

PA 05-107

**AMENDMENT TO MEMORANDUM OF UNDERSTANDING
REGARDING THE FORT VANCOUVER INTER-COUNTY RURAL LIBRARY
DISTRICT AND FORT VANCOUVER REGIONAL LIBRARY**

This is an Amendment to the Memorandum of Understanding entered into between the CITY OF VANCOUVER, WASHINGTON, CLARK COUNTY, SKAMANIA COUNTY, KLICKITAT COUNTY, THE FORT VANCOUVER INTER-COUNTY RURAL LIBRARY DISTRICT, also known as the "Fort Vancouver Regional Library District," and THE FORT VANCOUVER REGIONAL LIBRARY. The Memorandum of Understanding was recorded with the Clark County Auditor on October 14, 1999, under Auditor's Recording No. 3159752. Since entering into the Memorandum of Understanding, the Fort Vancouver Regional Library has been dissolved.

WHEREAS, the Memorandum of Understanding sets forth the parties' understanding relating to the appointment of the Board of Trustees of the Fort Vancouver Regional Library District; and

WHEREAS, the Memorandum of Understanding sets forth the residential qualification for the seven different positions on the Board of Trustees; and

WHEREAS, the parties have reached an agreement to clarify the residential qualification of Position Nos. 1, 4 and 7, as it relates to appointments from Clark County, to exclude the incorporated area of the City of Vancouver because there are two trustee positions designated for residents of the City of Vancouver; now, therefore,

IT IS HEREBY AGREED that the Memorandum of Understanding, as it relates to the residential qualifications of persons appointed to the Board of Trustees, is amended to read as follows:

Successive appointments shall be made from among persons having the following residential qualifications, namely

Position No.	Residential Qualification
No. 1	Clark County - Excluding the incorporated area of the City of Vancouver
No. 2	City of Vancouver
No. 3	Skamania County
No. 4	Clark County - - Excluding the incorporated area of the City of Vancouver
No. 5	City of Vancouver
No. 6	Klickitat County
No. 7	Clark County - Excluding the incorporated area of the City of Vancouver

All of the remaining terms and provisions of the Memorandum of Understanding shall remain in full force in effect.

DATED this 21 day of June, 2005.

Approved as to form only:
CITY ATTORNEY'S OFFICE

By: Ted Gathe
Ted Gathe, City Attorney

CITY OF VANCOUVER

By: [Signature]
City Manager

Attest:

By: Louise Richards
Louise Richards, Clerk to the Board

BOARD OF COMMISSIONERS
FOR CLARK COUNTY

By: [Signature]
Chair

Approved as to form only:
ART CURTIS
Clark County Prosecuting Attorney

By: [Signature]
E. Bronson Potter, Sr. Deputy PA

Attest:

By: [Signature]
Clerk to the Board



BOARD OF COMMISSIONERS
FOR SKAMANIA COUNTY

By: [Signature]
Chair

Approved as to form only:
SKAMANIA COUNTY PROSECUTING
ATTORNEY

By: [Signature]
Prosecuting Attorney


Attest:

By: [Signature]
Clerk to the Board

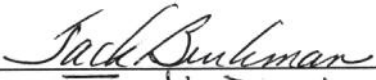
BOARD OF COMMISSIONERS
FOR KLICKITAT COUNTY

By: [Signature]
Chair

Approved as to form only:
KLICKITAT COUNTY PROSECUTING
ATTORNEY

By: 
Prosecuting Attorney

THE FORT VANCOUVER INTER-
COUNTY RURAL LIBRARY DISTRICT

By: 
Name: Jack Burkman
Title: Board Trustee

For Filing with Clark, Klickitat and Skamania County Auditors

MEMORANDUM OF UNDERSTANDING REGARDING THE FORT
VANCOUVER INTER-COUNTY RURAL LIBRARY DISTRICT AND
FORT VANCOUVER REGIONAL LIBRARY

This is a Memorandum of Understanding between the City of Vancouver, Washington ("the City"), and the Boards of County Commissioners of Clark, Skamania, and Klickitat counties, Washington, the Fort Vancouver Inter-County Rural Library District, also known as the Fort Vancouver Regional Library District ("the District") and the Fort Vancouver Regional Library (the "Regional Library").

WHEREAS, pursuant to Chapter 39.34 RCW (The Interlocal Cooperation Act), one or more public entities may contract with one another to provide government services which each is by law authorized to perform; and

WHEREAS, Chapter 27.12 RCW expressly provides for intergovernmental cooperation in the provision of library services to the public; and

WHEREAS, the Fort Vancouver Regional Library and the District are governed by one Board of Trustees; and

WHEREAS, on December 4, 1975, the parties approved an Amendatory Agreement that addressed, among other matters, a process for trustee appointment to the Regional Library and District Board of Trustees; and

WHEREAS, on July 13, 1981, the city annexed to the District, as subsequently approved by the voters of the City with concurrence of the District, and therefore there is no longer a need

to maintain the Regional Library as a separate institution for the efficient delivery of library services,

NOW, THEREFORE, is hereby agreed:

1. Upon approval of its Board of Trustees, the Regional Library shall be dissolved as a separate institution. The parties affirm that all library operations are vested in the District which continues to be known as the Fort Vancouver Regional Library District.

2. The District shall be governed by a board of seven (7) trustees to be appointed solely by joint action of the Boards of County Commissioners of Clark, Skamania and Klickitat counties. Joint action may be taken by either of the methods specified in RCW 27.12.100 as existing or hereafter amended. RCW 27.12.100 currently provides that the alternative methods of taking joint action are by (1) the boards of county commissioners adopting identical resolutions within one year of one another or (2) the county commissioners acting in a joint session attended by a majority of the commissioners of each county, by a majority vote of those present. Trustees shall be appointed for a seven (7) year term. Such trustees shall hold office until the expiration of their terms and until their successors are duly appointed. Successive appointments shall be made from among persons having the following residential qualifications, namely:

Position No.	Residential Qualification
1	Clark County
2	City of Vancouver
3	Skamania County
4	Clark County
5	City of Vancouver
6	Klickitat County
7	Clark County



3. The City shall make recommendations to the Boards of County Commissioners of Clark, Skamania and Klickitat counties for the two designated City trustee position(s). Any approvals of such recommendations shall only be by the joint action of the Boards of County Commissioners.

4. Each county shall make recommendations to the Boards of County Commissioners of Clark, Skamania and Klickitat counties for its designated county trustee positions(s). Any approvals of such recommendations shall only be by the joint action of the Boards of County Commissioners.

5. Only persons who are residents of the Library District are eligible to be recommended for appointment as trustees to the Library District Board.

6. Prior to dissolution of the Regional Library, its Trustees shall, with the consent of the City of Vancouver hereby given, assign to the District all rights of the Regional Library in the August 20, 1963, Lease Agreement between the City and Regional Library for the library property at 1007 East Mill Plain Boulevard, as more specifically described therein.

7. This Memorandum of Understanding hereby modifies the Amendatory Agreement dated December 4, 1975, which otherwise shall remain unaffected, for the District.

DATED this 16th day of September, 1999.

CITY OF VANCOUVER

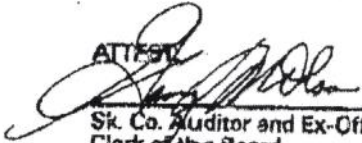
BOARD OF COUNTY COMMISSIONERS
OF CLARK COUNTY

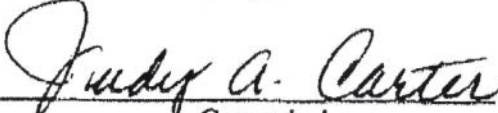

By: M. J. Briggs
Vernon E. Stoner, City Manager

Judith Stanton
Commissioner
Chris G. Anderson
Commissioner
Betty Sue Morris
Commissioner

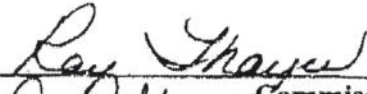
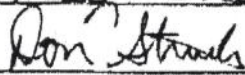
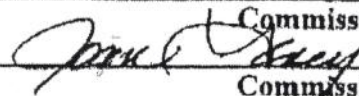


BOARD OF COUNTY COMMISSIONERS
OF SKAMANIA COUNTY

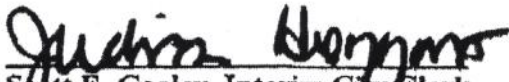
ATTEST

Sk. Co. Auditor and Ex-Officio
Clerk of the Board


Commissioner

Commissioner
Commissioner

BOARD OF COUNTY COMMISSIONERS
OF KLICKITAT COUNTY


Commissioner

Commissioner

Commissioner

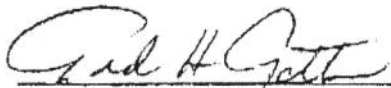
Attest:



Scott E. Cooley, Interim City Clerk
By: Judith Hoggatt, Deputy

FORT VANCOUVER REGIONAL LIBRARY DISTRICT


Trustee and Board Chair

APPROVED AS TO FORM:


Ted H. Gathe
Vancouver City Attorney


Jim Hagarty
Klickitat County Prosecutor



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Clark County, WA

PROSECUTING ATTORNEYS OFFICEAGR 0.00

for **Arthur D. Curtis**
Clark County Prosecutor

Bradley W. Andersen
Skamania County Prosecutor

~~D. Jeffrey Courser
Attorney for Fort Vancouver Regional
Library District~~

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