



# BOARD OF COMMISSIONERS Agenda Item Summary

Agenda Category: Agreements

Item No:

**Date:** May 25, 2021

**Originating Department:** Klamath County Drainage Service District

**Issue:** In the matter of an Intergovernmental Agreement between Klamath County Public Works and the Klamath County Drainage Service District.

**Background:** This intergovernmental agreement will allow Klamath County Public Works to purchase property for a right-of-way on private property to address a road drainage issue. Klamath County Drainage Service District will reimburse Klamath County Public Works for the full purchase price during FY 2021/2022. After construction and/or the easement is in place, Klamath County Drainage Service District will list the property for sale.

**Fiscal Impact:** Fiscal Impact is up to \$35,000.00 expense to the Public Works Operating Budget, with the full amount to be reimbursed by Klamath County Drainage Service District.

**Recommended Motion:** Board approve the Agreement between Klamath County Public Works and the Klamath County Drainage Service District and authorize Jeremy Morris to sign. Fiscal Impact is up to \$35,000.00 expense to the Public Works Operating Budget, with the full amount to be reimbursed by Klamath County Drainage Service District.

DONE AND DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Chair  
Approved   
Denied

\_\_\_\_\_  
Vice-Chair  
Approved   
Denied

\_\_\_\_\_  
Commissioner  
Approved   
Denied

INTERGOVERNMENTAL AGREEMENT BETWEEN  
KLAMATH COUNTY PUBLIC WORKS AND KLAMATH COUNTY DRAINAGE SERVICE DISTRICT  
FOR LAND PURCHASE

This Agreement, hereinafter referred to as "Agreement", is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between Klamath County Public Works, a Local Government agency, herein referred to as "KCPW", and the Klamath County Drainage Service District, a municipal corporation, herein referred to as "KCDSD".

**WITNESSETH**

WHEREAS, ORS chapter 190 authorizes KCPW and KCDSD to enter into a cooperative agreement; and

WHEREAS, KCDSD is looking at improvements to the drainage district infrastructure; and

WHEREAS, KCPW and KCDSD agree it is in the best interest of both agencies to establish an easement or right-of-way;

NOW, THEREFORE, KCPW and KCDSD agree as follows:

- A. KCPW will purchase property (up to \$35,000.00) related to road drainage purposes. The intent is a purchase to address an issue where the public drainage ditch leaves a narrow right-of-way (i.e. the ditch is on private property). Access to the ditch on private property is severely restricted due to the narrow width of right-of-way (10' wide). If a ditch blockage occurs, the neighborhood and roadways could flood.
- B. KCDSD will reimburse KCPW for the full purchase price during fiscal year 2021/2022 as early as possible. KCDSD will design and construct a new pipe system and/or establish a wider easement. After construction and/or the easement is in place, KCDSD will list the property for sale or auction it off as "surplus property".

IN WITNESS THEREOF, the agencies hereby enter into this Agreement. Each person signing this Agreement represents and warrants to have authority to execute this agreement.

KLAMATH COUNTY PUBLIC WORKS

KLAMATH COUNTY DRAINAGE SERVICE DIST

\_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

Jeremy Morris  
Public Works Director

Jeremy Morris  
KCDSD Manager

Approved as to form:

\_\_\_\_\_ Date: \_\_\_\_\_

Marcus Henderson  
County Counsel