

RESOLUTION NO. 21-0562

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE 2013 INTERLOCAL AGREEMENT BETWEEN THE CITY OF FIFE AND THE CITY OF EDGEWOOD REGARDING SANITARY SEWER SERVICE.

WHEREAS, the City of Edgewood and City of Fife executed an Interlocal Agreement (ILA) in 2013 whereby areas of the City of Edgewood could be provided sanitary sewer services by the City of Fife; and

WHEREAS, the parties have been engaged in discussions on updating the ILA to provide for a comprehensive approach for sharing services and infrastructure over cross-jurisdictional activities, but, in the meantime, desire to amend the ILA to update provisions related to costs and rates; and

WHEREAS, as part of the amendment, the parties desire to eliminate the administrative fee of 6 percent of gross sewer receipts to be collected by the City of Fife from those City of Edgewood residents served under the agreement and paid to the City of Edgewood; and

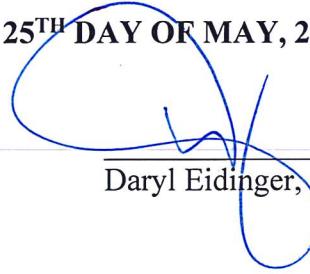
WHEREAS, the original ILA addressed the rate to be charged by the City of Fife to the residents served in the City of Edgewood, which is being updated with this amendment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Authorize the Mayor to execute the First Amendment to the 2013 Interlocal Agreement between the City of Fife and the City of Edgewood regarding sanitary sewer service, attached hereto as Exhibit A and incorporated herein by this reference.

Section 2. Effective Date. This resolution will take effect immediately upon passage by the City Council.

ADOPTED THIS 25TH DAY OF MAY, 2021


Daryl Eidinger, Mayor

ATTEST:



Rachel Pitzel, CMC
City Clerk

FIRST AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN
THE CITY OF FIFE AND THE CITY OF EDGEWOOD
REGARDING SANITARY SEWER SERVICE

THIS FIRST AMENDMENT, effective on the date of the last signature below, amends the Interlocal Agreement between the City of Fife and the City of Edgewood Regarding Sanitary Sewer Service dated November 5, 2013 (the "Agreement").

1. Recitals.

1.1 The City of Fife ("Fife") and the City of Edgewood ("Edgewood") entered into the Agreement in order for Fife to provide sewer service to a portion of Edgewood identified in the Agreement as the Edgewood Service Area.

1.2 Fife and Edgewood mutually desire to enter into this First Amendment to the Agreement to set a flat surcharge rate for all customers within the Edgewood Service Area and to remove the 6% administrative fee that is authorized in Section 7 of the Agreement.

2. Amendment to Agreement.

2.1 Section 4 of the Agreement is hereby amended as follows:

4. Authority to Fix Rates and Charges. The rates, connection fees, capital facilities charges, or other fees or charges for sanitary sewer service within the Edgewood Service Area shall be the same rates, connection fees, capital facilities charges, or other fees or charges for sanitary sewer service as Fife fixes for its customers within the corporate limits of Fife, plus a thirty six percent (36%) surcharge. Edgewood shall work with Fife to secure available potable water usage information for properties within the Edgewood Service Area, from Mountain View Edgewood Water Corporation. Fife shall be exclusively responsible for collecting rates and charges from connections within the Edgewood Service Area and collecting any delinquent customer accounts for service to property within the Edgewood Service Area using liens and other legally authorized methods.

2.2 Section 7 of the Agreement is hereby deleted in its entirety.

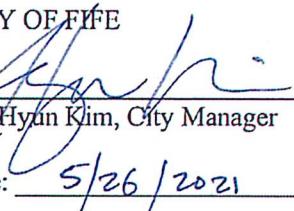
3. Effect of Amendment. This First Amendment modifies the Agreement. Except as amended herein, all other terms and conditions of the Agreement remain unchanged and in full force and effect. In the case of any conflict between the terms of the Agreement and First Amendment, the provisions of this First Amendment shall control.

4. Signature Authority.

4.1 The Fife City Manager was authorized to execute this Agreement by Resolution No. 1978 adopted by a majority of the entire City Council on the 25th day of May, 2021, at a regularly scheduled Council meeting.

4.2 The Mayor of Edgewood was authorized to execute this Agreement by Resolution No. 2562 adopted by a majority of the entire City Council on the 25th day of May, 2021 at a regularly scheduled Council meeting.

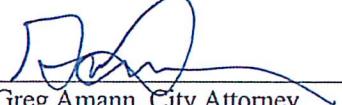
CITY OF FIFE

By: 

Hyun Kim, City Manager

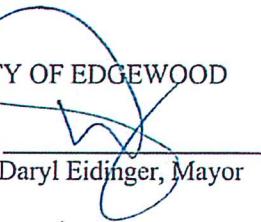
Date: 5/26/2021

Approved as to form:

By: 

Greg Amann, City Attorney

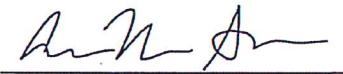
CITY OF EDGEWOOD

By: 

Daryl Eidinger, Mayor

Date: 26 MAY 2021

Approved as to form:

By: 

Ann Marie Soto, City Attorney