

AGREEMENT WINDING UP THE  
AFFAIRS OF THE CONSOLIDATED VANCOUVER-CLARK  
PARKS AND RECREATION DEPARTMENT



This agreement to wind up the affairs of the Consolidated Vancouver-Clark Parks and Recreation Department is entered into this \_\_\_ day of \_\_\_, 2014 by and between the City of Vancouver, Washington (“City”) and Clark County, Washington (“County”).

WHEREAS, effective January 1, 1997, the City and the County entered into an interlocal agreement for the operation of a consolidated parks department and joint administration of a parks impact fee (“PIF”) program; and

WHEREAS, effective April 1, 2008, the City and County entered into a second interlocal agreement providing for the continuation of the consolidated parks department and joint administration of a PIF program; and

WHEREAS, on June 27, 2013, the County gave the City notice that it was exercising its right pursuant to the interlocal agreement to terminate the agreement effective December 31, 2013; and

WHEREAS, pursuant to the terms of the interlocal agreement both the City and the County have obligations to undertake certain actions upon its termination; and

WHEREAS, the City and the County wish to enter into this agreement to document their agreements related to the termination of the interlocal agreement and the winding up of the affairs of the Vancouver-Clark Consolidated Parks Department;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Transfer of Funds. On a date no later than 30 days from the effective date of this agreement, the City shall transfer to the County the following amounts which include principal and interest through December 31, 2013. Additionally, the City shall pay interest accruing from January 1, 2014 until the date of payment at the rate of earnings on the funds:

District	Acquisition Funds	Development Funds
1	\$29,801.07	\$8,561.80
2	\$ 0	\$ 0
3	\$ 0	\$ 0
4	\$ 0	\$ 0
5	\$2,029,458.76	\$159,476.83
6	\$1,579,882.51	\$393,171.24
7	\$1,339,020.12	\$184,636.82
8	\$1,489,459.82	\$99,772.40
9	\$1,138,582.60	\$212,122.64
10	\$1,935,479.61	\$80,066.57

MPD County Construction Fund	\$5,650.71
REET – Urban 2 <sup>nd</sup> Qtr.	\$1,553,072.95
REET II - County	\$13,794.79

2. Public Share Responsibility. Pursuant to RCW 82.02.050, cities and counties are to use impact fees only for the proportionate cost of system improvements that are attributable to new development and are to provide public funding for system developments attributable to existing development. The City shall be solely responsible for, and shall indemnify the County from any claim related to, providing or failing to provide any public funding required for the expenditure of city PIFS,. From and after January 1, 2014, the County shall be solely responsible for, and shall indemnify the City from any claim related to, providing or failing to provide any public funding required for the expenditure of county PIFs, including the PIFs that are transferred to the County pursuant to the terms of this agreement; provided that the city shall be responsible for the public share obligations of areas annexed by it.

3. Refund of PIFs. Pursuant to RCW 82.02.080, cities and counties are responsible for making refunds of impacts fees if they are not encumbered by an established period of time. The joint administration of the PIF program was terminated by the County effective December 31, 2013. From that date forward, the City and County are each responsible for administering separate PIF programs. This includes the responsibility of monitoring the date by which PIFs must be encumbered. The City shall be solely responsible for making any refunds of city PIFs required due to the failure to expend those PIFs within the required time period. The City shall also be solely responsible for making any refunds of county PIFs within the required time period that should have been made through December 31, 2013. The parties acknowledge that the City will be making refunds for unencumbered PIFs for District 4. The City shall administer the refund of these PIFs. The County shall cooperate with the City in the making of these refunds by providing information that is reasonably requested. From and after January 1, 2014, the County shall be solely responsible for making any refunds of county PIFs, including the PIFs that are transferred to the County pursuant to the terms of this agreement, required due to the failure to

expend those PIFs within the required time period that should have been made pursuant to RCW 82.02.080.

4. Recognition of Credits. The City shall honor PIF credits issued by the County in combined PIF districts that include city incorporated areas. The County shall honor PIF credits issued by the City in combined PIF districts that include County unincorporated areas. PIF credits continue to be restricted to the original district area in which the credit was issued.

5. Disposition of Equipment and Personal Property. The City shall transfer title of two vehicles and the sum of \$24,002 to the County upon receipt of an invoice for that amount. This represents the transfer of equipment originally purchased with funding by the County to effectuate the terms of the Interlocal Parks Agreement.

6. Transfer of Park Properties. The County holds fee title to the following park properties that are located within the City limits. The County agrees that it will, without charge, execute deeds transferring title to these properties to the City within thirty (30) days of the date of this agreement. The City shall be responsible for any costs related to the recording of the deeds. A list of the properties to be transferred is attached hereto as Exhibit A.

The County Administrator is authorized to execute and the City Manager is authorized to accept the deeds required to effectuate the transfers of the above-listed properties.

7. Outstanding RCO Grants. As the manager of the Consolidated Parks Department, the City applied for and received a number of RCO grants on behalf of the County. Additionally, the County applied for grants for projects that, due to annexations, are now within the incorporated area of the City. For grants applied for by the City for projects within the unincorporated area of the County, the County agrees to cooperate with the City by taking those actions necessary to modify the grant agreements to assume the responsibilities of the grantee. For projects applied for by the County that are now within the City, the City agrees to cooperate with the County by taking those actions necessary to modify the grant agreements to assume the responsibilities of the grantee. A list of the grant agreements is attached hereto as Exhibit B.

The County Administrator and the City Manager are authorized to sign the instruments necessary to modify the above-listed grants consistent with this Agreement.

8. Relation to Interlocal Agreement. The Interlocal Parks Agreement was terminated as of December 31, 2013. The Agreement contained provisions for the calculation of the return of PIF funds transferred by the County to the City. The parties acknowledge that it is infeasible to calculate the amounts to be returned using the formula set forth in the interlocal agreement. It is the parties' intention that this agreement shall control and supersede the terms of the interlocal agreement that are contrary to the terms of this agreement.

BOARD OF CLARK COUNTY  
COMMISSIONERS

CITY OF VANCOUVER

By: \_\_\_\_\_

Eric Holmes, City Manager

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
Civil Deputy Prosecuting Attorney

\_\_\_\_\_  
E. Bronson Potter, City Attorney

# EXHIBIT A

**Clark County Park Properties located within City Limits to be transferred to City of Vancouver through PIF Dissolution**

<b>SERIAL NUM</b>	<b>OWNER</b>	<b>PARK PROPERTY NAME/LOCATION</b>	<b>LOTSQFT</b>	<b>JURISDICTION/LOCATION</b>
37910024	CLARK COUNTY PARKS	Burnt Bridge Creek Greenway Trail	176,418	CITY VANCOUVER
37920002	CLARK COUNTY PARKS	Burnt Bridge Creek Greenway Trail*	12,377	CITY VANCOUVER
110343000	CLARK COUNTY PARKS	Wy'East Meadows	212,572	CITY VANCOUVER
112539062	CLARK COUNTY PARKS	Henry J. Biddle Nature Preserve	12,243	CITY VANCOUVER
112539064	CLARK COUNTY PARKS	Henry J. Biddle Nature Preserve	13,260	CITY VANCOUVER
112539066	CLARK COUNTY PARKS	Henry J. Biddle Nature Preserve	16,404	CITY VANCOUVER
112539068	CLARK COUNTY PARKS	Henry J. Biddle Nature Preserve	14,305	CITY VANCOUVER
112539070	CLARK COUNTY PARKS	Henry J. Biddle Nature Preserve	13,687	CITY VANCOUVER
112539072	CLARK COUNTY PARKS	Henry J. Biddle Nature Preserve	13,470	CITY VANCOUVER
112539074	CLARK COUNTY PARKS	Henry J. Biddle Nature Preserve	18,129	CITY VANCOUVER
112539080	CLARK COUNTY PARKS	Henry J. Biddle Nature Preserve	3,208	CITY VANCOUVER
122112000	CLARK COUNTY PARKS	Fisher's Landing	29,185	CITY VANCOUVER
122130002	CLARK COUNTY PARKS	Fisher's Landing	6,969	CITY VANCOUVER
122177000	CLARK COUNTY PARKS	Fisher's Landing	27,007	CITY VANCOUVER
500743000	CLARK COUNTY PARKS	Fisher's Landing	467,255	CITY VANCOUVER
500744000	CLARK COUNTY PARKS	Fisher's Landing	10,687	CITY VANCOUVER
122591000	CLARK COUNTY PARKS	East Biddle Lake	319,294	CITY VANCOUVER
147354000	CLARK COUNTY ENVIRONMENTAL SERVICES - LL	South Vancouver Lake Lowlands	262,666	CITY VANCOUVER
147403000	CLARK COUNTY ENVIRONMENTAL SERVICES - LL	South Vancouver Lake Lowlands	1,294,603	CITY VANCOUVER
152601000	CLARK COUNTY PARKS	South Vancouver Lake Lowlands	2,614,035	CLARK COUNTY
152602000	CLARK COUNTY ENVIRONMENTAL SERVICES - LL	South Vancouver Lake Lowlands	5,566,532	CITY VANCOUVER
163594000	CLARK COUNTY PARKS	Meadowbrook North	97,574	CITY VANCOUVER
167407008	CLARK COUNTY PARKS	Biddlewood Urban Open Space	54,014	CITY VANCOUVER
167425000	CLARK COUNTY PARKS	Biddlewood Urban Open Space	522,720	CITY VANCOUVER
		<b>Total Square Feet</b>	<b>11,778,614</b>	
		<b>Total Acres</b>	<b>270.40</b>	

\*This property is a tax foreclosed parcel. It will be conveyed separately.

# EXHIBIT B

## Grant Project Report - RCO Grant Projects that Require Sponsor or Document Amendments

Project # / Type	Project Sponsor per Agmt. (NOT PRISM)	Project Name	Jurisdiction Location	Agreement Authorization City/County	Deed-of-Right Authorization City/County	Agmt. Revisions Required
1991-166 A	Clark County Parks Dept	Vancouver Lake Lowlands - 1991	City	Clark County	Document to be found by RCO	Yes
1992-247 A	Clark County Parks Dept	Biddlewood Park	City Location, County Ownership	Clark County	Clark County	Yes
1992-328 A	Clark County	Wineberg Community Park	County	Clark County	Clark County	Yes
1992-330 A	Clark County Parks Dept	Ellsworth School Park	City	Clark County	Clark County	Yes
1996-072 A	Clark County Parks Dept	Fisher Basin Regional Park	City	Clark County	Clark County	Yes
1996-075 D	Clark County	Vancouver Lake Ph. 2	City Location County Ownership	County	NA	No
1996-1197 AD	Clark County Parks Dept	Frenchman's Bar Trail	City Location County Ownership	County	Document to be found by RCO	No
1997-025 A	Vancouver Parks & Rec Dept	Whipple Creek 97	County	County	Document to be found by RCO	Yes
1997-1206 D	Clark County Parks Dept	Evergreen Fisheries Park	City	County	NA	Yes
1998-1293 A	Vancouver Parks & Rec Dept	LaLonde Creek Park	County	City	Document to be found by RCO	Yes
1999-1358 R	Vancouver Parks & Rec Dept	East Fork Lewis Riparian Restoration	County	RCO to confirm	NA	RCO to confirm
1999-1366 R	City of Vancouver	Burnt Bridge Creek Riparian Enhancement	City	RCO to confirm	NA	RCO to confirm
1999-1762 AD	Vancouver Parks & Rec Dept	East Fork Lewis River Greenway	County	RCO to confirm	Document to be found by RCO	RCO to confirm
2000-1465 A	Clark County Parks Dept	Evergreen Fisheries Park Phase 2	City	County	Document to be found by RCO	Yes
2000-1498 D	Vancouver Parks & Rec Dept	Felida Park	County	County	NA	Yes
2002-1183 A	Vancouver Parks & Rec Dept	Maple Crest Park	County	City	Document to be found by RCO	Yes
2003-1138 A	Vancouver Parks & Rec Dept	Hockinson Park	County	County	County	Yes
2004-1332 A	Vancouver Parks & Rec Dept	Lakeshore Park	County	City	Document to be found by RCO	Yes
2004-1341 A	Vancouver Parks & Rec Dept	Mount Vista Park	County	City	Document to be found by RCO	Yes
2006-2015 A	Vancouver Parks & Rec Dept	South Fisher's Landing Park Acquisition	City	City	City	Yes
2006-2021 A	Vancouver Parks & Rec Dept	Mackie Park Acquisition	County	City	County	Yes
2006-2032 D	Vancouver Parks & Rec Dept	Fairgrounds Community Park - Phase 1	County	City	NA	Yes
2006-2173 A	County of Clark	East Fork Lewis Reach 6/Dean Creek	County	City	Document to be found by RCO	Yes

2012-1203 A	Vancouver Parks & Rec Dept	Cougar Creek Woods Park Acquisition	County	City	VCPRD	Yes
2012-1466 A	Vancouver Parks & Rec Dept	Chinook Park Acquisition	County	City	VCPRD	Yes
2012-1491 A	Vancouver Parks & Rec Dept	John Ball Park Acquisition	City	City	VCPRD	Yes