

**KC-199-02-F**  
**FORM OF AMENDMENT TO INTERLOCAL AGREEMENT**

First Amendment to Second Amended and Restated Interlocal Agreement  
Regarding Funding, Development and Operation of the  
Kitsap Special Events Center

1. Date and Parties. This First Amendment to Second Amended and Restated Interlocal Agreement Regarding Funding, Development and Operation of the Kitsap Special Events Center ("Amendment") is dated **Nov. 9**, 2022, and is entered into by and between KITSAP COUNTY ("County"), a municipal corporation organized and operating pursuant to the Constitution and laws of the State of Washington, and the KITSAP PUBLIC FACILITIES DISTRICT ("PFD"), a municipal corporation duly organized and operating pursuant to the laws of the State of Washington and as established by the County, to amend the Second Amended and Restated Interlocal Agreement Regarding Funding, Development and Operation of the Kitsap Special Events Center dated May 19, 2003, between the County and the PFD ("Original Interlocal Agreement"). Capitalized terms used but not defined in this Amendment have the meanings assigned in the Original Interlocal Agreement.

2. General Recitals.

The Board of County Commissioners established the PFD, pursuant to the Charter and Resolution No. 093-2000, to perform any functions, or combination of functions, authorized by the Charter. The PFD, under the authority of RCW 82.14.390, imposed the Sales Tax to support the Project selected by the PFD. The PFD has determined that the cost of providing and operating the Project can be reduced through partnership with the County, and accordingly the County has issued bonds to finance the Project, to be repaid with the Sales Tax.

3. Amendment of Definition. The definition of "Sales Tax" in the Original Interlocal Agreement is amended to read as follows (additions are double underlined and deletions are ~~struck-through~~):

"Sales Tax" means the nonvoted sales and use tax to be imposed by the PFD in accordance with RCW 82.14.390 at a rate not to exceed 0.033% of the selling price in the case of a sales tax or value of the article used in the case of a use tax, which tax shall be deducted from the amount of tax otherwise required to be collected or paid over to the State's Department of Revenue and shall expire when the Bonds (or any additional bonds issued to finance the completion of the Project) are retired, or in any event not later than September 1, ~~2026~~ 2041.

4. Amendment Supersedes Inconsistent Provisions; Ratification. This Amendment supersedes and controls any inconsistent provisions in the Original Interlocal Agreement. Except as otherwise amended as provided herein, the remaining terms of the Original Interlocal Agreement are hereby ratified and confirmed.

5. Effective Date. This Amendment shall become effective upon execution by the County and the PFD and filing with the Kitsap County Auditor.
6. Execution in Counterparts. This Amendment may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

DATED or ADOPTED this 9 day of November, 2022.



**BOARD OF COUNTY COMMISSIONERS  
KITSAP COUNTY, WASHINGTON**

NOT PRESENT

\_\_\_\_\_  
EDWARD E. WOLFE, Chair

  
\_\_\_\_\_  
CHARLOTTE GARRIDO, Commissioner

  
\_\_\_\_\_  
ROBERT GELDER, Commissioner

ATTEST:



\_\_\_\_\_  
Dana Daniels, Clerk of the Board

**Kitsap Public Facilities District**

  
\_\_\_\_\_  
Executive Director, Russ Shiplet

11/9/22  
\_\_\_\_\_  
Date

