

INTERLOCAL AGREEMENT BETWEEN  
THE CITY OF PORT TOWNSEND AND JEFFERSON COUNTY  
TO ESTABLISH  
A REGIONAL PUBLIC DEVELOPMENT AUTHORITY

THIS IS AN AGREEMENT entered into by and between the City of Port Townsend, a municipal corporation of the State of Washington, hereinafter referred to as “City” and Jefferson County, a municipal corporation of the State of Washington, hereinafter referred to as “County,” pursuant to the authority granted in R.C.W. 35.21.730 – R.C.W. 35.21.757 and R.C.W. Chapter 39.34 (the “Interlocal Corporation Act”).

WHEREAS, this Agreement has been authorized by the legislative body of each jurisdiction;

WHEREAS, the City and County find it mutually beneficial and in the public interest to establish a joint and cooperative Regional Public Development Authority authorized to perform any lawful public purpose or public function pursuant to the authority granted in R.C.W. 35.21.730 – 35.21.757; and

WHEREAS, R.C.W. 35.21.740 provides that the powers, authorities or rights granted to any Public Development Authority under the provisions of R.C.W. 35.21.730 – 35.21.757 shall not be operable or applicable, or have any effect beyond the limits of the City and County implementing R.C.W. 35.21.755, unless so provided by contract between the City and County with another city or county.

WHEREAS, the parties hereto desire to enter into such agreement as set forth in R.C.W. 35.21.740 in order to permit the Regional Public Development Authority to operate within the incorporated areas of the City and the County.

WHEREAS, in consideration of the mutual benefits that each of the parties hereto anticipates from the establishment of a joint and cooperative Regional Public Development Authority;

NOW, THEREFORE, the City and County hereby agree as follows:

A. Establishment of a Regional Public Development Authority.

City and County agree to adopt an ordinance, charter and bylaws in the form attached hereto as Exhibit "A," "B" and "C" to establish a Regional Public Development Authority.

B. Powers of the Regional Public Development Authority.

The Regional Public Development Authority shall have all powers and authority as set forth in the ordinance, charter and bylaws attached hereto as Exhibit "A," "B" and "C."

C. Intergovernmental Cooperation.

The Regional Public Development Authority shall cooperate in all practical and available ways with local, state and federal government agencies so as to maximize utilization of grant funds and to enhance the effectiveness of operations and to minimize costs.

D. Territorial Jurisdiction.

The powers, authorities, or rights expressly granted or implied to the City and County under the provisions of R.C.W. 35.21.730 – 35.21.757 establishing the Regional Public Development Authority, shall be operable, applicable and shall have effect within the incorporated areas of the City and County. The City, County and the Regional Public Development Authority shall be authorized and empowered to act within the above-described territory within the terms of Ordinance No. \_\_\_ of the City of Port Townsend passed \_\_\_\_\_, 2005; the terms of Ordinance No. \_\_\_ of Jefferson County passed \_\_\_\_\_, 2005; and the Charter and Bylaws of the Jefferson County Public Fiber Network Authority. The Territorial Jurisdiction of the Regional Public Development Authority shall survive the withdrawal of the City or the County from the Regional Public Development Authority at the option of the Regional Public Development Authority.

#### E. Financing.

The Regional Public Development Authority shall be solely responsible for obtaining financing. The Regional Public Development Authority may accept gifts, grants or loan of money, equipment or services from any lawful source. The Regional Public Development Authority shall also cooperate in all ways with local, state and federal government agencies and any private funding sources to maximize the use of grants or gifts for equipment and operation.

#### F. Duration.

This Agreement is for an indefinite term, subject to termination as set forth in the Regional Public Development Authority ordinance, charter and bylaws attached hereto as Exhibit "A", "B", and "C" and subject to the survival of the Territorial Jurisdiction as set forth in Paragraph D above.

#### G. Amendments.

This Agreement may be amended by written agreement of the legislative bodies of all of the Parties hereto.

#### H. Severability.

The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this Agreement shall not affect the validity of the remainder of the Agreement.

#### I. Effective Date.

The effective date of this Agreement shall be the date of filing with the County Auditor, the Secretary of State and the Clerk of each Principal.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and date that is hereafter shown alongside the signatures of their respective authorized officers.

CITY OF PORT TOWNSEND

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
Town Clerk

JEFFERSON COUNTY

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
Commissioners' Chairperson

ATTEST: \_\_\_\_\_  
County Clerk