

**HIGHLINE WATER DISTRICT
King County, Washington**

RESOLUTION 12-2-28A

RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF DES MOINES AND HIGHLINE WATER DISTRICT REGARDING THE S 223RD STREET CULVERT REPLACEMENT

WHEREAS, the City of Des Moines, Washington (hereinafter "City") is undertaking a capital improvement project known as the South 223rd Street Culvert Replacement Project (hereinafter "the Project"); and

WHEREAS, the Highline Water District (hereinafter "District") owns and operates certain water utilities located in the South 223rd Street right-of-way within and adjacent to the project limits of the Project and the District has a franchise agreement to operate in said right-of-way; and

WHEREAS, Chapter 39.34 RCW authorizes two or more political subdivisions or units of local government of the State of Washington to cooperate on a basis of mutual advantage to provide for services and facilities; and

WHEREAS, the City's Project requires certain work by the District to accommodate the District's existing water line and the proposed culvert; and

WHEREAS, integrating the District's work into the City's design and construction of the Project would be more expedient, less expensive, and less disruptive to the public than if the District undertook this work separately; and

WHEREAS, the City and the District (individually a "Party" and collectively the "Parties") mutually desire to establish a formal arrangement under which the District will pay the City in exchange for the City's incorporating the District's related utility work into the design and construction of the Project; and

WHEREAS, the Parties desire to enter into this Agreement for the purpose of defining their respective rights, obligations, costs, and liabilities regarding this undertaking.

NOW, THEREFORE, BE IT RESOLVED:

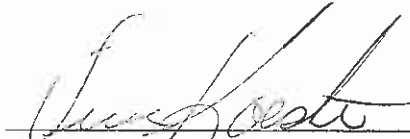
The General Manager or Designee is authorized to enter into an Interlocal Agreement (attached hereto and incorporated herein as Exhibit A) with the City of Des Moines for the S 223rd Street Culvert Replacement Project and the General Manager and/or the District's Legal Counsel is authorized to make minor changes to the agreement if required.

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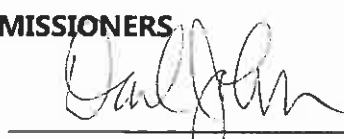
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ADOPTED BY THE BOARD OF COMMISSIONERS of Highline Water District, King County, Washington, at a Workshop Open Public Meeting held this **28th** day of **February 2012**.

BOARD OF COMMISSIONERS



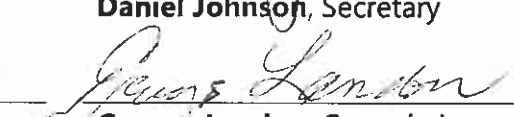
Vince Koester, President



Daniel Johnson, Secretary



Gerald R. Guite, Commissioner



George Landon, Commissioner



Kathleen Quong-Vermeire, Commissioner