

RESOLUTION NO. 13-2012

**A RESOLUTION OF THE OMAK CITY COUNCIL APPROVING AN
INTERLOCAL AGREEMENT WITH THE CITY OF OROVILLE AND
THE CITY OF OKANOGAN FOR
JOINT MOSQUITO SPRAYING SERVICES**

WHEREAS, the City of Omak is conducting a competitive bidding process to accept the bid and contract for mosquito spraying in 2012; and

WHEREAS, under RCW 39.34.080 and 39.34.030, sections of the Interlocal Cooperation Act, the cities of Oroville and Okanogan have requested an Interlocal Agreement with Omak to participate in the mosquito spraying contract; and

WHEREAS, each city will contact the successful bidder and be invoiced separately for their spraying services; and

WHEREAS, this Agreement will stand from year to year for all three cities unless the City of Omak is contacted in writing to be eliminated from the spraying contract, according to the contract requirements.

NOW, THEREFORE, THE CITY COUNCIL of the City of Omak, Washington, do hereby resolve that the Interlocal Agreement with the City of Oroville and the City of Okanogan, a copy of which is attached, to contract mosquito spraying services with the successful bidder, pursuant to the competitive bid process conducted by Omak, is hereby approved. The Mayor is authorized to execute and the Clerk is authorized to attest said agreement on behalf of the City.

INTRODUCED AND PASSED this 16th day of April, 2012.

SIGNED:

Cindy Gagne
Cindy Gagne, Mayor

ATTEST:

Kathy Lobdell
Kathy Lobdell, City Clerk

APPROVED AS TO FORM:

Michael Howe
Michael Howe, City Attorney

**INTERLOCAL AGREEMENT
BETWEEN THE CITIES OF OMAK, OKANOGAN AND OROVILLE
PROVIDING FOR MOSQUITO SPRAYING**

This Interlocal Agreement, made and entered into this 17th day of April, 2012, pursuant to the Interlocal Cooperation Act, RCW 39.34, by and between the **City of Omak**, a municipal corporation of the State of Washington, hereinafter referred to as "**Omak**", the **City of Oroville**, a municipal corporation of the State of Washington, hereinafter referred to as "**Oroville**", and the **City of Okanogan**, a municipal corporation of the State of Washington, hereinafter referred to as "**Okanogan**".

Recitals

Whereas, RCW 39.34.080, a section of the Interlocal Cooperation Act, authorizes one city to contract with others to perform any function that each city is authorized by law to perform. Under this statute, one city is authorized to act as agent or contractor for one or more cities or other public entities; and

Whereas, RCW 39.34.030, another section of the Interlocal Cooperation Act, authorizes cooperative action, including joint purchases, by different governmental entities providing that such purchases are in compliance with the purchasing statutes, including the bid laws applicable to each city; and

Whereas, Omak, Okanogan and Oroville are Code Cities and are covered by the same purchasing and bid laws: and

Whereas, Okanogan and Oroville are desirous of being included in purchasing mosquito spraying services based upon Omak's call for bids and subsequent contract.

It is hereby agreed among the parties as follows:

1. The purpose of this Agreement is to allow Okanogan and Oroville to purchase mosquito spraying services pursuant to the competitive bid process conducted by Omak.
2. This Agreement shall take effect upon the execution of same by all three cities and shall remain in effect from year to year unless the City of Omak is contacted in writing, thirty (30) days before the bidding process begins, that either of the cities does not want to participate in the mosquito spraying effort. In that case, the remaining city(s) will participate in the mosquito spraying process.
3. No new or separate legal or administrative entity is created to administer the provisions of this Agreement.

4. Omak shall not be obligated or liable in any way for the purchase of mosquito spraying services by Okanogan or Oroville. Each city shall pay for its respective services as separately billed by the successful bidder.

5. Omak and Oroville hereby waive any conflict of interest due to the fact that both are represented by the same City Attorney.

In Witness Whereof, the parties have caused this Agreement to be signed and attested to by their respective officers below, on the date first above written.

City of Omak:

By Cindy Gagne
Cindy Gagne, Mayor

Attest Kathy Lobdell
Kathy Lobdell, City Clerk

City of Oroville:

By Charles Spieth
Charles Spieth, Mayor

Attest Kathy Jones
Kathy Jones, Clerk/Treasurer

City of Okanogan

By Michael Blake
Michael Blake, Mayor

Attest Craig Attwood
Craig Attwood, Clerk/Treasurer