.085, and 221.410 and Chapter 2 of the Lafayette Charter.

**Section 2. Purpose**

Through this intergovernmental agreement (IGA), the City of Lafayette intends to create an intergovernmental entity, hereinafter, “the Commission.” The IGA shall be between the City of McMinnville, acting by and through the McMinnville Water and Light Commission; the City of Carlton; the City of Dayton; and the City of Lafayette; collectively referred to as the “Parties.”

The public purposes for which the Commission is created are to acquire, hold, manage, maintain, and develop water permits for appropriation of water from the Willamette River. Those water permits are the subject of a Proposed Final Order issued by the Oregon Water Resources Department on March 27, 2012.

Section 3. Powers and Duties

The powers, duties, and functions of the Commission shall include all powers, rights, and duties necessary for performing the functions of acquiring, holding, managing, maintaining, and developing water permits for appropriation of water from the Willamette River. The powers, duties, and functions are described in the IGA, on file in the office of the City Recorder.

Section 4. Adoption

The IGA, attached hereto as Exhibit A and incorporated herein by this reference, is adopted as an amendment to the Lafayette Municipal Code.

Section 5. Effective Date

The IGA shall be effective upon being executed by the governing bodies of each of the Parties to the IGA.

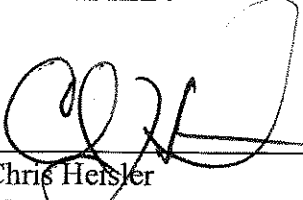
Section 6. Execution

Execution of the IGA is hereby authorized and the City Recorder shall transmit notice to the Oregon Secretary of State of the adoption of this Ordinance, in accordance with ORS 190.085(2).

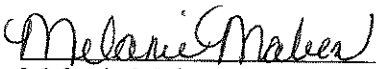
**ADOPTED** by the City Council on the 8<sup>th</sup> Day of November, 2012.

**VOTE:**      Ayes: 3      Nays: -0-      Abstentions: -0-      Absent: 3

**CERTIFIED:**

  
\_\_\_\_\_  
Chris Heisler  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
Melanie Maben  
Assistant to the City Administrator