

**AMENDMENT TO THE INTERLOCAL AGREEMENT
FOR ESTABLISHMENT OF PIERCE COUNTY
TOURISM PROMOTION AREA**

THIS AMENDMENT dated this 25 day of May, 2011, is made and entered into by and among PIERCE COUNTY, a political subdivision of the State of Washington; the CITY OF TACOMA, a municipal corporation of the State of Washington; the CITY OF PUYALLUP, a municipal corporation of the State of Washington; the CITY OF FIFE, a municipal corporation of the State of Washington; the CITY OF GIG HARBOR, a municipal corporation of the State of Washington; the CITY OF LAKEWOOD, a municipal corporation of the State of Washington; the CITY OF DUPONT, a municipal corporation of the State of Washington; and the CITY OF SUMNER, a municipal corporation of the State of Washington, ("Parties") and amends and attaches to and is part of the existing Interlocal Agreement entered into between the Parties.

RECITALS

1. The Pierce County Council, through Resolution R2009-119, authorized the County Executive to enter into an Interlocal Agreement with the cities of DuPont, Fife, Gig Harbor, Lakewood, Puyallup, Sumner and Tacoma for the establishment of a Pierce County Tourism Promotion Area pursuant to RCW 35.101.

2. The Parties have by appropriate legislative action executed an Interlocal Agreement for the Establishment of Pierce County Tourism Promotion Area ("TPA Agreement") to levy special assessments to fund tourism promotion. The Pierce County contract number for the TPA Agreement is 077381-0.

3. The Pierce County Council, through Ordinance 2009-110s, created the Pierce County Tourism Promotion Area to levy special assessments to fund tourism promotion.

4. The parties agree that there is ambiguity in the phrase "and are not intended to supplant existing funding" in Section 7, paragraph E of the TPA Agreement and that this phrase has unintended fund distribution, accounting and auditing consequences.

5. To resolve the ambiguity of this phrase and its unintended consequences, the parties desire to amend the TPA Agreement to clarify the parties' agreement of the management of funds derived from the TPA special assessment.

AMENDMENT

NOW THEREFORE, in consideration of the mutual covenants and conditions contained in this Amendment and the TPA Agreement, the parties agree as follows:

Amendment Section 7, paragraph E

Section 7, paragraph E of the Agreement currently reads as follows:

E. The parties hereto acknowledge and agree that funds derived from the TPA Special Assessment are intended to enhance and extend existing tourism marketing efforts, **and are not intended to supplant existing funding** for the Tacoma/Pierce County Convention and Visitors Bureau (the "CVB", the Pierce County Sports Commission, or any other tourism marketing organization, as set forth in prior agreements. The parties agree that a reduction in funds to the CVB or other tourism marketing organization by a party to this Agreement may impact that party's ability to receive the benefits intended by participation in this Agreement. (emphasis added)

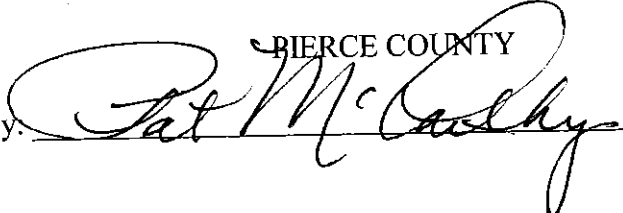
The phrase "**and are not intended to supplant existing funding**" is deleted. The revised paragraph hereafter reads as follows:

E. The parties hereto acknowledge and agree that funds derived from the TPA Special Assessment are intended to enhance and extend existing tourism marketing efforts for the Tacoma/Pierce County Convention and Visitors Bureau (the "CVB"), the Pierce County Sports Commission, or any other tourism marketing organization, as set forth in prior agreements. The parties agree that a reduction in funds to the CVB or other tourism marketing organization by a party to this Agreement may impact that party's ability to receive the benefits intended by participation in this Agreement

In all other respects, the terms, conditions, duties and obligations of the parties shall remain the same as agreed in the TPA Agreement.

This document shall be attached to the existing TPA Agreement.

IN WITNESS WHEREOF, Pierce County and the Cities of DuPont, Fife, Gig Harbor, Lakewood, Puyallup, Sumner, and Tacoma have executed this Agreement by their duly authorized officials pursuant to all requirements of law.

By:  PIERCE COUNTY
By: _____

By: Gay Robin

By: _____

Approved as to form:

John Campbell
Deputy Prosecuting Attorney

CITY OF SUMNER

By: Daniel E. Emslow

Attest: Ken Bony
City Clerk

Approved as to form:

Buer
City Attorney

CITY OF DUPONT

By: Jamara Szuk

Attest: Elin Jensen
City Clerk

Approved as to form:
Bob Sturbank
City Attorney

CITY OF SUMNER

By: _____

Attest: _____
City Clerk

Approved as to form:

City Attorney

CITY OF PUYALLUP

By: _____

Attest: _____
City Clerk

Approved as to form:

City Attorney

CITY OF FIFE

By: *[Signature]*

Attest: *Indira S Edwards*
Acting City Clerk

Approved as to form:
[Signature] *Assistant City atty*
City Attorney

CITY OF GIG HARBOR

By: Charles J. Austin

Attest: Mary Dowler
City Clerk

Approved as to form:

Angela Belbin
City Attorney

CITY OF LAKEWOOD

By: _____

Attest: _____
City Clerk

Approved as to form:

City Attorney

CITY OF GIG HARBOR

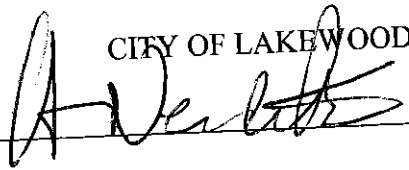
By: _____


Attest: _____
City Clerk

Approved as to form:

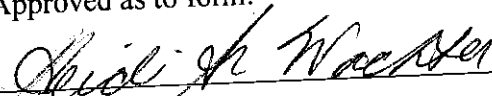
City Attorney

CITY OF LAKEWOOD

By: 

Attest: 
City Clerk 3-31-11

Approved as to form:


City Attorney

CITY OF PUYALLUP

By: Ralph W. Dannenberg
Ralph W. Dannenberg, City Manager

Attest: Brenda Rice
City Clerk

Approved as to form:
[Signature]
City Attorney

CITY OF FIFE

By: _____

Attest: _____
City Clerk

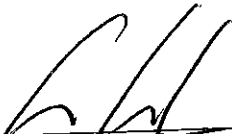
Approved as to form:

City Attorney

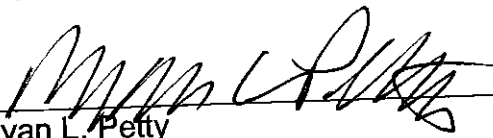
**Amendment to the Interlocal Agreement for establishment of Pierce County
Tourism Promotion Area
signature page**

IN WITNESS WHEREOF the parties hereto have accepted and executed this agreement as of the day and year first written above.


CITY OF TACOMA



Eric A. Anderson,
City Manager



Ryan L. Petty
Community & Economic Development
Director

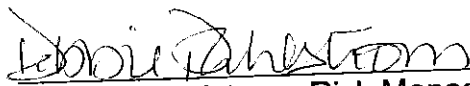
PH 

Robert K. Biles
Finance Director

Approved as to Form and Legality:

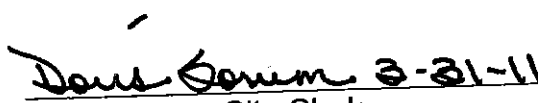


Martina P. Lant
Assistant City Attorney



Debbie Dahlstrom, Risk Manager

Attest:



Doris Sorum, City Clerk

ORIGINAL

1 Sponsored by: Councilmember Roger Bush
2 Requested by: County Executive/Economic Development

3
4 **ORDINANCE NO. 2011-17**
5

6
7
8 **An Ordinance of the Pierce County Council Authorizing the County**
9 **Executive to Execute an Amendment to the Interlocal**
10 **Agreement for the Pierce County Tourism Promotion Area**
11 **(TPA), Established by Ordinance No. 2009-110s.**

12 **Whereas**, the State of Washington by Revised Code of Washington (RCW)
13 39.34 and RCW 35.101 authorized counties to establish Tourism Promotion Areas to
14 permit the levy of Special Assessments for tourism promotion; and
15

16 **Whereas**, the Pierce County Council authorized the establishment of a Tourism
17 Promotion Area within Pierce County by Ordinance No. 2009-110s; and
18

19 **Whereas**, Pierce County entered into an Interlocal Agreement with the cities of
20 Tacoma, Puyallup, Fife, Gig Harbor, Lakewood, DuPont, and Sumner, to administer the
21 Tourism Promotion Area, and assigned its administrative responsibility to the Economic
22 Development Division; and
23

24 **Whereas**, the Economic Development Division has requested an amendment to
25 the Interlocal Agreement to make the administration of the Tourism Promotion Area
26 funds more manageable; and
27

28 **Whereas**, the Economic Development Division recommends that the following
29 words be deleted in the Interlocal Agreement, "and are not intended to supplant existing
30 funding" (Section 7, paragraph E); **Now Therefore**,

31
32 **BE IT ORDAINED by the Council of Pierce County:**
33
34
35



1 Section 1. The Pierce County Executive is authorized to execute an amendment
2 to the Interlocal Agreement the same or substantially the same as that shown on Exhibit
3 A, attached hereto and incorporated herein.

4
5 PASSED this 12th day of April, 2011.

6
7
8 ATTEST:

PIERCE COUNTY COUNCIL
Pierce County, Washington

9
10
11 Cathy Palajou
12
13 **Denise D. Johnson**
14 Clerk of the Council

Roger Bush
Roger Bush
Council Chair

15
16
17 Pat McCarthy
18 **Pat McCarthy**
19 Pierce County Executive
20 Approved Vetoed , this
21 19 day of April, 2011.

22
23 Date of Publication of
24 Notice of Public Hearing: March 23, 2011
25
26 Effective Date of Ordinance: April 29, 2011