



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

October 25, 2010

Ordinance 16951

Proposed No. 2010-0486.1

Sponsors Phillips and Drago

1 AN ORDINANCE authorizing the King County executive
2 to execute an amendment to the interlocal agreement with
3 the King County Ferry District extending the expiration
4 date by one year, from December 31, 2010, to December
5 31, 2011.

6 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

7 **SECTION 1. Findings:**

8 A. On April 30, 2007, the King County council approved Ordinance 15739,
9 establishing the King County Ferry District. As authorized by RCW 36.54.110, the ferry
10 district is a municipal corporation, an independent taxing authority within the meaning of
11 Article VII, section 1 of the state Constitution, and a taxing district within the meaning of
12 Article VII, section 2 of the state Constitution.

13 B. On April 14, 2008, the King County council approved Ordinance 16055,
14 authorizing the executive to execute an intergovernmental agreement with the King
15 County Ferry District related to the county providing ferry planning and implementation
16 services to the district.

17 C. An interlocal agreement between the King County Ferry District and King
18 County for ferry planning and implementation services was executed and became
19 effective on May 23, 2008.

20 D. On October 25, 2010, the ferry district board approved Resolution FD2010-
21 20, authorizing the chair of the ferry district board to execute an amendment to the
22 interlocal agreement with King County that provides for a one-year extension of the
23 agreement expiration date, to December 31, 2011.

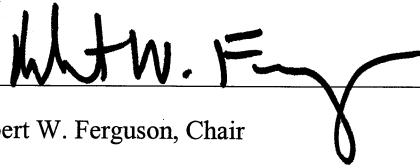
24 SECTION 2. The county executive is hereby authorized to execute an

25 amendment to an existing interlocal agreement, substantially in the form of Attachment A
26 to this ordinance, with the King County Ferry District for the extension of the agreement.
27

Ordinance 16951 was introduced on 9/13/2010 and passed by the Metropolitan King County Council on 10/25/2010, by the following vote:

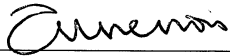
Yes: 9 - Ms. Drago, Mr. Phillips, Mr. von Reichbauer, Mr. Gossett,
Ms. Hague, Ms. Patterson, Ms. Lambert, Mr. Ferguson and Mr. Dunn
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



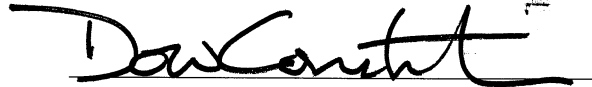
Robert W. Ferguson, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 3 day of NOVEMBER 2010.



Dow Constantine, County Executive

RECEIVED
2010 NOV -4 AM 10:03
CLERK
KING COUNTY COUNCIL

Attachments: A. Second Addendum to Interlocal Agreement Between King County and the King County Ferry District Regarding Administrative and Support Services

AFTER RECORDING RETURN TO:
 Clerk of the King County Ferry District
 W 1039, 516 Third Avenue
 Mail Stop KCC-CC-1039
 Seattle, Washington 98104-3272

SECOND ADDENDUM TO INTERLOCAL AGREEMENT BETWEEN KING COUNTY
 AND THE KING COUNTY FERRY DISTRICT REGARDING ADMINISTRATIVE AND
 SUPPORT SERVICES

Grantor(s): KING COUNTY, a home rule charter County in the State of
 Washington

Grantee(s): KING COUNTY FERRY DISTRICT, a Washington municipal
 corporation

Short Legal Description: N/A

Assessor's Property Tax
 Parcel/Account Number(s): N/A

Reference Number(s) of
 Documents Assigned or
 Released: 20080528000043

THIS SECOND ADDENDUM TO INTERLOCAL AGREEMENT BETWEEN KING COUNTY AND THE KING COUNTY FERRY DISTRICT REGARDING ADMINISTRATIVE AND SUPPORT SERVICES (this "**Second Addendum**") is hereby entered into by and between KING COUNTY, a home rule charter County in the State of Washington (the "County") and the KING COUNTY FERRY DISTRICT, a municipal corporation of the State of Washington (the "District"), and shall be effective upon approval by the County and the District (collectively referred to as the "Parties").

WHEREAS, the County formed the District, in accordance with RCW 36.54.110 *et seq.*, by adopting Ordinance 15739; and

WHEREAS, the Parties entered into the Interlocal Agreement Between King County and the King County Ferry District Regarding Administrative and Support Services, dated effective May 23, 2008, and regarding the operation of ferry service (the "Ferry Service Interlocal"); and

WHEREAS, the Ferry Service Interlocal is in effect until December 31, 2010 and the District had the option to extend the term of the Ferry Service Interlocal once for two additional years; and

WHEREAS, the Parties desire to extend the Ferry Service Interlocal for only one more year and to amend the Ferry Service Interlocal accordingly;

NOW, THEREFORE, the following terms, conditions and covenants are hereby incorporated into, and made a part of, the Ferry Service Interlocal:

1. The Parties agree to amend paragraph 9.1 to the Ferry Service Interlocal to read as follows:

This Agreement shall take effect upon its signing by both parties and shall remain in effect until December 31, 2011 (2010) ~~unless terminated earlier as provided herein. The District may extend this Agreement once for two (2) years by sending notice to the County of its intention to extend the Agreement on or before June 30, 2010 provided, that after April 30, 2011, either party may terminate this Agreement before December 31, 2011 by giving written notice to the other party at least one hundred and twenty (120) days prior to the effective date of termination.~~

2. The Parties agree to amend paragraph 9.3 to the Ferry Service Interlocal to read as follows:

If a party fails to perform its obligations as described in this Agreement, the parties shall use their good faith efforts to resolve the failure to perform using the dispute resolution process of section 10. If the dispute cannot be remedied, written notice of such termination shall be given by the party terminating this Agreement to the other party not less than one hundred and twenty (120) ~~eighty (80)~~ days prior to the effective date of termination; except that if the District fails to make payment as required herein, the County may provide written notice of termination not less than thirty (30) days prior to the effective date of termination.

3. Effective Date. This Second Addendum shall take effect upon its signing by both parties.

4. No Further Amendments or Additions. Except as specifically amended by this Second Addendum, the Ferry Service Interlocal remains un-amended and in full force and effect.

IN WITNESS WHEREOF, the Parties have caused this Second Addendum to be executed.

KING COUNTY

By: _____
Dow Constantine
King County Executive

Dated

Approved as to Form:

Dan Satterberg
King County Prosecuting Attorney

By: _____
Senior Deputy Prosecuting Attorney

Dated

KING COUNTY FERRY DISTRICT

By: _____
Jan Drago, Board Chair

Dated

Approved as to form:

Rod P. Kaseguma, District Attorney

Dated