

RESOLUTION NO. 2013-38

A RESOLUTION AUTHORIZING EXECUTION OF A REVISED INTERGOVERNMENTAL AGREEMENT ESTABLISHING A WALLA WALLA VALLEY METROPOLITAN PLANNING ORGANIZATION, AND TAKING SUCH FURTHER ACTION NEEDED THEREWITH

WHEREAS, the City of Walla Walla passed Municipal Ordinance A-2405 on May 13, 1970 which classified the City of Walla Walla as a nonchartered code city under Title 35A of the Revised Code Washington (RCW); and

WHEREAS, section 134 of title 23 of the United States Code requires the designation of a bi-state metropolitan planning organization (MPO) for the efficient management, operation, and development of surface transportation systems for this region; and

WHEREAS, there is a need to form and designate a MPO for this region for cooperative planning and decision making on transportation systems in accordance with 23 U.S.C. § 134; and

WHEREAS, the City passed Resolution 2012-70 (9/26/2012) supporting designation of the Walla Walla Joint Community Development Agency as the lead agency to perform work necessary to develop an intergovernmental agreement and to form and designate a metropolitan planning organization for this region; and

WHEREAS, the City passed Resolution 2012-98 (12/19/2012) authorizing execution of an intergovernmental agreement establishing an MPO; and

WHEREAS, the City has been subsequently been presented with proposed revisions to the intergovernmental agreement Resolution 2012-98 (12/19/2012); and

WHEREAS, the Walla Walla City Council has considered this matter during a regularly and duly called public meeting of said Council, has given said matter careful review and consideration, and finds that good government and the best interests of the City of Walla Walla will be served by passage of this resolution,

NOW THEREFORE, the City Council of the City of Walla Walla do resolve as follows:

Section 1: The City Manager of the City of Walla Walla is hereby authorized, empowered and directed to execute a revised intergovernmental agreement establishing the Walla Walla Valley Metropolitan Planning Organization.

Section 2: By approval of this resolution, the City of Walla Walla has the expectation that the Walla Walla Valley MPO policy board will develop and adopt project selection criteria for project prioritization that includes, but is not limited to safety and capacity improvements, and improvements that address the service life of existing facilities of federally classified roadways and that those criteria will be used in project selection.

Section 3: The City Council reserves the right to review the City's membership in the Walla Walla Valley MPO at any time in accordance with Article V – Commencement and Termination of the Interlocal Agreement.

Section 4: The City Manager of the City of Walla Walla is hereby authorized and empowered to agree to additional revisions to the draft intergovernmental agreement authorized by section 1 of this resolution on the following conditions: (a) the content of any revision agreed by the Walla Walla City Manager shall comply with the Washington Interlocal Cooperation Act, chapter 39.34 of the Revised Code of Washington and section 134 of title 23 of the United States Code, (b) no revision agreed by the Walla Walla City Manager shall relieve the City of Walla Walla from compliance with enactments of the Walla Walla City Council or any other obligation or responsibility imposed by law except that to the extent of actual and timely performance thereof by a joint board or other legal or administrative entity created by an interlocal agreement, such performance may be offered in satisfaction of the obligation or responsibility, (c) any revision agreed by the City Manager shall be reported to the Walla Walla City Council at the first meeting of the Walla Walla City Council following execution of the amendment, and (d) any revision agreed by the City Manager may be revoked by the Walla Walla City Council at the meeting that it is first reported to the Walla Walla City Council.

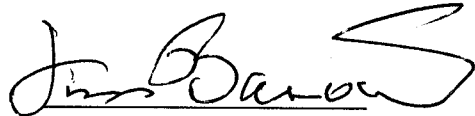
Section 5: The City Manager of the City of Walla Walla is hereby authorized and empowered to execute amendments to the intergovernmental agreement authorized by sections 1 and 4 of this resolution on the following conditions: (a) the content of any amendment executed by the Walla Walla City Manager shall comply with the Washington Interlocal Cooperation Act, chapter 39.34 of the Revised Code of Washington and section 134 of title 23 of the United States Code, (b) no amendment executed by the Walla Walla City Manager shall relieve the City of Walla Walla from compliance with enactments of the Walla Walla City Council or any other obligation or responsibility imposed by law except that to the extent of actual and timely performance thereof by a joint board or other legal or administrative entity created by an interlocal agreement, such performance may be offered in satisfaction of the obligation or responsibility, (c) any amendment executed by the City Manager shall be reported to the Walla Walla City Council at the first meeting of the Walla Walla City Council following execution of the amendment, and (d) any amendment executed by the City Manager may be revoked and terminated by the Walla Walla City Council at the meeting that it is first reported to the Walla Walla City Council.

Section 6: The Walla Walla City Clerk is hereby authorized and directed to attest and file, if necessary, a copy of the interlocal agreement executed in accordance with section 1 of this resolution, and, unless revoked and terminated by the Walla Walla City Council at the meeting that it is first reported to the Walla Walla City Council, any amendment to the interlocal agreement executed and reported in accordance with section 4 of this

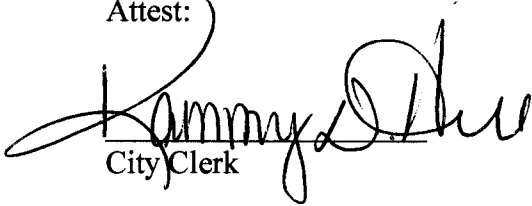
resolution as required by Section 39.34.040 of the Revised Code of Washington and prior to its entry in force.

Section 7: The City of Walla Walla agrees with the designation of the Walla Walla Valley Metropolitan Planning Organization as the metropolitan planning organization for this region in accordance with 23 U.S.C. § 134.

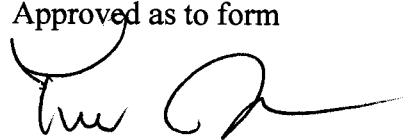
PASSED by the City Council of the City of Walla Walla, Washington, this 13th day of March, 2013.



Mayor

Attest:)


City Clerk

Approved as to form


City Attorney