

RESOLUTION NO. 5505

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT CONCERNING WATER AND SEWER UTILITY SERVICE, BILLING, AND COLLECTION

WHEREAS, both Algona and Auburn (each a “Party” and collectively “the Parties”) are “public agencies” as defined by Chapter 39.34 RCW, and are authorized by that statute to cooperate on a basis of mutual advantage in order to provide for services and facilities;

WHEREAS, Algona owns and operates a water utility (“Algona Water System”) and a sanitary sewer utility (“Algona Sewer System”), which collectively provide water and sewer service to customers located within Algona’s utility service area(s);

WHEREAS, Auburn owns and operates a water utility (“Auburn Water System”) and a sanitary sewer utility (“Auburn Sewer System”), which collectively provide water and sewer service to customers located within Auburn’s utility service area(s);

WHEREAS, there are three parcels located within the City limits of Auburn at 1611 West Valley Highway S (APN 2321049039), 1743 West Valley Highway S (APN 3751600709) and 1929 West Valley Highway S (APN 3751600711) (collectively, “West Valley Parcels”) that are connected to and served by the Auburn Water System, but are also connected to and served by the Algona Sewer System;

WHEREAS, there are four parcels located within the City limits of Algona at 502 Boundary Boulevard (APN 0301510060), 512 Boundary Boulevard (APN 0301510120), 1196 Industry Drive N (APN 0301510190) and a vacant parcel located between 502 and 512 Boundary Boulevard (APN 0301510100) (collectively, “Boundary Boulevard Parcels”)

that are connected to and served by the Algona Water Utility, but are also connected to and served by the Auburn Sewer System;

WHEREAS, the dissociation between the water and sewer service connections for the West Valley Parcels and Boundary Boulevard Parcels is longstanding and of uncertain origin;

WHEREAS, to the best of the Parties' mutual belief and understanding, said dissociation may have resulted from various factors, including without limitation the timing of annexation, development and/or utility connection of the underlying properties;

WHEREAS, the water and sewer utility usage of the West Valley Parcels has historically been roughly equivalent to the water and sewer utility usage of the Boundary Boulevard Parcels;

WHEREAS, each Party's billing and collection for sanitary sewer service usage is based primarily upon water usage, such that each Party may approximately measure, bill and collect for a customer's sewer utility service by measuring the volume of water service provided to that customer;

WHEREAS, the significant expense of connecting the West Valley Parcels to the Auburn Sewer System, and of connecting the Boundary Boulevard Parcels to the Algona Sewer System, would be greatly disproportionate to the practical benefits resulting from such connection, which would be nominal;

WHEREAS, the Parties are currently evaluating permanent options to address the issue of water and sewer utility service for the West Valley Parcels and Boundary Boulevard Parcels and will continue to engage in discussions regarding the same as the

lines require repair or replacement or as development in the respective area(s) occurs;
and

WHEREAS, as an interim approach, the Parties mutually desire to simplify the billing relationships and to contractually define their respective rights, obligations costs and liabilities regarding the provision of water and sewer utility service to the West Valley Parcels and the Boundary Boulevard Parcels while a permanent solution is identified and implemented.

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

Section 1. The Mayor is authorized to execute an interlocal agreement with the City of Algona, in substantial conformity with the agreement attached as Exhibit A.,

Section 2. The Mayor is authorized to implement those administrative procedures necessary to carry out the directives of this legislation.

Section 3. This Resolution will take effect and be in full force on passage and signatures.

Dated and Signed this _____ day of _____, 2020.

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Kendra Comeau, City Attorney