

Memo



Date: May 3, 2011
File: 1390-10
To: City Manager
From: R. Cleveland, Director, Infrastructure Planning
Subject: City Wide Water Supply and Treatment Improvement
Memorandum of Understanding - Addendum #1
Report prepared by: Jason Ough, Utility Technologist

Recommendation:

THAT Council receives, for information, a report from the Director of Infrastructure Planning dated April 26, 2011, with respect to the City Wide Water Supply and Treatment Improvement Memorandum of Understanding with the Kelowna Joint Water Committee (KJWC) dated August 18, 2010.

AND THAT, Council approves the addition of Addendum #1 to the Memorandum of Understanding between the City of Kelowna and the Kelowna Joint Water Committee (KJWC) and authorizes the Mayor and City Clerk to execute Addendum #1 for an extension of 6 months to the original terms of the agreement, with mutual consent of all signatories.

Purpose:

To extend the term of the MOU so that the Kelowna Joint Water Committee (KJWC) can complete its work.

Background:

On September 15, 2010, Council executed the City Wide Water Supply and Treatment Improvement Memorandum of Understanding ("MOU"), with the members of the Kelowna Joint Water Committee including the following term:

"This MOU shall be in force for the period of 8 months following the date of the execution provided the parties may by mutual consent extend the agreement."

The parties have worked with diligence to complete the requirements of the Memorandum of Understanding. However, the parties require additional time to complete the work. Addendum #1 extends the term of the MOU for an additional 6 months.

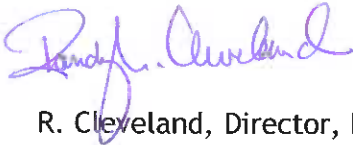
Internal Circulation:

Utilities Manager, Civic Operations
Strategic Projects Manager, Infrastructure Planning

Considerations not applicable to this report:

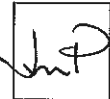
Legal/Statutory Authority:
Legal/statutory Procedural Requirements:
Existing Policy:
Financial /Budgetary Considerations:
Personnel Implications:
External Agency/Public Comments:
Community & Media Relations Comments:
Alternate Recommendation:

Submitted by:



R. Cleveland, Director, Infrastructure Planning

Approved for inclusion:



J. Paterson, General Manager, Community Sustainability

Attachment: Addendum #1

cc: Utilities Manager, Civic Operations
Strategic Projects Manager, Infrastructure Planning
General Manager, Community Sustainability
Director, Community & Media Relations
B. Fugger, Chair, Glenmore-Ellison Improvement District
G. Zarr, Rutland Waterworks District
D. Stirling, Chair, South East Kelowna Irrigation District
G. Ivans, Chair, Black Mountain Irrigation District
Dr. P. Hasselback, Medical Health Officer, Interior Health

**MEMORANDUM OF UNDERSTANDING
CITY-WIDE WATER SUPPLY AND TREATMENT IMPROVEMENT
ADDENDUM #1**

This agreement made the _____ day of _____ 2011

Between:

CITY OF KELOWNA
a municipal corporation having its offices at 1435 Water Street,
Kelowna, British Columbia V1Y 1J4

(the City)

And:

Black Mountain Irrigation District

And:

Glenmore -Ellison Improvement District

And:

Rutland Waterworks District

And:

South East Kelowna Irrigation District

WHEREAS:

- A. The parties executed a Memorandum Of Understanding on September 15, 2010,
- B. The parties have worked cooperatively and with diligence to complete the requirements of the Memorandum Of Understanding,
- C. The parties require additional time to complete the work.

Now therefore, in consideration OF THE MUTUAL PREMISES AND ASSURANCES SET OUT HEREIN,
THE Parties AGREE AS FOLLOWS:

The existing paragraph under "Term" shall be deleted and replaced with the following:

TERM


This MOU shall be in force for the period of 14 months following the date of execution provided that the parties may by mutual consent extend the agreement.

The signatures below confirm that all parties understand and agree to the terms set out herein.
IN WITNESS WHEREOF the parties have executed this Agreement this ____ day of ____, 2011.

IN WITNESS WHEREOF THE CHAIR OF THE Corporate Seal of the Black Mountain Irrigation District



CHAIR, Gordon Ivans



ADMINISTRATOR, Robert Hrasko

IN WITNESS WHEREOF the Corporate Seal of the City of Kelowna was hereunto affixed in the presence of:

MAYOR

CITY CLERK

IN WITNESS WHEREOF the Corporate Seal of the Glenmore-Ellison Improvement District



CHAIR, Bob Fugger



ADMINISTRATOR, Linda O'Neil

IN WITNESS WHEREOF the Corporate Seal of the Rutland Waterworks District



CHAIR, Garry Zarr




ADMINISTRATOR, Jim Csek

IN WITNESS WHEREOF the Corporate Seal of the South East Kelowna Irrigation District



CHAIR, David Stirling



ADMINISTRATOR, Toby Pike