

## RESOLUTION NO 11- 008

### A RESOLUTION OF THE CITY OF ROSLYN, WASHINGTON, AUTHORIZING THE EXECUTION OF AN AGREEMENT RELATED TO REGIONAL SEWER CONSULTANT SERVICES

WHEREAS, the City of Roslyn partners in a regional sewer treatment plant with the cities of Cle Elum, South Cle Elum, and the master planned resort known as Suncadia; and

WHEREAS, the partners desire to hire a consultant to assist with several issues including but not limited to, funding formula review, capacity allocation, reconciliation of payments to date; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSLYN, WASHINGTON, AS FOLLOWS:

Section 1. The Mayor Pro-Tem is authorized to sign the attached agreement.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF THE 22<sup>nd</sup> DAY OF MARCH, 2011.

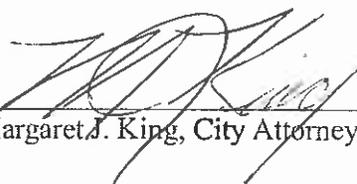
  
\_\_\_\_\_  
Cordy Cooke, Mayor Pro-Tem

ATTEST:

  
\_\_\_\_\_

Amber Shallow, Clerk-Treasurer

Approved as to form:

  
\_\_\_\_\_  
Margaret J. King, City Attorney

ACKNOWLEDGMENT AND AGREEMENT FOR PAYMENT OF FCS GROUP SERVICES  
by and between  
THE CITY OF CLE ELUM, CITY OF ROSLYN, TOWN OF SOUTH CLE ELUM, and SUNCADIA, LLC

Comes now the Upper Kittitas County Regional Sewer Committee, by and through its members city of Cle Elum, City of Roslyn, Town of South Cle Elum and Suncadia, LLC, and confirm by their signatures appearing below, as follows:

1. The parties have each recommended to their respective governing bodies that FCS Group be retained to assist the parties in review of the Upper Kittitas County Regional Wastewater Facility Development Agreement (Sewer Agreement herein) in effort to establish: appropriate formulae for calculation of regional element of operations and maintenance costs for the Regional Waste Water Treatment Facility; calculation of RCE's and ERU's; recommendation for potential arrangements regarding temporary or permanent reallocation of capacity within the RWWTF; and for assistance in conducting a reconciliation of amounts paid by each party to the City of Cle Elum for the regional element of operations and maintenance costs for the RWWTF since each party made its interconnection to the RWWTF;

2. The parties have each received their respective governing bodies' approval to share, in equal parts, the costs of the aforementioned FCS Group contract in an amount not to exceed \$50,000 total in accordance with the attached agreement between the City of Cle Elum and FCS Group for such services or \$12,500 per RSC member, to be paid as follows:

a. South Cle Elum, as of the date of execution of this acknowledgment, has made its agreed-upon one-fourth share with full payment of \$12,500 to the City of Cle Elum for the FCS Group services described in (1), which shall be managed as follows:

i. The City of Cle Elum shall provide South Cle Elum with a copy of each FCS Group invoice received and shall maintain record and keep South Cle Elum apprised of the balance of the South Cle Elum deposit as FCS Group invoices are received, and shall refund to South Cle Elum the remaining balance of its deposit, if any, after the FCS Group contract for services described in (1) above is complete;

b. Roslyn is to be billed by the City of Cle Elum for its respective one-fourth of each invoice received from FCS Group for the services described in (1) above, and Roslyn shall timely remit payment to the City of Cle Elum for its one-fourth share of each invoice, said total payments by Roslyn not to exceed Roslyn's agreed-upon one-fourth equaling \$12,500;

c. Suncadia is to receive a monthly statement from the City of Cle Elum reflecting its respective one-fourth of each invoice received from FCS Group for the services described in (1) above, and the City of Cle Elum shall apply funds from its current Suncadia account identified as the Consultants/Staff Fund, for such amounts, said total amounts applied from the Suncadia Consultants/Staff Fund not to exceed Suncadia's agreed-upon one-fourth equaling \$12,500.

and

3. The City of Cle Elum shall establish a dedicated BARS fund to receive each member's \$12,500 Contribution, as each member's contribution is described in (2) above, for their respective one-fourth share of the FCS Group contract amount for services and the City shall send each party hereto the monthly invoice or statement as described in (2) above reflecting the to-date costs for services under said contract.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

City of Cle Elum

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

City of Roslyn

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

Town of South Cle Elum

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

Suncadia, LLC

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_