

**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

Interlocal Agreement through the execution of this Second Amendment to the Interlocal Agreement.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants contained herein, the Parties do hereby mutually agree as follows:

- 1. Amendment to the Preamble to the Interlocal Agreement to Add Public Utility District No. 1 of Kittitas County and the City of Ellensburg to the Interlocal Agreement.** The Preamble to the Interlocal Agreement is amended to add Public Utility District No. 1 of Kittitas County and the City of Ellensburg, a municipal corporation and joint operating agency of the State of Washington, as a Party to the Interlocal Agreement. Public Utility District No. 1 of Kittitas County and the City of Ellensburg shall be included in the terms "Party" and "Parties." By executing this Second Amendment, Public Utility District No. 1 of Kittitas County and the City of Ellensburg agrees to the terms and conditions of the Interlocal Agreement.
- 2. Amendment to Title of the Interlocal Agreement.** The title of the Interlocal Agreement is amended to read as follows:

**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**

- 3. No Further Changes or Modifications.** Except as otherwise specifically provided in this Second Amendment, the terms, conditions, and provisions of the Interlocal Agreement shall remain in full force and effect.
- 4. Execution.** This Second Amendment may be executed in any number of counterparts, each of which shall be deemed to be an original as against any party whose signature appears thereon, and all of which shall together constitute one and the same instrument.
- 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: _____

Title: _____

Date: _____

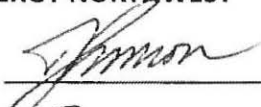
CITY OF ELLENSBURG, WASHINGTON

By: 

Title: CITY MANAGER

Date: 2-22-17

ENERGY NORTHWEST

By: 

Title: PRINCIPAL CONTRACT OFFICER

Date: 2/6/17