

**First Amendment to Interlocal Agreement
for the Governmental Jurisdictions within the
Lake Ballinger/McAleer Creek Watershed
Including the Cities of Edmonds, Lake Forest Park, Lynnwood,
Mountlake Terrace, Shoreline and Snohomish County**

This First Amendment to the Agreement ("First Amendment") is entered into by and among Snohomish County, a political subdivision of the state of Washington, and the cities of Edmonds, Lake Forest Park, Lynnwood, Mountlake Terrace, and Shoreline, all municipal corporations of the state of Washington.

RECITALS

WHEREAS, the Agreement, expires on December 31, 2013; and

WHEREAS, The Agreement, by its terms, may be extended for such additional terms as the **Member Jurisdictions** may agree in writing; and

WHEREAS, the **Member Jurisdictions** desire to extend the Agreement for an additional two-year term commencing January 1, 2014 through December 31, 2015 ("extended term"); and

WHEREAS, the **Member Jurisdictions** desire to provide for a new Exhibit D ("Operating Fund Allocations"), a new Exhibit E ("Service Provider Operating Fund Allocations") for the extended term; and

WHEREAS, the **Member Jurisdictions** desire to amend the Agreement on the terms and conditions set forth in this First Amendment.

NOW, THEREFORE, in consideration of the terms, conditions and covenants contained herein, the **Member Jurisdictions** agree to amend the Agreement as follows:

Section 1. Defined Terms. All capitalized terms when used herein shall have the same respective meanings as are given such terms in the Agreement, unless expressly provided otherwise in this First Amendment.

Section 2. Extension of Term. The **Member Jurisdictions** acknowledge and agree that the term of the Agreement shall be extended by an additional two-year term,

commencing January 1, 2014 and remain in effect through December 31, 2015 ("New Term"), unless terminated earlier pursuant to the provisions in the Agreement.

Section 3. Replacement of Exhibit D and Exhibit E. **Member Jurisdictions** acknowledge and agree that Exhibit D and Exhibit E to the Agreement shall be replaced respectively with new Exhibits, Exhibit D1 ("Operating Fund Allocations") and Exhibit E1 ("Service Provider Operating Fund Allocations"), which are attached hereto and incorporated by reference.

Section 4. Method and Duty to File First Amendment. **Member Jurisdictions** shall, upon execution of this First Amendment to the Agreement, post this First Amendment on its official website in accordance with RCW 39.34.040 and RCW 39.34.200.

Section 5. Counterparts. This First Amendment may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument and, collectively, constitute the entire First Amendment.

Section 6. Conflict; No Further Modification. In the event of any conflict between the terms and conditions of the Agreement and the terms and conditions of this First Amendment, the terms and conditions of this First Amendment shall prevail.

Section 7. Remaining Terms of Agreement. Except as specifically set forth in this First Amendment, all other terms and conditions of the Agreement and Exhibits shall remain unmodified and in full force and effect.

Section 8. Effective Date of Amendment. This First Amendment shall become effective upon its execution by **Member Jurisdictions**, as authorized by each jurisdiction's legislative body.

IN WITNESS WHEREOF, the **Member Jurisdictions** hereto have executed this First Amendment on the dates indicated below:

Approved as to Form:

By: Sharon Cates

Title: CITY ATTORNEY

Date: 2-5-14

CITY OF EDMONDS

By: David J. Easley

Title: Mayor

Date: 2.8.14

Approved as to Form:

By: [Signature]

Title: Interim City Attorney

Date: 1/9/14

CITY OF LAKE FOREST PARK

By: [Signature]

Title: Mayor

Date: 1/8/14

Approved as to Form:

By: _____

Title: _____

Date: _____

CITY OF LYNNWOOD

By: _____

Title: _____

Date: _____

Approved as to Form:

By: [Signature]

Title: City Attorney

Date: 1-23-2014

CITY OF MOUNTLAKE TERRACE

By: [Signature]

Title: MAYOR

Date: 1/21/14

Approved as to Form:

By: _____

Title: _____

Date: _____

CITY OF SHORELINE

By: _____

Title: _____

Date: _____

Approved as to Form:

By: _____

Title: _____

Date: _____

SNOHOMISH COUNTY

By: _____

Title: _____

Date: _____

EXHIBIT D1

OPERATING FUND ALLOCATIONS

Table 1

Service Provider Operating Fund Allocation 2014-2015

Allocation shall be equal percentage for each (current) Member Jurisdiction

Jurisdiction	% of Total Original members	% of Total 5 members	% of Total 4 members	% of Total 3 members
Edmonds	16.67%	20.00%	25.00%	33.33%
Snohomish County	16.67%	20.00%	25.00%	
Lake Forest Park	16.67%	20.00%	25.00%	33.33%
Mountlake Terrace	16.67%	20.00%	25.00%	33.33%
Lynnwood	16.67%			
Shoreline	16.67%	20.00%		

EXHIBIT E1

SERVICE PROVIDER OPERATING FUND ALLOCATIONS

Administrative Support Service Provider Needs Listing

The Forum wishes to retain the City of Mountlake Terrace as the Administrative Support Service Provider. The Forum has suggested quarterly meetings at a minimum for the current agreement period with other meetings held as needed. The Service Provider needs listing allows for four quarterly meetings and up to four additional meetings per year.

Duties	Hours/Quarter Year	
1. Attend and take notes at monthly Forum Meeting	5	20
2. Arrange for room reservations, provide materials for meetings	5	20
3. Compile and produce minutes from the Forum meetings	10	40
4. Generate draft agenda for the Forum Meeting - coordinate with the chair and co-chair on meeting agenda	3	12
5. Coordinate e-mail contacts through the Forum distribution list	1	4
6. Assists with cities web site maintenance	6	24
7. Maintains documents record for Forum activities	6	24
8. Prepares News Releases on Forum updates	4	16
Total	40	160

Additional Duties may be added as needs develop

Provider Support through the City of Mountlake Terrace

Administrative Support for 2014 \$4,800

Administrative Support for 2015 \$4,800

This listing assumes services are provided at 40 hours a quarter are allocated for a total of 160 hours for each of the 2014 and 2015 calendar years. Each Member Jurisdiction's cost percentage of the Administrator Support Provider is listed in Exhibit D Table 1.

Federal Government Relations Service Provider Needs Listing

The Member Jurisdictions wish to retain and employ a Federal Government Relations Service Provider, Johnston Group, for the term of the agreement period (January 1, 2014 to December 31, 2015) to provide federal government relation services for the Forum in order to increase its visibility with its congressional delegation and compete for federal funding. The Johnston Group scope of services is attached at the end of this exhibit.

The total cost for each year of the agreement shall not exceed the amounts listed for 2014 and 2015 below.

Government Relations Support through the Johnston Group:

For 2014 \$36,000

For 2015 \$36,000

The Member Jurisdiction's cost percentage of the Federal Government Service Provider is listed in Exhibit D Table 1.

JOHNSTON | GROUP

Appendix A

Scope of Services

The Consultant (“The Johnston Group”) shall provide the scope of services listed below for the Client (“Lake Ballinger/McAleeer Creek Watershed Forum”). The scope of services may include, but not be limited to, the following activities:

Support Federal Funding for the Lake Ballinger/McAleeer Creek Watershed Forum

- Work with the Lake Ballinger/McAleeer Creek Watershed Forum to identify the funding needs and get detailed information about priority projects contained in the Forum’s Capital Improvement Plan.
- Review Forum planning documents and budget to ascertain the full range of Forum initiatives and determine which Forum projects are eligible for support through the existing federal funding programs.
- Advise the Lake Ballinger/McAleeer Creek Watershed Forum about which projects ought to be prioritized for federal grants, directed federal spending via appropriations and authorization bills.
- Assist the Forum with its engagement with the Seattle office of the U.S. Army Corps of Engineers and utilize the delegation to bolster this relationship to result in funding for the Forum.

Prepare and Support the Lake Ballinger/McAleeer Creek Watershed Forum within WRDA Consideration and Potential Funding Opportunities

- Advise the Forum about the creation of collateral materials for federal funding requests.
- Work with the Forum to identify potential supporters for project requests and secure letters of endorsement.
- Coordinate formal submission of appropriations requests, if applicable, and ensure compliance with all deadlines.
- Work with Forum on the Water Resources Development Act reauthorization and seek federal funds to support the Forum’s activities.

- Determine legislative tactics Congress may utilize to enact federal appropriations bills and implement a strategy to preserve funds targeted for the Lake Ballinger Watershed Forum.
- Contact key congressional staff to obtain support for the Forum's federal funding requests and respond to any questions or concerns as appropriate.
- Assist congressional staff in the preparation of letters of request to relevant House and Senate oversight, authorization and appropriations committees and subcommittees.
- Monitor the budget and appropriations process throughout the year with regular legislative updates provided to the Forum.

D.C. Lobbying Meetings

- Schedule meetings in Washington, D.C. with Lake Ballinger/McAleer Creek Watershed Forum representatives and Congressman Larsen, Congressman McDermott, Representative DelBene and Senators Murray and Cantwell. We also may schedule meetings with other members of the delegation as relevant.
- Include the D.C.-based liaison for Washington State Governor Inslee as a part of our D.C. meetings and outreach strategy if appropriate to do so.
- Identify and prepare key congressional staff for federal funding and policy requests and meetings with Forum representatives and elected officials.
- Attend and facilitate meetings in Washington, D.C.
- Prepare Lake Ballinger/McAleer Creek Watershed Forum officials for congressional meetings.
- Follow up to all meetings as appropriate.
- Ensure that district and D.C. based key staff in each delegation office are aligned in support of Forum's goals.
- Maintain regular communication with key legislative staff and elected officials throughout the year in support of the Forum's funding and policy agenda.
- Ensure the delegation is prepared to engage federal Agencies in support of the Forum as necessary and as appropriate.

- Ensure the delegation is prepared to swiftly respond in the event of a flooding event to coordinate disaster relief and support.
- This proposal assumes two annual trips to Washington, D.C. for the Lake Ballinger/McAleeer Creek Watershed Forum.

Involvement of Lake Ballinger/McAleeer Creek Watershed Forum Member Staff and Elected Officials

- Issue monthly activity reports to Forum representatives detailing specific actions taken on the Forum's behalf.
- Engage the Forum's elected officials and staff as necessary to contact Members of Congress and their staff as appropriate in support of the funding requests.
- Counsel the Forum about locally-based lobbying activities to further the Forum's legislative and federal funding priorities, potentially including meeting in North King County / South Snohomish County with members of the federal delegation, participation in congressional sponsored events in Washington State and the continued involvement of district based congressional staff in Forum meetings.
- Draft correspondence as appropriate for the Forum to send to Congress on policy issues and other legislative concerns.
- Work to include Forum elected leadership in delegation based policy discussions as they develop and as appropriate.

Delegation Engagement with the Lake Ballinger/McAleeer Creek Watershed Forum

- Solicit support from each Member of Congress that we are seeking support from (i.e. Congressman Rick Larsen, Congresswoman DelBene, Congressman Jim McDermott, Senator Patty Murray and Senator Maria Cantwell) for our federal funding and policy requests.
- Maintain year-long direct engagement with targeted Members of Congress and their staff.
- Prioritize a visit to the Watershed by district congressional staff to get a firsthand look at the Forum's projects and have an in-depth discussion about the Forum's funding and policy needs.

Grant Funding Strategy

- Solicit support from the Governor and the congressional delegation for the relevant Forum grant applications.