

## Resolution No. 588

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BIRCH BAY WATER AND SEWER DISTRICT, WHATCOM COUNTY, WASHINGTON, APPROVING THE DECEMBER, 1997, REVISION OF THE BBBLENS (BIOSOLIDS) INTERLOCAL AGREEMENT.

**Whereas**, the Cities of BLAINE, LYNDEN, EVERSON, NOOKSACK, and SUMAS, are each non-charter, code cities of the State of Washington, LYNDEN, EVERSON, NOOKSACK and SUMAS utilizing a mayor-council form of government, and BLAINE utilizing a council-manager form of government, and the BIRCH BAY WATER AND SEWER DISTRICT is a duly organized and existing combined water and sewer district;

**Whereas**, the District and the Cities are each located in Whatcom County, Washington, own and operate municipal sanitary sewer collection systems; own, operate and/or contract for the primary and secondary treatment of the municipal wastewater so collected;

**Whereas**, since 1989, the above-referenced entities have, under authority of Chapter 39.34 RCW, the Interlocal Cooperation Act, which authorizes local government units of the State of Washington to coordinate by interlocal agreement the mutual provision, performance or acquisition of any services, activities, undertakings or facilities, or the exercise of such power or powers, privileges or authority, as are exercised or capable of exercise or performance by each individually, cooperatively contracted in an entity known as "BBBLENS" for the private transportation and disposal of the byproducts of secondary wastewater treatment, hereinafter referred to as "biosolids";

**Whereas**, the Participants, through the BBBLENS Administrative Committee, have prepared revisions to their interlocal agreement for consideration and adoption by the legislative bodies; **Now Therefore**

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE BIRCH BAY WATER AND SEWER DISTRICT, WHATCOM COUNTY, WASHINGTON, AS FOLLOWS:

**SECTION 1.** The District hereby approves and agrees to execute and be bound by and participate in the **Restated Interlocal Agreement Relating to Municipal Biosolids**, December, 1997, Revision prepared and recommended by the BBBLENS Administrative Committee, a copy of which is attached hereto.

**SECTION 2.** The Manager is authorized and directed to present and certify a duplicate executed original of the **Restated Interlocal Agreement Relating to Municipal Biosolids**, December, 1997, Revision, and to submit the same, together with a duplicate original of this Resolution, to the Lynden City Clerk, as custodian of the BBBLENS documentation.

**SECTION 3.** The District's representatives designated to serve on the BBBLENS

**Resolution No. 588, Cont'd.**

Administrative Committee and to vote on behalf of the District in matters arising before the BBBLENS Administrative Committee are designated in order of priority as follows:

First Designee:

Wastewater Manager

Second Designee:

General Manager

Third Designee:

Fourth Designee:

In the event of the attendance of more than one designee at a BBBLENS Administrative Committee meeting, the District's voting representative shall be representative of the highest priority.

**Adopted** by a majority of the members of the Board of Commissioners of the Birch Bay Water and Sewer District, Whatcom County, Washington, as certified by its Manager at a regular meeting of said Board of Commissioners held the 12<sup>th</sup> day of ~~January~~, 1998.

February

Attest:

BIRCH BAY WATER & SEWER DIST.

By:

PATRICK SIZEMORE, Manager

By:

PATRICK ALESSE  
Commissioner

By:

DON MONTFORT  
Commissioner

By:

[VACANT]  
Commissioner

The undersigned hereby certifies that the foregoing is a true and correct copy of Resolution No. 588 of the Birch Bay Water and Sewer District adopted by a majority of its Board of Commissioners on the 12<sup>th</sup> day of ~~January~~, 1998.

February

Carl F. Reichardt

PATRICK SIZEMORE, Manager

CARL F. REICHARDT, Commissioner