



AGENDA MEMO

Needs Legal Review: Yes
Council Meeting Date: December 5, 2018
Agenda Item: Interlocal Agreement with City of Bingen Establishing Wastewater ERU Rate for 2019
Presented By: Jan Brending

ACTION REQUIRED:

Authorization for mayor to sign interlocal agreement with City of Bingen establishing the wastewater ERU rate for 2019 in the amount of \$14.50 per ERU.

PROPOSED MOTION:

Move to authorize signing interlocal agreement with City of Bingen establishing the wastewater ERU rate for 2019 in the amount of \$14.50 per ERU.

Why is it a legislative issue:

The council is required to contracts and agreements.

Explanation of issue:

The City of Bingen treats all White Salmon wastewater. Bingen has established a separate fund for the operation and maintenance of the wastewater treatment plant. Each city pays equally into the operation and maintenance fund based on a rate per ERU. The current rate is \$14.25 per ERU.

The proposed interlocal agreement increases the ERU rate by \$0.25 to \$14.50. The rate increase in the past has been \$0.25 per ERU each year.

The City of Bingen is in agreement with the proposed rate.

Budget:

The 2019 budget for this item is based on \$14.50 per ERU.

Staff Recommendation:

Staff recommends authorization of the interlocal agreement with the City of Bingen establishing the wastewater ERU rate for 2019 in the amount of \$14.50 per ERU.

INTERLOCAL AGREEMENT

BETWEEN THE CITY OF BINGEN AND CITY OF WHITE SALMON

This Interlocal Agreement (which hereinafter may be referred to as the "AGREEMENT"), is entered into by and between the City of Bingen (which may hereinafter be referred to as "Bingen"), a Washington municipal corporation, and the City of White Salmon (which may hereinafter be referred to as "White Salmon"), a Washington municipal corporation, pursuant to the Interlocal Cooperation Act, RCW Chapter 39.34.

PURPOSE AND RECITALS

1. Bingen operates and maintains the Bingen Wastewater Treatment Plant.
2. Bingen accepts and treats White Salmon wastewater at the Bingen Wastewater Treatment Plant.
3. Bingen and White Salmon entered into an agreement for the purpose of "providing effective management of the jointly utilized Bingen Wastewater Treatment and Disposal Facility" on March 5, 1991 and as amended June 6, 1995.
4. Said agreement provides that Bingen and White Salmon shall pay an equal monthly amount per residential equivalency (ERU) into the operation and maintenance fund for the Bingen Wastewater Treatment Plant.
5. Bingen and White Salmon have made payments into the operation and maintenance fund based on the number of ERUs billed by each entity each month.
6. Bingen makes payments into the operation and maintenance fund monthly through an interfund transfer.
7. White Salmon makes payments to Bingen by way of a check and Bingen deposits those funds into the operation and maintenance fund.
8. Bingen and White Salmon are currently using a ~~\$13.75~~ \$14.00 per ERU monthly payment to the operation and maintenance fund.
9. The parties wish to establish a formal agreement for the per ERU monthly payments to be paid into the operation and maintenance fund for the Bingen Wastewater Treatment Plant jointly used by Bingen and White Salmon.
10. This interlocal agreement is not intended to replace or modify the above referenced March 5, 1991 and as amended June 6, 1995 interlocal agreement, but only to fix the amount of the monthly per ERU payment to the operation and maintenance fund.

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11. White Salmon Municipal Code 13.16.080 provides that White Salmon and Bingen shall establish by interlocal agreement an allocation for White Salmon's cost of operating the wastewater collection system and an allocation for payment to the City of Bingen for treating White Salmon's wastewater.

12. The parties do not contemplate the formation of a separate legal or administrative entity and do not contemplate any property shall be acquired which shall require disposal upon termination of this agreement.

NOW THEREFORE, the parties agree as follows:

1. The parties agree that the recitals are accurate.

2. For the year ~~2018~~ 2019, the parties agree that for each ERU billed for wastewater treatment and services, ~~\$14.25~~ 14.50 of the fee shall be allocated to operation and maintenance of the Bingen Wastewater Treatment Plant.

3. This AGREEMENT shall be in effect January 1, ~~2018~~ 2019 through December 31, ~~2018~~ 2019 unless renewed by joint agreement of the parties.

4. If any provision hereof or its application is held invalid, the remainder of the provisions hereof shall not be affected.

IN WITNESS WHEREOF, the parties have signed this AGREEMENT, effective on the last date indicated below.

CITY OF BINGEN

CITY OF WHITE SALMON

Betty J. Barnes, Mayor Date

David Poucher, Mayor Date

ATTEST:

Cheyenne Willey, City Clerk Date

Jan Brending, City Clerk Date

Approved as to form:

Christopher R. Lanz Date
Bingen City Attorney

Kenneth Woodrich Date
White Salmon City Attorney