

**SECOND AMENDMENT
TO
CITY OF TUMWATER/PORT OF OLYMPIA
INTERLOCAL AGREEMENT
FOR
HABITAT CONSERVATION PLAN
PREPARATION**

This Second Amendment ("Second Amendment") is dated effective this 1st day of November, 2021, and is entered into by and between the CITY OF TUMWATER, a Washington municipal corporation ("CITY"), and the PORT OF OLYMPIA ("PORT"), a Washington public port district.

A. The CITY and the PORT entered into an Interlocal Agreement dated effective the 1st day of November 2016, whereby the parties agreed to prepare a Habitat Conservation Plan jointly ("Agreement").

B. The CITY and the PORT entered into the First Amendment to City of Tumwater/Port of Olympia Interlocal Agreement for Habitat Conservation Plan Preparation dated May 11, 2020 that extended the Agreement until December 31, 2021 ("First Amendment").

C. Section 8 of the Agreement provided that the Agreement may only be amended by written agreement signed by the parties.

D. The CITY and the PORT desire to amend the Agreement to continue the activities described in Section 1 of the Agreement by extending the duration of the Agreement found in Section 2.

NOW, THEREFORE, the parties agree to the following terms and conditions:

1. Duration.

Section 2 of the Agreement shall be amended to extend the term of the Agreement until December 31, 2023.

2. FULL FORCE AND EFFECT.

All other terms and conditions of the Agreement not modified by this Amendment shall remain in full force and effect.

DATED the effective date set forth above.

CITY:

CITY OF TUMWATER
555 Israel Road SW
Tumwater, WA 98501

Pete Kmet, Mayor

DocuSigned by:
Pete Kmet
B11B234114110367

Date: 11/27/2021

PORT:

PORT OF OLYMPIA
606 Columbia Street NW
Olympia, WA 98501

Sam Giboney, Executive Director

DocuSigned by:
Sam Giboney
592110030E7B4D6

Date: 1/19/2022

APPROVED AS TO FORM:

DocuSigned by:
Karen Kirkpatrick
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Karen Kirkpatrick
Tumwater City Attorney

DocuSigned by:
VaLiesha Brown
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VaLiesha Brown
Port Legal Counsel