

ORDINANCE NO. 1055

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF THE CROOK COUNTY-CITY OF PRINEVILLE AIRPORT COMMISSION, AN INTERGOVERNMENTAL ENTITY, IN COOPERATION WITH CROOK COUNTY, OREGON, VESTING THAT COMMISSION WITH POWERS AND DECLARING AN EMERGENCY.

WHEREAS, Crook County ("County") and the City of Prineville ("City") are authorized to enter into intergovernmental agreements to perform governmental functions including but not limited to the management of municipal airports, pursuant to ORS 190.010;

WHEREAS, County and City intend to create an intergovernmental entity to be responsible for the management and operation of the City of Prineville-Crook County Airport, and to perform other related functions and have entered into an agreement to form the "Crook County-City of Prineville Airport Commission Agreement" to accomplish that intent. A copy of that Agreement ("Agreement") is attached hereto as Exhibit A and by this reference made a part hereof:

AND WHEREAS, the County and City are required to ratify such "Intergovernmental Agreement" by the adoption of appropriate ordinances;


NOW THEREFORE, the people of the City of Prineville ordain as follows:

1. The Agreement between the City and County creating an intergovernmental entity to perform those functions and to have those powers enumerated within the Agreement is hereby ratified.
2. The effective date of the Agreement shall be February 1, 1998.
3. City shall file a copy of this Ordinance and the Agreement with the Oregon Department of State prior to March 2, 1998.
4. The Commission formed by the Agreement is subject to renewal and/or termination as provided in the next to the last paragraph of the Agreement and ORS 190.080(6).
5. Inasmuch as it is necessary for the health, safety and welfare of the City of Prineville that this ordinance go into effect immediately after its passage, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the city Council and approval by the Mayor.

Passed by the City Council this 24th day of February, 1998.

Approved by the Mayor this 24th day of February, 1998.


Paul Capell, Mayor


Henry Hartley
City Manager/Recorder

A G R E E M E N T

AN AGREEMENT BETWEEN THE CITY OF PRINEVILLE AND CROOK COUNTY, OREGON,
IN THE MATTER OF THE ADMINISTRATION, OPERATION, MANAGEMENT AND DEVELOPMENT
OF THE CITY-COUNTY AIRPORT.

THIS AGREEMENT, made and entered into this 1st day of Oct.,
1997, by and between the City of Prineville, hereinafter called the "City", and
Crook County, hereinafter called the "County", in the matter of the adminis-
tration, operation, management and development of the Prineville/Crook County
City-County Airport and Airport Development Zone (ADZ) Areas as currently
located and constructed primarily in Section 11, Township 15 South, Range 15
East Willamette Meridian, within the City limits of the City of Prineville.

W I T N E S S E T H

RECITALS:

1. WHEREAS, The Airport was jointly and cooperatively developed as a City-
County airport for public use with the title of said land in the name of Crook
County, and
2. WHEREAS, The City accepted the administration, operation, management and
development responsibilities of said Airport for various financial and management
reasons at the request of the County Court in a 1994 agreement, and
3. WHEREAS, The City has used both Airport and City resources to upgrade,
and maintain said Airport, and
4. WHEREAS, The City believes the Airport is a valuable asset to the whole
community and must be operated for the good of all the people of Crook County, and
5. WHEREAS, The City believes all citizens of Crook County have the right
to voice their opinion to the direction and management of their assets, and
6. WHEREAS, The City believes that a good honest working relations with the
County Court will benefit the Community as a whole.

NOW, THEREFORE, BE IT AGREED BETWEEN THE PARTIES THAT SAID AIRPORT AND
"ADZ" AREAS SHALL CONTINUE TO BE A JOINT AND COOPERATIVE RESPONSIBILITY OF THE
CITY AND THE COUNTY, BUT THAT THERE SHALL BE SET UP A JOINT COMMISSION WITH THE
RESPONSIBILITY FOR THE ADMINISTRATION, OPERATION, MANAGEMENT AND DEVELOPMENT OF
SAID AIRPORT AND "ADZ" AREAS.

This Commission shall have full control over the airport subject only to the
following conditions:

1. The time period following the signing of this Agreement shall be a
transition period, during which time, questions relative to personnel,
insurance and other pertinent matters will be resolved cooperatively
by the City, County and the Commission, following its appointment.
2. All ground sales or leases shall be subject to rules and policies
established by the County Court, which shall be established during the
above mentioned time period.

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3. The budget for this transition period shall be the budget approved by the City Council for fiscal year 1997-98 for the Airport, except said budget may be further modified by the above mentioned Commission as allowed by law and as funds may be available.
4. The manager of the airport shall continue to be an employee of the City and the City shall provide by contract the Airport Commission with management services unless such management services contract is modified by further mutual agreement between the City and the Commission.

Be it further agreed that the above mentioned Commission shall be composed of five (5) members, appointed as follows: two (2) members shall be appointed by the Prineville City Council, two (2) members shall be appointed by the Crook County Court, and the fifth (5th) member shall be appointed on a alternating basis by either the City Council or by the County Court. The initial appointment of this fifth member shall be made by the Crook County Court.

Be it further agreed that appointments to this Commission shall be for a term of two years, with the terms staggered. The initial terms will be for an agreed upon time by the City Council and the County Court as to the length necessary in order to achieve the proper staggered terms.

This agreement shall not abrogate any existing leases that may apply to the airport or properties within the "ADZ" Areas. This agreement shall also be subject to existing easements and rights-of-way for roads, highways, canals, utility lines, water and sewer lines and pole lines within those areas in which said lands are situated.

This agreement shall be effective for a period of five (5) years following the appointment of all Commission members, in addition to the transition period and may be extended for consecutive five (5) year periods. A review of this agreement may be requested by any party (City, County or Commission) at any time with a minimum of ninety (90) days notice to the other affected parties. This agreement may be terminated at any time by only mutual agreement of both the City and the County.

Be it further agreed that upon appointment of the Airport Commission and said Commission's first meeting, the agreement dated August 9, 1994, shall be declared mutually and fully terminated.



DATED THIS 12th DAY OF Oct, 1997

Paul Caplee
MAYOR, CITY OF PRINEVILLE

[Signature]
CITY MANAGER

Fred W. Rodgers
COUNTY JUDGE

Mike McCabe
COUNTY COMMISSIONER

[Signature]
COUNTY COMMISSIONER

MICROFIL

STATE OF OREGON }
COUNTY OF CROOK }

SS **136663**

KEY PUNCHED
OCT 12 1997

I CERTIFY THAT THE WITHIN INSTRUMENT WAS RECEIVED FOR RECORD ON THE 6th DAY OF October, 19 97, AT 11:00 A. M.

AND RECORDED IN Miscellaneous RECORDS OF SAID COUNTY MF NO 136663

JEANNA E. BERMAN, CROOK COUNTY CLERK
BY: [Signature] DEPUTY

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