

FIRST AMENDMENT TO AGREEMENT BETWEEN THE CITY OF FIFE
AND THE PORT OF TACOMA
REGARDING the 54TH AVENUE CORRIDOR STUDY

This Agreement (“the First Amendment”) is entered into this 1st day of August, 2021 by and between the City of Fife, a municipal jurisdiction of the State of Washington (hereinafter the “City”), and the **PORT OF TACOMA**, a Washington public port district (the “Port”), (collectively “Parties”) in consideration of the mutual covenants contained herein. The Parties hereby recite and agree as follows:

RECITALS

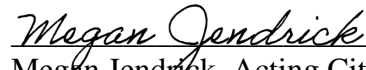
1. The Parties entered into an Agreement (the “Agreement”) with an effective date of November 5, 2019, in which the Port agreed to contribute \$50,000 in funds under the Port’s Local Economic Development program to the City’s 54th Avenue East Corridor Study (“Project”). The Agreement was dated as of the date of the last Party’s signature.
2. The Agreement further provides that it “shall terminate upon completion by both Parties of their respective obligations hereunder, or on August 1, 2021.”
3. The Port’s Local Economic Development Investment Policy, however, stipulates that a financial contribution to a project via the Local Economic Development Infrastructure Investment Fund will be committed for up to two years from the approval of the interlocal agreement between the Port and the recipient.
4. The Project is underway and expected to be completed by December 30, 2021, or within the two years specified by the Local Economic Development Investment Policy, but will not be completed prior to August 1, 2021, when the Agreement will terminate.
5. The Agreement may not be modified except through written amendment approved by the governing body of each Party.
6. The Parties wish to amend the Agreement to allow two years for the Project to be completed prior to termination.

NOW, THEREFORE, pursuant to Chapter 39.34 RCW, and in consideration of the mutual benefits and covenants described herein, the Parties agree to amend the Agreement as follows:

1. The TERMINATION provision in the November 5, 2019 agreement shall be stricken and replaced with the following:


“This AGREEMENT shall terminate upon completion by both Parties of their respective obligations hereunder, or on November 5, 2021, unless terminated earlier.”

CITY OF FIFE;




Megan Jendrick, Acting City Manager
Date: 8/16/21

Approved as to form:




[Entity Attorney] Attorney

PORT OF TACOMA:



Eric D. Johnson, Executive Director
Date: 8/01/21



Heather L. Burgess, Port Legal Counsel