

SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITIES OF ANACORTES, AUBURN, BELLEVUE, BOTHELL, BREMERTON, BURIEN, BURLINGTON, CAMAS, DES MOINES, EVERETT, FEDERAL WAY, FIRCREST, KENT, LONGVIEW, MARYSVILLE, MOUNT VERNON, NORMANDY PARK, ORTING, PORT ANGELES, PULLMAN, PUYALLUP, RENTON, RICHLAND, SAMMAMISH, SEATAC, SUMNER, UNIVERSITY PLACE AND VANCOUVER AND KITSAP COUNTY REGARDING LEGAL SERVICES

THE INTERLOCAL AGREEMENT (as amended by the First Amendment), hereafter the "Agreement" entered into between the Cities of Anacortes, Auburn, Bellevue, Bothell, Bremerton, Burien, Burlington, Camas, Des Moines, Everett, Federal Way, Fircrest, Kent, Longview, Marysville, Mount Vernon, Normandy Park, Orting, Port Angeles, Pullman, Puyallup, Renton, Richland, Sammamish, SeaTac, Sumner, University Place, Vancouver, and Kitsap County, and any other Phase II Permittees that might become a party to this Interlocal known as the "Coalition of Governmental Entities" is hereby amended as follows:

Paragraph 4.1 of the Interlocal is hereby amended to read as follows:

4.1 Except as provided in Paragraph 4.2 below, the Legal Services' fees and costs shall be shared equally by all Coalition regardless of a member of the Coalition's population or nature or any other factor distinguishing it from another member of the Coalition. This obligation shall continue through conclusion of the Legal Services as provided in Paragraph 2 above, unless a member of the Coalition terminates its participation in this Agreement as provided in Paragraph 5. Members of the Coalition hereby authorize said fees and costs up to a total of \$1,225,000. Additional fees and/or costs may be approved by written amendment to this Agreement by Coalition.

Paragraph 4.2 of the Interlocal is hereby amended to read as follows:

4.2 The provider of Legal Services shall provide a monthly bill of its fees and costs to Bellevue. Bellevue shall timely pay the bill on behalf of Coalition. Within 15 days of approval of this Agreement, each member of the Coalition shall remit its agreed share of the fees and costs to the City of Bellevue. Bellevue shall place these funds into an interest-bearing account, with any interest derived from these funds to be applied to the costs of the provider of Legal Services. At the time of the initial drafting of the Interlocal Agreement, 33 governmental entities had committed to joining this appeal; and paying estimated fees and costs up to \$275,000, with the proportionate share of each member of the Coalition being \$8,333.33. Due to increased costs associated with the Permit cross-appeal filed by Puget Soundkeepers Alliance and others, the Coalition has subsequently authorized additional fees and costs of up to \$650,000, and by this second amendment an increase of \$300,000, for a total of fees and costs of up to \$1,225,000. These additional fees and costs are to be paid in full through contributions from each member of the Coalition in an amount determined according to agreement between the members and with consideration given to the

financial ability of members to pay. In the event Bellevue must take legal action to collect any amount due from a member of the Coalition, Bellevue shall be entitled to recover all costs for said action including reasonable attorney's fees.

Paragraph 4.3 is hereby amended to read as follows:

All other provisions of the Coalition Interlocal Agreement remain in full force and effect.

IN WITNESS, the parties below execute this First Amendment to the Coalition Interlocal Agreement which shall become effective July ____, 2008.

<p>ANACORTES:</p> <p>CITY OF ANACORTES</p> <p>By: _____</p> <p>Print Name: _____</p> <p>Its: _____</p> <p>Date: _____</p>	<p>AUBURN:</p> <p>CITY OF AUBURN</p> <p>By: _____</p> <p>Print Name: _____</p> <p>Its: _____</p> <p>Date: _____</p>
<p>NOTICES TO BE SENT TO:</p> <p>_____</p> <p>-</p> <p>_____</p> <p>-</p> <p>_____</p> <p>-</p> <p>_____</p> <p>-</p> <p>() _____ - _____ (Telephone)</p> <p>() _____ - _____ (Facsimile)</p>	<p>NOTICES TO BE SENT TO:</p> <p>_____</p> <p>-</p> <p>_____</p> <p>-</p> <p>_____</p> <p>-</p> <p>_____</p> <p>-</p> <p>() _____ - _____ (Telephone)</p> <p>() _____ - _____ (Facsimile)</p>
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BELLEVUE CITY OF BELLEVUE By: _____ Print Name: _____ Its: _____ Date: _____	BOTHELL: CITY OF BOTHELL By: _____ Print Name: _____ Its: _____ Date: _____
NOTICES TO BE SENT TO: _____ _____ _____ () _____ - _____ (Telephone) () _____ - _____ (Facsimile)	NOTICES TO BE SENT TO: _____ _____ _____ () _____ - _____ (Telephone) () _____ - _____ (Facsimile)
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BREMERTON CITY OF BREMERTON By: _____ Print Name: _____ Its: _____ Date: _____	BURIEN: CITY OF BURIEN By: _____ Print Name: _____ Its: _____ Date: _____
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BURLINGTON: CITY OF BURLINGTON By: _____ Print Name: _____ Its: _____ Date: _____	CAMAS: CITY OF CAMAS By: _____ Print Name: _____ Its: _____ Date: _____
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DES MOINES CITY OF DES MOINES By: _____ Print Name: _____ Its: _____ Date: _____	EVERETT: CITY OF EVERETT By: _____ Print Name: _____ Its: _____ Date: _____
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<p>FEDERAL WAY:</p> <p>CITY OF FEDERAL WAY</p> <p>By: _____</p> <p>Print Name: _____</p> <p>Its: _____</p> <p>Date: _____</p>	<p>FIRCREST:</p> <p>CITY OF FIRCREST</p> <p>By: _____</p> <p>Print Name: _____</p> <p>Its: _____</p> <p>Date: _____</p>
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<p>KENT:</p> <p>CITY OF KENT</p> <p>By: _____</p> <p>Print Name: _____</p> <p>Its: _____</p> <p>Date: _____</p>	<p>LONGVIEW:</p> <p>CITY OF LONGVIEW</p> <p>By: _____</p> <p>Print Name: _____</p> <p>Its: _____</p> <p>Date: _____</p>
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<p>MARYSVILLE:</p> <p>CITY OF MARYSVILLE</p> <p>By: _____</p> <p>Print Name: _____</p> <p>Its: _____</p> <p>Date: _____</p>	<p>MOUNT VERNON:</p> <p>CITY OF MOUNT VERNON</p> <p>By: _____</p> <p>Print Name: _____</p> <p>Its: _____</p> <p>Date: _____</p>
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<p>NORMANDY PARK:</p> <p>CITY OF NORMANDY PARK</p>	<p>ORTING:</p> <p>CITY OF ORTING</p>
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PORT ANGELES: CITY OF PORT ANGELES By: _____ Print Name: _____ Its: _____ Date: _____	PULLMAN: CITY OF PULLMAN By: _____ Print Name: _____ Its: _____ Date: _____
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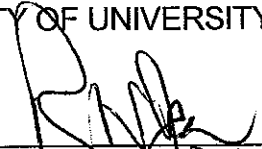
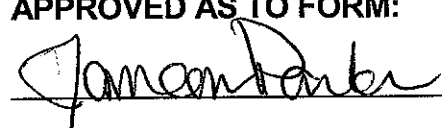
<p>PUYALLUP:</p> <p>CITY OF PUYALLUP</p> <p>By:</p> <p>_____</p> <p>Print Name: _____</p> <p>_____</p> <p>Its: _____</p> <p>Date: _____</p>	<p>RENTON</p> <p>CITY OF RENTON</p> <p>By:</p> <p>_____</p> <p>Print Name: _____</p> <p>_____</p> <p>Its: _____</p> <p>Date: _____</p>
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RICHLAND:	SAMMAMISH
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<p>CITY OF RICHLAND</p> <p>By: _____</p> <p>Print Name: _____</p> <p>Its: _____</p> <p>Date: _____</p>	<p>CITY OF SAMMAMISH</p> <p>By: _____</p> <p>Print Name: _____</p> <p>Its: _____</p> <p>Date: _____</p>
<p>NOTICES TO BE SENT TO:</p> <p>_____</p> <p>-</p> <p>_____</p> <p>-</p> <p>_____</p> <p>-</p> <p>_____</p> <p>-</p> <p>() _____ - _____ (Telephone)</p> <p>() _____ - _____ (Facsimile)</p>	<p>NOTICES TO BE SENT TO:</p> <p>_____</p> <p>-</p> <p>_____</p> <p>-</p> <p>_____</p> <p>-</p> <p>_____</p> <p>-</p> <p>() _____ - _____ (Telephone)</p> <p>() _____ - _____ (Facsimile)</p>
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<p>SEATAC:</p> <p>CITY OF SEATAC</p> <p>By: _____</p> <p>Print Name: _____</p> <p>Its: _____</p> <p>Date: _____</p>	<p>SUMMNER:</p> <p>CITY OF SUMMNER</p> <p>By: _____</p> <p>Print Name: _____</p> <p>Its: _____</p> <p>Date: _____</p>
<p>NOTICES TO BE SENT TO:</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>NOTICES TO BE SENT TO:</p> <p>_____</p> <p>_____</p> <p>_____</p>

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UNIVERSITY PLACE: CITY OF UNIVERSITY PLACE By:  Print Name: <u>Robert W. Jean</u> Its: <u>City Manager</u> Date: <u>8-6-08</u>	VANCOUVER: CITY OF VANCOUVER By: _____ Print Name: _____ Its: _____ Date: _____
NOTICES TO BE SENT TO: <u>Janean Parker, City Attorney</u> <u>City of University Place</u> <u>3715 Bridgeport Way W.</u> <u>University Place, WA 98466</u> <u>(253) 460 - 5426</u> (Telephone) <u>(253) 460 - 2546</u> (Facsimile)	NOTICES TO BE SENT TO: _____ _____ _____ _____ () _____ - _____ (Telephone) () _____ - _____ (Facsimile)
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KITSAP COUNTY: KITSAP COUNTY By: _____ Print Name: _____ Its: _____ Date: _____

NOTICES TO BE SENT TO:

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