

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YACOLT,  
WASHINGTON, AUTHORIZING THE EXECUTION OF AN INTERLOCAL  
AGREEMENT BETWEEN THE TOWN OF YACOLT AND CLARK COUNTY  
FOR THE PURPOSE OF CONSTRUCTING IMPROVEMENTS  
TO SOUTH RAILROAD AVENUE.**

Whereas, the Town Council of the Town of Yacolt would like to improve portions of South Railroad Avenue located within the Town's limits by overlaying the Road with asphalt and upgrading speed control, road signs and posts to current standards, (hereafter called the "Project");

Whereas, Clark County has planned to complete County-wide hot-mix overlays in various locations throughout Clark County to generally the same specifications as the Town's Project;

Whereas, the Town and Clark County recognize that it is efficient and mutually beneficial to combine the Town and County work into one construction project;

Whereas, the Town Council of the Town of Yacolt has before it an Interlocal Agreement with Clark County which would provide for the desired improvements to South Railroad Avenue together with professional engineering and project management services for the Project, (hereafter "Agreement", Exhibit A);

Whereas, the Town Council believes it to be in the best interests of the Town of Yacolt to authorize the execution of said Agreement; and,

Whereas, the Town Council is in regular session this 20<sup>th</sup> day of May, 2013, and all members of the Town Council have had notice of the time, place, and purpose of said meeting:

**NOW THEREFORE, be it Resolved by the Town Council of the Town of Yacolt, Washington, as follows:**

**Section 1 - Authorization to Execute Interlocal Agreement:**

The Mayor is authorized and directed to execute the Agreement attached hereto and marked as Exhibit A and to deliver an executed original thereof to Clark County.

**Section 2 - Regional STP-Rural Funds:**

In consideration of Clark County's agreement to contribute \$150,000 to the construction costs of the Project and to provide construction management services for the Project, the Town Council hereby affirms that it has released and relinquished to Clark County \$150,000 in regional STP-Rural funds in 2012, and expressly agrees that Clark County may use such funds for any purpose

including for the County's share of construction costs for other road improvement projects and in partnership with the other cities located in Clark County.

**Section 3 - Reservation of Authority:**

The Town Council reserves authority to approve the direct expenditure of Town funds for the costs of Project improvements or for additional road improvements not currently described in the specifications for the Project which the Town may specifically request in the future.

**Section 4 - Filing of Agreement:**

An executed original of said Agreement shall be filed with the Clark County Auditor or published and filed in any other manner that satisfies the filing requirements of RCW 39.34.040.

**Section 5 - Severability:**

If any section, subsection, paragraph, sentence, clause, or phrase of this Resolution is declared unconstitutional or invalid for any reason by a court of competent jurisdiction, the remaining portion of this Resolution shall remain in full force and effect.

**Section 6 - Effective Date:**

This Resolution shall take effect immediately upon adoption. If published, the Town Clerk/Treasurer may use the following summary:

**Town of Yacolt - Summary of Resolution #~~494~~ 493**

The Town Council of the Town of Yacolt adopted Resolution #~~494~~<sup>493</sup> at its regularly scheduled Town Council meeting held on May 20, 2013. The content of the Resolution is summarized in its title as follows:

“A Resolution of the Town Council of the Town of Yacolt, Washington, Authorizing the Execution of an Interlocal Agreement Between the Town of Yacolt and Clark County for the Purpose of Constructing Improvements to South Railroad Avenue”.  
The effective date of the Resolution is May 20, 2013.

A copy of the full text of the Resolution will be mailed upon request to the undersigned at the Town of Yacolt Town Hall, P.O. Box 160, Yacolt, WA 98675: (360) 686-3922.

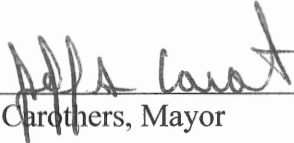
Published this 29<sup>th</sup> day of May, 2013.  
Cindy Marbut, Town Clerk/Treasurer

RESOLVED AND ADOPTED by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 20<sup>th</sup> day of May, 2013.

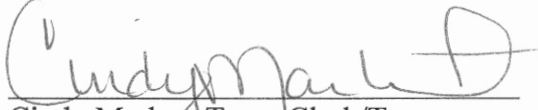
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TOWN OF YACOLT

  
\_\_\_\_\_  
Jeff Carothers, Mayor

Attest:

  
\_\_\_\_\_  
Cindy Marbut, Town Clerk/Treasurer

Ayes: Kearl, Hancock, Gerhardt, Myers, Urias  
Nays: \_\_\_\_\_  
Absent: \_\_\_\_\_  
Abstain: \_\_\_\_\_

Approved as to Form:

  
\_\_\_\_\_  
David W. Ridenour, Town Attorney

**TOWN CLERK'S CERTIFICATION**

I hereby certify that the foregoing Resolution is a true and correct copy of Resolution #<sup>493</sup>~~494~~ of the Town of Yacolt, Washington, entitled "A Resolution of the Town Council of the Town of Yacolt, Washington, Authorizing the Execution of an Interlocal Agreement Between the Town of Yacolt and Clark County for the Purpose of Constructing Improvements to South Railroad Avenue" as approved according to law by the Town Council on the date therein mentioned. The Resolution has been published or posted according to law.

Attest:

  
\_\_\_\_\_  
Cindy Marbut, Town Clerk/Treasurer

Published: \_\_\_\_\_  
Effective Date: 5-20-13  
Resolution Number: 493