

**AMENDMENT TO
EASTSIDE FIRE & RESCUE AGREEMENT
(NONPROFIT CORPORATION)**

THIS AMENDMENT is entered into by and between KING COUNTY FIRE PROTECTION DISTRICT NO. 10, King County, Washington, KING COUNTY FIRE PROTECTION DISTRICT NO. 38, King County, Washington, the CITY OF ISSAQUAH, Washington, the CITY OF NORTH BEND, Washington and the CITY OF SAMMAMISH, Washington, all Washington municipal corporations (collectively, the “Parties”).

RECITALS

A. On January 1, 1999, Eastside Fire & Rescue was created by interlocal agreement pursuant to Chapter 39.34 RCW.

B. In December 2007, the Parties amended and replaced the original interlocal agreement, as amended, with the Eastside Fire & Rescue Interlocal Agreement, which extended the operation of Eastside Fire & Rescue to December 31, 2014 (“Interlocal Agreement”).

C. RCW 39.34.030 authorizes the Parties to create a separate legal entity to exercise their joint powers, which entity may include a nonprofit corporation organized pursuant to Chapter 24.06 RCW. RCW 39.34.030 also requires the Parties to specify such nonprofit corporation in the interlocal agreement for the exercise of joint powers.

D. The Parties desire to create a nonprofit corporation pursuant to chapter 24.06 RCW and to amend the Interlocal Agreement accordingly to satisfy the requirement of RCW 39.34.030.

AMENDMENT

In consideration of the mutual covenants and conditions contained in the Interlocal Agreement, the Parties agree as follows:

1. **Addition of new Paragraph 29.** A new paragraph 29 is added to the Interlocal Agreement to read as follows:

29. Non-Profit Corporation. The Joint Fire Department (Eastside Fire & Rescue) is formed pursuant to RCW 39.34.030 to perform the services described in this Agreement and to exercise all powers, privileges and authority authorized by Chapter 39.34 RCW and this Agreement. The Joint Fire Department (Eastside Fire & Rescue) shall be organized as a non-profit corporation under Chapter 24.06 RCW.

2. **Amendment of Paragraph 9.** Paragraph 9 of the Interlocal Agreement is amended to read as follows:

9. Employer. The non-profit corporation created pursuant to this Agreement and RCW 39.34.030 shall serve as the employer of all employees and volunteers of the Joint Fire Department (Eastside Fire & Rescue).

3. **Effective Date.** This Amendment shall be effective on the first day of the month following the effective date of the Articles of Incorporation for Eastside Fire & Rescue.

4. **Counterparts.** This Amendment may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

CITY OF ISSAQUAH

KING COUNTY FIRE DISTRICT NO.
10

By _____

By _____

Date _____

Date _____

CITY OF NORTH BEND

KING COUNTY FIRE DISTRICT NO.
38

By _____

By _____

Date _____

Date _____

CITY OF SAMMAMISH

By _____

Date _____