

**SECOND AMENDMENT TO
INTERLOCAL AGREEMENT
BY AND BETWEEN THE PORT OF TACOMA and
THE CITY OF TACOMA
FOR**

Mutual Cooperation & Support Regarding Agency Stormwater Management

The Port of Tacoma, a port district organized under the laws of the State of Washington (hereafter, "**Port**") and the City of Tacoma, a municipal corporation (hereafter, "**City**"), collectively "the Parties" enter into this second amendment (**Second Amendment**) to that certain Interlocal Agreement (hereafter the "**Interlocal Agreement**") pursuant to the Interlocal Cooperation Act (Chapter 39.34 RCW) entered into by and between the Port and the City on or about the 23rd day of July, 2013.

RECITALS

WHEREAS the Port and the City previously entered into the Interlocal Agreement to provide a cooperative framework for coordination by the Parties to eliminate barriers to compliance with the terms of their respective Phase I stormwater permits, which is allowed by the MS4 Permit, and is in the public interest, and

WHEREAS, the Port and the City wish to continue the cooperative framework set forth in the Interlocal Agreement and towards that end, desire to extend the term of the agreement for a second one-year term;

NOW, THEREFORE, in consideration of the mutual promises, benefits and obligations hereinafter set forth, the Parties agree as follows:

Section 1. That Section D.1 of the Interlocal Agreement is hereby amended to read as follows:

1. Effective Date. This Agreement shall be effective upon approval by both the Tacoma City Council and the Port Commission, and execution by all signatories below. The Agreement shall remain in effect until September 30, 2020, unless terminated sooner by either party for convenience.

Exhibit A. Upon the effective date of this Second Amendment, Exhibit "A" to the Interlocal Agreement shall be replaced and superseded by Exhibit A, attached hereto and incorporated herein by this reference as though full set forth herein. Exhibit "A" is updated to reflect current service and labor costs.

Section 2. Except as provided in this Second Amendment, all other terms and conditions of the original Interlocal Agreement shall remain the same and in full force and effect.

APPROVED BY the Commissioners of the Port of Tacoma, State of Washington and signed in authentication thereof the ___ day of _____, 2019.

APPROVED BY the Tacoma City Council pursuant to Resolution No. _____ on the ___ day of _____, 2019.

PORT OF TACOMA:

CITY OF TACOMA

By: Claire Petrich President (Date)
Port of Tacoma Commission

Elizabeth A. Pauli, (Date)
City Manager

ATTEST:

Michael P. Slevin III, P.E. (Date)
Director,
Environmental Services Department

Eric Johnson, (Date)
Executive Director

Saada Gegoux (Date)
Risk Manager

ATTEST:

Doris Sorum, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Carolyn Lake, Port General Counsel

Chief Deputy City Attorney