

RESOLUTION NO. 4 2 5 8

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE MAYOR TO NEGOTIATE SUPPLEMENTAL INTERLOCAL AGREEMENTS BETWEEN THE CITIES, COUNTIES AND GOVERNMENTAL ENTITIES INVOLVED IN THE COALITION OF GOVERNMENTAL ENTITIES REGARDING THE CHALLENGES TO THE NPDES PHASE II PERMIT REQUIREMENTS

WHEREAS, the City of Auburn joined with a number of other cities and governmental entities, including Anacortes, Bellevue, Bellingham, Bothell, Bremerton, Buckley, Burien, Burlington, Camas, Des Moines, Ellensburg, Everett, Federal Way, Fircrest, Kennewick, Kent, Longview, Marysville, Mount Vernon, Normandy Court, Orting, Port Angeles, Pullman, Puyallup, Renton, Richland, Sammamish, SeaTac, Sumner, University Place and Vancouver and Kitsap County, regarding a challenge to the Phase II permit requirements for the National Pollution Discharge Elimination System (NPDES); and

WHEREAS, the challenge has become more complicated in that environmental groups supportive of more stringent permit requirements have intervened in the action and have inserted into the legal matters, issues that would not otherwise have been as involved; and

WHEREAS, because of the increase complexities this appellate action has taken and because of the risks to all effected governmental entities not only compliance but the costs and damages that could result depending upon how permit requirements are effected by the legal actions, it is appropriate that the City of Auburn continue with its governmental partners in pursuing a reasonable

outcome to the NPDES Phase II permit requirements and that additional funds be authorized for the City's share of those costs.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, HEREBY RESOLVES as follows:

Section 1. That the Mayor is authorized to negotiate an agreement, or supplemental existing agreements, regarding legal costs for the NPDES Phase II permit requirements and is authorized to expend up to \$25,000.00 in addition to amounts already earmarked, and take such other steps as are reasonably necessary to effect this legislation.

Section 2. That this Resolution shall take effect and be in full force upon passage and signatures hereon.

Dated and Signed this _____ day of _____, 2007.

CITY OF AUBURN

PETER B. LEWIS
MAYOR

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

Daniel B. Heid, City Attorney