

**ORDINANCE NO. 2009-06-039**

**AN ORDINANCE RELATING TO THE 2009 BUDGET APPROPRIATING AN ADDITIONAL \$225,000.00 FROM ESTIMATED ENDING UNDESIGNATED RESERVES IN THE WATER FUND TO BE USED FOR A SETTLEMENT PAYMENT TO THE MOUNT BAKER SCHOOL DISTRICT.**

**WHEREAS**, in October of 2008, the City of Bellingham, Whatcom County, and the State Department of Natural Resources ("DNR") entered into a settlement agreement with the Mount Baker School District to resolve litigation related to the Lake Whatcom Landscape Plan; and

**WHEREAS**, this settlement agreement is intended to fully compromise and settle those claims brought by all plaintiffs in the matter currently pending in the Skagit County Superior Court entitled Skagit County et al vs. State of Washington et al, and;

**WHEREAS**, this settlement agreement provides that if the Washington State Legislature, in the 2009 legislative session, authorizes the funds for payment of the Department of Natural Resources portion of the settlement, then the City and County would be obligated to pay their portion of the settlement by July 1, 2009; and

**WHEREAS**, in the 2009 legislative session, the Washington State Legislature did appropriate the necessary funds for payment of DNR's portion of the settlement and thus, the Bellingham City Council needs to appropriate the necessary funds for payment of the City's portion of the settlement amounts;

**NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:**

1. The sum of \$225,000.00 is hereby appropriated in the Water Fund. The source of funding will be credited from:

<u>410</u>		<u>WATER FUND</u>	
	5 000	PUBLIC WORKS	
410-50000000810		EST END UNDESIGNATED RESERVE	\$ 225,000.00

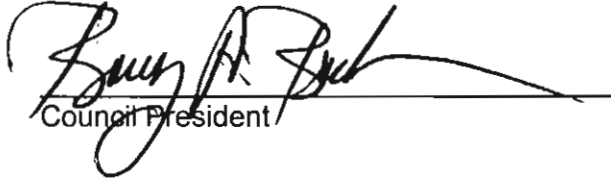
To be debited as follows:

<u>410</u>		<u>WATER FUND</u>	
	5 634	PW WATER/SEWER UTILITY OPS.	
	112	ADMIN - GENERAL SERVICES	
410-56341125199		OTHER INTERGOVERNMENTAL SVC	\$ 225,000.00
			<u>\$ 225,000.00</u>

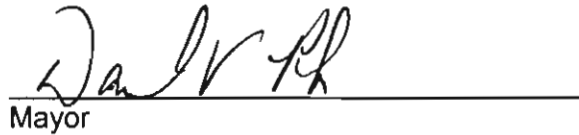
09-22

City of Bellingham  
City Attorney  
210 Lottie Street  
Bellingham, Washington 98225  
360-778-8270

**PASSED** by the Council this 29th day of June, 2009.

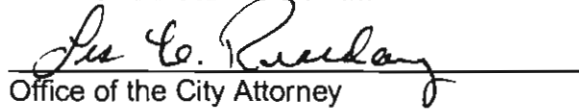
  
Council President

**APPROVED** by me this 1st day of July, 2009.

  
Mayor

**ATTEST:**   
Finance Director

**APPROVED AS TO FORM:**

  
Office of the City Attorney

Published:

July 3, 2009