

TO: City Council  
FROM: Dan Smith, Water Resources & Sustainability Director  
DATE: April 16, 2024  
SUBJECT: Memorandum of Understanding (MOU) Between the City of Tumwater (CITY) and LOTT Clean Water Alliance (LOTT) Regarding a Purchase and Sale Agreement for Properties in the Deschutes Valley Amendment 1

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1) Recommended Action:

Approve and authorize the Mayor to sign Amendment 1 of the MOU Between the City and LOTT Regarding a Purchase and Sale Agreement for Properties in the Deschutes Valley.

This amendment was recommended for the City Council consent calendar by the Public Works Committee at their April 4, 2024 meeting.

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2) Background:

In late 2011, LOTT acquired former Brewery properties in the Deschutes Valley intended for the construction and operation of a satellite reclaimed water treatment plant. During its most recent master plan update, LOTT identified alternatives for reclaimed water production at existing facilities, and the Deschutes Valley properties are no longer needed. In November 2023, the City and LOTT prepared an MOU allowing the City to conduct due diligence regarding a potential acquisition of the properties. This extension of time provides additional flexibility for the City to make its determination to LOTT.

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3) Policy Support:

1. Opportunity | We seize opportunities to improve our community's social, environmental, and economic well-being. We endeavor to realize positive opportunities in adverse situations and periods of change.
  2. Environment | We act to preserve and enhance the natural environment and the social fabric of our community.
  3. Be a Leader in Environmental Sustainability – Include environmental protection in City projects.
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4) Alternatives:

- ☐ None. The intent of this project is to evaluate alternatives for Council consideration and additional time is necessary to ensure the City has sufficient time for consideration.
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5) Fiscal Notes:

No additional costs are anticipated relative to this amendment.

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6) Attachments:

- A. Memorandum of Understanding Deschutes Valley Properties Amendment 1
- B. Original Memorandum of Understanding