

TO: City Council
FROM: Karen Kirkpatrick
DATE: October 3, 2023
SUBJECT: Common Interest and Confidentiality Agreement with Port of Olympia

1) Recommended Action:

Approve and authorize the Mayor to sign the Common Interest and Confidentiality Agreement with the Port of Olympia.

2) Background:

The Port of Olympia is a public port district and the City of Tumwater is a Washington municipal corporation. The Port owns the Olympia Regional Airport as well as other property in the City of Tumwater. In November 2016, the City and Port have entered into an Interlocal Agreement under RCW 39.34 to jointly develop the Bush Prairie Habitat Conservation Plan in order to provide programmatic incidental take coverage under the Endangered Species Act and allow for future development on property within the Parties' respective jurisdictions and/or direct ownership. The Port and the City (although separate and distinct entities) share longstanding and continuous interests in jointly acting on matters of mutual concern, and they have a common interest in communicating and collaborating on the matters covered in the proposed Common Interest and Confidentiality Agreement (attachment "A").

3) Policy Support:

Strategic Priority: be a leader in environmental sustainability and complete and implement the Habitat Conservation Plan.

4) Alternatives:

Not authorize the signing of the Common Interest/Joint Defense Agreement.

5) Fiscal Notes:

N/A

6) Attachments:

A. Common Interest and Confidentiality Agreement