

ATTACHMENT B

2024 – SIXTH AMENDMENT TO THE 1994 INTERLOCAL AGREEMENT FOR THE JOINT DEVELOPMENT AND COOPERATIVE USE OF BALLFIELDS AT MARYMOOR PARK BETWEEN KING COUNTY AND CITY OF BELLEVUE

RECITALS

- A. On June 7, 1994, King County, a political subdivision of the State of Washington (“County”), and the City of Bellevue, a municipal corporation (“City”), entered into an Interlocal Agreement related to the development, scheduling, maintenance, and operation of the Bellevue/King County Marymoor Ballfield Complex and park amenities as described in the Interlocal Agreement. Together, the City and the County are referred to herein as "the Parties."
- B. On October 21, 2005, the Parties amended the 1994 Interlocal Agreement (“Agreement”) to address Annual Meetings, define Special Events and provide for the sharing of maintenance and operating costs in a new subparagraph C in Section 37.2, through 2007.
- C. On December 24, 2009, the Parties amended the Agreement a second time to update the maintenance and operating cost sharing arrangement established in General Maintenance, Section 37.2.C, through 2012.
- D. On April 10, 2013, the Parties amended the Agreement a third time to address update the maintenance and operating cost sharing arrangement established in General Maintenance, Section 37.2.C, through 2017.
- E. On April 12, 2018, the Parties amended the Agreement a fourth time to update the maintenance and operating cost sharing arrangement established in General Maintenance, Section 37.2.C, through 2022.
- F. On August 31, 2023, the Parties amended the Agreement a fifth time to update the maintenance and operating cost sharing arrangement established in General Maintenance, Section 37.2.C through 2023.
- G. Both Parties have met, conferred, and renegotiated the terms of this agreement as intended pursuant to Paragraph 9, and now wish to amend the Agreement once again to update the maintenance and operating cost sharing arrangement established in General Maintenance, Section 37.2.C regarding how City will compensate the County for maintenance costs incurred by the County through December 31, 2024, how the parties may come to agreements regarding cost sharing in the future, and to update the term of this Agreement.

THEREFORE, King County and the City agree to amend the Agreement as follows:

1. Section 37.2.C. General Maintenance shall read:

C. The City and County agree to split maintenance and operating costs on a 60% City – 40% County basis. The County provides the day-to-day maintenance of the facility; the City provides annual field renovation and pays the full annual fee to lease the Ballfields land from the Bellevue Utility Department, including the County’s 40% share of that fee. The Parties agree that the day-to-day maintenance provided by the County includes:

- i. Field preparation
- ii. Lot and island landscape/maintenance
- iii. Utilities (water, sewer, electrical lights used)
- iv. Miscellaneous repair (examples: repair and replacement of sprinkler parts, plumbing fixtures, and parts for restroom repairs), and/or other items as identified and mutually agreed upon by each party’s representatives.

The Parties agree that the cost of the County’s day-to-day maintenance work exceeds the County’s agreed upon 40% share of annual Ballfields costs, even when the cost of the City’s annual renovation work and the full annual lease fee are included in the City’s 60% share.

Therefore, to ensure an equitable distribution of annual costs, the City shall reimburse the County the amounts stipulated in Table 1.

TABLE 1
2023 payment amount: \$56,571 (as memorialized in Amendment 5).
The Parties agree to increase the City's annual payment to County by 2.5%, rounding to the nearest dollar, as follows: 2024 PAYMENT AMOUNT: \$57,985

The agreement of the Parties memorialized in the table above regarding the amount of future reimbursement is only intended to represent the amounts to be reimbursed should the term of this Agreement continue and is not intended to be an agreement to continue the term of this Agreement for the entire time period above, nor is it intended to amend or modify Section 11 (Time Period) or Section 25 (Termination) of this Agreement.

D. The Parties agree that if and when the Bellevue Parks and Community Services Department acquires the land under the Ballfields, such that the Department no longer pays a lease fee for the land, then the reimbursement amounts in Table 1 shall increase in an amount determined by the County, which amount shall be prorated from the date of acquisition and shall maintain the 60% City – 40% County split of maintenance and operations costs between the Parties.

E. The City and County agree that prior to the term ending on December 31, 2024, they will evaluate, discuss, and endeavor to agree upon modifications to the cost sharing plan for 2025 and future years. The City and County agree that future cost sharing plans may be supplemented as an addendum to this Agreement upon the written agreement of the parties.

2. Section 11 TIME PERIOD is stricken and replaced with the below, and shall read:

11. TIME PERIOD. The initial term of this Agreement is thirty (30) years, ending on June 29, 2024. After the end of the initial term, this Agreement is renewed automatically for six (6) months, ending on December 31, 2024; and thereafter is renewed automatically for succeeding periods of one (1) year each. Either Party may dispense with renewal or further renewal by so notifying the other Party in writing. Such notices shall be delivered to the other Party not less than one hundred eighty (180) days before the date of the expiration of the Agreement.

3. All other terms, conditions, specifications, and requirements of the Agreement shall remain unchanged and in full effect, except as amended herein.

APPROVED BY:

KING COUNTY

CITY OF BELLEVUE

Signature

Signature

Name

Name

Title

Title

Date

Date

Approved as to form:

King County Prosecuting Attorney

Assistant City Attorney

Signature

Date