From:	Oliver Orjiako
To:	Jeffrey Delapena
Subject:	FW: La Center Lands and Maps of Expansion Areas part 2
Date:	Thursday, October 1, 2026 8:09:36 AM
Attachments:	Councilor Little-Ltr-Part2-260930.pdf Untitled attachment 00021.htm image001.png image002.png image003.png image004.png

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FYI. Thanks.

OLIVER ORJIAKO
Director
COMMUNITY PLANNING

564.397.2280

From: David McDonald <david@mcdonaldpc.com>
Sent: Wednesday, September 30, 2026 5:53 PM
To: Matt Little <Matt.Little@clark.wa.gov>
Cc: Sue Marshall <Sue.Marshall@clark.wa.gov>; Kathleen Otto <Kathleen.Otto@clark.wa.gov>; Rebecca Messinger <Rebecca.Messinger@clark.wa.gov>; Oliver Orjiako <Oliver.Orjiako@clark.wa.gov>; Jose Alvarez <Jose.Alvarez@clark.wa.gov>
Subject: La Center Lands and Maps of Expansion Areas part 2

INTERGOVERNMENTAL AGREEMENT
BETWEEN THE COWLITZ INDIAN TRIBE
AND THE CITY OF LA CENTER

This Intergovernmental Agreement (Agreement) is entered into on this 10th day of April 2024, pursuant to Revised Code of Washington Chapter 39.34, the Interlocal Cooperation Act, by and between the COWLITZ INDIAN TRIBE, a federally recognized Indian Tribe ("Tribe"), whose principal place of business is located at 1055 9th Avenue Suite B Longview, Washington 98632, and the CITY OF LA CENTER ("City"), a Washington municipality, with its principal place of business located at 210 East 4th Street, La Center, WA 98629. The Tribe and City shall be collectively referred to in this Agreement as the "Parties."

RECITALS

The Parties have entered into this Agreement in light of the following facts:

A. The Tribe is a federally recognized Indian Tribe organized under a written Constitution.

B. The Tribe is the beneficial owner of the Cowlitz Indian Reservation (Reservation), which comprises approximately 156 acres of land located in Clark County, Washington. Title to the Reservation is owned by the United States of America in trust for the benefit of the Tribe.

C. The Tribe is the owner of ilani Casino Resort on Reservation land adjacent to the City.

D. The City is a municipality located in Clark County Washington.

E. The Tribe owns and may come to own fee lands within the City of La Center which it would like to have placed into trust.

F. The City is supportive of the Tribe having lands placed into trust as contemplated herein.

G. On the 3rd day of March, 2016 the Parties entered into an Intergovernmental Agreement ("the 2016 Agreement") to address and mitigate impacts arising from the Tribe's development of a casino and resort on its Reservation, including road and sewer improvements, as well as restrictions on placing certain lands into trust.

H. Construction of the road and sewer improvements required in the 2016 Agreement have been completed.

I. The Parties now wish to update and replace the 2016 Agreement with this new Agreement which maintains the prior and ongoing obligations of the Parties, amends the restriction regarding trust lands, and provides for additional mitigation payments to the City.

AGREEMENT

In consideration of the above-recited facts and the mutual promises contained herein, the Parties hereby agree as follows:

1. Recitals. The recitals set forth above are incorporated herein.

2. New Agreement. The Parties agree that this Agreement shall replace and rescind the 2016 Agreement.

3. Property Owned or Subsequently Acquired by the Tribe East of I-5.
   a. Definition: As shown on Exhibit A, the "Agreement Area" refers to tax lots or parcels of land within the incorporated limits of the City located within:
      i. The southwest quarter of section 4, township 4N, range 1E of the Willamette Meridian located within Clark County, Washington, and
      ii. The northwest quarter of section 9, township 4N, range 1E of the Willamette Meridian located within Clark County, Washington, and
      iii. The southwest quarter of section 9, township 4N, range 1E of the Willamette Meridian located within Clark County, Washington.
   b. Tax lots or parcels of land annexed by the City after the date of this Agreement shall become included in the Agreement Area and all terms and conditions of this Agreement shall become binding thereon except for those tax lots or parcels of land for which application for trust status was made by the Tribe prior to the City's annexation.
   c. The Tribe agrees to not seek trust status for any tax lot or parcel of land within the incorporated limits of the City unless located within the Agreement Area, not to exceed 75% of the total land area within the Agreement Area.
   d. The Tribe agrees to provide mitigation payments in lieu of taxes as provided in Section 4 for any parcels of land taken into trust status within the Agreement Area pursuant to this Agreement.
   e. The Parties understand that lands acquired by the Tribe and subsequently held in trust under this Agreement may be developed by the Tribe or its assigns. If the Tribe develops trust land in the Agreement Area in a manner consistent with commercial land uses and activities, the Tribe agrees to pay mitigation payments, in lieu of taxes to the City, from sales generated from commercial activity occurring on those lands (as provided in Section 4). If the Tribe develops trust land in the Agreement Area for non-commercial activity, the Parties agree to negotiate in good faith to determine a mitigation payment for those non-commercial trust lands.
   f. The Parties agree to work in good faith to provide utilities services and other infrastructure necessary for the development of parcels of land taken into Trust by the Tribe, and for the provision of utilities services and other infrastructure to surrounding areas adjacent to such parcels of land not subject to Trust status in a manner consistent with the City's Capital Facilities Plans.
   g. Upon execution of this Agreement the City agrees to affirm in writing its support for the trust applications for the parcels known as "3B" and "Fudge," and

withdraw its prior comments on the Tribe's trust applications. The City further agrees to support any future fee-to-trust application submitted for parcels within the Agreement Area, as specified herein.

4. Sales Tax Mitigation payments. For all parcels of land taken into trust status within the Agreement Area, the Tribe agrees to make payments to the City equal to: five-tenths of one percent of retail sales by businesses subject to the Washington State Sales Tax, and one percent of retail sales by businesses subject to the Tribal Sales Tax. The Tribe will provide the City an annual audit of Tribal Sales Taxes collected on all parcels of land taken into trust status within the Agreement Area. The audit will be performed by a mutually agreed upon third party auditor at the Tribe's expense. For purposes of this Agreement, Washington State Sales Tax means the tax imposed by R.C.W. 82.08, and the Tribal Sales Tax means the tax imposed by Tribal Ordinance #17-02.

5. Signalization. The Tribe agrees to reimburse the City for all reasonable costs to design, permit, construct and install a traffic signal or roundabout at the intersection of NW La Center and Paradise Park Roads up to an amount not to exceed $650,000 plus inflation (measured by the West Region Consumer Price Index) calculated from the effective date of this Agreement until installation of the signal or roundabout or until June 30th, 2026, whichever occurs sooner (the "Reimbursement Amount"). The Tribe agrees to reimburse the City up to 50% of costs for planning, design, engineering, and permitting upon completion of the 90% design up to a limit of 50% of the Reimbursement Amount. The Tribe agrees to pay the remaining balance of the Reimbursement Amount upon completion of construction. The City and the Tribe agree to collaborate on applying for state and federal funding that may be available to assist with the installation and construction of the signal or roundabout.

6. Landscaping, Lighting and Signage.
   a. The Tribe agrees to maintain in perpetuity all landscaping installed as part of the Improvements in an area from and including the easternmost La Center Road and Paradise Park Road Intersection through the I-5 La Center Road Southbound Ramp Terminal roundabout to and including the entrance to the Reservation, as shown in Exhibit B attached hereto and made a part hereof by this reference. Notwithstanding the foregoing, the City in its sole discretion may elect to perform maintenance of those portions of the Landscape Area within City limits. The Tribe agrees to reimburse the City on an annual basis for the cost of such maintenance performed by the City.
   b. The Tribe agrees to maintain in perpetuity all lighting installed as part of the Improvements in an area from and including the easternmost La Center Road and Paradise Park Road Intersection through the I-5 La Center Road Southbound Ramp Terminal roundabout to and including the entrance to the Reservation, as shown in Exhibit B attached hereto and made a part hereof by this reference.

7. Pavement. The Tribe agrees to maintain in perpetuity pavement and striping from a point just east of the new intersection of realigned Paradise Park Road westerly to the entrance of the Reservation. The Tribe agrees to maintain the I-5/La Center Road Southbound

Ramp terminal roundabout that is constructed as part of the Improvements to and including the entrance to the Tribe's Facility. All such work is subject to City review and determination of consistency with applicable requirements. Prior to hiring a contractor to complete road maintenance, the Tribe agrees to consult with the City regarding selection of a contractor. Notwithstanding the Tribe's agreement to maintain in perpetuity the pavement described herein, the City in its sole discretion may elect to perform maintenance of those portions of the pavement within City limits. The Tribe agrees to reimburse the City on an annual basis for the cost of such maintenance performed by the City.

8. Arts and Education Fund Payments. Nothing in this agreement shall preclude La Center from applying for and receiving funding from the Tribe's Arts and Education fund in accordance with the Tribe's Environment, Public Health and Safety (EPHS) Ordinance.

9. Enforcement of Agreement. To enforce the provisions of this Agreement, either Party may bring an action in the Superior Court for Clark County, Washington after providing a 30-day written notice and opportunity to cure any alleged breach of this Agreement. The Parties expressly waive any exhaustion of administrative remedies for purposes of bringing an action under this Agreement. Such enforcement action is subject to the limited waiver of sovereign immunity in Section 11 of this Agreement. In the event of any such enforcement action, the losing party agrees to pay the prevailing party's reasonable costs of the enforcement action, including reasonable attorney and expert witness fees.

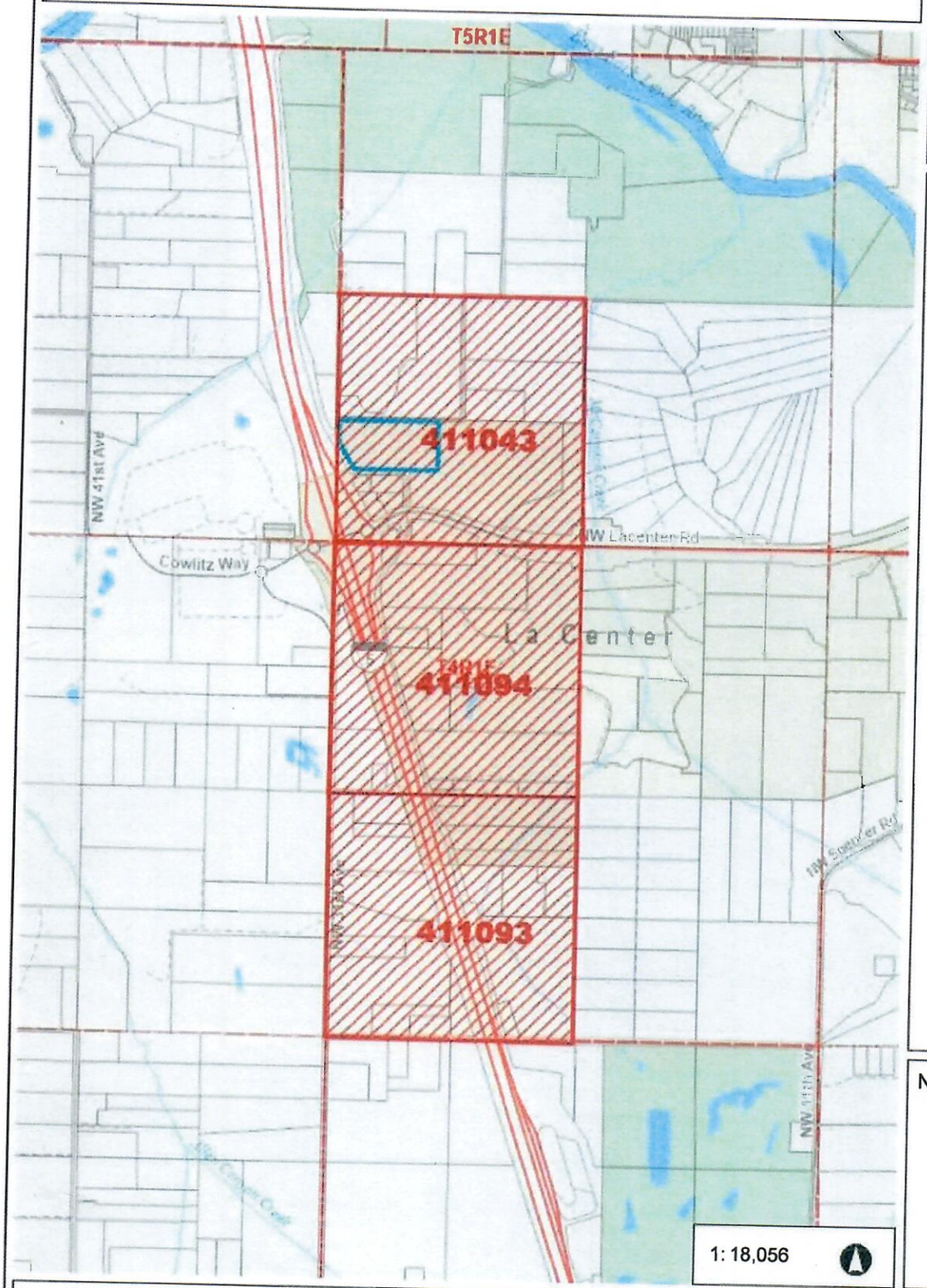
10. No Third-Party Beneficiaries. There shall be no third-party beneficiaries to this Agreement. The rights and obligations set forth in this agreement extend only to the Parties, and no other person, agency, or entity shall derive any rights or bear any obligations as a result of this Agreement, including the right to enforce any provision hereof.

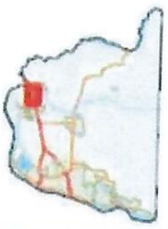
11. Limited Waiver of Sovereign Immunity. The Tribe hereby grants a limited waiver of its sovereign immunity for itself and any instrumentality of the Tribe and consents to suit against it by the City for the limited purpose of enforcing the obligations of the Tribe as set forth in this Agreement. This Limited Waiver of Sovereign Immunity is only for the benefit of the Parties to this Agreement and shall not be construed as extending to any other individuals, governmental entities or third parties. By this Limited Waiver of Sovereign Immunity, the Tribe expressly consents to the subject matter and personal jurisdiction of the Superior Court of the State of Washington for Clark County for purposes of enforcing the terms of this Agreement.

12. Liability Insurance. During the term of this Agreement, the Tribe and the City agree to each maintain and keep in effect a policy of liability insurance for injuries to persons and property in an amount of no less than One Million Dollars ($1,000,000) per occurrence. Written proof of such insurance shall be provided by each Party to the other Party once each calendar year. Notwithstanding any other provisions in this Agreement to the

EXHIBIT A

T4R1E 411043, 411094, 411093





Legend

- Taxlots
- Township
- Sections

Notes:

3,009.3 0 1,504.67 3,009.3 Feet

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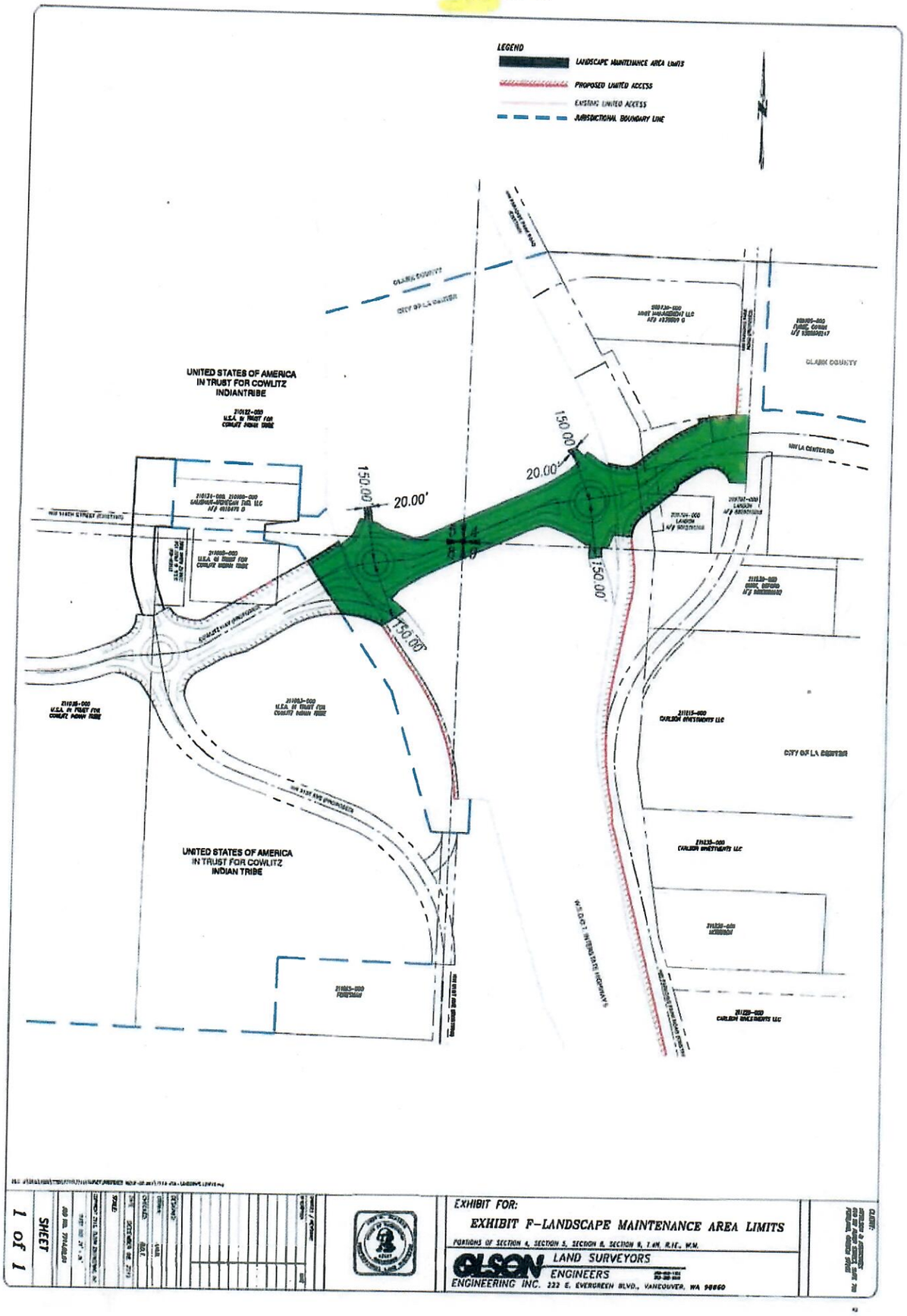
Clark County, WA. GIS - http://gis.clark.wa.gov

This map was generated by Clark County's "MapsOnline" website. Clark County does not warrant the accuracy, reliability or timeliness of any information on this map, and shall not be held liable for losses caused by using this information. Taxlot (i.e., parcel) boundaries cannot be used to determine the location of property lines on the ground.

EXHIBIT B



1 of 1

SHEET

EXHIBIT FOR:

EXHIBIT F-LANDSCAPE MAINTENANCE AREA LIMITS

PORTIONS OF SECTION 4, SECTION 5, SECTION 8, SECTION 9, T.4N., R.1E., W.M.

OLSON ENGINEERING INC. LAND SURVEYORS ENGINEERS 222 E. EVERGREEN BLVD., VANCOUVER, WA 98660

Cowlitz Indian Tribe expands reservation near La Center by about 60 acres

La Center council agrees to let Cowlitz Tribe incorporate land east of I-5 into trust



Monika Spykerman

Share

The Cowlitz Indian Tribe is expanding its 152-acre reservation near La Center by about 60 acres.

The tribe purchased the property a few years ago, but a 2016 agreement with the city of La Center prohibited the tribe from taking the land into trust, which would place it under tribal governance and outside local and federal jurisdiction.

The La Center City Council last week voted to release the tribe from that agreement. This means that most of the land in question will shift to tribal governance, with the exact date to be decided by the federal government. The April 24 vote represented a tremendous stride forward in relations between the tribe and the city, officials said.

"When I got into this role, the city and the tribe had zero relationship," La Center Mayor Tom Strobehn said. "We wanted to build a relationship with the tribe, and during the year we have."



has agreed to pay the city a percentage of tax revenue from both commercial development and tribal businesses on the land in compensation for taxes the city would have collected on future properties.

The tribe "envisions attracting retail, hospitality and service businesses that would be naturally drawn to the area between the tribe's and the city's growth, serving as an exciting gateway to both La Center and the Cowlitz Indian Tribe's reservation," according to a Tuesday statement released by the tribe.

This could boost La Center's annual revenue by an estimated $313,684 to $376,421, according to a report by Exigy Consulting requested by the city.

"The Cowlitz Indian Tribe celebrates this agreement with the city of La Center as a wonderful evolution in our long-term partnership together," said Patty Kinswa-Gaiser, Cowlitz Tribal General Council chairwoman. "When building ilani, Cowlitz made a promise of being good neighbors, a responsible steward of our land and resources, and to invest in new opportunities that benefit our community and our people. Today, we can proudly say that we've lived up to this promise and are eager to continue leading a vision with the city of La Center based on shared prosperity and mutual respect."

Consulting report. The remaining 25% may be acquired by the Cowlitz Indian Tribe, but would remain under city jurisdiction. The mayor said the transfer of lands to the Cowlitz Indian Tribe doesn't impact the city's plans to expand the downtown core. If anything, Strobehn said, the transfer of lands can only help the city by providing additional sources of revenue.

"The new downtown is going to take some serious time, but the tribe can actually move quicker than we can," Strobehn said. "The future is coming at us super-fast. If we don't have sources for revenue, the city's in serious trouble. And that's not what I want to see happen to La Center."

The tribe has also agreed to financially assist La Center school and fire districts, which stand to lose future property tax revenue under the new agreement. The tribe has already donated $390,000 to La Center schools in the past three years, a number confirmed by Maria Swinger-Inskeep, director of administrative services for the city.

Under the 2016 agreement, the Cowlitz Indian Tribe paid for improvements to I-5, an extension of the city's western sewer line and realignment of Paradise Park Road. The tribe has also provided two new ambulances to Clark-Cowlitz Fire Rescue.

Foundation has donated $28 million to Clark County and the state of Washington.

Strobehn said the agreement comes at a good time. The city has relied on gambling to provide up to 40 percent of its revenue dating back to 1983, a precarious position, Strobehn said. The city's partnership with the Cowlitz Indian Tribe is something that should have happened long ago, the mayor said.

"They've waited 20 years to have any type of relationship with the city," Strobehn said. "I wasn't waiting any longer to build a relationship with our neighbors."

Editor's note: This story has been updated to reflect details of the new agreement.

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La Center council agrees to let Cowlitz Tribe incorporate land east of I-5 into



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The Cowlitz Tribe will pay the City of La Center a certain amount in sales tax collections after an agreement to incorporate land east of Interstate 5 from La Center. Once commercial businesses are developed, the city expects to receive a sales tax revenue boost of more than $200,000 a year, compared with Washington sales tax revenue.

FILE PHOTO

Posted Monday, April 29, 2024 1:10 pm

Norman Helgason / norman@thereflector.com

In a historic agreement, the Cowlitz Tribe will soon incorporate land from La Center, east of Interstate 5, into tribal ownership.

In a 4-0 vote, with one member abstaining during an April 24 meeting, La Center's City Council agreed to amend a 2016 agreement to now allow the tribe to take city land into trust.

Located east and northeast of the Interstate 5 junction, across ilani Casino and Resort, the properties that will be taken into trust span 50 to 55 acres and will be zoned for commercial use. The tribe intends to develop the land for both tribal and leased businesses. The tribe bought the properties a few years ago but will own it as sovereign land once taken into trust.

LET'S WORK TOGETHER!



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The Reflector May 14, 2025 (/stories/the-reflector-may-14-2025,380726)

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question sovereign, thus enabling the tribe to make all decisions pertaining to the land. Under the new agreement, the Cowlitz Tribe will make the land sovereign and pay the City a certain amount to compensate for lost sales tax revenue from new businesses it otherwise would have collected.

La Center Mayor Tom Strobehn said the city has grown too dependent on tax revenue from poker tables. He said the new agreement will help the city diversify its revenue streams and receive mitigation payments from commercial sales. The mayor fears that if the Cowlitz-owned ilani casino competes with the current poker table establishments, a major portion of revenue will be lost for the city.

"At present, we cannot continue the route that we have been going without the revenue," Strobehn said. "...We are depending on card rooms, [and] about 40% of our revenue stream relies on poker players. And at present, the Cowlitz do not offer poker. So you can imagine what that could do to a city if they decided to offer poker, right?"

Under Washington State tax laws, La Center receives 0.7% of the 8.4% sales tax; the rest of the revenue goes to the county and state. Under the new mitigation agreement, the Cowlitz Tribe will give the city an extra 0.5% sales tax gain, for a total of 1.2% sales tax revenue from leased businesses, as it is subject to Washington State excise taxes. In addition, tribe-owned businesses will pay 1% of sales tax to the city.

Based on expected revenue per commercial property acreage, the agreement will boost La Center's annual revenue from approximately $111,500 to anywhere between $313,500 and $376,000 once businesses are developed.

Part of the revenue boost includes an approximate $171,000 savings from no longer paying operational costs for the properties. The mitigation payments are to be indefinite and could be revised should the tribe decide to use the land for non-commercial purposes.

The mayor said the Cowlitz Tribe is prepared to assist La Center's school and fire districts, which will lose future property tax revenue. School district Superintendent Peter



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Less than a quarter of the way into her second term, U.S. Rep. Marie Gluesenkamp Perez, D-Skamania, already has a

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Former City Councilor Dennis Hill spoke against the deal before the council. He was concerned that once the deal had been made, it could not be taken back. He suggested the council hold out for more revenue than what was proposed.

"Of all of our city property for commercial [use], that is the prime property, and to give that up for a few hundred thousand [annually], I think it's a mistake," Hill said.

Councilor Sean Boyle said the new deal would help put La Center on the map while increasing the city's revenue stream.

"I don't think that I've seen any development happen at the junction," Boyle said. "I know we've had plans for it. We do have hopes and dreams, but they're not providing revenue to the city. I feel in my heart that this is going to be a good relationship going forward..."

Councilor KC Kasberg said the tribe has the resources to develop the commercial properties, which would help alleviate costs for the city after the deal is made.

"The capital just isn't out there to buy pieces of land like that and have developers come in," Kasberg said. "Also the developers are probably a little bit nervous to come in and try and build something like that, right across the road from a tribal casino that could put up a competing business on their side ... I think that the risk is not worth the reward as far as turning an agreement like this down."

The new agreement specifies that 25% of the zoned acreage east of the junction will not be incorporated as sovereign, as La Center may expand its boundaries west of its current city


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David T. McDonald

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