

RESOLUTION NO. 2023-44

A Resolution Approving an Intergovernmental Agreement Between the City of McMinnville, Oregon, and McMinnville Fire District and For Temporary Fire and Emergency Response Services for a Specified Term.

RECITALS:

This Intergovernmental Agreement is by and between the City of McMinnville, Oregon (the "City"), and the McMinnville Fire District (the "District") and each a legal governmental agency operating under the laws of the State of Oregon.

The purpose of this Agreement is to promote and ensure the efficient coordination and provision of fire and rescue service to residents and properties of the District for the period of July 1, 2023 through December 31, 2023.

Whereas, This Agreement is made pursuant to ORS Chapter 190 which permits local government units to enter agreements pursuant to ORS 190.010(4) for one of the parties to perform a function or activity on behalf of another entity; and

Whereas, the District was formed by Order of the Yamhill County Board of Commissioners by Board Order dated June 15, 2023; and

Whereas, the Board of Directors of the District will take office and commence operations and activities on July 1, 2023; and

Whereas, the District will levy taxes authorized by the citizens of the District for the 2023-2034 tax year with initial tax revenues anticipated to be received from the Yamhill County Assessor commencing on or after October 15, 2023; and

Whereas, prior to receipt of tax revenues the District will not be able to hire employees or operate facilities or equipment to provide fire and emergency response services ("Services") to the residents and properties located within the District; and

Whereas, the City has the personnel, the facilities and the equipment to continue to provide the Services from July 1, 2023, through December 31, 2023; and

Whereas, the District and the City desire to enter into an intergovernmental agreement ("IGA") whereby the City will, pursuant to ORS 190.010(4), provide temporary fire and emergency response Services to the residents and properties located within the District; and

Whereas, due to a reduction in anticipated City revenues, the City will be required to undertake a short-term inter-fund loan to pay the costs of providing the Services, and will, pursuant to City interfund borrowing procedures, incur an obligation to pay interest on the funds borrowed pursuant to ORS 294.268; and

Whereas, the District desires City to provide the Services, and to retain the necessary staffing, equipment and facilities, and expend the funding necessary to provided and maintain the Services between July 1, 2023 and December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE MCMNNVILLE FIRE DISTRICT, as follows:

1. Services and Management

For the Period of July 1, 2023, through December 31, 2023, (the "Term") City will provide all Services and management of the Services to the District as more particularly set forth on Exhibit A attached hereto. During the Term, all employees shall be managed exclusively under City personnel policies and procedures that apply to City employees and shall remain employees of the City. It is the intent that Services provided to the District during the Term will be identical to Services provided by City prior to the Term.

2. Compensation

- a. The total amount agreed to be paid by the District to the City for the Services to be rendered by the City to the District shall consist of all documented direct and indirect out-of-pocket costs of the City incurred in providing the Services.
- b. The estimated cost of the Services to be provided during the Term is set forth on Exhibit B attached hereto. City and District understand and agree that certain estimated costs are subject to inflationary increases. The city will make a good faith effort to strictly control all cost increases within the control of the City.
- c. Upon receipt of sufficient tax revenues, the District will pay to the City costs incurred by the City for Services provided within 15 days of receiving an invoice from the Finance Director for the prior month or months of service.
- d. City will credit District on any invoices submitted with any direct fire service-related revenues received by City during the Term for Services provided during the Term. An estimate of such credits is set forth on Exhibit attached hereto.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 11th day of July 2023 by the following votes:

Ayes: _____ Chenoweth, Geary, Menke, Payne, Peralta _____

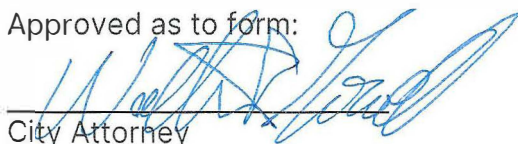
Nays: _____

Approved this 11th day of July 2023.



MAYOR

Approved as to form:



City Attorney

Attest:

Claudia Cisneros
City Recorder