

**AMENDMENT NO. 3 TO THE INTERLOCAL GOVERNMENT AGREEMENT
TO CREATE THE EASTERN WASHINGTON AREA AGENCY ON AGING**

THIS AMENDMENT NO. 3 (“Amendment No. 3 Agreement”) to the Interlocal Government Agreement to Create the Eastern Washington Area Agency on Aging is made and entered into by and among **SPOKANE COUNTY**, having offices for the transaction of business at W. 1116 Broadway, Spokane, Washington 99201; **STEVENS COUNTY**, having offices for the transaction of business at Stevens County Courthouse, Colville, Washington 99114; **WHITMAN COUNTY**, having offices for the transaction of business at the Whitman County Courthouse, Colfax, Washington 99111; **PEND OREILLE COUNTY**, having offices for the transaction of business at the Pend Oreille County Courthouse, Newport, Washington 99156; **FERRY COUNTY**, having offices for the transaction of business at the Ferry County Courthouse, Republic, Washington 99166; and the **CITY OF SPOKANE**, having offices for the transaction of business at 808 W. Spokane Falls Boulevard, Spokane, Washington 99201, jointly referred to as the **Parties** and the **CITY OF SPOKANE VALLEY**, having offices for the transaction of business at 10210 E. Sprague Avenue, Spokane Valley, WA 99206.

RECITALS:

WHEREAS, pursuant to the provisions of RCW 36.32.120(6), the Boards of County Commissioners of counties within the State of Washington have the care of their respective county property and the management of their respective funds and business; and

WHEREAS, the 1965 Older Americans Act was passed by Congress for the purpose of establishing programs and services for older Americans and required, in conjunction therewith, the establishment of area agencies on aging to provide services and programs for older Americans; and

WHEREAS, pursuant to the above legislation, as well as the provisions of chapter 39.34 RCW, in 1978 Ferry County, Pend Oreille County, Spokane County Stevens County, Whitman County and the City of Spokane entered into an Interlocal Agreement termed “Interlocal Government Agreement to Create the Eastern Washington Area Agency on Aging” (“Interlocal Agreement”); and

WHEREAS, in 1987, the Parties executed a document entitled “AMENDMENT TO INTERLOCAL GOVERNMENT AGREEMENT TO CREATE THE EASTERN WASHINGTON AREA AGENCY ON AGING” wherein the Parties amended the Interlocal Agreement to reconfigure the prior “Panel on Aging and Advisory Council” into the current “Planning and Management Council;” and

WHEREAS, in 1995, the Parties executed a document entitled “AMENDMENT TO THE BY-LAWS AND THE INTERLOCAL AGREEMENT OF THE EASTERN WASHINGTON AREA AGENCY ON AGING” wherein the Parties amended the Interlocal Agreement and bylaws adopted thereunder to change the name of the agency

from "Eastern Washington Area Agency on Aging" to "Aging and Long Term Care of Eastern Washington;" and

WHEREAS, the Interlocal Agreement includes an Article addressing Modification which provides as follows:

ARTICLE XII. MODIFICATION. No change or addition of any printed portion of this Agreement shall be valid or binding upon any Party. There shall be no modification of the Agreement, except in writing, executed with the same formalities as this present instrument; and

WHEREAS, since the execution of the 1978 Interlocal Agreement, the City of Spokane Valley has been incorporated within Spokane County. The Governing Board of the Aging and Long Term Care of Eastern Washington desires to add the City of Spokane Valley to the Interlocal Agreement, including adding a representative of the City of Spokane Valley as a member of the Governing Board, subject to the terms and conditions of the Interlocal Agreement, as amended.

NOW, THEREFORE, for and in consideration of the above referenced recitals which are incorporated herein by reference and other good and valuable consideration, receipt of which is hereby acknowledged, the Parties do agree that the Interlocal Agreement executed in 1978 among the Parties, as amended in 1987 and 1995, be and is hereby modified as follows:

MODIFICATION NO. 1: Additional Party.

The City of Spokane Valley, by executing this Amendment No. 3 Agreement, will become a party to the Interlocal Agreement executed in 1978 among the Parties, as amended in 1987 and 1995 and all terms and provisions therein:

MODIFICATION NO. 2: ARTICLE VI. ORGANIZATION of the Interlocal Agreement shall be modified as follows:

(Underlined bolded language added, lined out bolded language deleted.)

ARTICLE VI. ORGANIZATION.

A. General Provisions: The Agency is a separate administrative entity organized as a public regional body in accordance with the requirements with the Federal Older Americans Act, as amended. The principal organizational components shall be a Governing Board, and a Planning and Management Council.

B. Governing Board: The Governing Board shall be composed of one representative ~~((duly))~~ appointed by each of the Counties to this Agreement; ~~((three))~~ two representatives ~~((duly))~~ appointed by the Spokane City Council, one of whom shall be the director or designee of the City's Community, Housing and Human Services Department or related

department; one representative appointed by the City of Spokane Valley City Council; and as an ex-officio member, the Chairperson of the Planning and Management Council. The Governing Board shall, by a two-thirds (2/3) vote of its membership, adopt and amend the Agency By-Laws. On all other matters, a majority of the total members of the governing Board shall constitute a quorum, and a majority vote of the quorum shall be necessary to take action on any matter coming before the Governing Board. The Governing Board, in addition to adopting and amending the Agency By-Laws, shall have the authority to approve the annual Area Plan on Aging, approve the annual operating budget, adopt personnel policies, adopt Agency operating procedures, appoint an Agency Director, execute agreements and contracts and any other duties as may be established by Agency By-Laws. The Governing Board may select a Chairperson, Vice Chairperson, and other officers. The Chairperson shall be empowered, at times other than open meetings to execute all agreements and contracts which have been negotiated and approved by the Governing Board at open meetings.

C. Planning and Management Council: The Planning and Management Council shall be composed of no less than twenty-seven (27) and no more than thirty-five (35) members. It shall be representative of all counties within the Agency's service area. Further, to facilitate close working relationships among ((EWAAA)) ALTCEW and the parties hereto, ((~~six (6)~~)) seven (7) members of the Council shall be representatives of the units of general purpose local government party to this agreement. Additional composition requirements for the Council, appointment procedures and members' terms of service shall be established in the Agency By-Laws. The Council shall be responsible for performing the following:

- (1) Planning activities, including development of the Area Plan on Aging for PSA #11, and Annual Updates thereon;
- (2) Implement the Area Plan on Aging, once adopted by the ((EWAAA)) ALTCEW Governing Board;
- (3) Represent the interest of older persons;
- (4) Administer the internal affairs of the Agency pursuant to policies and procedures adopted by the Governing Board;
- (5) When requested by the Governing Board, recruit and screen all applicants for the position of Agency Director, and refer the most qualified candidates to the Board for consideration;
- (6) Review and recommend to the Board for adoption the Agency's Annual Report concerning its activities;
- (7) Make recommendations to the Governing Board on amendments to Agency's By-Laws; and

(8) Other duties as may be established by the Agency By-Laws.

BE IT FURTHER AGREED by the Parties that but for the above MODIFICATION NO. 1 Additional Party, and MODIFICATION No. 2 to ARTICLE VI. ORGANIZATION, all other provisions within the Interlocal Agreement executed in 1978 by the Parties, as amended in 1987 and 1995, shall remain in full force and effect without any change or modification whatsoever.

BE IT FURTHER AGREED by the Parties that this Amendment No. 3 may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original, but such counterparts shall together constitute but one and the same.

BE IT FURTHER AGREED, by the Parties that the provisions of this Amendment No. 3 Agreement shall be effective as of January 1, 2019.

IN WITNESS WHEREOF, the Parties have caused this Amendment No. 3 Agreement to be executed on the date and year opposite their respective signature blocks.



DATED: Nov 19, 2018

FERRY COUNTY

By: Johanna Exner
Chairman

ATTEST:

Mundia Roston
Ferry County
Clerk of the Board

APPROVED AS TO FORM:

[Signature]
Prosecuting Attorney

DATED: _____

PEND OREILLE COUNTY

By: _____
Chairman

ATTEST:

Pend Oreille County
Clerk of the Board

APPROVED AS TO FORM:

Prosecuting Attorney

DATED: _____

SPOKANE COUNTY

By: _____
Chairman

ATTEST:

Spokane County
Clerk of the Board

APPROVED AS TO FORM:

Prosecuting Attorney

DATED: _____

STEVENS COUNTY

By: _____
Chairman

ATTEST:

Stevens County
Clerk of the Board

APPROVED AS TO FORM:

Prosecuting Attorney

DATED: _____

FERRY COUNTY

By: _____
Chairman

ATTEST:

APPROVED AS TO FORM:

Ferry County
Clerk of the Board

Prosecuting Attorney

DATED: 11-19-2018

PEND OREILLE COUNTY

By: *Steph Kins*
Chairman

ATTEST:

APPROVED AS TO FORM:

Crystal Zieske
Pend Oreille County
Clerk of the Board

[Signature]
Prosecuting Attorney

DATED: _____

SPOKANE COUNTY

By: _____
Chairman

ATTEST:

APPROVED AS TO FORM:

Spokane County
Clerk of the Board

Prosecuting Attorney

DATED: _____

STEVENS COUNTY

By: _____
Chairman

ATTEST:

APPROVED AS TO FORM:

Stevens County
Clerk of the Board

Prosecuting Attorney

DATED: _____

FERRY COUNTY

By: _____
Chairman

ATTEST:

APPROVED AS TO FORM:

Ferry County
Clerk of the Board

Prosecuting Attorney

DATED: _____

PEND OREILLE COUNTY

By: _____
Chairman

ATTEST:

APPROVED AS TO FORM:

Pend Oreille County
Clerk of the Board

Prosecuting Attorney

DATED: 11-27-18



SPOKANE COUNTY

By: _____
Chairman

ATTEST:

APPROVED AS TO FORM:

Dannasquay

Spokane County
Clerk of the Board

John F. Puscally Jr.

Prosecuting Attorney

DATED: _____

STEVENS COUNTY

By: _____
Chairman

ATTEST:

APPROVED AS TO FORM:

Stevens County
Clerk of the Board

Prosecuting Attorney

DATED: _____

FERRY COUNTY

By: _____
Chairman

ATTEST:

APPROVED AS TO FORM:

Ferry County
Clerk of the Board

Prosecuting Attorney

DATED: _____

PEND OREILLE COUNTY

By: _____
Chairman

ATTEST:

APPROVED AS TO FORM:

Pend Oreille County
Clerk of the Board

Prosecuting Attorney

DATED: _____

SPOKANE COUNTY

By: _____
Chairman

ATTEST:

APPROVED AS TO FORM:

Spokane County
Clerk of the Board

Prosecuting Attorney

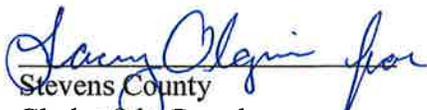
DATED: 11/19/18

STEVENS COUNTY

By: 
Chairman

ATTEST:

APPROVED AS TO FORM:


Stevens County
Clerk of the Board


Prosecuting Attorney

DATED: 11-19-18

WHITMAN COUNTY

By: Dean Kingen
Chairman

080767

ATTEST:

Marietta Becker
Whitman County
Clerk of the Board

APPROVED AS TO FORM:

D. King
Prosecuting Attorney

DATED: _____

CITY OF SPOKANE

By: _____
Mayor

ATTEST

City of Spokane
Clerk of the City

APPROVED AS TO FORM:

Assistant City Attorney

DATED: _____

CITY OF SPOKANE VALLEY

By: _____
City Manager

ATTEST:

City of Spokane Valley
Clerk of the City

APPROVED AS TO FORM:

City Attorney

DATED: _____

WHITMAN COUNTY

By: _____
Chairman

ATTEST:

APPROVED AS TO FORM:

Whitman County
Clerk of the Board

Prosecuting Attorney

DATED: 12/20/18

CITY OF SPOKANE

By: *David A. C...*
Mayor

ATTEST

APPROVED AS TO FORM:

Lerrin Roberts
City of Spokane
Clerk of the City

Michael J. P...
Assistant City Attorney

DATED: _____

CITY OF SPOKANE VALLEY

By: _____
City Manager

APPROVED AS TO FORM:



Office of the City Attorney

ATTEST:

Christine Bainbridge, City Clerk

DATED: _____

WHITMAN COUNTY

By: _____
Chairman

ATTEST:

APPROVED AS TO FORM:

Whitman County
Clerk of the Board

Prosecuting Attorney

DATED: _____

CITY OF SPOKANE

By: _____
Mayor

ATTEST

APPROVED AS TO FORM:

City of Spokane
Clerk of the City

Assistant City Attorney

DATED: 12/12/18

CITY OF SPOKANE VALLEY

By: Mark Calhoun
City Manager

ATTEST:

APPROVED AS TO FORM:

Christine Bainbridge
City of Spokane Valley
City Clerk

Cay P. Doshell
Office of the City Attorney