

Port of Port Angeles

Port Angeles, Washington

Commissioners' Resolution No. 12-1032

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF AN INTERLOCAL AGREEMENT BETWEEN THE PORT OF PORT ANGELES AND THE CITY OF PORT ANGELES REGARDING LITIGATION EXPENSES

WHEREAS, the Port of Port Angeles ("Port") is a municipal corporation of the State of Washington; and

WHEREAS, the City of Port Angeles ("City") is a municipal corporation of the State of Washington; and

WHEREAS, City has intervened in the matter of National Wildlife Foundation v. Federal Emergency Management Agency, United States District case number 2:11-cv-02044-RSM (the "lawsuit"); and

WHEREAS, the lawsuit could result in issuance of an injunction to prohibit the sale of floodplain insurance policies for new development or substantial redevelopment in the Puget Sound region, which could effectively halt nearly all development on floodplain property owned or controlled by the Port; and

WHEREAS, the Port supports the City's position in opposition to an injunction in the lawsuit; and

WHEREAS, it is more cost-effective for the Port to provide financial support toward the City's litigation expenses in the lawsuit than it is for the Port to independently intervene in the lawsuit;

NOW THEREFORE,

BE IT RESOLVED by the Port of Port Angeles:

1. The Port Executive Director is authorized and directed to negotiate and execute an Interlocal Agreement with the City, under which the Port will match the City's legal expenses related to the lawsuit in an amount not to exceed \$2,500.00.
2. This Resolution shall be liberally construed to effect its purposes.

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Commissioners' Resolution No. 12-1032 (cont'd)

ADOPTED by the Port Commission of the Port of Port Angeles this 27th day of February, 2012.


PORT OF PORT ANGELES
BOARD OF COMMISSIONERS



President, John M. Calhoun



Vice President, James D. Hallett



Secretary, Paul L. McHugh