

EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

PROJECT TITLE:

Amendment No. 2 to the
Professional Services
Agreement with the Downtown
Everett Association

- Briefing
- Proposed Action
- Consent
- Action
- First Reading
- Second Reading
- Third Reading
- Public Hearing
- Budget Advisory

COUNCIL BILL #

Originating Department

Contact Person

Phone Number

FOR AGENDA OF

Finance

Susy Haugen

425-257-8612

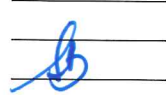
April 17, 2019

Initialed by:

Department Head

Administration

Council President



Location

Preceding Action

Attachments

Department(s) Approval

Amendment No. 2

Legal

| | | |
|----------------------|-----|--------------------|
| Amount Budgeted | -0- | |
| Expenditure Required | -0- | Account Number(s): |
| Budget Remaining | -0- | |
| Additional Required | -0- | |

DETAILED SUMMARY STATEMENT: Council adopted Ordinance 3582-17, which established a three-year budget, spanning January 1, 2018, through December 31, 2020, for the downtown Business Improvement Area (BIA). The original budget did not include an assessment for Snohomish County. The City subsequently entered into an Interlocal Agreement with Snohomish County on January 15, 2019, setting the terms and conditions for the County's participation in the BIA in 2019. The County's continued participation in 2020 will require an additional Interlocal Agreement. This amendment increases the BIA's budget by the amount of Snohomish County's assessment. The additional funds will be used for the Clean & Safe Maintenance Program and supplies.

RECOMMENDATION (Exact action requested of Council): Authorize the Mayor to sign Amendment No. 2 to the Professional Services Agreement with the Downtown Everett Association.

**AMENDMENT NO. 2
PROFESSIONAL SERVICES AGREEMENT
BETWEEN THE CITY OF EVERETT
AND DOWNTOWN EVERETT ASSOCIATION**

This Amendment No. 2 is dated as of _____, 2019. It is by and between the City of Everett, a municipal corporation under the laws of the State of Washington ("City") and the Downtown Everett Association, a Washington non-profit corporation ("Contractor").

RECITALS

A. The City and Contractor are parties to the Professional Services Agreement dated April 25 2005, as amended by Amendment No. 1 dated on or about February 15, 2018 (the "Agreement").

B. At the time the execution of Amendment No. 1, Snohomish County had not yet agreed to participate in the City of Everett Business Improvement Area (BIA).

C. Snohomish County and the City subsequently entered into an Interlocal Agreement that identified mutual responsibilities with respect to Snohomish County's participation in the BIA. Through that Interlocal Agreement, Snohomish County agreed to contribute \$55,349 in 2019 to fund BIA operations.

AGREEMENT

The City and Contractor agree as follows:

1. The Agreement is modified so that effective January 1, 2019, total compensation, including all services and expenses, shall not exceed a maximum of \$479,867 in 2019.
2. If Snohomish County renews its Interlocal Agreement with the City and extends the County's participation in the BIA through 2020, total compensation for Contractor for 2020 will be the sum of (a) \$424,518 and (b) the amount the County contributes to the BIA for 2020 in such renewal. If Snohomish County does not renew its Interlocal Agreement with the City to extend the County's participation in the BIA for 2020, total compensation in 2020 will remain \$424,518.
3. At the sole discretion of the City, the City may consent to the Contractor's signature on this Amendment being by email, fax, pdf or other electronic means, in which case such Contractor signature will be deemed an original signature for all purposes. The City will be deemed to have given such consent effective upon execution of this Amendment by the Mayor.
4. All provisions in the Agreement shall remain in effect except as expressly modified by the Amendment.

**CITY OF EVERETT
WASHINGTON**

DOWNTOWN EVERETT ASSOCIATION

By: _____
Cassie Franklin, Mayor

Signature: Dana Oliver
Dana Oliver, Executive Director

Date: _____

Date: 3/19/2019

ATTEST:

Sharon Fuller, City Clerk

Date: _____

APPROVED AS TO FORM:

James D. Iles, City Attorney

Date: _____