



Staff Report

File #: 24-271
Version: 1

Date: 7/8/2024
Item #: 3.3b.

TO: Mayor and City Council
THROUGH: Keith Stahley, City Manager
FROM: Brian D. Martin, PE, Public Works Director

SUBJECT:

First amendment to the Water Supply Agreement with Orchard Heights Water Association

Ward(s): Ward 8
Councilor(s): Varney
Neighborhood(s): West Salem Neighborhood Association
Result Area(s): Safe, Reliable and Efficient Infrastructure

SUMMARY:

Proposed first amendment to the Orchard Heights Water Association (Orchard Heights) Water Supply Agreement allowing Orchard Heights to add new legally created lots to its water service area.

ISSUE:

Shall the City Council authorize the City Manager to execute the first amendment to the Water Supply Agreement with Orchard Heights?

RECOMMENDATION:

Authorize the City Manager to execute the first amendment to the Water Supply Agreement with Orchard Heights.

FACTS AND FINDINGS:

- An existing Water Supply Agreement (Agreement) between the City of Salem (City) and Orchard Heights allows the City to provide municipal drinking water to Orchard Heights

members for security of water supply and protection against system failure.

- The Agreement limits connections to Orchard Heights's water system to only those lots that existed at the time of the original April 29, 2011, Agreement.
- Orchard Heights has requested the City allow discretionary authority to add lots legally created after April 29, 2011, to their water service district. The additional lots would not create a burden on the City's system since the Agreement limits the maximum amount of water delivered to Orchard Heights at 225 gallons per minute.
- The proposed amendment (Attachment 1) limits the discretionary authority to add additional lots to properties located within the Salem/Keizer Urban Growth Boundary (UGB).
- Both parties understand that the City will eventually annex portions of the Orchard Heights service area within the UGB and that those properties will become individual customers of the City.

BACKGROUND:

The City and Orchard Heights originally entered into a Water Supply Agreement to ensure continued water service from the City's municipal water system to Orchard Heights for use and resale in April 2011. The Agreement was renewed in June 2023 (Attachment 2).

The proposed amendment to the Agreement keeps all provisions in full force and effect.

Robert Chandler, PhD, PE
Assistant Public Works Director

Attachments:

1. First Amendment to Orchard Heights Water Supply Agreement
2. Orchard Heights Water Supply Agreement 2023