

**AMENDMENT TO
INTERLOCAL COOPERATION AGREEMENT
BETWEEN ASOTIN COUNTY, CITY OF ASOTIN
AND CITY OF CLARKSTON
FOR STORM SEWER AND SURFACE WATER MANAGEMENT PUBLIC UTILITY**

This agreement is made by and between Asotin County, City of Asotin and City of Clarkston and amends certain provisions of the 2010 Interlocal Cooperation Agreement (2010 ILA) to Establish Joint Management of the Stormwater Utility. All other provisions of the 2010 ILA remain intact.

WHEREAS, the parties entered into this agreement in 2010, and after three years have reviewed practices and procedures and make the following changes for more efficient use of funds and resources;

**ARTICLE I
DEFINITIONS**

“Service area” means the **“Permit Boundary”** which is the geographic areas of the entire incorporated area of the City of Clarkston and the City of Asotin and the urbanized areas and urban growth areas of the cities and the urbanized area under the jurisdictional control of Asotin County.

**ARTICLE VI
FINANCING AND BUDGETS**

6.04 Accounting. The County shall be the fiscal agent for the Regional Stormwater Utility. All accounting procedures will be in accordance with state laws, especially as they pertain to grant funds and in accordance with the Washington State Budgeting, Accounting and Reporting System (BARS).

6.05 Grant Administration. The Regional Stormwater Program has a history of grants from the Washington State Department of Ecology for program management. The parties acknowledge that association with the City of Asotin increases grant funding available to the parties. The City of Asotin participation results in grant funding in higher pro rata return to its small population and stormwater system. The management team may make recommendations for the allocation of grants.

6.06 Operations and Maintenance Operations and maintenance will be performed by a stormwater crew that are public employees and will be paid from the stormwater fee revenue contributed to the County as fiscal agent for the stormwater utility. Equipment maybe rented

from either City or the County if the need arises, based on that entities current rental rate. Equipment may also be rented from private vendors for use in each jurisdiction for maintenance and operation of the stormwater system.

6.07 Billing and Collection of Fees. Each party will bill their jurisdictions for the stormwater fee. Each party will do their own collections on delinquent accounts. Fees assessed by each entity for collections on delinquent accounts will not be considered stormwater revenue for purposes of calculating projected revenues. The cities of Asotin and Clarkston have added additional lines to their existing utility bills and the County of Asotin has developed its own billing system. The billing expenses will be reviewed annually and included in the annual budget recommendations.

Clarkston and Asotin will both bill on a monthly basis and by the last day of the next succeeding month transfer the utility fee funds to the County to be held and maintained as this section provides and used accordingly.

6.08 Funding Capital Reserves. Current capital reserve accounts are funded at the following levels, subject to Section 6.09:

Asotin	\$16,880
Clarkston	\$101,840
Asotin County	\$111,300

These numbers are reviewed annually by the Stormwater Management Team and increased or decreased at the request of the Party for annual budget recommendations. The Party's requests for capital withdrawals will not exceed the balance of the Party's capital account.

6.09 Delinquency Policy. The stormwater program will be budgeted from revenue forecasts based on number of equivalent residential units (ERU) within its borders. This number will be updated annually. Shortfalls in revenue will be subtracted from capital reserves. The delinquency amount will be subtracted from the transfer of funds into the Capital Reserve fund during the first quarter of the following year. The SW Coordinator will provide such end of the year adjustments to the CFO after review with the Management Team. Excess funds will go to operating reserves.

Adopted: December 16, 2013

COUNTY OF ASOTIN:
Brian Shinn

Brian Shinn, Chairman

ATTESTED TO:

Vivian Bly
Vivian Bly, Clerk of the Board

APPROVED AS TO FORM:

Jane Bremner Risley
Jane Bremner Risley
Chief Deputy Prosecuting Attorney
WSBA #20791

Adopted: 12/9/13

CITY OF CLARKSTON

Kathleen DeWarren
Kathleen Warren, Mayor

ATTEST/AUTHENTICATE:

Vickie Storey
Vickie Storey, City Clerk

APPROVED AS TO FORM:

James Grow
James Grow, City Attorney

Adopted: 12/9/13

CITY OF ASOTIN

Vikki Bonfield
Vikki Bonfield, Mayor

ATTEST/AUTHENTICATE:

Tiffany Rogers
Tiffany Rogers, City Clerk

APPROVED AS TO FORM:

Jane Richards
Jane Richards, Attorney