

RESOLUTION NO. 2582

A RESOLUTION APPROVING THE STREAMCARE INTERGOVERNMENTAL AGREEMENT WITH EAST MULTNOMAH SOIL AND WATER CONSERVATION DISTRICT.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. That the City and the East Multnomah Soil and Water Conservation District (EMSWCD) have had a cooperative “StreamCare” Intergovernmental Agreement (IGA) since 2014 via Resolution No. 2248 to improve water quality by planting trees and restoring native vegetation along Beaver Creek.
2. That the EMSWCD StreamCare program restores naturally functioning riparian forest buffers as a means to improve surface water quality which benefits the community and contributes to the public health, safety, and welfare of the City residents.
3. That the EMSWCD StreamCare program seeks to benefit the community through improved natural habitat for fish, birds and wildlife, improved water quality and reduced soil erosion and flooding.
4. That the Oregon Revised Statutes (ORS) 190.110 provides the necessary authority for the City and EMSWCD to enter into an IGA for the StreamCare program.
5. That an IGA is necessary to allow the EMSWCD to conduct riparian forest restoration activities on City property, and the City and the EMSWCD desire to enter into the IGA, and the IGA is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:

Section 1. Agrees now that the City enter into the StreamCare Intergovernmental Agreement with East Multnomah Soil and Water Conservation District and approves the IGA in substantial conformity with Exhibit A of the Staff Report, but with any changes the City Official may determine necessary.

Section 2. Environmental Specialist Ryan Largura is hereby designated as the City named StreamCare Project Manager for both of the StreamCare IGAs, Projects “2014-BeaverCOT” and “2022-BeaverCOT2”.

Section 3. The City Council finds that in accordance with the authority granted in Oregon Revised Statute (ORS) 190.110 entering into an IGA with EMSWCD to restore naturally functioning riparian forest buffers as a means to improve surface water quality in the community serves a valuable, necessary, and authorized public purpose and is in the public interest.

Section 4. The City Manager Ray Young, and Finance Director Erich Mueller, (each an "City Official") are designated, or a designee of the City Official, to act on behalf of the City, and without further action by the City Council, the City Official is hereby authorized, empowered and directed to sign the IGA on behalf of the City, and any and all other required and necessary documents to implement the intent of the IGA and this resolution.

Section 5. The City Official is hereby authorized to execute, acknowledge and deliver the IGA, including any other supporting and implementing documents, and to take any other action as may be advisable, convenient, necessary, or appropriate to give full force and effect to the terms and intent of the IGA and this resolution, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 6. Further, consistent with intent of the IGA, and in the best interest of the City, the City Official is authorized to determine, execute, acknowledge and deliver any subsequent addendums, extensions, revisions, modification, or successor documents of the IGA, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 7. Further, as applicable, to comply with State statutes, administrative rules or local ordinances, and to act in the best interest of the City, and without further action by the City Council, the City Officials are hereby authorized, directed, and responsible for fulfilling the ministerial, intergovernmental, technical, compliance, procedural or promotional functions as required for the effective administration and implementation of the IGA and this resolution, and to take any other action as may be advisable, convenient, necessary, or appropriate, and the execution thereof by any such City Official shall be conclusive as to such determination.

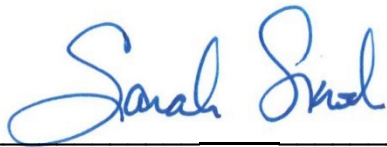
Section 8. The Finance Director is authorized to disburse funds, subject to annual appropriations, as necessary to fulfill the IGA obligations and the intent of this resolution and is further directed to implement all such actions necessary to ensure budgetary compliance.

Section 9. This Resolution shall take effect immediately upon adoption.

YEAS: 5
NAYS: 0
ABSTAINED: 0



Randy Lauer, Mayor
Date: November 14, 2022



Sarah Skroch, City Recorder
Adopted: November 8, 2022