

RESOLUTION 2019-H

**A RESOLUTION OF THE TOWN OF EATONVILLE, WASHINGTON,
APPROVING A FOURTH AMENDMENT TO THE OPERATIONAL
SERVICE AGREEMENT WITH PIERCE COUNTY FIRE PROTECTION
DISTRICT NO. 17 (DBA SOUTH PIERCE FIRE AND RESCUE)**

WHEREAS, on or about September 1st, 2015, the Town and SPFR entered into an Operational Service Agreement (the "Agreement") for full consolidation of all fire suppression, fire prevention and other services incidental to the protection of persons and property in the Town; and

WHEREAS, the Town and SPFR desire to amend the Agreement by reducing the number of months' written notice that one party seeking termination of the Agreement must give to the other party from 18 months to 12 months; and

WHEREAS reducing the number of months' from 18 month to 12 months gives both parties time to negotiate a new contract; now, therefore,

**THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, WASHINGTON,
HEREBY RESOLVES AS FOLLOWS:**

THAT: The Town Council approves, and the Mayor is authorized to execute on behalf of the Town, the attached fourth Amendment to the Operational Service Agreement with Pierce County Fire Protection District No. 17 reducing the number of months' written notice that one party seeking termination of the Agreement must give to the other party from 18 months to 12 months.

PASSED by the Town Council of Town of Eatonville and attested by the Town Clerk in authentication of such passage this 11th day of February 2019.

Mike Schaub, Mayor

ATTEST:

Kathy Linnemeyer, Town Clerk

**4th AMENDMENT TO THE
TOWN OF EATONVILLE
AND
PIERCE COUNTY FIRE PROTECTION DISTRICT NO. 17
(DBA SOUTH PIERCE FIRE AND RESCUE)
OPERATIONAL SERVICE AGREEMENT**

THIS 4th AMENDMENT TO THE INTERLOCAL OPERATIONAL SERVICE AGREEMENT is entered into by and between the TOWN OF EATONVILLE, a Washington State municipal corporation (hereinafter referred to as “the Town”) and PIERCE COUNTY FIRE PROTECTION DISTRICT NO. 17, a Washington State municipal corporation (hereinafter referred to as “SPFR”).

RECITALS

WHEREAS, on or about September 1st, 2015, the Town and SPFR entered into an Operational Service Agreement (the “Agreement”) for full consolidation of all fire suppression, fire prevention and other services incidental to the protection of persons and property in the Town; and

WHEREAS, the Town and SPFR desire to amend the Agreement by reducing the number of months’ written notice that one party seeking termination of the Agreement must give to the other party from 18 months to 12 months; now, therefore, the parties agree as follows:

AGREEMENT

A. Paragraph A of Section I “General Provisions” is hereby amended to read as follows:

1. **Term**

This Agreement shall commence on the 1st day of September 2015, and continue thereafter for a period of five (5) years. In order to terminate the Agreement at the end of the five (5) year period it will be necessary for the party seeking termination of the Agreement to give the other party written notice of their intent to terminate ~~eighteen (18)~~ twelve (12) months prior to the effective date of the termination of the Agreement. After five (5) years, if neither party has given written notice of intent to terminate, this Agreement shall automatically renew for successive one (1)-year terms until either party gives the other party ninety (90)-days’ written notice of termination.

It is the parties’ intent to go to their voters during the initial 5-year term of this Agreement to seek approval of a full annexation into SPFR. Accordingly, if the voters approve annexation, either party may give written notice to the other party terminating this Agreement effective upon such date as the parties may agree.

- B. Except as provided herein, all terms and conditions of the Agreement shall remain in full force and effect.
- C. This Agreement has been approved by the Eatonville Town Council at a regularly scheduled Council meeting and by the Commissioners of SPFR at a regularly scheduled Commissioners' meeting.

TOWN OF EATONVILLE

PIERCE COUNTY FIRE
PROTECTION DISTRICT
NO. 17 (SPFR)

Mike Schaub, Mayor

Commissioner

Attest:

Commissioner

Town Clerk

Commissioner

Date: _____

Commissioner

Commissioner

Attest:

SPFR District Secretary

Date: _____