

RESOLUTION 2023-_____

AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL COOPERATION AGREEMENT PURSUANT TO 53 Pa. C.S.A. §2307 BY AND BETWEEN THE CITY OF BETHLEHEM, BETHLEHEM TOWNSHIP AND THE BETHLEHEM TOWNSHIP MUNICIPAL AUTHORITY.

WHEREAS, the CITY OF BETHLEHEM is a municipal corporation being a City of the Third-Class, subject to the Optional Third-Class City Charter Law, organized and existing under the laws of the Commonwealth of Pennsylvania, its constituent parts being split by law between Northampton County and Lehigh County, Pennsylvania with principal administrative offices at City Hall, 10 E. Church Street, Bethlehem, PA 18018 (hereinafter referred to as “City”); and

WHEREAS, BETHLEHEM TOWNSHIP is a township organized under the laws of the Commonwealth of Pennsylvania (hereinafter referred to as “Township”); and

WHEREAS, the BETHLEHEM TOWNSHIP MUNICIPAL AUTHORITY is a municipal authority organized and existing under the laws of the Commonwealth of Pennsylvania (hereinafter referred to as “BTMA”);

WHEREAS, City owns, operates, and maintains a Municipal Separate Storm Sewer System (“MS4”) that discharges to the Lehigh River, Monocacy Creek, Nancy Run, Saucon Creek, Unnamed Tributaries to the East Branch of the Saucon Creek, Unnamed Tributaries to the Lehigh Coal and Navigation Canal and/or the East Branch of the Saucon Creek; and

WHEREAS, BTMA owns an MS4 that discharges to the Delaware River, Lehigh River, Monocacy Creek and/or Nancy Run; and

WHEREAS, Township operates and maintains an MS4 that discharges to the Delaware River, Lehigh River, Monocacy Creek and/or Nancy Run; and

WHEREAS, the City, Township, and BTMA wish to engage in a collaborative process of implementing Stormwater Management Projects (sometimes individually a “Project” and collectively the “Projects”); and

WHEREAS, each Participant will create, operate, and maintain Stormwater Best Management Practices (“BMP”) Projects within its municipal boundaries or service area designed to improve water quality and/or water quantity management including, without limitation, the retrofitting of basins and enhanced water quality and quantity features; and

WHEREAS, it is contemplated that City, Township and BTMA shall equitably share in the cost to implement the Projects; and

WHEREAS, the City, Township and BTMA desire to enter into the attached Intergovernmental Cooperation Agreement (hereinafter referred to as the "Agreement"), the purpose of which is to set forth, *inter alia*, how the parties will cooperate in the implementation of Projects and the obligations of each party; and

WHEREAS, the Agreement shall become effective upon adoption of authorizing ordinances or resolutions, as appropriate, by the parties and execution of the Agreement by all parties; and

WHEREAS, the Agreement shall remain in effect until terminated by any party upon ninety (90) days written notice to the other parties, provided, however, that any Projects pending at the date of termination shall be completed in accordance with the terms of the Agreement; and

WHEREAS, the Agreement further addresses the manner and extent of funding the obligations of the Agreement and the organizational structure necessary to implement the Agreement.

NOW THEREFORE BE IT RESOLVED, on this ____ day of _____, 2023, that the City Council of the City of Bethlehem, approves and ratifies the Intergovernmental Cooperation Agreement attached hereto and that the Mayor and the Controller and/or such other City officials as deemed appropriate by the City Solicitor, are hereby authorized to execute the same on behalf of the City of Bethlehem.

Sponsored by _____

ADOPTED by Council this ____ day of _____, 2023.

President of Council

ATTEST:

City Clerk