

RESOLUTION No. 2012-3013

A RESOLUTION APPROVING THE CITY OF NEWBERG'S PARTICIPATION IN THE WILLAMETTE WATER TRAIL PARTNERSHIP AND AUTHORIZING THE CITY MANAGER TO SIGN THE MEMORANDUM OF UNDERSTANDING

RECITALS:

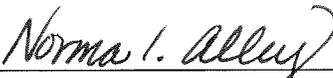
1. The Willamette Water Trail Partnership and the City of Newberg have been working together on the Chehalem Heritage Trails and the Chehalem Paddle Launch Projects.
2. The Willamette Water Trail Partnership has approached the City of Newberg to see if there is an interest in partnering together and signing a Memorandum of Understanding to help with Willamette River preservation.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. Approves the City of Newberg's participation in the Willamette Water Trail Partnership and authorizing the city manager to sign on behalf of the City the "Memorandum of Understanding for the Willamette Water Trial Partnership" as attached in Exhibit "A", which is hereby adopted and by this reference is incorporated.
2. The City of Newberg shall have a liaison serve on the Willamette Water Trail Partnership as appointed by the Mayor.

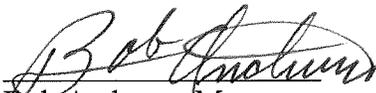
➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: July 3, 2012.

ADOPTED by the City Council of the City of Newberg, Oregon, this 2nd day of July, 2012.



Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 5th day of July 2012.



Bob Andrews, Mayor

**Memorandum of Understanding
For the Willamette Water Trail Partnership**

Parties to the agreement are:

The Willamette Water Trail Partnership, referenced hereinafter as the "Partnership" (includes public and private organization) and the City of Newberg.

Purpose:

This agreement formalizes the relationship between the Parties and allows the Parties to speak with one voice for the mutually agreed-upon goal set forth below.

Water Trail Definition:

A Water Trail is a stretch of river, or other waterway, that has been mapped, and contains facilities that enable access, campsites, and informational resources. The intent of a Water Trail is to create educational, scenic, and environmentally rewarding opportunities for canoeists and kayakers traveling on the waterway.

History of Partnership:

In 1998, the Willamette River was designated as one of only fourteen American Heritage Rivers by U.S. President Bill Clinton. As a result, a federal "River Navigator" position was established to assist local communities in reestablishing their connections to the Willamette. That same year, Governor John Kitzhaber signed executive order 98-18 establishing the Willamette Restoration Initiative (WRI) to promote, integrate and coordinate efforts to protect and restore the Willamette watershed. In 2001, the Executive Director of the WRI and the River Navigator joined together with the Bureau of Land Management, Oregon State Parks, Willamette Riverkeeper, the National Park Service, and stakeholders such as the cities of Salem, Independence, and Keizer, and Marion County to explore and collaborate on efforts to increase Willamette River awareness, recreation and stewardship opportunities. The group was called the Mid-Willamette River Connections (MWRC) workgroup. After extensive public outreach, the MWRC began the process of establishing the Willamette River Water Trail. In 2003, the municipal partners of the MWRC entered into the "Willamette Concord" wherein they agreed to work together to identify and improve recreation and stewardship opportunities on and along the river consistent with private property rights and to support the water trail effort.

After being elected in 2003, Governor Ted Kulongoski provided support for the water trail under his Willamette River Legacy Plan, which was created to "repair, restore, and recreate" on the Willamette. Congresswoman Darlene Hooley also provided considerable assistance to the water trail effort. The first leg of the water trail for the greater Salem/Keizer area was opened in 2005 by the MWRC with guides, inventories, maps, signage and internet support for the water trail. The Oregon Parks and Recreation Department (OPRD) assumed the role of primary facilitator for the partnership and the second trail leg was opened from Eugene to Salem in 2006. The final leg of the Willamette River Water Trail was opened in 2007. This completed the Willamette Water Trail from the headwaters south of Eugene to the confluence with the Columbia River, a distance of about 200 river miles. The Secretary of the Interior recognized the Willamette Water Trail Partnership as one of only 21 partnerships nationwide who best "achieved excellence

in conservation through collaboration and partnerships” by awarding the Willamette River Water Trail with the Cooperative Conservation Award in a ceremony in Washington, D.C. in 2008. Since then the Water Trail Partnership and its members, have continued to work together to promote and improve the Willamette River Water Trail.

Mission Statement:

The Mission of the Partnership is to promote improvements and public use of the water trail as a valuable resource for non-motorized recreation, education, stewardship and tourism.

Partnership Goal:

Our goal is to use the collective and cooperative energy of the Parties to support projects that further our mission. The Parties are committed to the following partnership objectives, to the best of each party’s ability, dependent upon policies, budgets, and agency procedures.

- Support the ongoing usefulness and availability of the Willamette Water Trail guides for public use; the creation of which were a major past accomplishment of the Parties.
- Coordinate and cooperate between groups to further the mission.
- Offer mutual support and advice on specific on-going projects.
- Investigate avenues for increasing funding of conservation, restoration and non-motorized recreation projects for the Parties.
- Increase community awareness of the recreational and environmental value of a healthy river.
- Request and encourage the inclusion of manual-powered design considerations at new facilities and facilities that are slated for significant improvements or renovations.
- Promote the public’s ability to float the main stem of the Willamette River.
- Promote the Willamette River water trail system as a valuable resource for non-motorized recreation, education, stewardship and tourism.
- While the focus on the partnership is to promote non- motorized recreation, the intent of this Memorandum of Understanding (MOU) is not to impede motorized use, or advocate for excluding motorized use on any portion of the Willamette River.

Benefits:

The Parties agree that the ability to achieve common and related goals can be enhanced significantly by working collaboratively to support projects that further our mission.

The Partnership agrees that each individual project that fits within the mission of this partnership benefits all the communities along the river.

Responsibilities:

All Parties agree to:

- Work together to respect and honor private property along the Water Trail.
- Cooperate in the education of Water Trail users regarding the responsible use and respect of private properties, public lands and all Willamette Water Trail facilities.

- Cooperate to develop and distribute outreach, interpretive, and educational materials, tools and programs that enhance, enrich and or promote the Willamette Water Trail.
- Appoint a minimum of one representative to act as liaison to the party and attend each meeting, averaging two meetings per year. Meetings may be attended in person, or can be attended by telephone or by any telecommunication method available to the parties.

Decision Making Process:

Actions in support of specific projects will be made during regularly scheduled meetings.

The Partnership will strive to make all decisions at meetings by consensus of the Parties at the meeting. If a consensus can not be achieved, then the Parties attending the meeting may decide to vote on the action by majority vote. A quorum of more than 50% percent of voting members is required for any decision of the Partnership. Each Party is encouraged to have multiple representatives attend the meetings; however, each Party only has one vote.

Modification, Termination and other conditions:

This MOU is neither a fiscal nor funds obligation document. Any endeavor involving funds between the Parties will be made in accordance with applicable laws, regulations and procedures. Such endeavors, if any, will be outlined in separate agreements.

Parties will be notified in writing of any proposed changes to the MOU at least 30 days prior to the vote. This MOU may be modified through the decision making process for this MOU. In such case, all agreeing parties will re-sign the MOU.

Any party may terminate its involvement at any time by providing written notice to the facilitator of the water trail group. Any additional members may be approved by utilizing the decision making process in the MOU. New members may be added without the then-current Parties re-signing the MOU. The full list of Parties to the MOU will be kept by Water Trail Group facilitator, currently OPRD.

This MOU becomes effective when signed by the signatory Parties and remains in effect until modified or terminated.

City of Newberg:

Willamette River Trail Partnership:

Daniel Danicic, City Manager
Authorized by Resolution No. 2012-3013

Alexandra Phillips, Bicycle Recreation Coordinator
Oregon Parks & Recreation Department

Date

Date

Approved as to Form and Content:

Terrence D. Mahr, City Attorney Date