

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

RESOLUTION NO. 2011- 115

**A RESOLUTION AUTHORIZING EXECUTION OF INTERLOCAL AGREEMENT
WITH THE CITY OF ELLENSBURG, THE CITY OF CLE ELUM, AND
THE TOWN OF SOUTH CLE ELUM**

WHEREAS, RCW 39.34, the Interlocal Cooperation Act, provides the capability for public agencies to cooperate by providing services and facilities for mutual advantage; and

WHEREAS, Kittitas County is a municipal corporation organized and existing under the Washington State Constitution and the laws of the State of Washington, and particularly those set forth in Title RCW 36; and

WHEREAS, the City of Ellensburg, the City of Cle Elum, and the Town of South Cle Elum (hereinafter referred to as "Cities/Town"), all are municipal corporations organized and existing under the Washington State Constitution and the laws of the State of Washington, and particularly those set forth in Title RCW 35; and

WHEREAS, the Washington State Shoreline Management Act (RCW 90.58) and its associated rules (WAC 173-26) require local governments to administer shoreline master programs that include policies and regulations that govern designated shorelines within their respective jurisdictions; and

WHEREAS, Kittitas County and Cities/Town are required to update their shoreline master programs by December 1, 2013 [RCW 90.58 (2)(a)(v)]; and

WHEREAS, the Washington State Legislature has provided funding through the Washington Department of Ecology (hereinafter referred to as "Ecology") for local governments to update their shoreline master programs; and

WHEREAS, Kittitas County and the Cities/Town have agreed to coordinate to update their shoreline master programs using grant funding from Ecology; and

WHEREAS, Kittitas County received an initial grant funding commitment of \$535,000.00 from Ecology for the update process and will manage and administer the grant funding with input from the Cities/Town and other interests; and

WHEREAS, Kittitas County considered and adopted Resolution No. 2011-093 on October 4, 2011 to execute an Interlocal Agreement for a Regional Shoreline Master Program Update; and

WHEREAS, on October 12, 2011 Kittitas County received a revised total grant funding commitment of \$690,000.00 from Ecology for the update process; and

WHEREAS, on October 17, 2011 the City of Ellensburg considered and approved revised language in Section 5.1 of the Interlocal Agreement for funding to the City as shown on the Interlocal Agreement attached hereto "Exhibit A"; and

WHEREAS, on October 24, the Kittitas County Board of County Commissioners reviewed the revised language during a regular CDS study session and directed staff to prepare a resolution to replace Resolution No. 2011-093; and

WHEREAS, because shorelines cross jurisdictional boundaries, regulation of shoreline areas, public access to the shoreline, and development in and adjacent to the shorelines is best achieved through cooperative and collaborative planning; and

WHEREAS, funding and timing efficiencies and economies of scale in use of grant funds can be realized by cooperative and collaborative shoreline planning; and

WHEREAS, the Cities/Town and Kittitas County possess authority to enter into this Agreement pursuant to Chapter 39.34 RCW.

WHEREAS, Kittitas County has agreed to the adoption of the recitals and other agreements as shown on the Interlocal Agreement attached hereto as "Exhibit A".

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY ORDERED, That Resolution No. 2011-093 is rescinded and replaced by this resolution, and that an Interlocal Agreement between Kittitas County, the City of Ellensburg, the City of Cle Elum, and the Town of South Cle Elum be executed for a Regional Shoreline Master Program Update Process substantially in the form of Exhibit A attached hereto.

ADOPTED this 15th day of November 2011.

**BOARD OF COUNTY COMMISSIONERS
KITITAS COUNTY, WASHINGTON**


Paul Jewell, Chairman


Alan Crankovich, Vice-Chairman


Obie O'Brien, Commissioner



CLERK OF THE BOARD

APPROVED AS TO FORM:


Julie A. Kjorsvik


Neil Caulkins
Deputy Prosecuting Attorney