

RESOLUTION NO. 1017-01

A RESOLUTION TERMINATING THE DECEMBER 27, 2012 WATER PURCHASE AGREEMENT BETWEEN SEAL ROCK WATER DISTRICT AND THE CITY OF TOLEDO

WHEREAS, Due to the increasing threat of natural hazards affecting the Oregon Coast and the District's existing source water supply line recognized in the 2011 Lincoln County, Multi-Jurisdictional Natural Hazard Mitigation Plan; and

WHEREAS, The SRWD Board of Commissioners desires to develop a reliable, affordable and resilient primary water supply capable of rapid recovery; and

WHEREAS, SRWD authorized several studies addressing the viability of developing a primary source of water, to include; 2015 Reconnaissance Level Source Water Study, 2016 Phase-IV Conceptual Design Report for the Beaver Creek Water Supply Project, and the 2017 Preliminary Engineering Report and Environmental Report for the Beaver Creek Water Supply Project; and

WHEREAS, The District has initiated active development of the Beaver Creek water supply source, with an anticipated completion date before October 31, 2020; and

WHEREAS, Section 3.2.4 of the 2012 Water Purchase Agreement requires not less than three years advance written notice to the City of Toledo of termination of the Water Purchase Agreement dated December 27, 2012; and

WHEREAS, The District has financially supported minor and major capital improvements to the City of Toledo water system and desires to work collaboratively with the City of Toledo to develop an emergency and continued source water use agreement for future source water supply from the City;

NOW, THEREFORE, THE SEAL ROCK WATER DISTRICT BOARD OF COMMISSIONERS HEREBY RESOLVES AS FOLLOWS:

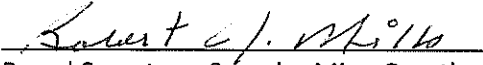
1. The 2012 Water Purchase Agreement with the City of Toledo is terminated as of October 31, 2020.
2. A copy of this resolution is to be both delivered to the Toledo City Manager and mailed by certified mail, return receipt requested, to the City of Toledo at the address listed in paragraph 13.2 of the Water Purchase Agreement.
3. District representatives are authorized to enter into negotiations with the City of Toledo to develop an emergency water source agreement.

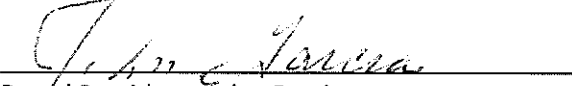
PASSED by the SRWD Board on this
19th day of October 2017.

APPROVED by the SRWD Board President on this
19th day of October 2017.

ATTEST:

APPROVED:


Board Secretary, ~~Saundra Mies Grantham~~
Board Member, ~~Robert Mills~~


Board President, John Garcia

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