

Return Name and Address:
Benton PUD
PO Box 6270
Kennewick, WA 99336

REC'D B. PUD
MAY 30 2017
FINANCE

City of Richland Contract No. 125-16

Document Title: Second Amended Interlocal Cooperative Agreement for Installation of Electric Vehicle Charging Stations Between Public Utility District No. 1 of Benton County, Washington, Public Utility District No. 1 of Franklin County, Washington, Public Utility District No. 1 of Kittitas County, Washington, The City of Richland, Washington, The City of Ellensburg, Washington, and Energy Northwest
Reference Number(s) of Documents assigned or release: 2016-021288 AGR and 2017-003122 AMD
Grantor(s) 1. Public Utility District No. 1 of Benton County, Washington 2. City of Richland, Washington 3. Public Utility District No. 1 of Franklin County, Washington 4. Energy Northwest Additional names on page <u> 1 </u> of document.
Grantee(s) 1. Public Utility District No. 1 of Benton County, Washington 2. City of Richland, Washington 3. Public Utility District No. 1 of Franklin County, Washington 4. Energy Northwest Additional names on page <u> 1 </u> of documents.
The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document or verify the accuracy or completeness of the indexing information provided herein.

**SECOND AMENDED INTERLOCAL COOPERATIVE AGREEMENT FOR INSTALLATION
OF ELECTRIC VEHICLE CHARGING STATIONS**

BETWEEN

**PUBLIC UTILITY DISTRICT NO. 1 OF BENTON COUNTY, WASHINGTON, PUBLIC
UTILITY DISTRICT NO. 1 OF FRANKLIN COUNTY, WASHINGTON, PUBLIC UTILITY
DISTRICT NO. 1 OF KITTITAS COUNTY, WASHINGTON, THE CITY OF RICHLAND,
WASHINGTON, THE CITY OF ELLENSBURG, WASHINGTON, AND ENERGY
NORTHWEST**

BY THIS SECOND AMENDED INTERLOCAL COOPERATIVE AGREEMENT, hereinafter referred to as "Agreement", entered into by latest date of signature below; PUBLIC UTILITY DISTRICT NO. 1 OF BENTON COUNTY, WASHINGTON, a municipal corporation of the State of Washington; hereinafter referred to as "Benton", PUBLIC UTILITY DISTRICT NO. 1 OF FRANKLIN COUNTY, WASHINGTON; a municipal corporation of the State of Washington, hereinafter referred to as "Franklin", PUBLIC UTILITY DISTRICT NO. 1 OF KITTITAS COUNTY, WASHINGTON; a municipal corporation of the State of Washington, hereinafter referred to as "Kittitas", CITY OF RICHLAND, a municipal corporation of the State of Washington, hereinafter referred to as "Richland", CITY OF ELLENSBURG, a municipal corporation of the State of Washington, hereinafter referred to as "Ellensburg", and ENERGY NORTHWEST, a municipal corporation and joint operating agency of the State of Washington, hereinafter referred to as "EN", collectively referred to as "Parties" and individually as "Party" enter into the following agreement:

WHEREAS, Chapter 39.34, RCW (Interlocal Cooperation Act) permits public agencies, including the Parties herein, to make the most efficient use of their powers by enabling them to cooperate with other localities and thereby to provide services and facilities in a manner that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities; AND

WHEREAS, in April 2016, Benton, Franklin, and the Richland entered into an Interlocal Agreement for Installation of Electric Vehicle Charging Stations; AND

WHEREAS, in January 2017, EN, Benton, Franklin, and Richland entered into the First Amended Interlocal Agreement for Installation of Electric Vehicle Charging Stations; AND

WHEREAS, Kittitas and Ellensburg to wish to participate in said Interlocal Agreement for Installation of Electric Vehicle Charging Stations; AND

WHEREAS, the Parties to said Interlocal Agreement for Installation of Electric Vehicle Charging Stations and Kittitas and Ellensburg wish to add Kittitas and Ellensburg to said

accordance with RCW 39.34.040 prior to its entry in force.

In Witness Whereof, the Parties have signed this Second Amended Agreement as of the day and year written below.

**PUBLIC UTILITY DISTRICT NO. 1
OF BENTON COUNTY, WASHINGTON**

By: Chad A. Bertone

Title: GENERAL MANAGER

Date: 2/7/17

**PUBLIC UTILITY DISTRICT NO. 1
OF FRANKLIN COUNTY, WASHINGTON**

By: _____

Title: _____

Date: _____

**PUBLIC UTILITY DISTRICT NO. 1
OF KITTITAS COUNTY, WASHINGTON**

By: _____

Title: _____

Date: _____

CITY OF RICHLAND, WASHINGTON

By: _____

Title: _____

Date: _____

CITY OF ELLENSBURG, WASHINGTON

By: _____

Title: _____

Date: _____

ENERGY NORTHWEST

By: _____

Title: _____

Date: _____

accordance with RCW 39.34.040 prior to its entry in force.

In Witness Whereof, the Parties have signed this Second Amended Agreement as of the day and year written below.

**PUBLIC UTILITY DISTRICT NO. 1
OF BENTON COUNTY, WASHINGTON**

By: _____

Title: _____

Date: _____

**PUBLIC UTILITY DISTRICT NO. 1
OF FRANKLIN COUNTY, WASHINGTON**

By: 

Title: General Manager

Date: 2-9-2017

**PUBLIC UTILITY DISTRICT NO. 1
OF KITTITAS COUNTY, WASHINGTON**

By: _____

Title: _____

Date: _____

CITY OF RICHLAND, WASHINGTON

By: _____

Title: _____

Date: _____

CITY OF ELLENSBURG, WASHINGTON

By: _____

Title: _____

Date: _____

ENERGY NORTHWEST

By: _____

Title: _____

Date: _____

accordance with RCW 39.34.040 prior to its entry in force.

In Witness Whereof, the Parties have signed this Second Amended Agreement as of the day and year written below.

**PUBLIC UTILITY DISTRICT NO. 1
OF BENTON COUNTY, WASHINGTON**

By: _____

Title: _____

Date: _____

**PUBLIC UTILITY DISTRICT NO. 1
OF FRANKLIN COUNTY, WASHINGTON**

By: _____

Title: _____

Date: _____

**PUBLIC UTILITY DISTRICT NO. 1
OF KITTITAS COUNTY, WASHINGTON**

By: Matt Brown

Title: General Manager

Date: 3/28/2017

CITY OF RICHLAND, WASHINGTON

By: _____

Title: _____

Date: _____

CITY OF ELLENSBURG, WASHINGTON

By: _____

Title: _____

Date: _____

ENERGY NORTHWEST

By: _____

Title: _____

Date: _____

5. **Filing.** This Second Amendment shall be filed with the Benton County Auditor in accordance with RCW 39.34.040 prior to its entry in force.

In Witness Whereof, the Parties have signed this Second Amended Agreement as of the day and year written below.

**PUBLIC UTILITY DISTRICT NO. 1
OF BENTON COUNTY, WASHINGTON**

By: _____

Title: _____

Date: _____

**PUBLIC UTILITY DISTRICT NO. 1
OF FRANKLIN COUNTY, WASHINGTON**

By: _____

Title: _____

Date: _____

**PUBLIC UTILITY DISTRICT NO. 1
OF KITTITAS COUNTY, WASHINGTON**

By: _____

Title: _____

Date: _____

CITY OF RICHLAND, WASHINGTON

By:  _____ *HOK*

Cynthia D. Reents, ICMA-CM

Title: City Manager

Date: 4/20/2017

CITY OF ELLENSBURG, WASHINGTON

By: _____

Title: _____

Date: _____

ENERGY NORTHWEST

By: _____

Title: _____

Date: _____

accordance with RCW 39.34.040 prior to its entry in force.

In Witness Whereof, the Parties have signed this Second Amended Agreement as of the day and year written below.

**PUBLIC UTILITY DISTRICT NO. 1
OF BENTON COUNTY, WASHINGTON**

By: _____

Title: _____

Date: _____

**PUBLIC UTILITY DISTRICT NO. 1
OF FRANKLIN COUNTY, WASHINGTON**

By: _____

Title: _____

Date: _____

**PUBLIC UTILITY DISTRICT NO. 1
OF KITTITAS COUNTY, WASHINGTON**

By: _____

Title: _____

Date: _____

CITY OF RICHLAND, WASHINGTON

By: _____

Title: _____

Date: _____

CITY OF ELLENSBURG, WASHINGTON

By: 

Title: CITY MANAGER

Date: 2-22-17

ENERGY NORTHWEST

By: 

Title: PRINCIPAL CONTRACT OFFICER

Date: 2/6/17

RESOLUTION NO. 71-17

A RESOLUTION of the City of Richland authorizing the execution of Amendment No. 2 to Interlocal Cooperative Agreement with Public Utility District No. 1 of Benton County, Public Utility District No. 1 of Franklin County, Public Utility District No. 1 of Kittitas County, City of Ellensburg, and Energy Northwest for installation of electric vehicle charging stations.

WHEREAS, RCW 39.34.010 permits public agencies to make the most efficient use of their powers by enabling them to cooperate with other localities and thereby to provide services and facilities in a manner that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities; and

WHEREAS, on June 7, 2016, the Richland City Council, by adoption of Resolution No. 118-16, authorized the City to enter into an Interlocal Agreement with Benton PUD and Franklin PUD for Installation of Electric Vehicle Charging Stations (Contract No. 125-16); and

WHEREAS, on December 20, 2016 the Richland City Council, by adoption of Resolution No. 231-16, authorized Amendment No. 1 to the Interlocal Agreement, adding Energy Northwest as a participant; and

WHEREAS, the parties to this Interlocal Agreement wish to add Public Utility District No. 1 of Kittitas County and City of Ellensburg, Washington, as participants.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland, that the City Manager is hereby authorized to sign and execute Amendment No. 2 to Interlocal Cooperative Agreement between the City of Richland, Public Utility District No. 1 of Benton County, Public Utility District No. 1 of Franklin County, Public Utility District No. 1 of Kittitas County, City of Ellensburg and Energy Northwest for installation of electric vehicle charging stations.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland at a regular meeting on the 18th day of April, 2017.



ROBERT J. THOMPSON
Mayor

ATTEST:



MARCIA HOPKINS
City Clerk

APPROVED AS TO FORM:



HEATHER KINTZLEY
City Attorney