

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LEWIS COUNTY, WASHINGTON**

IN RE:

**APPROVING SECOND ADDENDUM TO THE)
INTER-LOCAL AGREEMENT ESTABLISHING) RESOLUTION NO. 11-419
THE CHEHALIS RIVER BASIN FLOOD CONTROL)
AUTHORITY TO INCLUDE THE CITIES OF)
COSMOPOLIS AND NAPAVINE AND)
AUTHORIZING THE CHAIRMAN OF THE)
LEWIS COUNTY BOARD OF COUNTY)
COMMISSIONERS TO SIGN THE SAME)**

WHEREAS, Lewis County, by Resolution 08-135, entered into an inter-local agreement among Lewis, Grays Harbor, and Thurston counties, the cities of Aberdeen, Centralia, Chehalis, 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; and

WHEREAS, Lewis County, by Resolution 08-236, entered into an Addendum to the said inter-local agreement approving the addition of the City of Oakville to the membership of the Flood Authority and as a party to the inter-local agreement creating the Flood Authority; and

WHEREAS, the Confederated Tribes of the Chehalis Reservation withdrew from the inter-local agreement and membership in the Flood Authority effective on or before May 31, 2011; and

WHEREAS, the current members of the Flood Authority present agreed by consensus at a meeting on November 17, 2011 to include the City of Cosmopolis and the City of Napavine as members of the Flood Authority and parties to the inter-local agreement; and

WHEREAS, a Second Addendum to the Inter-local Agreement establishing the Flood Authority has been prepared for signatures by all of the parties to the current Inter-local Agreement; and

WHEREAS, the Board of County Commissioners has had an opportunity to review the Second Addendum to the Inter-local Agreement establishing the Flood Authority, and finds that it is in the best interest of Lewis County to authorize the execution of the Second Addendum to the Inter-local Agreement;

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners approves the Second Addendum to the Inter-local Agreement establishing the Flood Authority adding the cities of Cosmopolis and Napavine as

members of the Flood Authority and parties to the inter-local agreement and authorizes the Chairman of the Board of County Commissioners to sign the same.

DONE IN OPEN SESSION this 12 day of December, 2011.

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON**

APPROVED AS TO FORM:

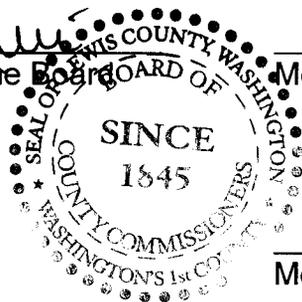
JONATHAN L. MEYER
Prosecuting Attorney

By [Signature]
Deputy Prosecuting Attorney

[Signature]
Chairman

ATTEST:

[Signature]
Karri Muir, Clerk of the Board



[Signature]
Member

[Signature]
Member

CHEHALIS RIVER BASIN FLOOD CONTROL AUTHORITY

SECOND 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 SECOND 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 Grays Harbor County, Lewis County, Thurston County, the City of Aberdeen, the City of Centralia, the City of Chehalis, the City of Montesano, the Town of Bucoda, and the Town of Pe Ell, -- all of which are original parties to said Interlocal Agreement --, and the City of Oakville, -- which was added to the Interlocal Agreement by Addendum approved on or before September 16, 2008,--and the City of Cosmopolis and the City of Napavine, municipal corporations of the state of Washington that desire to become parties to the Interlocal Agreement.

WHEREAS, the original parties and the Confederated Tribes of the Chehalis Reservation (“Tribe”) entered into the Interlocal Agreement establishing the Chehalis River Basin Flood Control Authority (“Flood Authority”), effective May 1, 2008;

WHEREAS, the City of Oakville was added as a party to the Interlocal Agreement by Addendum executed by all of the original parties to the Interlocal Agreement on or before September 16, 2008 (hereinafter “Addendum”);

WHEREAS, the Confederated Tribes of the Chehalis Reservation unilaterally withdrew from the Interlocal Agreement and membership in the Flood Authority effective on or before May 31, 2011;

WHEREAS, the City of Cosmopolis and the City of Napavine are Washington municipal corporations located in whole or in part within the floodplain of the Chehalis River or a major tributary of that river, have been flooded on multiple occasions, have regulatory responsibility for land uses within their respective corporate boundaries, including the floodplain and/or floodway, and desire to enter into the Interlocal Agreement for the purpose of assisting in the development and implementation of Basin-wide solutions to flooding in the Basin as members of the Flood Authority;

WHEREAS, the current parties to the Interlocal Agreement agreed by consensus of those present at a duly-noticed meeting of the membership of the Flood Authority on November 17, 2011, with a quorum of the members present, to amend the Interlocal Agreement to add the City of Cosmopolis and the City of Napavine as parties to the Interlocal Agreement and as members of the Flood Authority with all of the rights and responsibilities of participating members; and

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

IT IS HEREBY AGREED among the parties that:

1. The City of Cosmopolis and the City of Napavine are hereby made parties to the Interlocal Agreement and members 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 to present.
2. The Rules of Procedure adopted by the Flood Authority and all contracts, documents or agreements entered into by or in the name of the Flood Authority, from its creation to the present, are binding upon the City of Cosmopolis and the City of Napavine.
3. At page 2 of the Interlocal Agreement, the last paragraph 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 Grays Harbor County, Lewis County, Thurston County, the City of Aberdeen, the City of Centralia, the City of Chehalis, the City of Cosmopolis, the City of Montesano, the City of Napavine, the City of Oakville, the Town of Bucoda and the Town of Pe Ell, who hereby enter into this Interlocal Agreement pursuant to RCW 39.34.030 and mutually agree and consent to the terms and conditions set forth herein.

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

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

GRAYS HARBOR COUNTY

TERRY WILLIS, Chairman (date)

CITY OF ABERDEEN

WILLIAM A. SIMPSON, Mayor (date)

LEWIS COUNTY



RON AVERILL, Chairman (date) 12-12-11

CITY OF CENTRALIA

ROB HILL, City Manager (date)

THURSTON COUNTY

KAREN VALENZUELA, Chair (date)

CITY OF CHEHALIS

MERLIN MACREYNOLD, City Manager (date)

CITY OF COSMOPOLIS

VICKIE RAINES, Mayor (date)

CITY OF MONTESANO

RON SCHILLINGER, Mayor (date)

CITY OF NAPAVINE

NICHOLAS W. BOZARTH, Mayor (date)

CITY OF OAKVILLE

CHARLES NORSKOG, Mayor (date)

TOWN OF BUCODA

TOWN OF PE ELL

ALAN T. CARR, Mayor (date)

SPENCER NICHOLS, Mayor (date)

Read Ahead Briefing Document
Department: Community Development

Date: 12/07/2011	Agenda Item Calendar: 12/19/2011	Responsible Contact: Bob Johnson, X 2606	Additional Contact: Glenn Carter
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Title/Issue: Approval of a second addendum to the Inter-local Agreement establishing the Chehalis River Basin Flood Authority, to add the cities of Cosmopolis and Napavine as members.

Action Required: Meeting Consent Discussion Hearing

Staff Recommendations: Approve the addendum to the Interlocal agreement and sign the addendum.

Background/Supporting Documentation: The cities of Napavine and Cosmopolis have requested being added to the membership of the Chehalis River Basin Flood Authority. A recommendation to approve that request was made by the Flood Authority at their November 2011 meeting. All parties to the Agreement must approve and sign the second addendum to the Agreement in order to include the two jurisdictions as members. Authorization to sign this second addendum to the original agreement must be approved by resolution of the Board. Attached are the second addendum to the Agreement and the resolution to authorize the County to sign the second addendum.

Policy Implications: Approval will authorize the Chairman to sign the second addendum to the Interlocal Agreement, adding Cosmopolis and Napavine as members of the Flood Authority

Fund	<i>n/a</i>
Department: Community Development	
Total Amount	

Associated Departments and Stakeholders:

- | | | |
|---|--|---|
| <input type="checkbox"/> Central Services | <input type="checkbox"/> Public Works | <input checked="" type="checkbox"/> Prosecutor's Office |
| <input type="checkbox"/> Risk | <input type="checkbox"/> Budget Office | |
| <input checked="" type="checkbox"/> Community Development | <input type="checkbox"/> Assessor's Office | <input type="checkbox"/> Sheriff's Office |
| <input type="checkbox"/> Health and Social Services | <input type="checkbox"/> Auditor's Office | <input type="checkbox"/> Treasurer's Office |