BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LEWIS COUNTY, WASHINGTON

IN RE:
APPROVING ADDENDUM TO THE INTERLOCAL AGREEMENT ESTABLISHING THE CHEHALIS RIVER BASIN FLOOD CONTROL AUTHORITY TO INCLUDE THE CITY OF OAKVILLE AS A MEMBER, AND AUTHORIZING THE CHARIMAN OF THE BOARD OF COUNTY COMMISSIONERS TO SIGN THE SAME

RESOLUTION NO. 08 - 236

WHEREAS, Lewis County, by Resolution 08-135, entered into an Interlocal Agreement among Lewis, Grays Harbor, Thurston Counties, the Cities of Centralia, Chehalis, Aberdeen, and Montesano, the Towns of Bucoda and Pe Ell, and the Confederated Tribes of the Chehalis Reservation, establishing the Chehalis River Basin Flood Control Authority (Flood Authority) ; and

WHEREAS, the City of Oakville requested to become a member of the Flood Authority; and

WHEREAS, the Flood Authority members, on July 1, 2008 voted to include the City of Oakville as a member; and

WHEREAS, an Addendum to and Amendment of the Interlocal Agreement establishing the Flood Authority was prepared for signatures of all the parties to the Agreement; and

WHEREAS, the Board of County Commissioners has had an opportunity to review the Addendum and Amendment, and finds that it appears to be in the best interest to authorize the execution of said Addendum to and Amendment of the Interlocal Agreement; **NOW THEREFORE**

BE IT RESOLVED that the Board of County Commissioners approves the aforesaid Addendum to and Amendment of the Interlocal Agreement establishing the Flood Authority to include the City of Oakville as a member, and authorizes the Chairman of the Board of County Commissioners to sign the same.

DONE IN OPEN SESSION this 21st day of July, 2008.

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

Chairman

Member

Member

APPROVED AS TO FORM:
MICHAEL GOLDEN, Prosecuting Attorney

By: _____
Deputy Prosecuting Attorney

ATTEST:

Karri Muir, Clerk of the Board

SEAL OF LEWIS COUNTY, WASHINGTON BOARD OF COUNTY COMMISSIONERS SINCE 1845 WASHINGTON'S 1st COUNTY seal

CHEHALIS RIVER BASIN FLOOD CONTROL AUTHORITY

ADDENDUM TO AND AMENDMENT OF INTERLOCAL AGREEMENT AMONG THE COMMUNITIES OF THE CHEHALIS RIVER BASIN FOR STUDY, ANALYSIS, AND IMPLEMENTATION OF FLOOD CONTROL PROJECTS TO PROTECT THE CHEHALIS RIVER BASIN

THIS ADDENDUM to the Interlocal Agreement Among the Communities of the Chehalis River Basin for Study, Analysis, and Implementation of Flood Control Projects to Protect the Chehalis River Basin ("Interlocal Agreement"), effective May 1, 2008, and amendment of said agreement is made by and among the municipal corporations of Lewis County, Grays Harbor County, Thurston County, the City of Centralia, the City of Chehalis, and the Town of Pe Ell, the City of Aberdeen, the City of Montesano, the Town of Bucoda and the Confederated Tribes of the Chehalis Reservation ("Basin Governments"), -- all of which are original and current parties to said Interlocal Agreement -- and the City of Oakville, a municipal corporation of the state of Washington, desiring to become a party to this Agreement.

WHEREAS, the current parties hereto entered into the Interlocal Agreement establishing the Chehalis River Basin Flood Control Authority ("Flood Authority"), effective May1, 2008; and

WHEREAS, the City of Oakville desires to enter into the Interlocal Agreement as a party to said Interlocal Agreement and to be a member of the Flood Authority; and

WHEREAS, the members did, on July 7, 2008, agree by unanimous consent of the quorum present to amend the Interlocal Agreement and add the City of Oakville as a party to the Interlocal Agreement and a member of the Flood Authority with all the rights and responsibilities as a participating member; and

WHEREAS, the parties who hereby enter into this Addendum to the Interlocal Agreement pursuant to RCW 39.34.030 mutually promise to be bound by the terms and conditions of the Interlocal Agreement.

IT IS HEREBY AGREED among the parties that:

1. The City of Oakville, Washington, is hereby made a party to the Interlocal Agreement and a member of the Flood Authority, being bound by the terms and conditions of the Interlocal Agreement, and ratifying all actions taken by the Flood Authority from the date of its creation.

2. All rules of procedure, documents, contracts or agreements entered into by, and in the name of the Flood Authority, from its creation are binding upon the City of Oakville to the same extent as any party to the Interlocal Agreement.

3. Page 2, the last paragraph of the Interlocal Agreement is amended to read as follows:

"NOW, THEREFORE, we hereby create the Chehalis River Basin Flood Control Authority and the members will be the municipal corporations of Lewis County, Grays Harbor County, Thurston County, the City of Centralia, the City of Chehalis, and the Town of Pe Ell, the City of Aberdeen, the City of Montesano, the City of Oakville, the Town of Bucoda, and the Confederated Tribes of the Chehalis Reservation ("Basin Governments"), who hereby enter into this Interlocal Agreement ("Agreement") pursuant to RCW 39.34.030 and mutually promise to agree to the terms and conditions described herein".

4. Except as amended herein, all terms and conditions of the Interlocal Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Addendum to the Interlocal Agreement on the dates shown below.

LEWIS COUNTY

Ron Averill, Chairman (date)

THURSTON COUNTY

Diane Oberquell, Chairwoman (date)

GRAYS HARBOR COUNTY

Albert A. Carter, Chairman (date)

CITY OF CENTRALIA

J.D. Fouts, City Manager (date)

CITY OF CHEHALIS

Merlin MacReynold, City Manager (date)

CITY OF MONTESANO

Ron Schillinger, Mayor (date)

3. Page 2, the last paragraph of the Interlocal Agreement is amended to read as follows:

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4. Except as amended herein, all terms and conditions of the Interlocal Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Addendum to the Interlocal Agreement on the dates shown below.

LEWIS COUNTY

21 Jul 08

Ron Averill, Chairman (date)

CITY OF CENTRALIA

J.D. Fouts, City Manager (date)

THURSTON COUNTY

Diane Oberquell, Chairwoman (date)

CITY OF CHEHALIS

Merlin MacReynold, City Manager (date)

GRAYS HARBOR COUNTY

Albert A. Carter, Chairman (date)

CITY OF ABERDEEN

7/11/08

Bill Simpson, Mayor (date)

3. Page 2, the last paragraph of the Interlocal Agreement is amended to read as follows:

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4. Except as amended herein, all terms and conditions of the Interlocal Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Addendum to the Interlocal Agreement on the dates shown below.

LEWIS COUNTY

Ron Averill, Chairman (date)

CITY OF CENTRALIA

J.D. Fouts, City Manager (date)
ACTING CITY MANAGER

CITY OF CHEHALIS

Merlin MacReynold, City Manager (date)

THURSTON COUNTY

Diane Oberquell, Chairwoman (date)

GRAYS HARBOR COUNTY

Albert A. Carter, Chairman (date)

CITY OF MONTESANO

Ron Schillinger, Mayor (date)

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4. Except as amended herein, all terms and conditions of the Interlocal Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Addendum to the Interlocal Agreement on the dates shown below.

LEWIS COUNTY

Ron Averill, Chairman (date)

THURSTON COUNTY

Diane Oberquell, Chairwoman (date)

GRAYS HARBOR COUNTY

Albert A. Carter, Chairman (date)

CITY OF CENTRALIA

J.D. Fouts, City Manager (date)

CITY OF CHEHALIS

7/29/08

Merlin MacReynold, City Manager (date)

CITY OF MONTESANO

Ron Schillinger, Mayor (date)

3. Page 2, the last paragraph of the Interlocal Agreement is amended to read as follows:

"NOW, THEREFORE, we hereby create the Chehalis River Basin Flood Control Authority and the members will be the municipal corporations of Lewis County, Grays Harbor County, Thurston County, the City of Centralia, the City of Chehalis, and the Town of Pe Ell, the City of Aberdeen, the City of Montesano, the City of Oakville, the Town of Bucoda, and the Confederated Tribes of the Chehalis Reservation ("Basin Governments"), who hereby enter into this Interlocal Agreement ("Agreement") pursuant to RCW 39.34.030 and mutually promise to agree to the terms and conditions described herein".

4. Except as amended herein, all terms and conditions of the Interlocal Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Addendum to the Interlocal Agreement on the dates shown below.

LEWIS COUNTY

Ron Averill, Chairman (date)

THURSTON COUNTY

Diane Oberquell, ~~Chairwoman~~ Chairman (date)

GRAYS HARBOR COUNTY

Albert A. Carter, Chairman (date)

CITY OF CENTRALIA

J.D. Fouts, City Manager (date)

CITY OF CHEHALIS

Merlin MacReynold, City Manager (date)

CITY OF ABERDEEN

Bill Simpson 7/11/08

Bill Simpson, Mayor (date)

CITY OF ABERDEEN

previous page

Bill Simpson, Mayor (date)

Attest:

Kathryn Skoolrod, Finance Director

CITY OF OAKVILLE

Mitchell Smith 7/14/08

Mitchell Smith, Mayor (date)

TOWN OF BUCODA

Kathy Martin, Mayor (date)

TOWN OF PE ELL

Spencer Nichols, Mayor (date)

CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION

David Burnett, Chairman (date)

CITY OF ABERDEEN

Bill Simpson, Mayor (date)

Attest:

Kathryn Skoolrod, Finance Director

TOWN OF PE ELL

Spencer Nichols, Mayor (date)

CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION

David Burnett, Chairman (date)

CITY OF OAKVILLE

Mitchell Smith 7/14/08

Mitchell Smith, Mayor (date)

TOWN OF BUCODA

Kathy Martin 8/12/08

Kathy Martin, Mayor (date)

CITY OF MONTESANO

Ron Schillinger, Mayor (date)

TOWN OF PE ELL

Spencer Nichols 8-6-08

Spencer Nichols, Mayor (date)

CITY OF OAKVILLE

(date)

CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION

David Burnett, Chairman (date)

TOWN OF BUCODA

Kathy Martin, Mayor (date)

CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION

David Burnett 9/16/08

David Burnett, Chairman (date)

CITY OF ABERDEEN

Bill Simpson, Mayor (date)

Attest:

Kathryn Skoolrod, Finance Director

CITY OF OAKVILLE

Mitchell Smith, Mayor (date)

TOWN OF BUCODA

Kathy Martin, Mayor (date)

TOWN OF PE ELL

Spencer Nichols, Mayor (date)

CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION

David Burnett, Chairman (date)

CITY OF ABERDEEN

Bill Simpson, Mayor (date)

Attest:

Kathryn Skoolrod, Finance Director

CITY OF OAKVILLE

Mitchell Smith 7/14/08

Mitchell Smith, Mayor (date)

TOWN OF BUCODA

Kathy Martin, Mayor (date)

TOWN OF PE ELL

Spencer Nichols, Mayor (date)

CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION

David Burnett, Chairman (date)

BEFORE THE BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

APPROVING INTERLOCAL AGREEMENT WITH LEWIS, GRAYS HARBOR AND THURSTON CO. AND THE CITIES OF CENTRALIA, CHEHALIS, ABERDEEN & MONTESANO & THE TOWNS OF PE ELL & BUCODA & THE CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION FOR THE CHEHALIS RIVER BASIN FLOOD AUTHORITY	)))))))	RES. NO. 08- 135

WHEREAS, the Board of County Commissioners has reviewed an Interlocal Agreement between Lewis County, Grays Harbor and Thurston County, and the Cities of Centralia, Chehalis, Aberdeen, Montesano, and the Towns of Pe Ell and Bucoda, and the Confederated Tribes of the Chehalis Reservation; and,

WHEREAS, many areas in the three counties experienced extreme damage, due to the December, 2007, flood event; and,

WHEREAS, numerous meetings with the above entities have been held and an Interlocal Agreement has been presented and agreed upon by all parties; and,

WHEREAS, it appears to be in the best interest to authorize the execution of said Interlocal Agreement for Lewis County;

NOW, THEREFORE BE IT RESOLVED that the aforesaid Interlocal Agreement is hereby approved and the Chairman of the Board of County Commissioners is authorized to sign the same.

DONE IN OPEN SESSION this 28th day of April, 2008.

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY WASHINGTON

Chairman

Member

Member

SEAL OF LEWIS COUNTY, WASHINGTON
BOARD OF COUNTY COMMISSIONERS
SINCE 1845
WASHINGTON'S 1st COUNTY

Karri Muir
Clerk of the Board

CHEHALIS RIVER BASIN FLOOD AUTHORITY

AN INTERLOCAL AGREEMENT AMONG THE COMMUNITIES OF THE CHEHALIS RIVER BASIN FOR STUDY, ANALYSIS, AND IMPLEMENTATION OF FLOOD CONTROL PROJECTS TO PROTECT THE CHEHALIS RIVER BASIN

A. WHEREAS, the Chehalis River Basin in Southwestern Washington State has been experiencing a chronic flooding problem from the Chehalis River over the past several years; and

B. WHEREAS, many Chehalis River Basin communities in Southwestern Washington, natural resources, commercial industries, private property, and human life are being threatened with each flood event; and

C. WHEREAS, the basin communities are interested in finding cost-effective, long-term and environmentally responsible methods to protect their resources from flood events; and

D. WHEREAS, in December 2007, a series of storms caused flood damage in southwest Washington. On December 8th, the President declared a major disaster in the counties of Grays Harbor, Kitsap, Lewis, Mason, Pacific and Thurston. Federal funding assistance was made available following this declaration.

E. WHEREAS, the Legislature in the 2008 legislative session through House Bills # 3374 and 3375 appropriated $50 million in state general obligation bonds to the Office of Financial Management (OFM), working with and through other state agencies, the Chehalis Basin Flood Control Authority, and other local governments, to participate in flood hazard mitigation projects for the Chehalis River basin.

F. WHEREAS, HB 3374 and 3375 restricts the allotment of construction funds until an agreement between nonfederal project partners has been signed and submitted to the Governor and the Legislature delineating responsibility for the ongoing operations and maintenance of the projects.

G. WHEREAS, up to $2.5 million of the appropriation is for the Chehalis Basin Flood Control Authority or other authorized local government groups to develop or participate in the development of flood hazard mitigation measures throughout the basin.

H. WHEREAS, the OFM is directed to participate as the non-federal sponsor of United States Army Corps of Engineers flood hazard mitigation projects for the Chehalis River basin area for projects that are mutually agreed to between the federal government, the OFM, and the Chehalis Basin Flood Control Authority, or other authorized local government group. The OFM must prepare the necessary agreements to ensure an active partnership with federal and state agencies, local governments, the Chehalis River Flood Control Authority, and others as needed.

I. WHEREAS, Construction funds may not be allotted for flood hazard mitigation projects until a project agreement between non-federal project partners has been signed and submitted to the Governor and the Legislature delineating responsibility for the ongoing operations and maintenance of the projects. The agreement must also include a plan to meet applicable flood plain management requirements and to address any applicable federal requirements for managing the effect of future land use developments on the extent and severity of flooding.

J. WHEREAS, authorization has been approved by Congress in the water Resources Development Act of 2007 (WRDA) (U S House Resolution #1495) to fund the "project for flood damage reductions, Centralia, Chehalis River, Lewis County, Washington: Report of the Chief Engineers dated September 27, 2004."

K. WHEREAS, pursuant to HB 3375, the OFM shall participate as the nonfederal sponsor of the Corps of Engineers flood hazard mitigation projects for the Chehalis river basin area, including the project authorized by the WRDA, if such projects are mutually agreed to between the federal government, the OFM and the Chehalis basin flood control authority or other authorized local government group. The OFM must prepare the necessary agreements to ensure an active partnership with federal and state agencies, local governments, the Chehalis River Flood Control Authority, and others as needed.

NOW, THEREFORE, we hereby create the Chehalis River Basin Flood Authority and the members will be the municipal corporations of Lewis County, Grays Harbor County, Thurston County, the City of Centralia, the City of Chehalis, and Town of Pe Ell, the City of Aberdeen, the City of Montesano, and the Chehalis Confederated Tribes ("Basin Governments"), who hereby enter into this Interlocal Agreement ("Agreement") pursuant to RCW 39.34.030 and mutually promise to agree to the terms and conditions described herein.

1.0 PURPOSE

The purpose of this Agreement is to be the designated Chehalis Basin Flood Control Authority identified in HB 3375 to receive the 2.5 million dollars to develop and participate in the development of flood hazard mitigation measures throughout the basin, and provide a formal and organized process to ensure:

1.1 That flood control projects are identified and implemented that address the flood problems in the basin.

1.2 That good public policy supports environmentally sensitive responses to protect communities and their residents from flooding, if the responses provide benefits which exceed costs, including costs associated with a no action response.

1.3 That state and federal funding sources are well-informed of Basin Government options and needs.

1.4 That the design for basin flood control projects incorporate options, features and betterments that may benefit the basin communities and the Basin Governments.

1.5 That the Chehalis River Basin Flood Authority will oversee moving current and future Chehalis River Basin Flood reduction projects forward until such time as a Flood Control District is formed and adopted by the stakeholders' legislative authorities.

2.0 GOALS

The Basin Governments shall work together throughout the term of this Agreement to achieve the following specific goals:

2.1 To create a Basin Flood Control District as soon as is practicable.

2.2 To inform state and federal funding sources of project options and the needs of the basin communities.

2.3 To work with the State of Washington to develop appropriate policy for a basin-wide flood control project.

2.4 To seek adequate funding for the Basin Governments to identify, study and permit projects for localized problems.

2.5 To disseminate information to residents about options and alternatives.

2.6 To coordinate flood control activities, actions and responses.

3.0 LEAD AGENCY

For the purposes of this Agreement, Lewis County shall act as Lead Agency. The Lead Agency shall be responsible for approved projects and authorized to perform the following tasks:

3.1 Negotiate and execute agreements with state agencies for grant funds.

3.2 Receive and disburse funds from the state and federal agencies, the counties and the basin communities.

3.3 In the event any work must be performed by or on behalf of the counties or the basin communities pursuant to this Agreement, solicit statements of qualifications, negotiate scope of work, and execute contracts to perform the work by or on behalf of the counties or the basin governments pursuant to this agreement. The Lead Agency shall not obligate any of the Basin Governments to any financial responsibilities without prior written approval and agreement from the appropriate Basin Governments.

3.4 Prepare and maintain proper records for accounting and administration.

3.5 Arrange and facilitate regular meetings of the basin governments.

3.6 Provide legal support as necessary.

The Lead Agency shall report regularly to the parties to this Agreement and shall provide them with a full accounting on the receipt and expenditure of funds that may be provided, pursuant to this Agreement.

4.0 MEMBERSHIP AND REPRESENTATION

Each of the Basin Governments shall designate in writing to the Lead Agency one official representative. Regardless of the number of official representatives designated in writing to the Lead Agency, each Basin Government shall be entitled to one vote on all matters requiring group action or direction to the Lead

Agency. In addition, the Counties shall act as the coordinators and representatives of the basin communities within their respective jurisdictions which are not otherwise represented.

The Lead Agency will arrange and facilitate regular meetings of the Basin Governments, not less than once every three months, to discuss the status, progress, funding and schedule of the basin flood control projects, and to consider the advancement towards the goals stated herein. Designated representatives of Basin Governments shall use best efforts to attend the meetings.

5.0 VOTING

Each represented entity shall be entitled to cast one (1) vote. Measures proposed to the represented entities shall seek consensus as a goal. In the event a consensus cannot be reached, then a super majority vote of sixty (60) percent of the voting members shall decide the issue, provided that any amendments to this agreement, must be approved by unanimous vote.

6.0 FUNDING

It is anticipated that funding sources for creating a basin flood control district, and for the planning, optimization, preliminary engineering and permitting of basin flood control projects will be different from the funding sources for construction. A strategy will be developed by the Basin Governments for continued funding for design, engineering and permitting, and a different strategy will be developed by the Basin Governments for funding construction.

The activities of the Basin Governments shall be funded from the following sources:

6.1 Funds made available from state allocated sources.

6.2 Funds made available from federal sources.

6.3 Funds from the Basin Governments, but only pursuant to other agreements, if made.

Funds from the Basin Governments may be required, if necessary for matching or providing a local share for other funding sources that become available, or if additional funds are required in excess of state and federal funding. Since the benefits to be derived from the basin flood control project and its features vary among the Basin Governments, the Basin Governments will contribute to the needs of the project in varying amounts, based upon their respective benefits

needs of the project in varying amounts, based upon their respective benefits and ability to pay. Any funds required from the Basin Governments to cover funding requirements or to cover costs for projects developed as a result of research and development, pursuant to this Agreement, will be shared as agreed upon by the Basin Governments as set forth in future Interlocal Agreements. Nothing in this Agreement shall obligate, or be construed to obligate, any of the Basin Governments to enter into future Interlocal Agreements.

7.0 TERM OF AGREEMENT

Each of the Basin Governments may opt out of this Agreement by written notification to the Lead Agency with 90 days prior notice, provided that no joint debt has been incurred by the Basin Governments.

8.0 MODIFICATION

This Agreement may be modified or amended only by written amendments signed by each of the parties to this Agreement.

9.0 PRIOR AGREEMENTS

This document embodies the entire agreement between and among the parties. There are no agreements, promises, terms, conditions or obligations other than those contained herein. This Agreement shall supersede all previous communications, representations, agreements, written or oral, among the parties relating to the subject matter contained herein.

IN WITNESS HEREOF, the undersigned have executed original copies of this Agreement on the dates shown below.

LEWIS COUNTY	**GRAYS HARBOR COUNTY**
4-28-08	
Ron Averill, Chairman (date)	Albert A. Carter, Chairman (date)

needs of the project in varying amounts, based upon their respective benefits and ability to pay. Any funds required from the Basin Governments to cover funding requirements or to cover costs for projects developed as a result of research and development, pursuant to this Agreement, will be shared as agreed upon by the Basin Governments as set forth in future Interlocal Agreements. Nothing in this Agreement shall obligate, or be construed to obligate, any of the Basin Governments to enter into future Interlocal Agreements.

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IN WITNESS HEREOF, the undersigned have executed original copies of this Agreement on the dates shown below.

LEWIS COUNTY	**GRAYS HARBOR COUNTY**
_____	Albert A. Carter
Ron Averill, Chairman (date)	Albert A. Carter, Chairman (date)

THURSTON COUNTY

Diane Oberquell 4/28/08

Diane Oberquell, Chairman (date)

CITY OF CENTRALIA

J D Fouts, City Manager (date)

CITY OF CHEHALIS

Merlin MacReynold, City Mgr.(date)

TOWN OF PE ELL

Spencer Nichols, Mayor (date)

CITY OF ABERDEEN

Bill Simpson, Mayor (date)

CITY OF MONTESANO

Ron Schillinger, Mayor (date)

CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION

David Burnett, Chairman (date)

TOWN OF BUCODA

Kathy Martin

Kathy Martin, Mayor (date)

THURSTON COUNTY

Diane Oberquell, Chairman (date)

CITY OF CENTRALIA

J D Fouts, City Manager (date)

CITY OF CHEHALIS

Merlin MacReynold, City Mgr.(date)

TOWN OF PE ELL

Spencer Nichols, Mayor (date)

CITY OF ABERDEEN

Bill Simpson, Mayor (date)

CITY OF MONTESANO

Ron Schillinger, Mayor (date)

Confederated Tribes of the Chehalis Reservation

David Burnett 4/22/08
David Burnett, Chairman (date)

THURSTON COUNTY

Diane Oberquell, Chairman (date)

CITY OF CENTRALIA

J. D. Fouts 4-23-08

J D Fouts, City Manager (date)

CITY OF CHEHALIS

Merlin MacReynold, City Mgr.(date)

TOWN OF PE ELL

Spencer Nichols, Mayor (date)

CITY OF ABERDEEN

Bill Simpson, Mayor (date)

CITY OF MONTESANO

Ron Schillinger, Mayor (date)

CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION

David Burnett, Chairman (date)

TOWN OF BUCODA

Kathy Martin, Mayor (date)

THURSTON COUNTY

Diane Oberquell, Chairman (date)

CITY OF CENTRALIA

J D Fouts, City Manager (date)

CITY OF CHEHALIS

4/18/08

Merlin MacReynold, City Mgr.(date)

TOWN OF PE ELL

Spencer Nichols, Mayor (date)

CITY OF ABERDEEN

Bill Simpson, Mayor (date)

CITY OF MONTESANO

Ron Schillinger, Mayor (date)

CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION

David Burnett, Chairman (date)

TOWN OF BUCODA

Kathy Martin, Mayor (date)

THURSTON COUNTY

Diane Oberquell, Chairman (date)

CITY OF CENTRALIA

J D Fouts, City Manager (date)

CITY OF CHEHALIS

Merlin MacReynold, City Mgr.(date)

TOWN OF PE ELL

Spencer Nichols, Mayor (date)

CITY OF ABERDEEN

Bill Simpson, Mayor (date)

CITY OF MONTESANO

Ron Schillinger, Mayor (date)

CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION

David Burnett, Chairman (date)

TOWN OF BUCODA

Kathy Martin, Mayor (date)

BOCC Executive Summary

Date: July 10, 2008

Proposed Action: Approval of an Addendum to the Interlocal Agreement establishing the Chehalis River Basin Flood Control Authority (Flood Authority), amending the membership to include the City of Oakville.

Date of Board Action: July 21, 2008

Prepared by: Bob Johnson, Director of Community Development

The Flood Authority voted to include the City of Oakville as a member. To do so, the Interlocal Agreement that established the Flood Authority needs to be amended to include the City of Oakville as a member, and subject to the decisions and actions of the Flood Authority from the date of its establishment.

The resolution approves the amended Interlocal Agreement, and authorizes the Chairman of the Board of County Commissioners to sign the same on behalf of the County.

Result of Disapproval: Should the Board not approve the above action, the County will not be a signatory to the Agreement, and Oakville will not be included as a member of the Flood Authority.

Staff Recommendation: Approve the Addendum and Resolution, and authorize the Chairman to sign the same.

BOCC AGENDA ITEM SUMMARY

(revised 5-17-01)

AGENDA ITEM #: _____ **RESOLUTION #:** 08-236 **BOCC MEETING DATE:** July 21, 2008

SUGGESTED WORDING FOR AGENDA ITEM: ☐ Notice ☒ Consent ☐ Discussion ☐ Hearing

Approving Chairman of the Board of County Commissioners to sign an Addendum to an Interlocal Agreement among Lewis, Grays Harbor and Thurson Counties, and the Cities of Centralia, Chehalis, Aberdeen, Montesano, Oakville, the Towns of Bucoda and Pe Ell, and the Confederated Tribes of the Chehalis Reservation for the Chehalis River Basin Flood Control Authority (Flood Authority).

BRIEF REASON FOR BOCC ACTION: Authorization to sign the Addendum to the Interlocal Agreement must be by resolution of the Board of County Commissioners.

SUBMITTED BY: Bob Johnson **PHONE:** X 2606 **DATE SUBMITTED:** 07/10/2008

CONTACT PERSON WHO WILL ATTEND BOCC MEETING: Bob Johnson

TYPE OF ACTION NEEDED:

- ☒ Approve Resolution
- ☐ Approve Ordinance (Traffic or other)
- ☐ Execute Contract / Agreement
- ☐ Other *(please describe)*: _____
- ☐ Call for Bids / Proposals
- ☐ Bid Opening
- ☐ Notice for Public Hearing **(see Publication Requirements)*

***PUBLICATION REQUIREMENTS:** ☐ Resolution e-mailed to Clerk ☐ Not applicable

Hearing Date: _____ *(Must be at least 10 days after first publication date)*

Publish Date(s): _____ *(2 weeks for routine budget, property disposal / auction or vacations)* *(3 weeks for property lease)*

Publication(s): ☐ *EAST COUNTY JOURNAL* ☐ *CHRONICLE* ☐ *OTHER:* _____

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Department Director / Head: BA

Chief Administrative Officer: _____

Prosecuting Attorney: _____

EMPLOYEE ITEMS: (relating to employment, salary, position, reclassification, union, etc.)

Human Resource Coordinator: _____

APPROVALS MUST BE OBTAINED BEFORE SUBMITTING ITEM TO BOCC CLERK

BANKING OR REVENUE ITEMS:

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Chief Accountant: _____

Fund: _____

Department: _____

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DOCUMENT TITLE(S) (OR TRANSACTIONS CONTAINED THEREIN):

Addendum to & amendment of interlocal agreement among communities of the Chehalis River Basin

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED/RELEASED:

Resolution 08-236

GRANTOR/BORROWER (LAST NAME FIRST, FIRST NAME AND INITIALS):

BOCC

ADDITIONAL NAMES LISTED ON PAGE _____ OF DOCUMENT.

GRANTEE/ASSIGNEE/BENEFICIARY (LAST NAME FIRST, FIRST NAME AND INITIALS):

To public

ADDITIONAL NAMES LISTED ON PAGE _____ OF DOCUMENT.

LEGAL DESCRIPTION (ABBREVIATED: I.E. LOT, BLOCK, PLAT OR SECTION, TOWNSHIP, RANGE)

COMPLETE LEGAL DESCRIPTION IS LISTED ON PAGE _____ OF DOCUMENT.

ASSESSOR'S TAX PARCEL NUMBER(S)

THE AUDITOR/RECORDER WILL RELY ON THE INFORMATION PROVIDED ON THIS FORM. THE STAFF WILL NOT READ THE DOCUMENT TO VERIFY THE ACCURACY OR COMPLETENESS OF THE INDEXING INFORMATION PROVIDED HEREIN.

CHEHALIS RIVER BASIN FLOOD CONTROL AUTHORITY

ADDENDUM TO AND AMENDMENT OF INTERLOCAL AGREEMENT AMONG THE COMMUNITIES OF THE CHEHALIS RIVER BASIN FOR STUDY, ANALYSIS, AND IMPLEMENTATION OF FLOOD CONTROL PROJECTS TO PROTECT THE CHEHALIS RIVER BASIN

THIS ADDENDUM to the Interlocal Agreement Among the Communities of the Chehalis River Basin for Study, Analysis, and Implementation of Flood Control Projects to Protect the Chehalis River Basin ("Interlocal Agreement"), effective May 1, 2008, and amendment of said agreement is made by and among the municipal corporations of Lewis County, Grays Harbor County, Thurston County, the City of Centralia, the City of Chehalis, and the Town of Pe Ell, the City of Aberdeen, the City of Montesano, the Town of Bucoda and the Confederated Tribes of the Chehalis Reservation ("Basin Governments"), -- all of which are original and current parties to said Interlocal Agreement -- and the City of Oakville, a municipal corporation of the state of Washington, desiring to become a party to this Agreement.

WHEREAS, the current parties hereto entered into the Interlocal Agreement establishing the Chehalis River Basin Flood Control Authority ("Flood Authority"), effective May1, 2008; and

WHEREAS, the City of Oakville desires to enter into the Interlocal Agreement as a party to said Interlocal Agreement and to be a member of the Flood Authority; and

WHEREAS, the members did, on July 7, 2008, agree by unanimous consent of the quorum present to amend the Interlocal Agreement and add the City of Oakville as a party to the Interlocal Agreement and a member of the Flood Authority with all the rights and responsibilities as a participating member; and

WHEREAS, the parties who hereby enter into this Addendum to the Interlocal Agreement pursuant to RCW 39.34.030 mutually promise to be bound by the terms and conditions of the Interlocal Agreement.

IT IS HEREBY AGREED among the parties that:

1. The City of Oakville, Washington, is hereby made a party to the Interlocal Agreement and a member of the Flood Authority, being bound by the terms and conditions of the Interlocal Agreement, and ratifying all actions taken by the Flood Authority from the date of its creation.

2. All rules of procedure, documents, contracts or agreements entered into by, and in the name of the Flood Authority, from its creation are binding upon the City of Oakville to the same extent as any party to the Interlocal Agreement.

3. Page 2, the last paragraph of the Interlocal Agreement is amended to read as follows:

"NOW, THEREFORE, we hereby create the Chehalis River Basin Flood Control Authority and the members will be the municipal corporations of Lewis County, Grays Harbor County, Thurston County, the City of Centralia, the City of Chehalis, and the Town of Pe Ell, the City of Aberdeen, the City of Montesano, the City of Oakville, the Town of Bucoda, and the Confederated Tribes of the Chehalis Reservation ("Basin Governments"), who hereby enter into this Interlocal Agreement ("Agreement") pursuant to RCW 39.34.030 and mutually promise to agree to the terms and conditions described herein".

4. Except as amended herein, all terms and conditions of the Interlocal Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Addendum to the Interlocal Agreement on the dates shown below.

LEWIS COUNTY

21 Jul 08

Ron Averill, Chairman (date)

THURSTON COUNTY

Diane Oberquell, Chairwoman (date)

GRAYS HARBOR COUNTY

Albert A. Carter, Chairman (date)

CITY OF CENTRALIA

J.D. Fouts, City Manager (date)

CITY OF CHEHALIS

Merlin MacReynold, City Manager (date)

CITY OF ABERDEEN

7/11/08

Bill Simpson, Mayor (date)

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Ron Averill, Chairman (date)

CITY OF CENTRALIA

J.D. Fouts, City Manager (date)
ACTING CITY MANAGER

CITY OF CHEHALIS

Merlin MacReynold, City Manager (date)

THURSTON COUNTY

Diane Oberquell, Chairwoman (date)

GRAYS HARBOR COUNTY

Albert A. Carter, Chairman (date)

CITY OF MONTESANO

Ron Schillinger, Mayor (date)

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THURSTON COUNTY

Diane Oberquell, Chairwoman (date)

GRAYS HARBOR COUNTY

Albert A. Carter, Chairman (date)

CITY OF CENTRALIA

J.D. Fouts, City Manager (date)

CITY OF CHEHALIS

7/29/08

Merlin MacReynold, City Manager (date)

CITY OF MONTESANO

Ron Schillinger, Mayor (date)

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LEWIS COUNTY

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THURSTON COUNTY

Diane Oberquell, ~~Chairwoman~~ Chairman (date)

GRAYS HARBOR COUNTY

Albert A. Carter, Chairman (date)

CITY OF CENTRALIA

J.D. Fouts, City Manager (date)

CITY OF CHEHALIS

Merlin MacReynold, City Manager (date)

CITY OF ABERDEEN

7/11/08

Bill Simpson, Mayor (date)

CITY OF ABERDEEN

previous page

Bill Simpson, Mayor (date)

Attest:

Kathryn Skoolrod, Finance Director

CITY OF OAKVILLE

Mitchell Smith 7/14/08

Mitchell Smith, Mayor (date)

TOWN OF BUCODA

Kathy Martin, Mayor (date)

TOWN OF PE ELL

Spencer Nichols, Mayor (date)

CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION

David Burnett, Chairman (date)

CITY OF ABERDEEN

Bill Simpson, Mayor (date)

Attest:

Kathryn Skoolrod, Finance Director

TOWN OF PE ELL

Spencer Nichols, Mayor (date)

CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION

David Burnett, Chairman (date)

CITY OF OAKVILLE

Mitchell Smith 7/14/08
Mitchell Smith, Mayor (date)

TOWN OF BUCODA

Kathy Martin 8/12/08
Kathy Martin, Mayor (date)

CITY OF MONTESANO

Ron Schillinger, Mayor (date)

TOWN OF PE ELL

Spencer Nichols 8-6-08

Spencer Nichols, Mayor (date)

CITY OF OAKVILLE

(date)

CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION

David Burnett, Chairman (date)

TOWN OF BUCODA

Kathy Martin, Mayor (date)

CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION

David Burnett 9/16/08

David Burnett, Chairman (date)