

TO: City Council  
FROM: Dan Smith, Director – Water Resources & Sustainability  
DATE: December 6, 2022  
SUBJECT: Memorandum of Agreement (MOA) for Brewery Wellfield Transfer of Assets

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1) Recommended Action:

Staff requests City Council approve and authorize the Mayor to sign the Memorandum of Agreement (MOA) with the Cities of Lacey and Olympia to provide a framework for the transfer of ownership interest and reimbursement of costs related to the Brewery Wellfield.

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2) Background:

In 2009, the City and its partners, City of Lacey and City of Olympia, acquired water rights, land, and physical infrastructure to support the development of the Brewery Wellfield and produce water to serve its respective communities. Over the last decade, the partners have evaluated the existing infrastructure and resource management strategies for the future production and distribution of water using the water rights acquired from the former brewery. As each partner's domestic water needs vary, so do priorities for investment for source development, and geospatial realities create significant challenges for conveyance of the water. As each partner considers its future investment, this MOA provides a framework to transfer its ownership interest within the partnership to another City or Cities, including any physical assets and liabilities, land, and water rights. In addition, this MOA provides for the reimbursement of costs incurred by the City of Tumwater on behalf of the partnership for consulting support and stormwater fees on jointly held properties.

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3) Policy Support:

- PEOPLE: Partnership & Opportunity
  - Facilitate brewery redevelopment
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4) Alternatives:

- ☐ Request alternative provisions for the asset transfer process.
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5) Fiscal Notes:

The MOA provides for reimbursement of costs incurred by the City of Tumwater paid on behalf of the partners for 3<sup>rd</sup> party consultant fees and stormwater utility rates for the jointly held properties in the approximate amount of \$84,165.00. Costs or revenues associated with the transfer of any assets have not yet been determined.

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6) Attachments:

A. Memorandum of Agreement (MOA) for Brewery Wellfield Transfer of Assets