



**CITY OF WASHOUGAL
CITY COUNCIL WORKSHOP MEETING
MINUTES
Monday, August 9, 2021
5:00 PM**

MEETING INFORMATION

Please click the link below to join the webinar:
<https://us02web.zoom.us/j/86073725551>

I. CALL TO ORDER

Mayor Molly Coston called the meeting to order at 5:00 pm.

II. ROLL CALL

Present: Mayor Molly Coston and Councilmembers David Stuebe, Michelle Wagner, Paul Greenlee, Alex Yost, Julie Russell, and Ernie Suggs

Staff:

David Scott, City Manager
Trevor Evers, Director of Public Works
Jennifer Forsberg, City Clerk/Finance Director
Mitch Kneipp, Community Development Director
Wendi Steinbronn, Police Chief
Jeanette Cefalo, Human Resources Director
Rob Charles, City Engineer
Rose Jewell, Community Engagement Manager

III. PRESENTATION: Commission on Aging 2020 Annual Report - Franklin Johnson and Jacqui Kamp

A. Commission on Aging Presentation

The presentation included:

- Aging Readiness Plan
- Focus Areas
- COVID-19 Impacts on Older Adults
- Access to Food, supplies, and medications
- Housing challenges for vulnerable older adults
- Impacts of isolation and lack of socialization
- Commission takeaways and reflections
- Update on strategy/recommendations
- 2021 Road to COVID-19 Recovery

IV. PUBLIC COMMENTS

None

V. NEW BUSINESS

A. Public Works: Water System Plan Update

Rob Charles and Brent Gruber presented the following:

- Water System Plan (WSP) Purpose
 - Timeline
- Overview of the Washougal Water System
 - Existing Water System Characteristics
 - Existing System Assessment Criteria
 - Existing System Results
 - Future System Assessment Results
 - Future System Assessment Results
- Summary of Findings and Recommendations
 - Project summary
 - Next steps

B. Public Works: Spyglass Right of Way Vacation/Temporary Construction Easement

Rob Charles presented the following:

- Site vicinity map
- Easement area
- Next steps

C. Public Works: Right of Way Vacation Request South 6th Street/ South 7th Street/ South "A" Street (Parker's Landing LLC/ Ninebark Apartments)

Rob Charles presented the following:

- Ninebark road vacation area map
- Site plan
- Administrative permit
- No value associated with vacation
- New public access easement
- Next steps

D. Human Resources: Update to Personnel Policy - HR Director Salary Range

Jeanette Cefalo presented the following:

- Classification/Compensation Policy
- Turnover/Recruitment
- Next steps

E. Police: SRO Interlocal Agreement

Wendi Steinbronn noted this was added to the packet and shared:

- Terms of the interlocal agreement
- This items is on the consent agenda tonight

VI. PUBLIC COMMENTS

None

VII. REPORTS AND COMMUNICATIONS

A. CITY MANAGER

David Scott reported on the following:

- Public Works Assistant Account aka Public Works Trust Funding received at reduced rate
- Pursuit of legislative funding ongoing
- Ongoing paving projects presentation forthcoming
- WCMA Annual Conference

B. MAYOR

Mayor Coston gave an update on the Councilmember Stuebe's initiative to acknowledge citizens who contributes to our community.

C. CITY COUNCIL

Councilmember Stuebe provided additional information on recognizing citizens for their contribution.

Councilmember Russell commented on her meeting conflict later in the evening and election results.

VIII. ADJOURNMENT

Meeting adjourned at 6:34 pm.

Mayor

City Clerk

A portrait of a woman with a warm, steady gaze, wearing a light blue surgical face mask. She is adorned with a vibrant magenta and red headwrap. Her attire consists of a bright yellow top with a white V-neck collar. The background is a solid, warm-toned wall. The lower portion of the image features a dark purple banner with a subtle floral pattern, containing the report's title and logo.

2020 ANNUAL REPORT

CLARK COUNTY
COMMISSION
on
AGING

Commission on Aging

- Created in 2012 to manage and carry out Aging Readiness Plan
- Diagram to the right illustrates our work



Focus Areas

Housing 2016



Supportive Services 2017



Transportation 2018



Healthy Communities 2019



Engagement/Advocacy 2020



COVID-19 IMPACTS 2020



COVID-19 Impacts on Older Adults

- Access to food, supplies, and medications
- Housing challenges for vulnerable older adults
- Impacts of isolation and lack of socialization on older adults



Access to Food, Supplies, and Medications

- Prepared Meals
- Groceries
- Delivery
- Transportation
- Socialization



Linda Green

Housing Challenges for Vulnerable Older Adults



- Impacts on the houseless and those at-risk
- Service adaptations in senior housing:
 - Partnerships
 - Isolation intervention
- Keeping residents engaged and healthy

The impacts of isolation and lack of socialization

- Heart disease
- High blood pressure
- Cognitive decline
- Depression



Commission Takeaways and Reflections

1. Technology and internet access
2. Housing
3. Funding
4. Advocacy
5. Information and communication
6. Collaboration, coordination, and cooperation among organizations



Update on strategy/recommendations

- Healthy Communities
 - Special shopping times
- Transportation
 - Pedestrian accessways
 - North County transportation pilot
- Supportive services
- Housing
- Education, awareness and advocacy
 - Silver Citizen Award



2021 Road to COVID-19 Recovery

- Kick-off
- First and early responders
- Health and wellbeing
 - Serious illness and caregiver support
 - Food as medicine
 - Social determinants of health
 - Social connections
- Personal economics/Financial recovery



Thank you!

Comments and questions

Website:

www.clark.wa.gov/aging

Stay engaged. Sign up for updates:

<https://clark.wa.gov/community-planning/get-project-updates>



2021 Water System Plan Update

Presented to Washougal City Council

Rob Charles, City Engineer

Brent Gruber, Murraysmith

August 9, 2021

Agenda

- Water System Plan (WSP) Purpose
- Overview of the Washougal Water System
- Summary of Findings and Recommendations
- Q&A

Why Develop a Water System Plan?

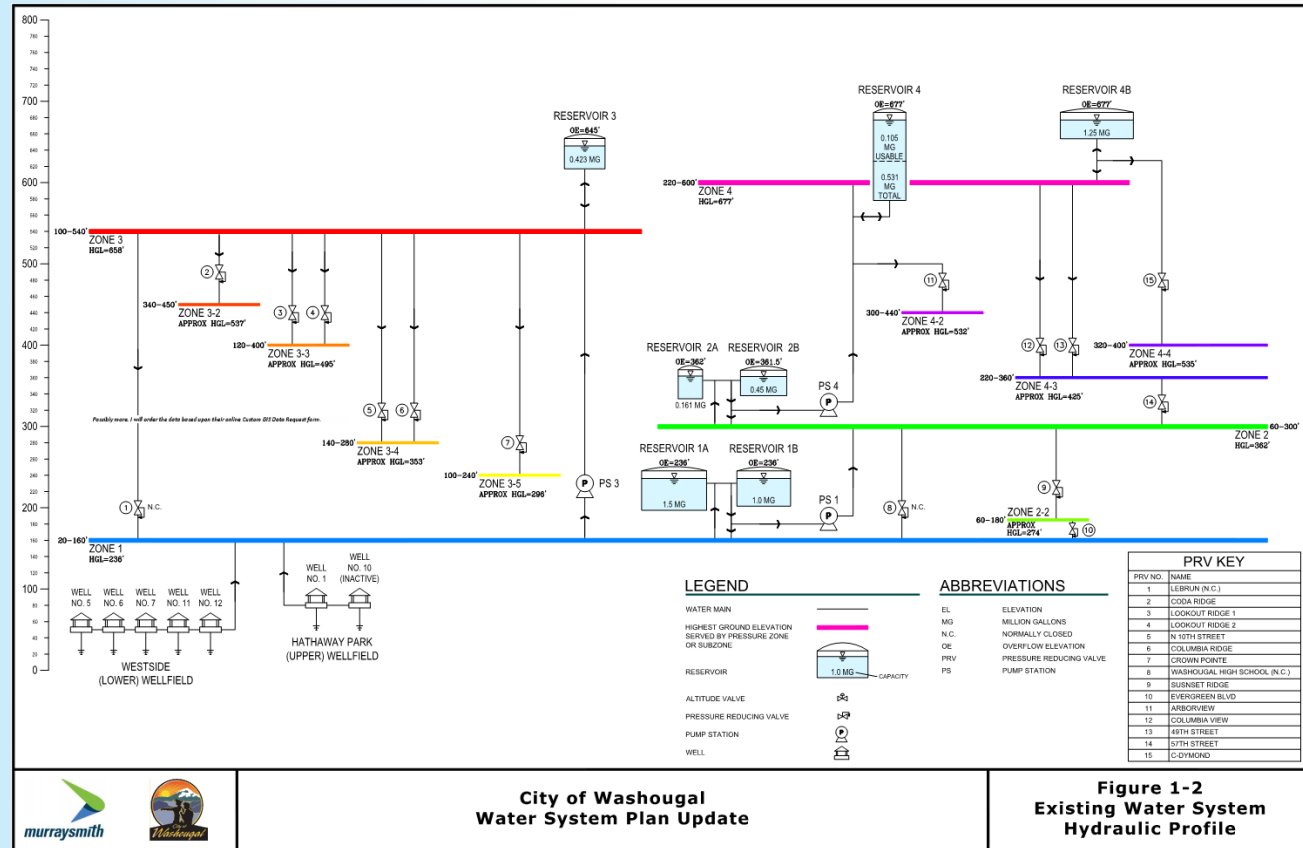
- Meet regulatory requirements of WAC – update required every 10 years
- Evaluate system compliance with DOH requirements
- Plan and budget for system improvements

Timeline

- Draft WSP Completed for City Review (8/21)
- Submit Draft WSP for DOH Review (8/21)
- Receive DOH Review Comments (11/21)
- Finalize WSP / Public Hearing and Council Adoption of WSP (1/23)
- Final DOH WSP Approval (2/23)

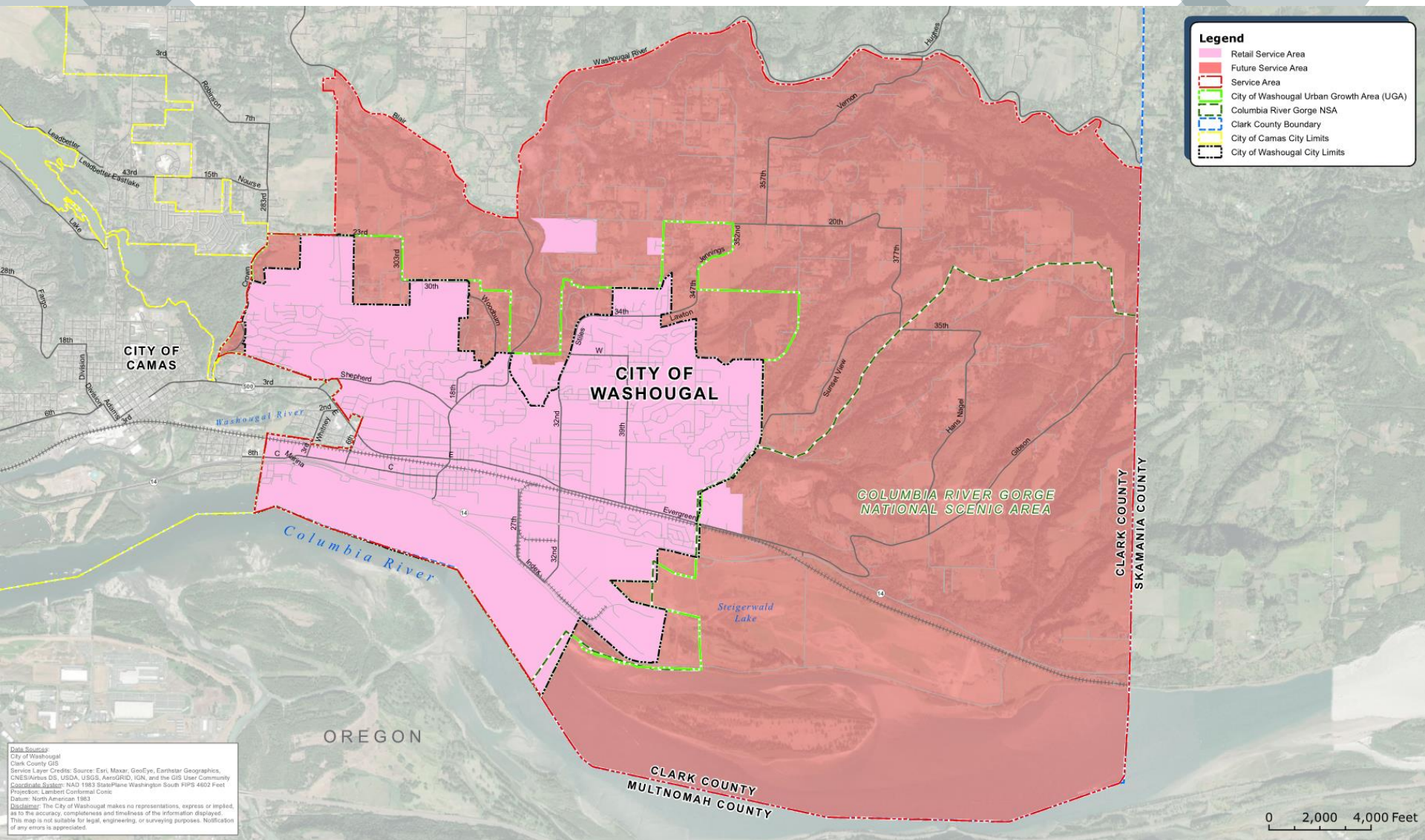
Existing Water System Infrastructure

- 6 Wells
- 7 Reservoirs
- 3 Booster Pump Stations
- 12 Pressure Zones
- 83 Miles of Pipe



Existing Water System Characteristics

- ~ 5,400 accounts
- ~ 16,200 people
- 1.6 million gallons used on average each day (ADD)
 - ~ 75% Residential Usage, 25% Commercial/Industrial Usage
- 3.6 million gallons used on max day (MDD)

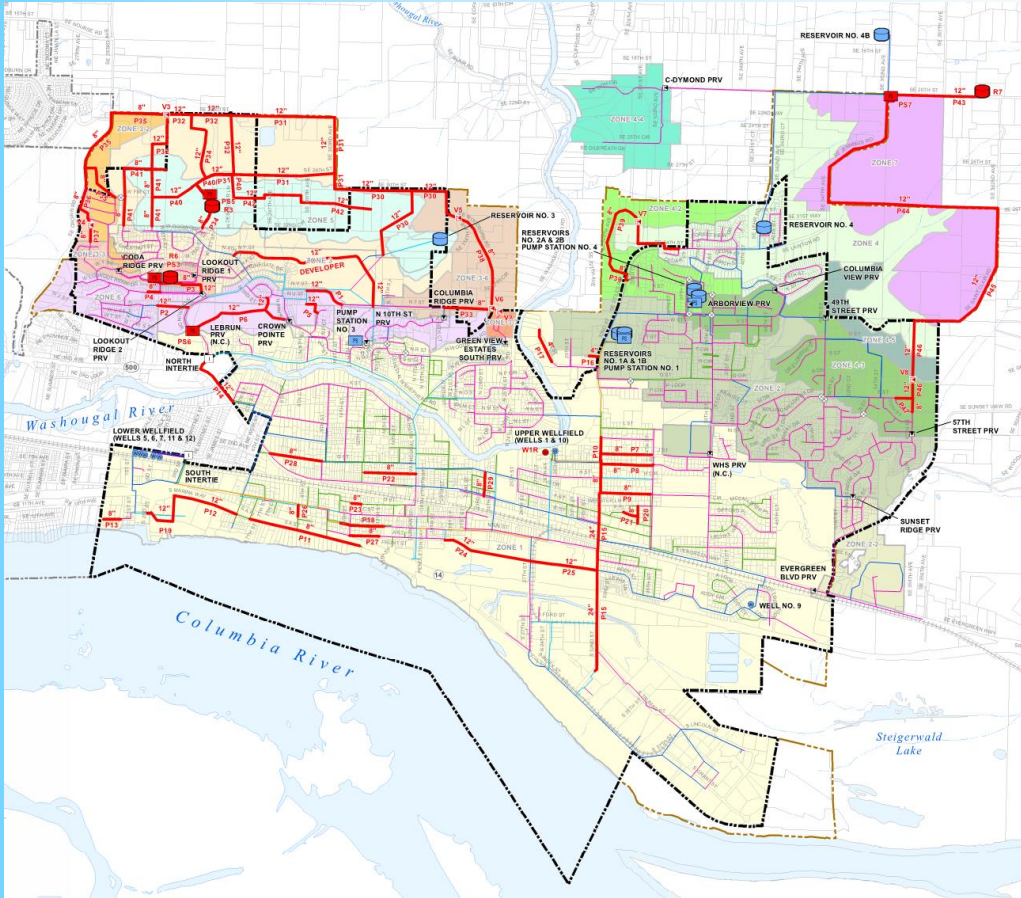


Existing System Assessment Criteria



- WAC/DOH Criteria
 - Sufficient water rights
 - Well supply can meet max day
 - Adequate backup power at supply facilities
 - Adequate tank storage volume
 - Meet minimum required fire flows on max day
 - Maintain minimum system pressures
 - High water quality

Existing Water System Assessment



- Evaluate infrastructure and pipe network to meet criteria for planning periods
- Use hydraulic model
- Identify any deficiencies
- Propose projects to address any deficiencies

Existing System Assessment Results

- Meets supply, storage, and booster pump station analysis criteria
- Provides high-quality water to customers
- Deficiencies
 - Some fire flow deficiencies on undersized or dead-end mains
 - Some high service pressures on lower elevation homes in Zone 3

Future System Assessment Results

- Infill and future service area growth applied
- Assessed same criteria as existing scenario, but applied to future service area and demands
- Determined what projects and operational changes are needed to supply future areas and customers

Future System Assessment Results

- Addition of new Pressure Zones 5, 6, and 7 to accommodate growth
- Continue to address fire flow issues from existing assessment
- Plan for pipe replacement program as pipes age

Recommended Projects

- Address identified deficiencies
- Projects prioritized as 10-Year (2021-2029) and 20-Year (2030-2039)
- 20-Year projects will be refined and updated with WSP updates
- Subject to annual updates and budget review

Recommended 10-Year Projects

Type	Description	Cost (\$)
Storage Facilities	- Reservoirs 1A and 1B Seismic Upgrades - Future Reservoir 6 Site Grading - Site Alternatives Analysis for Future Reservoir 7	\$1,143,800
Supply Facilities	425 gpm Well 1R	\$2,273,900
Northside Development	0.31 MG Reservoir 3B 1,200 gpm BPS 5 - Distribution System Oversizing	\$2,100,000
Piping Improvements	12 new or replacement water main projects 2 water service transfer projects - Annual Pipe Repair / Improvements and AMI	\$7,708,400
Planning	- Rate and connection fee study - AWIA Risk and Resilience Assessment / ERP - Water System Plan Update - System Capacity / CIP Update	\$685,600
Total		\$13,911,700

Recommended Projects Summary

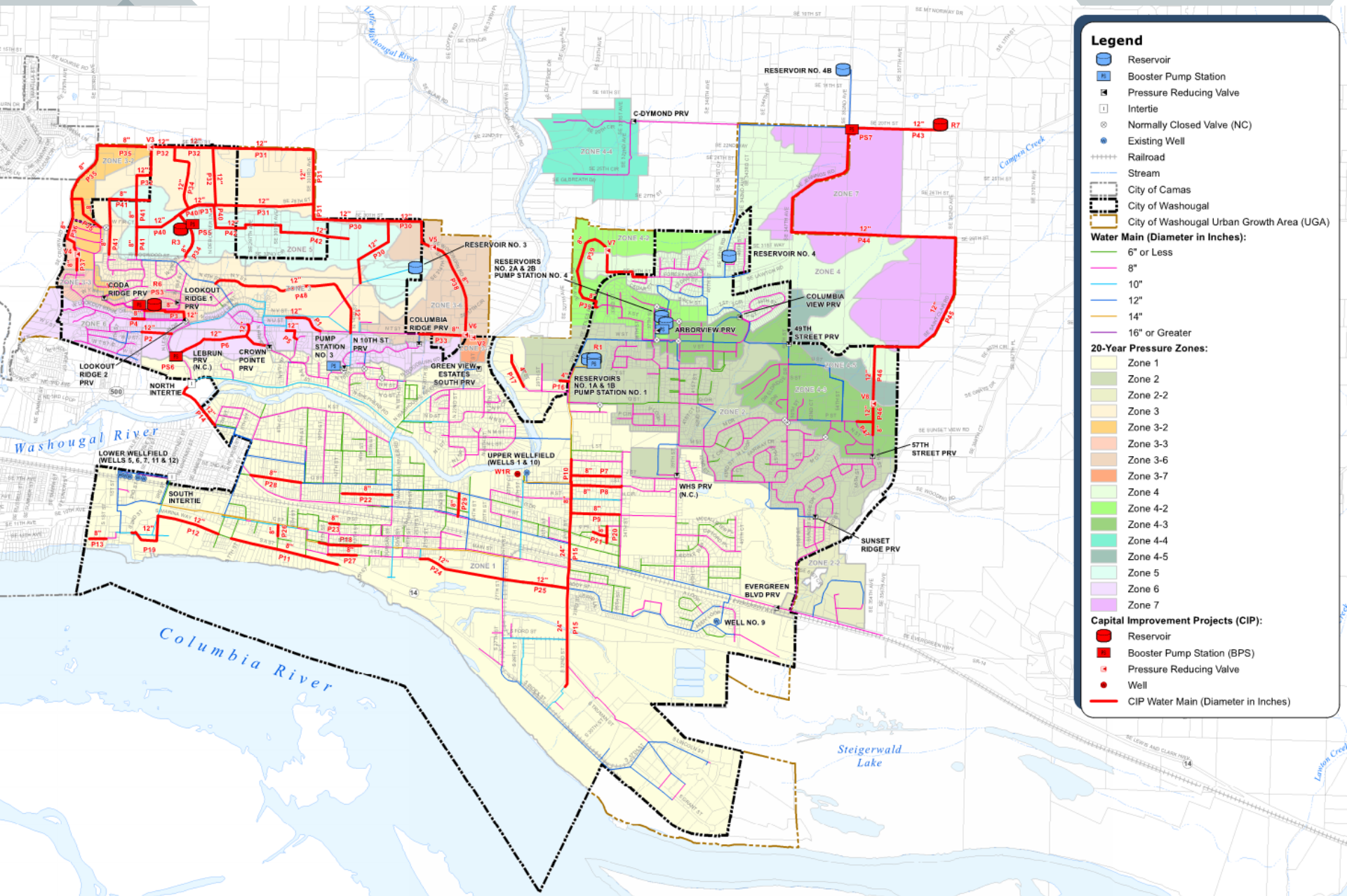
- \$13.9 million in years 1-10
- \$39.3 million in years 11-20
- \$53.2 million total over 20 years
- Financial Plan Assumptions:
 - ✓ 3% Annual Rate Increase
 - ✓ \$2.75M in Revenue Bond Financing

Next Steps

- Submit WSP to DOH for Review and Comment
- Final City Approval and Adoption
- WSP Amendment/Update Every 10 years

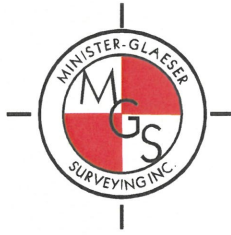
Q&A





Legend

- Reservoir
 - Booster Pump Station
 - Pressure Reducing Valve
 - Intertie
 - Normally Closed Valve (NC)
 - Existing Well
 - Railroad
 - Stream
 - City of Camas
 - City of Washougal
 - City of Washougal Urban Growth Area (UGA)
- Water Main (Diameter in Inches):**
- 6" or Less
 - 8"
 - 10"
 - 12"
 - 14"
 - 16" or Greater
- 20-Year Pressure Zones:**
- Zone 1
 - Zone 2
 - Zone 2-2
 - Zone 3
 - Zone 3-2
 - Zone 3-3
 - Zone 3-6
 - Zone 3-7
 - Zone 4
 - Zone 4-2
 - Zone 4-3
 - Zone 4-4
 - Zone 4-5
 - Zone 5
 - Zone 6
 - Zone 7
- Capital Improvement Projects (CIP):**
- Reservoir
 - Booster Pump Station (BPS)
 - Pressure Reducing Valve
 - Well
 - CIP Water Main (Diameter in Inches)



Minister & Glaeser Surveying, Inc.

Phone: 360-694-3313 Fax: 360-694-8410

July 26, 2021

Exhibit "A"

TEMPORARY CONSTRUCTION EASEMENT

A portion of the Northeast quarter of Section 12, Township 1 North, Range 3 East of the Willamette Meridian, City of Washougal, Clark County, Washington, more particularly described as follows;

BEGINNING at the Northeast corner of said Section 12;

Thence North $88^{\circ}53'25''$ West, along the North line of said Section 12, for a distance of 477.74 feet to the **TRUE POINT OF BEGINNING**;

Thence continuing South $88^{\circ}53'25''$ West, along the North line of said Section 12, for a distance of 843.39 feet to the intersection with the south line of the 60-foot wide strip establishing Harrington Road in Commissioner's Journal Book "S", Pages 80-82, dated October 27, 1939, a portion of which was relocated in March of 1954.

Thence South $82^{\circ}59'35''$ East, along the South line of said 60-foot strip, for a distance of 108.70 feet;

Thence continuing along said South line along the arc of a 1462.68-foot radius tangent curve to the left, the long chord of which bears South $87^{\circ}03'05''$ East, for a chord distance of 207.03 feet, through a central angle of $8^{\circ}07'00''$, for an arc distance of 207.01 feet;

Thence North $88^{\circ}53'25''$ East, continuing along said South line, for a distance of 470.24 feet, more or less, to the West right-of-way line of Lebrun Drive;

Thence along said West right-of-way line along the arc of a 330.00-foot radius non-tangent curve to the right, the long chord of which bears North $60^{\circ}35'06''$ East, for a chord distance of 25.40 feet, through a central angle of $4^{\circ}24'40''$, for an arc distance of 25.41 feet;

Thence North $62^{\circ}47'26''$ East, continuing along said West right-of-way line, for a distance of 40.82 feet to the **TRUE POINT OF BEGINNING**.

Containing 20,983 Square Feet (0.48 Acres), more or less.

Together with and subject to easements, reservations, covenants and restrictions apparent or of record.



7-26-21

Riverwatch/Spyglass Subdivisions Right-of-way Vacation

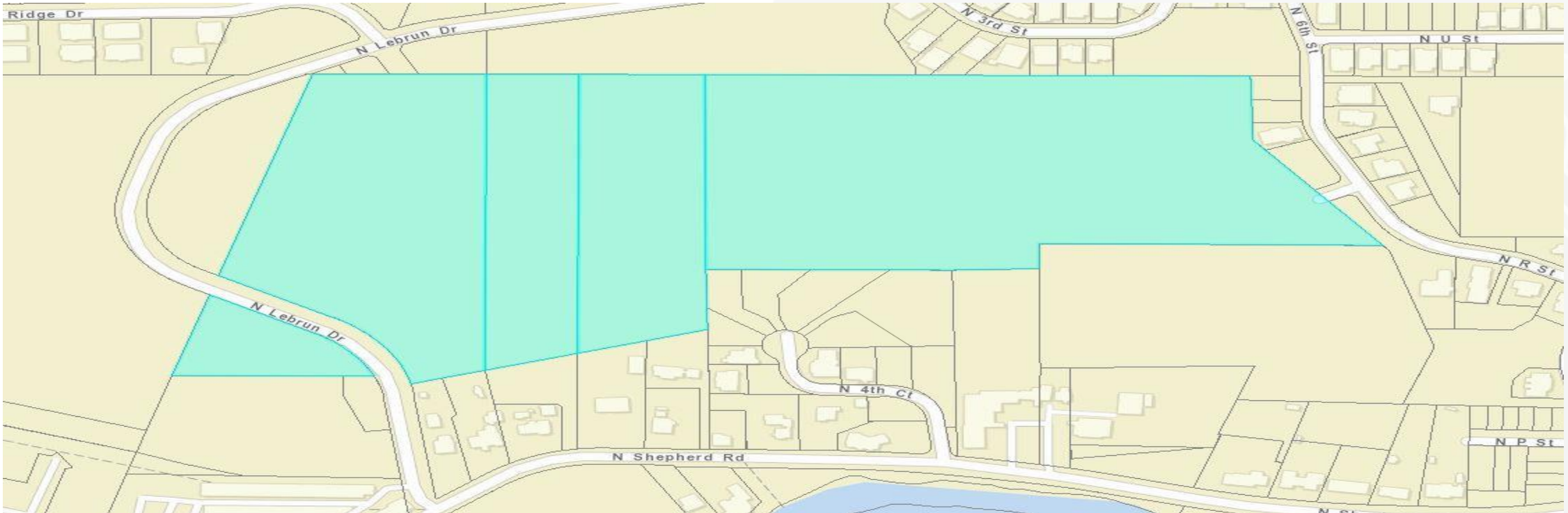
August 9, 2021| Presented by Rob Charles



City of Washougal

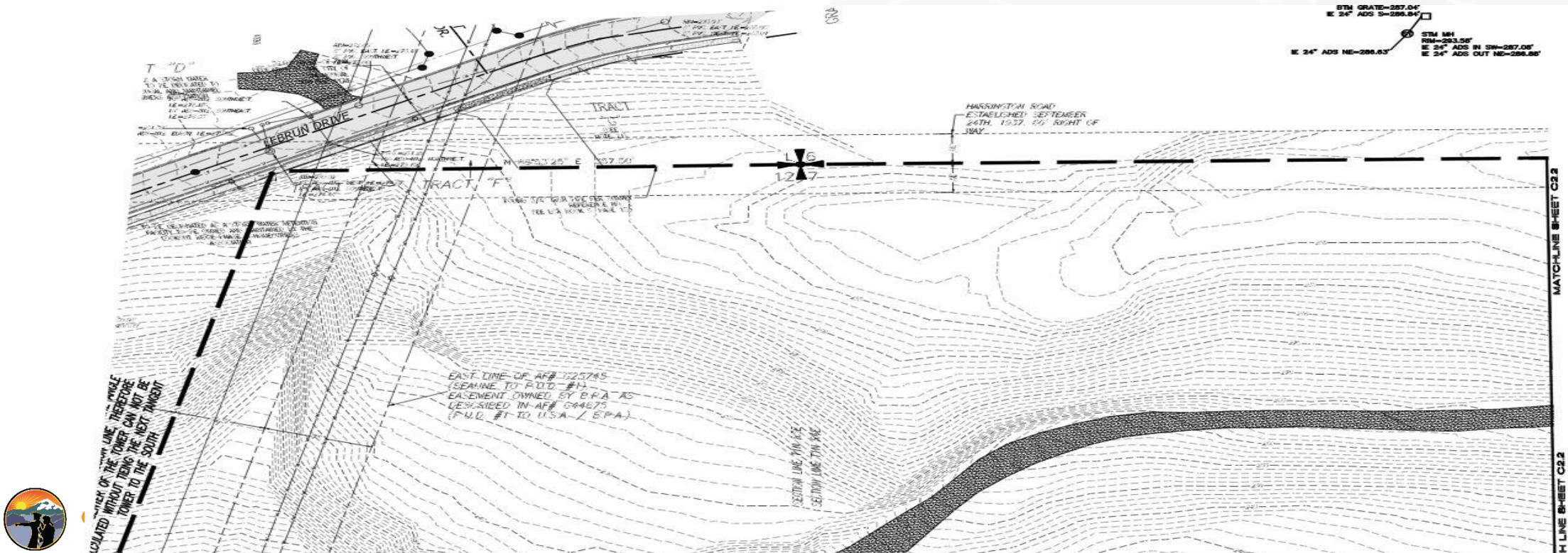
Riverwatch/Spyglass Subdivisions Road ROW Vacation

- Riverwatch and Spyglass are proposed subdivisions east and west of Lebrun Drive and north of Shepard Road.



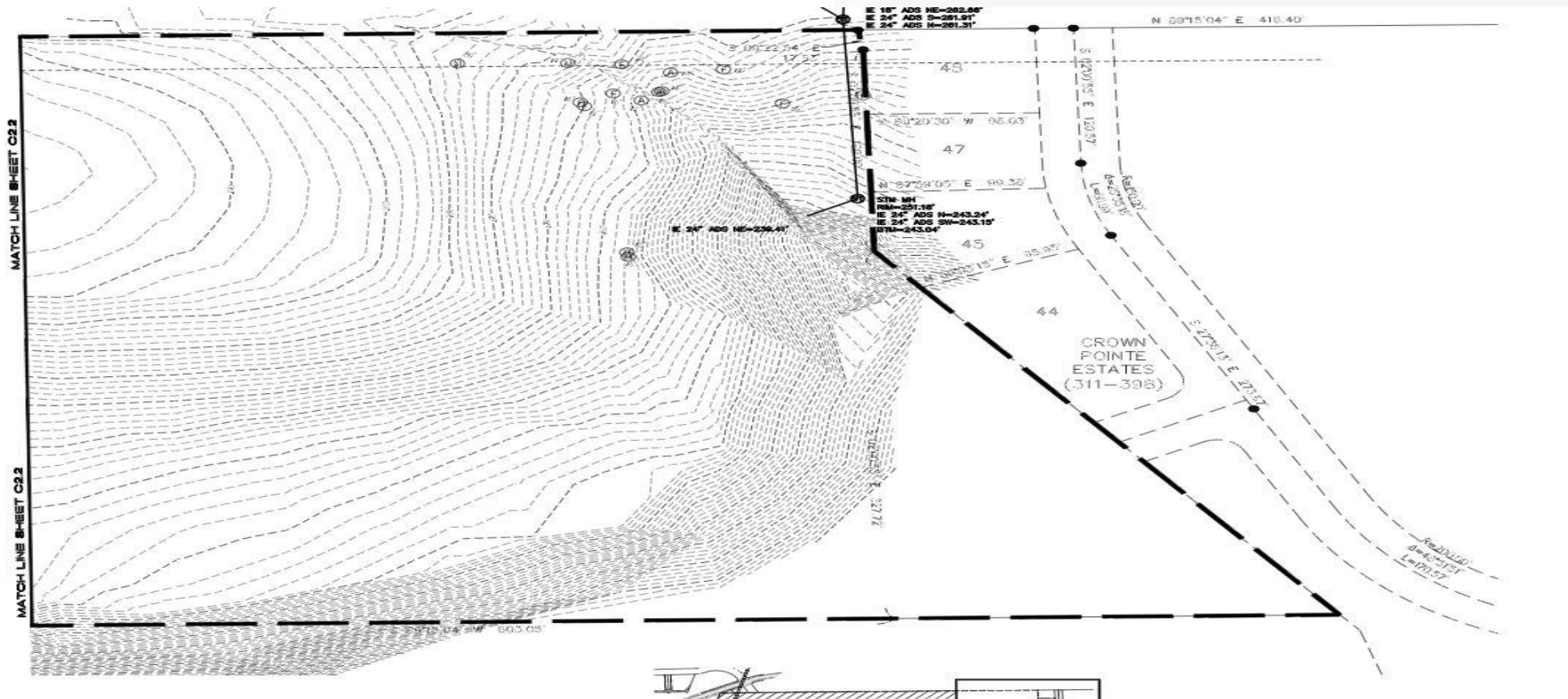
Riverwatch/Spyglass Subdivisions Road ROW Vacation

- There is an existing ROW showing as Harrington Road which runs through the north end of the proposed property, of which, 30 feet will need to be vacated to allow the developer to build their project.



Riverwatch/Spyglass Subdivisions Road ROW Vacation

- East terminus of Harrington abuts Crown Pointe Estates west of N. 6th Street



Next Steps

Staff will be processing a Temporary Construction permit for the developer's use of the ROW while they go through the ROW Vacation process to fully abandon the ½ width of Harrington Road through both subdivisions.

No action is needed at this time.



Questions?





PO Box 398
Camas, WA 98607
360.834.2519
www.kcdevelopment.net

PROVIDING SURVEYING AND PLANNING SERVICES WITH A PERSONAL COMMITMENT TO EXCELLENCE.

June 14, 2021

Director of Public Works
City of Washougal
1701 C Street
Washougal, WA 98671

RE: S 6th Street, S A Street and S 7th Right of Way Vacation Request

Mr. Evers and Mr. Charles:

On behalf of Parker's Landing, LLC, I will be the applicant for the attached right of way vacation request.

Per the checklist provided by the City, an assessors value or appraised value is to be provided with the documentation. Based upon the development agreement between the City and Parker's Landing, LLC as recorded in Auditor's File Number 5531755 ADD, this should not be necessary. Section 7 on page 6 states:

"Road Vacation. In exchange for Parkers Landing reconstructing the frontage road between Sixth and Seventh Street, City agrees to process a road vacation to Parkers Landing without compensation paid therefore..."

The Lot Owner's within a 300-foot radius of the proposed dedication, on the Southerly Side of State Route 14, are as follows:

PARKERS LANDING LLC
1615 SE 3RD AVENUE, SUITE 100
PORTLAND, OR 97214

PORT OF CAMAS – WASHOUGAL
24 S A STREET
WASHOUGAL, WA 98671

RYAN AND PARTRICIA FOSTER
2418 NE IRIS COURT
CAMAS, WA 98607

DANIEL AND JANET ALDER



PO Box 398
Camas, WA 98607
360.834.2519
www.kcdevelopment.net

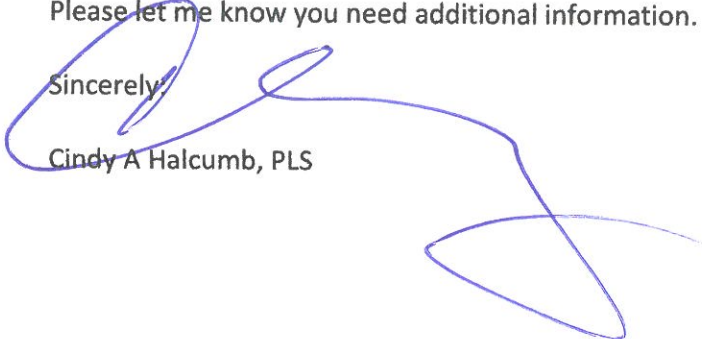
PROVIDING SURVEYING AND PLANNING SERVICES WITH A PERSONAL COMMITMENT TO EXCELLENCE.

720 S A STREET
WASHOUGAL, WA 98671

Please let me know you need additional information.

Sincerely,

Cindy A Halcumb, PLS



PETITION – VACATION OF CITY RIGHT OF WAY

INSTRUCTIONS TO APPLICANT: This Petition must be signed by the owners of more than two-thirds of the property abutting upon the part of such street or alley sought to be vacated.

TO: CITY COUNCIL
City of Washougal
State of Washington

The undersigned, taxpayers/landowners within the city of Washougal, Washington, present this Petition and request that the city right-of-way known as S 6th Street – S A Street – S 7 Street be vacated from the point commencing at S Marina Way and ending at S Marina Way Extended. The distance of the right-of-way requested to be vacated consists of approximately 673 feet.

The Petition for Vacation of S 6th Street – S A Street – S 7 Street is for the vacation of right-of-way based on the following:

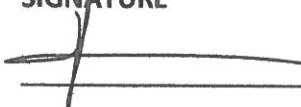
1. The current right-of-way runs through the middle of private property without proper centerline curve radii or curb and sidewalk.
2. The private lot owner intends to construct an alternate street to current street standards. and dedicate the necessary public right-of-way.

The names and addresses of the abutting property owners whose realty abuts the right-of-way vacation are:

NAME	ADDRESS
Parkers Landing LLC	1615 SE 3 rd Avenue, Suite 100 Portland, OR 97214

The affect of the abandonment on the property and to the owners thereof will be in the best interest of the public.

Respectfully Submitted,

SIGNATURE	ADDRESS	DATE
	1615 SE 3rd Ave, Suite 100 Portland, OR 97214	6/15/2021
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____



PO Box 398
Camas, WA 98607
360.834.2519
www.kcdevelopment.net

PROVIDING SURVEYING AND PLANNING SERVICES WITH A PERSONAL COMMITMENT TO EXCELLENCE.

EXHIBIT A
PUBLIC STREET VACATION
LEGAL DESCRIPTION
June 3, 2021

A Portion of the Richard Ough Donation Land Claim, situated in the Southwest 1/4 of the Southwest 1/4 of Section 7, Township 1 North, Range 4 East of the Willamette Meridian, Clark County, Washington, being more particularly described as follows:

Beginning at the Southeast Corner of Lot 12, Block 2, J.A. Lechner Subdivision, a Plat of Record in Book E, Page 29, Clark County Plat Records; thence along the East line of said Block 2, being the Westerly Right of Way line of S. 7th Street, N22°06'00"E, 105.05 feet; thence leaving said line, S74°38'28"E, 96.59 feet to the Southerly Right of Way line of S. "A" Street; thence along said line, S79°05'33"W, 54.76 feet to the Easterly Right of Way line of S. 7th Street; thence along said line, S22°06'00"W, 126.82 feet to the Southerly Right of Way line of S. "A" Street; thence along said line, N80°18'37"W, 357.21 feet to an angle point; thence continuing along said Southerly Right of Way line, N82°30'40"W, 51.39 feet to the Westerly Right of Way line of S. 6th Street; thence along said line; N20°51'32"E, 195.62 feet to the Southerly Right of Way line of S. Marina Way; thence along said line, N34°41'21"W, 40.82 feet; thence leaving said line, S67°13'59"E, 83.71 feet to the Easterly Right of Way line of S. 6th Street; thence along said line, S20°51'32"W, 154.74 feet to the Northerly Right of Way line of S. A Street; thence along said line, S80°37'37"E, 307.49 feet the Point of Beginning.

Containing 34,246 Square Feet (0.786 Acres).

The basis of bearings is that Record of Survey in Book 63, Page 172, Clark County Survey Records.

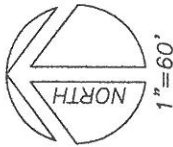


EXHIBIT B

PUBLIC STREET VACATION

A PORTION OF THE RICHARD OUGH DONATION LAND CLAIM;
SITUATED IN THE SW 1/4 OF THE SW 1/4 OF SECTION 7,
TOWNSHIP 1 NORTH, RANGE 4 EAST, W.M.
CLARK COUNTY, WASHINGTON

JUNE 3, 2021



S MARINA WAY

S67°13'59"E
83.71'

N34°41'21"W
40.82'

STATE ROUTE 14

PARKERS
LANDING
LLC

N20°51'32"E
195.62'

S 6TH STREET
S20°51'32"W
154.74'

"J.A. LECHNER SUBDIVISION"
E-29

N82°30'40"W
51.39'

S80°37'37"E
307.49'

S "A" STREET

N80°18'37"W
357.21'

P.O.B.

N22°06'00"E
105.05'

S 7TH STREET
S22°06'00"W
126.82'

S "A" STREET
S74°38'28"E
96.59'

S79°05'33"W
54.76'

PARKERS
LANDING LLC

PREPARED BY
KC DEVELOPMENT
360.834.2519



Ninebark Road Right-of-way Vacation

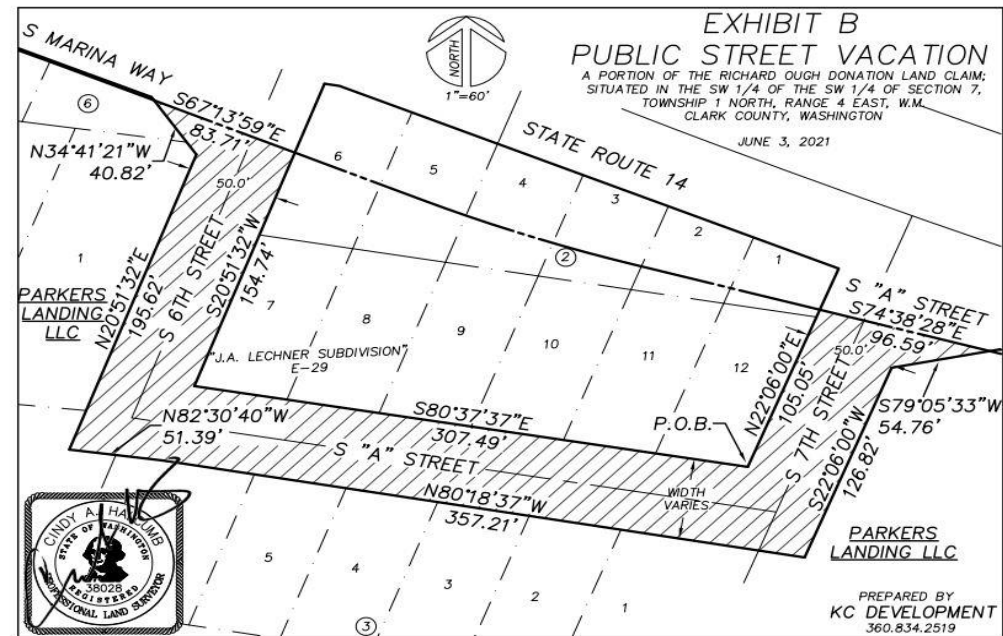
August 9, 2021 | Presented by Rob Charles



City of Washougal

Ninebark Road Vacation

- As part of the development of the Ninebark Apartments project, Marina Way/A Street will be aligned in an east west direction and the jog of 6th/A/7th Streets will be eliminated. The contractor will construct the Marina Way/A Street extension before removing the existing roads. To remove the existing roads, the developer/contractor will need use of the existing right-of-ways.

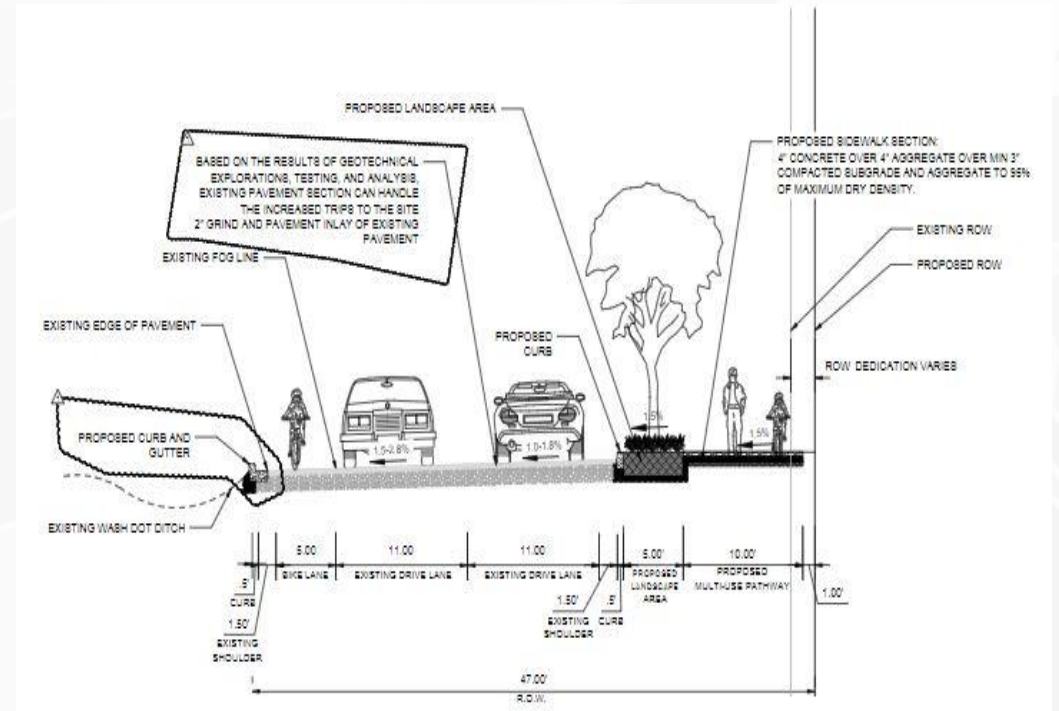


Ninebark Road Vacation

The city will be processing a Permit administratively which will allow the contractor to work within the existing 6th/A/7th right-of-ways while concurrently going through the ROW vacation process. This will allow the project to begin No removal of the existing roads will occur until the new road is built.

There is no value associated with vacation of the old roads since the new road will provide a better connection for the road system and also includes a detached trail system.

A new public access easement for the new road alignment of Marina Way will be provided to the city prior to the road being open as a temporary easement until deeded ROW for the road occurs.



Next Steps

- ❑ At the next regular council meeting on August 23rd, the council will set the public hearing for the road vacation which will be held at the September 13th meeting.
- ❑ Once the vacation is completed, documents can be recorded at Clark County.



Questions?



Human Resources Classification/Compensation and Recruitment

08/09/2021 | Presented by Jeanette Cefalo



City of Washougal

Classification/Compensation Policy

- Requires review of all classifications every five years
 - Delayed last year due to COVID
- Specific criteria outlined in policy that dictates the selection of comparable cities using size of city population and assessed valuation per capita
- Upward adjustments to pay range are based on comparable median that is 5% or higher than the City of Washougal
- City of Washougal pay ranges that are 5% or higher than the comparable data are “red-lined”



Turnover/Recruitment

- HR Director retiring at the end of the year
- Recruitment process will begin at the end of the month
- Desire to use an amended salary range for recruitment purposes only based on analysis. Analysis shows that pay range is 6.6% behind the median for comparable cities
- Making an adjustment for recruitment would be consistent with steps we took for Police Chief recruitment



Next Steps

- Once analysis is complete for all three groups a summary will be presented to Council and inform budget considerations too
- Request to bring a resolution forward to Council on August 23, 2021, to amend the salary range for HR Director only, for recruitment purposes
 - Current top of range: \$9,122
 - Proposed top of range: \$9,724



INTERLOCAL AGREEMENT
School Resource Officer (SRO)
2021-22

Agreement made this day by and between the CITY OF WASHOUGAL, a municipal corporation organized and existing under the laws of the State of Washington, here and after referred to as “City”, and WASHOUGAL SCHOOL DISTRICT NO. 112, a municipal corporation organized under the laws of the State of Washington, here and after referred to as “School District”.

RECITALS

1. Both parties recognize the importance of providing a safe, drug-free and violence-free learning environment in the Washougal schools.
2. Both parties desire to provide a safe and positive school environment within the Washougal Schools.
3. Both parties have determined there is a need for a law enforcement partnership during regular school hours, as well as a need for an officer to act as a liaison between the School District and the City.
4. The parties desire to enter into an agreement pursuant to RCW 39.34, the Inter-local Cooperation Act, to accomplish the objectives set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, it is hereby agreed as follows:

Section I

Purpose: The purpose of this agreement is to establish the respective responsibilities of the City and the School District for the staffing of a School Resource Officer (SRO) whose primary responsibility will be to conduct law enforcement activities at Washougal schools but from time to time may be assigned by the Washougal Police Department for non-school related activities in an unforeseen situation. The SRO roles, duties and limitations are detailed further in the Memorandum of Understanding between the Washougal School District and the Washougal Police Department, attached hereto as Exhibit “A” and incorporated herein by this reference.

The SRO will adjust his/her schedule in consultation with the school district and police department to meet the demands of School Safety and Security program.

Section II

Duration: This agreement shall take effect upon the signing of the agreement by both parties, shall be for an indefinite duration, subject however, to the right of either party to terminate this agreement as hereinafter provided.

2021-22 SRO Interlocal

Section III

Administration: No new or separate legal or administrative entity will be created to administer the provisions of this agreement. The agreement shall be administered by the Washougal Chief of Police.

Section IV

City's Responsibilities: It shall be the City's responsibility to provide an SRO who is a regular member of the Washougal Police Department to provide the services contemplated herein. The SRO who is selected to provide the services shall be selected at the sole discretion of the Washougal Police Chief and shall at all times be under the direction and control of the Washougal Police Department. The City will agree to pay one-half of the officer's regular wages including benefits. The City will agree to pay all overtime wages incurred by the SRO when the hours occur as a result of City-directed work.

Section V

School District Responsibilities: The School District will provide adequate space to allow the designated SRO to perform his/her duties. The School District agrees to consult with the City with regard to needs and priorities involved with the responsibilities of the SRO. The School District further agrees to pay to the City of Washougal one-half of the current wages including benefits of the designated officer when school is in session. Said payments shall be made on or before the last day of each month. Overtime hours must be approved ahead of time by the District for District-directed overtime work.

Section VI

Termination: Either party shall have the right to terminate this agreement, with or without cause, upon thirty (30) days written notice to the other party. Such notice shall be sufficient if it is in writing and deposited in the United States mail, certified mail, return receipt requested, with postage fully prepaid and addressed to the parties at their last known addresses. Any such notice shall be deemed conclusively to have been delivered to the other with seventy-two (72) hours, exclusive of Sundays and legal holidays, after deposit thereof in said U.S. mail.

Section VII

Indemnification: It is agreed that the City will indemnify, defend and save harmless the School District, its elected officials, officers, employees and agents, for any and all liability, loss, damage, expense, action, and claims, including costs and reasonable attorney fees, incurred by the School District, its elected officers, employees and agents in defense thereof, asserting or arising directly on account of or out of the City's negligent acts or omission in performance with the Agreement. The School District will indemnify, defend and save harmless the City, its elected officials, officers, employees and agents from and against all liability, loss, damage, expense, action, and claims, including costs and reasonable attorney fees incurred by the City, its elected officials, officers, employees and agents in defense thereof, asserting or arising directly or indirectly on account of or out of the School District's negligent acts or omissions in performance with this Agreement.

Section VIII

Filing: This agreement shall be filed with the Clark County Auditor and the Secretary of State of the State of Washington as required by law.

DATED this _____ day of _____, 2021.

CITY OF WASHOUGAL

WASHOUGAL SCHOOL DISTRICT NO. 112-6

By: _____
City Manager

By: _____
Superintendent

ATTEST: _____
Clerk

APPROVED AS TO FORM:


Kenneth B. Woodrich, City Attorney