



Town of Yacolt
202 W. Cushman St. P O Box 160
Yacolt, WA 98675
(360) 686-3922 FAX: (360) 686-3853
www.townofyacolt.com

June 04, 2018

Town Council Agenda

Town Hall 7:00 PM

1. **Call to Order**
2. **Flag Salute**
3. **Roll Call**
4. **Late Changes to the Agenda**
5. **Minutes of Previous Meeting**
 - A. **Minutes from the May 21, 2018 Regular Council meeting**
6. **Citizen Communication**

***Anyone requesting to speak to the Council regarding items not on the agenda may Come forward at this time. Comments are limited to (3) minutes. Thank you.**
7. **Old Business:**
 - A. **Fireworks - Update**
8. **New Business:**
 - A. **Dawn Salisbury - Swearing In**
 - B. **6 Year Transportation Plan - Discussion**
 - C. **Fire Chief Shawn Ford - Discussion**
 - D. **Draft Resolution and Agreement for KWRL - Discussion**
 - E. **Executive Session**
9. **Mayor's Comments**
10. **Attorney's Comments**
11. **Council's Comments**
12. **Public Works Dept. Report**
13. **Town Clerks Report**
14. **Pay Bills on behalf of the Town**
15. **Adjourn**

The Town of Yacolt is celebrating 109 Year.... '1908 - 2017'!!!

**Town of Yacolt
202 W. Cushman St.
Yacolt, WA 98675**

DRAFT

May 21, 2018

Town Council Meeting (Regular Meeting)

1. Call to Order

Mayor Pro-Tem Boget called the meeting to order at 7:00 p.m.

2. Flag Salute:

3. Roll Call:

PRESENT: Mayor Pro-Tem Boget and Council members Bryant, Noble, Moseley, Rowe-Tice

ABSENT: Mayor Myers

MOTION: Council Member Noble moved to excuse Mayor Myers from this meeting.

SECOND: Council Member Bryant

AYES: Council members Bryant, Noble, Moseley, Rowe-Tice

VOTE: Motion Carried.

PRESENT: Attorney Ridenour, Public Works Director Ross, Assistant Clerk Younce

4. Draft Minutes from the Previous Meeting:

Draft minutes were presented for the May 21, 2018 regular meeting.

MOTION: Council member Bryant moved to accept the minutes of the May 21, 2018 meeting as presented.

SECOND: Council member Moseley

AYES: Council members Bryant, Noble, Moseley, Rowe-Tice

VOTE: Motion Carried

5. Late Changes to the Agenda:

None

6. Citizen Communication:

Judy Hunter with NCLL let the Council know that NCLL has been approved for this year's All-Star tournament from June 16-27. She asked that she be able to contact KWRL about not using field 4 from June 10 through the end of the tournament. Advised to contact KWRL. Ms. Hunter wanted to make

sure the Town has a copy of NCLL insurance. Confirmed Current copy on file. There was also discussion on whether or not the Town was allowed to have one key for the blue lock. One Key will remain with the town. Mayor Pro-Tem Boget asked about the security stickers at the ball field. Ms. Hunter replied that there is no security system.

7. Old Business:

A. Town Clerk Position Update:

Interviews were finished. They had one outstanding candidate and are having background checks done and references called. The Cost for Battle Ground's help came to a total of \$1,104.77 for everything.

B. Fireworks Update:

The County is talking about two days of use (July 3-4) and 4 days of sales, a ban for extreme fire danger, a definition of "safe and sane" fireworks and possible permits for citizens to light off those that are not "safe and sane."

C. Resolution # 567 Approval of Agreement with Jackson Civil Engineering:

Attorney Ridenour let the Council know that the Agreement was in front of them. The Agreement ends on December 31, 2018 so there is a set schedule for a new RQF.

MOTION: Council member Bryant moved to approve Resolution # 567; approving the agreement for engineering services with Jackson Civil Engineering and authorizing the Mayor to sign the Agreement with Jackson Civil Engineering to serve as the Town's engineer for the balance of calendar year 2018.

SECOND: Council Member Rowe-Tice

AYES: Council members Bryant, Noble, Moseley, Rowe-Tice

VOTE: Motion Carried

8. New Business:

A. Public Hearing for Elwood Holdings Short Plat:

Mayor Pro-Tem Boget read a short statement that is included in the Council packet.

B. Public Hearing for East Jones Street Short Plat:

Mayor Pro-Tem Boget read a short statement that is included in the Council packet.

9. Mayor's Comments:

None

10. Attorney's Comments:

None

11. Council Comments:

- Council member Moseley asked the citizens to keep an eye on the fireworks proceedings.
- Council member Bryant asked Public Works Director Ross about the installation of the welcome signs. He said he will get to it when he has time.
- Council member Noble asked about getting hole next to him fixed. Public Works Director Ross will get rock and fill it in. The Town will give the homeowner notice to correct the issue. Council member Noble also asked how communication has been with Deputy Sheriff Tim Gosch. Ross let him know that Gosch is writing tickets and spends much more time in Town than required.

12. Public Works Comments:

Public Works Director Ross asked Council member Bryant if she had gotten the Bigfoot signs done. Ross then stated he's trying to keep up with the Town's needs but it's going to take a lot of work. He stated that he is short staffed. He also stated that if his work is not up to the Councils standard he can step down and somebody else can do it.

13. Town Clerk's Comments:

Assistant Clerk Younce let everyone know that part of the flash drives have come in. The annual bill for Agendease is \$1,788.00. Most people don't use it. Doing it ourselves would make it easier, faster and cheaper.

MOTION: Council member Bryant moved to cancel Agendease.

SECOND: Council member Rowe-Tice

AYES: Council members Bryant, Noble, Moseley, Rowe-Tice

VOTE: Motion Carried.

14. Pay Bills on behalf of the Town:

MOTION: Council member Bryant moved to approve payment of the bills on behalf of the Town.

SECOND: Council member Rowe-Tice

AYES: Council members Bryant, Noble, Moseley, Rowe-Tice

VOTE: Motion Carried.

15. Adjourn:

Mayor Pro-Tem Boget adjourned the meeting at 7:55 p.m.

DRAFT

DRAFT

Vince Myers, Mayor

Katie Younce, Assistant Clerk

Current Expense	12,172.58
Streets	1,683.86

Claims	13,856.44
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Town of Yacolt

Request for Council Action

Proposed Meeting Date: Monday, June 04, 2018 Agenda Item:

Contact Information for Person/Group/Department Requesting Council Action:

Requester's Name Mayor Myers, Council member Boget
Group Name (if applicable)
Address
Daytime Phone
Alternate Phone
E-Mail Address

Item Title:

Fireworks - Update

Action Requested of Council:

Discussion

Proposed Motion:

Summary / Background:

Governing Legislation:

Budget/Finance Impacts:

Attachments, (previous ordinance, resolution, proposed ordinance, etc.):

Summary from Fireworks Meeting
Fireworks Survey Report

Staff Contact(s):

Younce

Here is my summary from today's fireworks meeting. Feel free to add anything you would like!

Opening discussion:

- This is an important forum for local elected officials to hear from each other, and from all interested stakeholders;
- Recognition from the Council that any decision will have an impact, and they want to ensure whatever decision is made is done after careful consideration;
- Each local jurisdiction will make the decision that is the best for their community, if there is consensus, that is beneficial, but each jurisdiction will do what they are going to do;
- Representatives from the Town of Yacolt expressed concern about the process and content of the discussion, did not feel that there was sufficient data for anyone to make an informed decision, thought that other holidays posed just as much of a challenge than the Fourth of July, thought Vancouver's ban on fireworks had no effect, and ultimately that any deviation from state law minimum fireworks standards would be an "unwise path."

Fireworks data:

- Follow-up discussion to prior meeting;
- Jon Dunaway provided data on the number of fireworks curfew violations each day around the holiday, and the number of noise complaints per day.

Discussion of potentially limiting (1) dates/times of sale; (2) dates/times of use; and (3) types of fireworks allowed:

- Fireworks retailers/wholesalers:
 - Narrowing down the sale window to anything less than 7 days means you may not have a weekend sale date, and the weekend sale dates are the biggest for profits;
 - 7-day sale period is really vital to ensure profitability;
 - As an industry, they are looking for ways to improve customer experience with fireworks – this includes robust education and awareness through fliers, posters, even Frisbees printed with fireworks safety information;
 - Education includes injury prevention, fire prevention, etc.
 - Want to work together to address the citizen complaints;
 - Consistent regulatory requirements will make their education efforts more effective;
 - The problem is with a lack of enforcement;
 - They are amenable to increasing the tent fees to increase enforcement;
 - Implementing "safe and sane" will mean non-profits will not make the funding they need, and the majority of the for-profit sale locations will go away;

- Going safe and sane would have the same effect as an outright ban – either would put us out of business;
 - Limiting to two days of discharge and increasing enforcement will solve a lot of the problems;
 - Tribal sales are set to begin in 2019, and people will just go to the Cowlitz to buy their fireworks, and will then buy fireworks that are bigger, louder, and more dangerous;
 - Some Puget Sound jurisdictions that previously implemented a ban are once again allowing fireworks since the ban just drove people to tribal sales and did not make a difference in complaints;
 - All fireworks sold go through rigorous inspection and testing to ensure safety;
 - People need to be good neighbors and pick up their garbage;
 - Retailers likely will not set up tents in Washougal after this year since they went to safe and sane;
 - Possibly look into limiting fireworks purchases in the county to those 18 and older, Black Jack Fireworks already has this policy at their stands;
 - Fountains and cones can go up to 10 feet in the air and still be considered “safe and sane”; and safe and sane fireworks still make noise that will generate noise complaints;
- Fort Vancouver:
 - If you limit to one day of discharge, then people have to make a choice between lighting off their own and coming to a bigger community show. Allowing multiple days of discharge allows people to do both;
 - Retail fireworks are a big funding mechanism for the show;
 - Going to safe and sane, or limiting the discharge times, will likely mean the fireworks show cannot obtain enough revenue to sustain itself;
 - The event is about \$225,000, with half of it being funded through retail sales and the City of Vancouver funding nearly the entire other half, though they are working on corporate sponsorship;
- City of Ridgefield:
 - All new developments in the city require an HOA, so there are a lot of HOA’s in the city, and there is an HOA Council. At the last meeting, the topic of fireworks was brought up, and all the HOA’s agreed that fireworks cause a multitude of noise and debris complaints;
 - Ridgefield shares concern for non-profits, knowing their only firework stand in town funds their “grad night” celebration;
 - They want to see sale dates the same as they are now, discharge dates limited, and implement “safe and sane;”
 - City works very closely with Ilani and the Cowlitz, the casino is not planning to sell fireworks, and the casino is trying to be a good neighbor;
- Washougal:
 - Implemented a “safe and sane” standard of fireworks that travel no more than one foot in height or six feet on the ground;
 - This ensures that fireworks sparks are localized and cannot go into the neighbors’ yard;
 - Need to make sure that whatever is implemented can be enforced – enforcement is already a challenge because arrests and citations take time, and with limited numbers of law enforcement officers available, the resources need to be used where they are most effective;

- Councilor Olson:
 - Safe and sane fireworks would likely generate less noise complaints because they do not create the window-shaking booms;
 - Once the firework leaves the ground, it cannot be controlled, regardless of the amount of education the individual receives;
- Yacolt:
 - There is no proof there is a public safety hazard to justify changing fireworks laws;
 - Safe and sane still creates fire hazards – it does not mean “pretty and not dangerous;”
 - Safe and sane would put stands out of business, hurt non-profits, and will achieve nothing.
 - NACCC representatives:
 - Some people simply cannot go to a community event – it would be too much hassle and expense for larger families;
 - Neighborhoods should do more after-the-fourth clean-up events;
 - Council should consider an advisory vote;
 - Role of government is to provide safety and security, and the County is missing this mark because people are fearful of fireworks and the potential for fire;
- La Center:
 - We should also be concerned about the fire danger from fireworks – not just noise and injury complaints;
 - Can appreciate the difficulties of a seasonal business, and wants to ensure the La Center stand can remain successful;
 - However, the needs of the businesses must be balanced against the neighbors – fireworks aren’t good neighbors when they can be discharged on property A and land on property B;
- Non-Profit (Hazel Dell Lions Club):
 - Safe and sane fireworks leave just as much debris as other fireworks;
 - 60% of Hazel Dell fireworks come from Oregonians;
 - If safe and sane is implemented, people will just go up to the tribal land, taking valuable money away from the non-profits that rely on these sales;
 - Respectful of those that are fearful of fireworks, but many people enjoy fireworks and want to celebrate our freedoms;

Next steps:

- No further stakeholder group meetings
- Council will discuss at Council Time whether to proceed with a work session



Clark County Neighborhood Outreach Program

Fireworks Survey Data

Information presented for review at Clark County Council Worksession on 05/08/2018

We received 7,628 responses to this survey, which was released on the afternoon of Tuesday, May 1. The survey was closed to responses on Monday, May 7 so that data could be compiled for this report. *Although this is a very large number of responses, this survey was not developed to serve as an advisory vote.*

The initial reason that this survey was developed was because several neighborhoods were considering sending out their own surveys on fireworks and had requested assistance. In those discussions, I had concerns that this would result in several different sets of questions and answers that would result in data that would be very difficult to compile.

With the assistance of Lindsey Shafar, our policy analyst, as well as discussion with other staff members, I developed the questions as an opinion survey on the fireworks-related issues that staff has received the most comments on. The survey was finalized into four questions and added a ZIP code question so that we could compile geographical data. The questions were reviewed by all five councilors prior to sending out the survey.

Three of the questions focus on the three issues that staff receives the most phone calls, questions and complaints on:

- Noise,
- Fire Hazards, and
- Garbage/Debris.

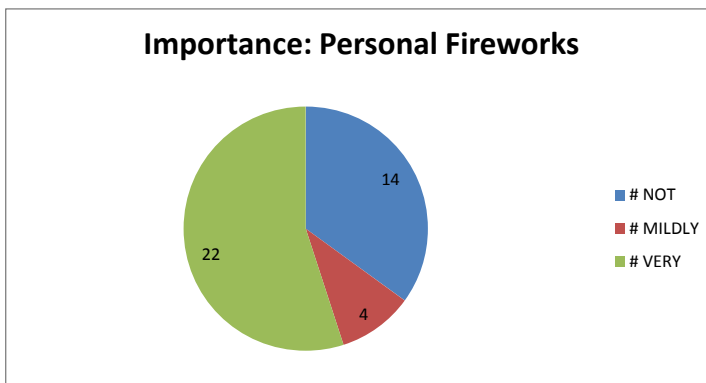
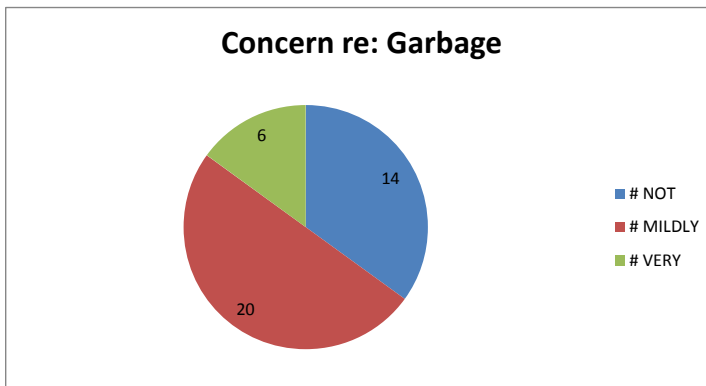
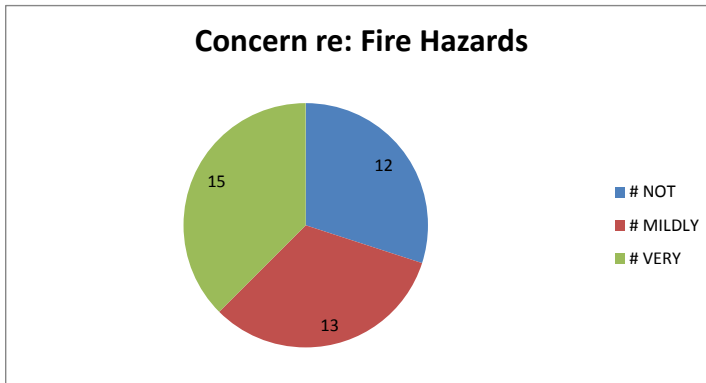
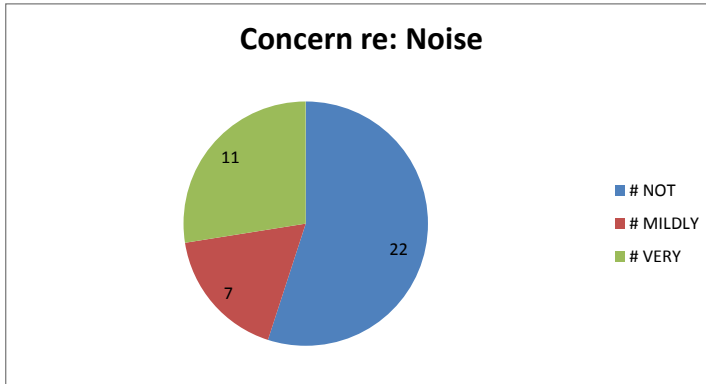
The fourth question was added to allow residents to weigh in on how important personal fireworks are to their family and neighborhood 4th of July celebrations.

The results are attached and graphed out for you to review.

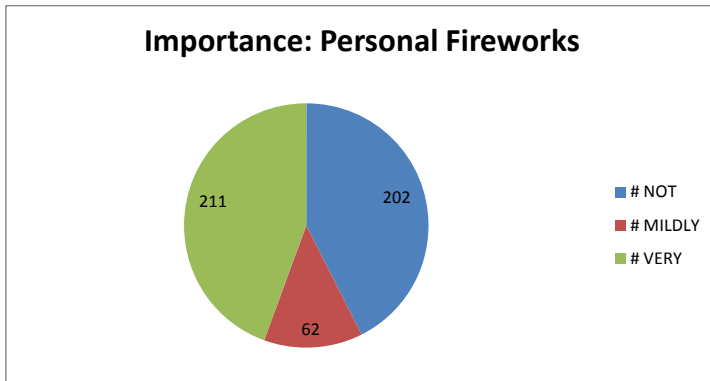
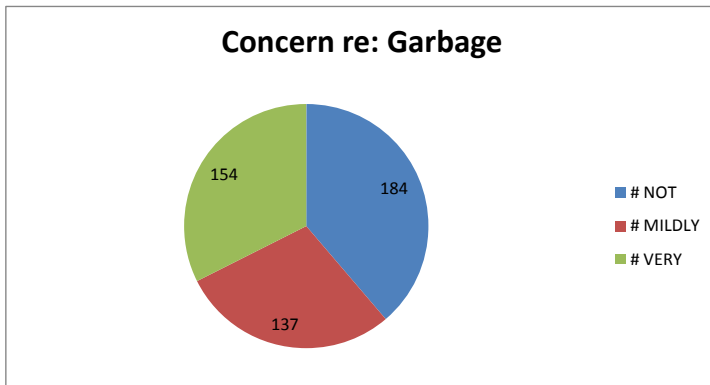
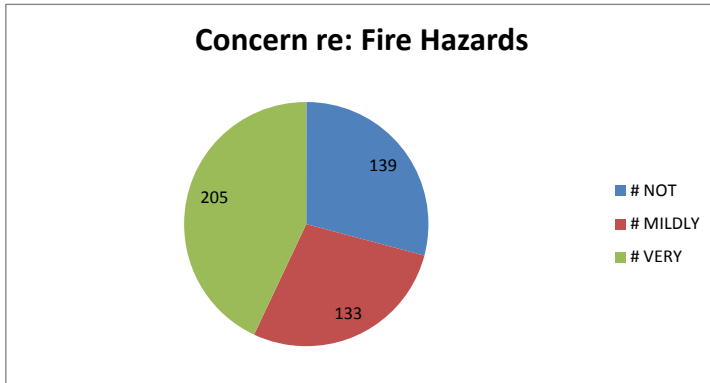
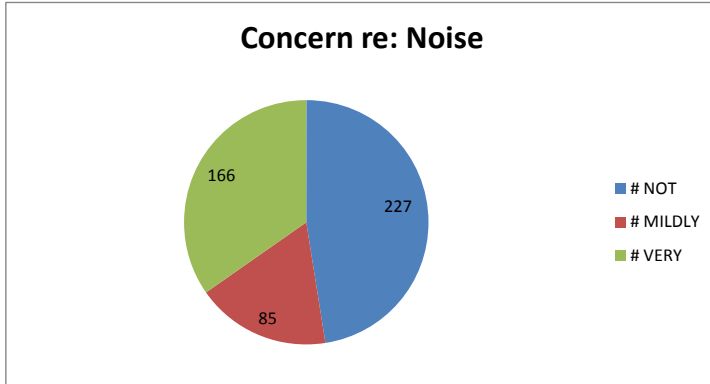
There are two items that have a clear majority concern expressed county-wide: Fire Hazard and Garbage/Debris.

Marilee McCall, Clark County Neighborhood Program Coordinator
marilee.mccall@clark.wa.gov 360.397.2316

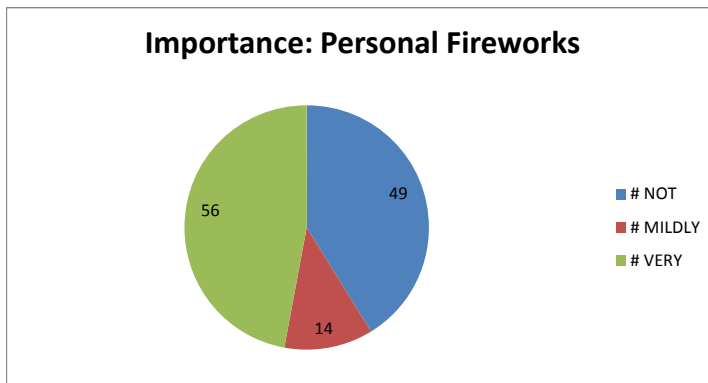
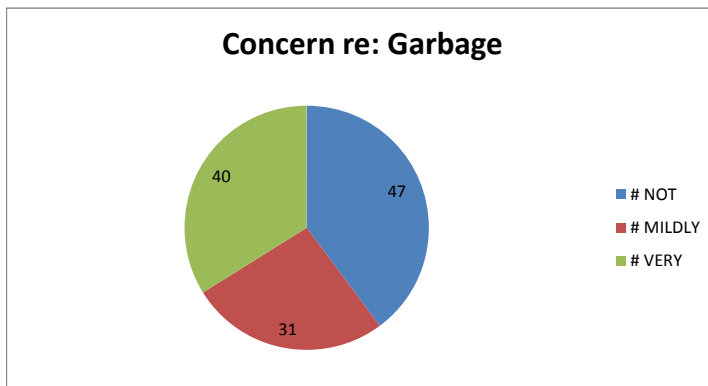
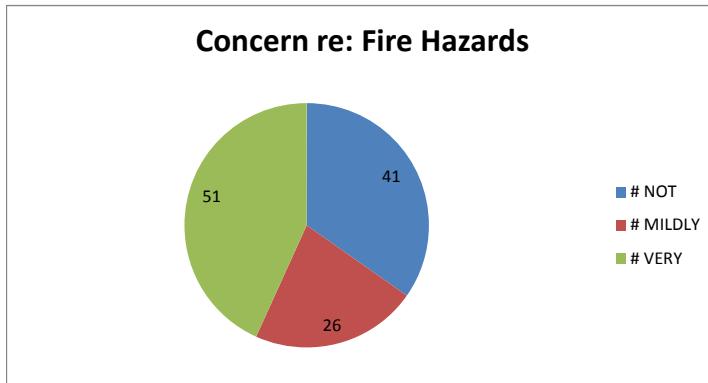
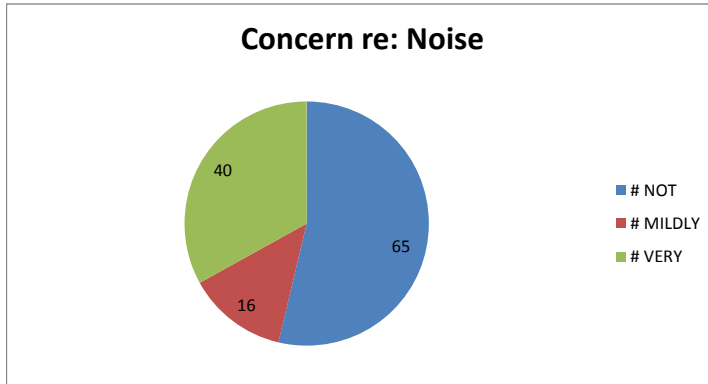
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Concern re: Noise	22	7	11	40	55.0%	17.5%	27.5%
Concern re: Fire Hazards	12	13	15	40	30.0%	32.5%	37.5%
Concern re: Garbage	14	20	6	40	35.0%	50.0%	15.0%
Importance: Personal Fireworks	14	4	22	40	35.0%	10.0%	55.0%



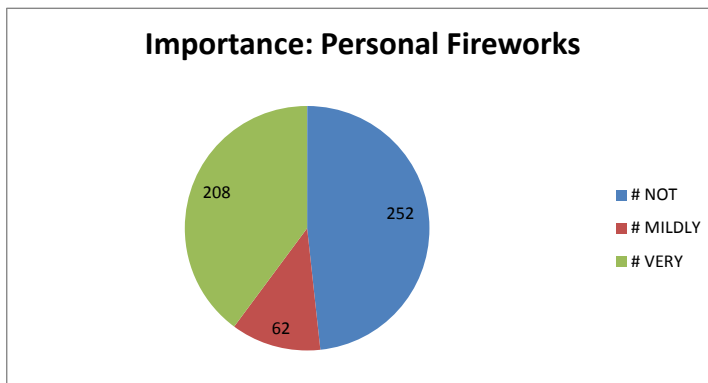
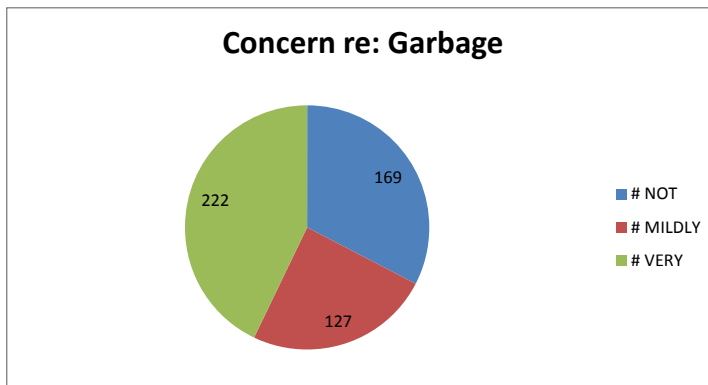
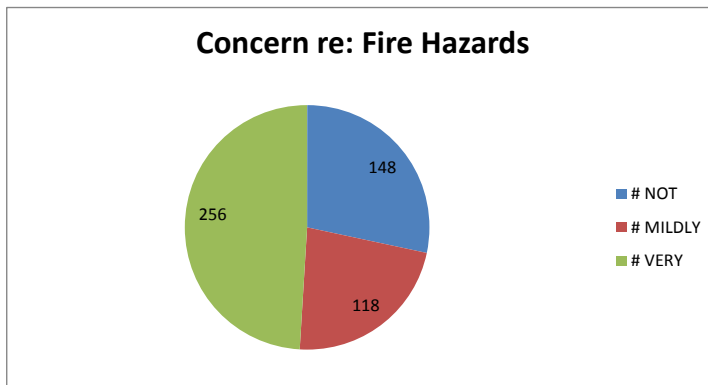
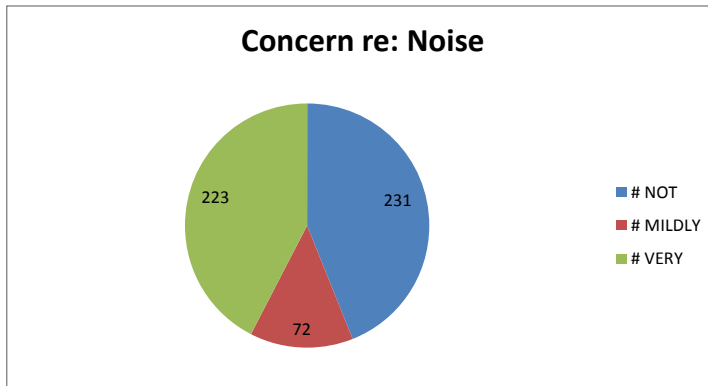
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Concern re: Noise	227	85	166	478	47.5%	17.8%	34.7%
Concern re: Fire Hazards	139	133	205	477	29.1%	27.9%	43.0%
Concern re: Garbage	184	137	154	475	38.7%	28.8%	32.4%
Importance: Personal Fireworks	202	62	211	475	42.5%	13.1%	44.4%



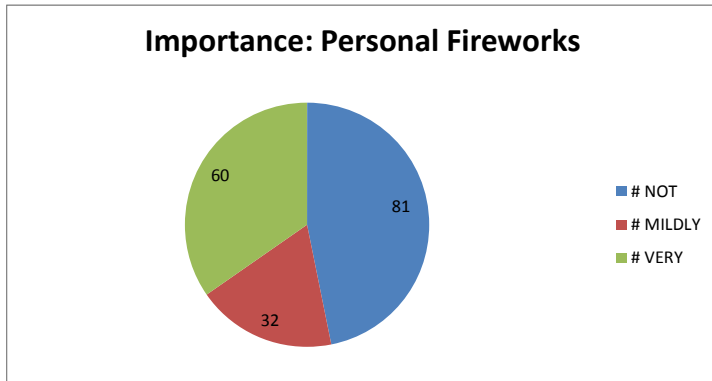
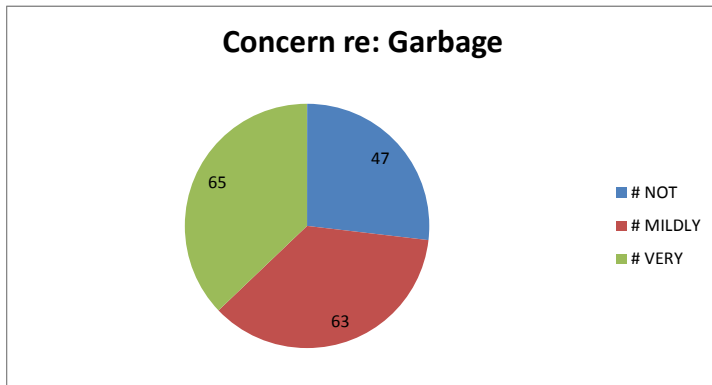
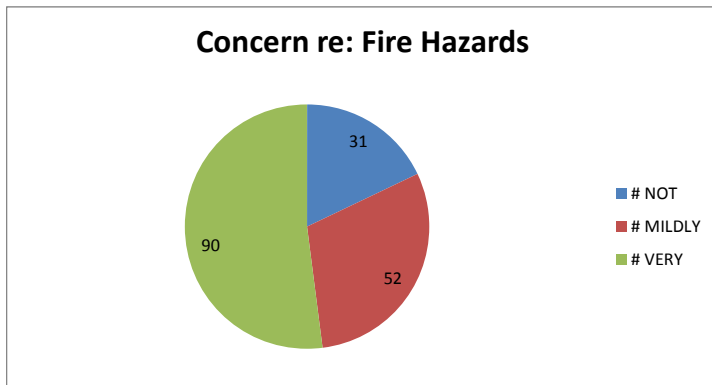
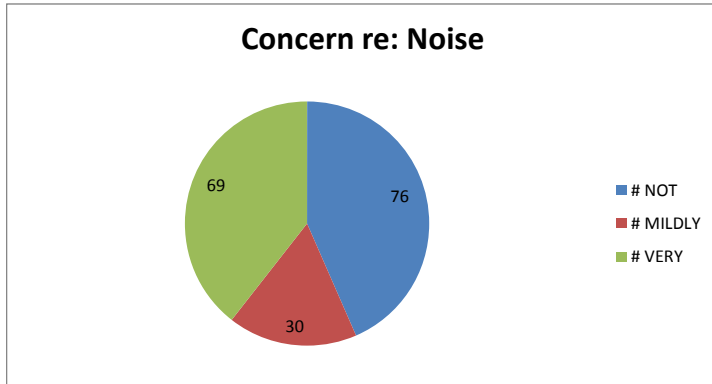
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Concern re: Noise	65	16	40	121	53.7%	13.2%	33.1%
Concern re: Fire Hazards	41	26	51	118	34.8%	22.0%	43.2%
Concern re: Garbage	47	31	40	118	39.8%	26.3%	33.9%
Importance: Personal Fireworks	49	14	56	119	41.2%	11.8%	47.1%



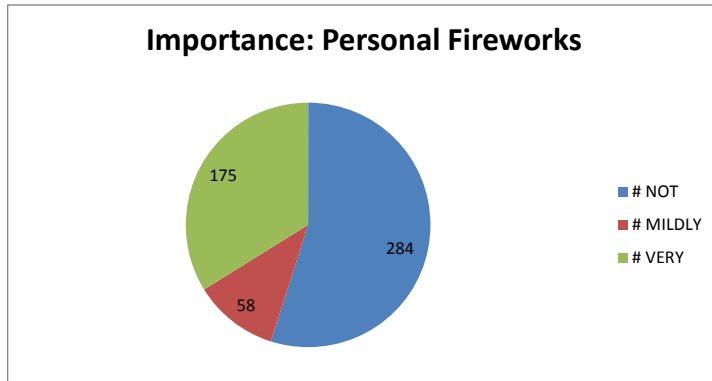
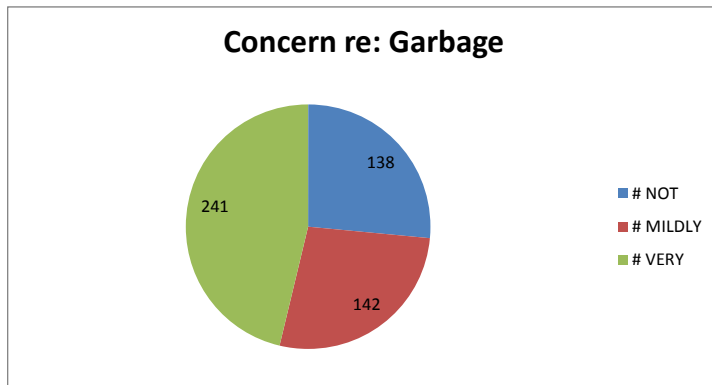
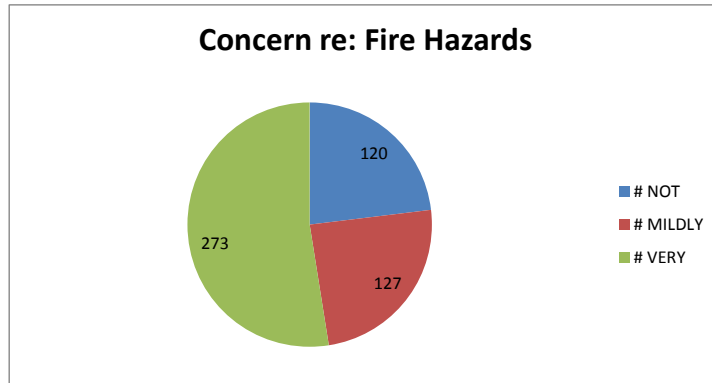
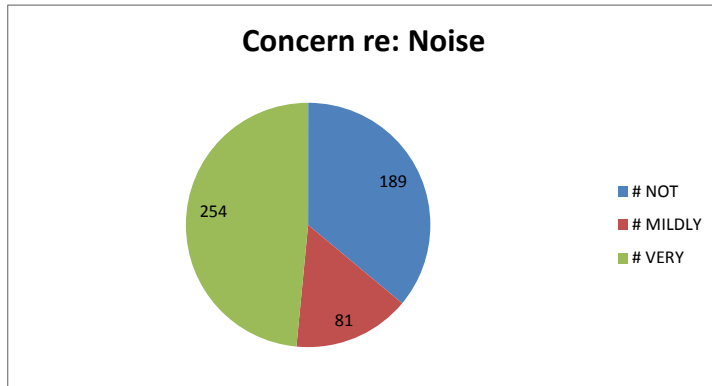
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Concern re: Noise	231	72	223	526	43.9%	13.7%	42.4%
Concern re: Fire Hazards	148	118	256	522	28.4%	22.6%	49.0%
Concern re: Garbage	169	127	222	518	32.6%	24.5%	42.9%
Importance: Personal Fireworks	252	62	208	522	48.3%	11.9%	39.9%



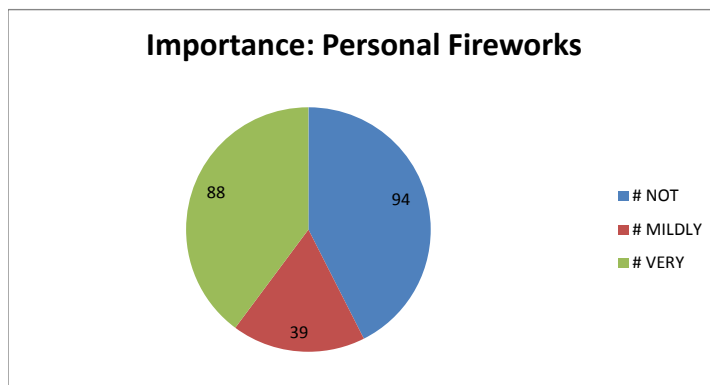
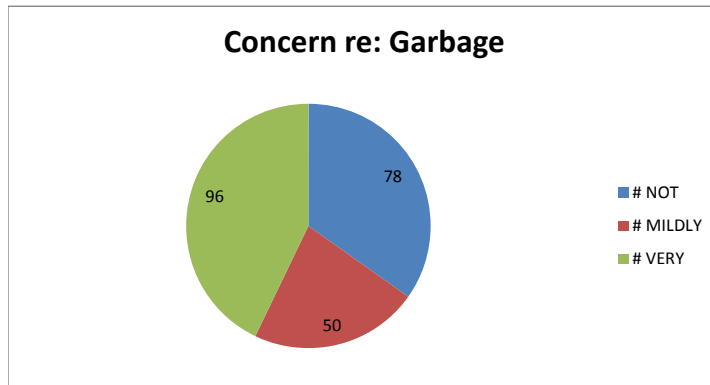
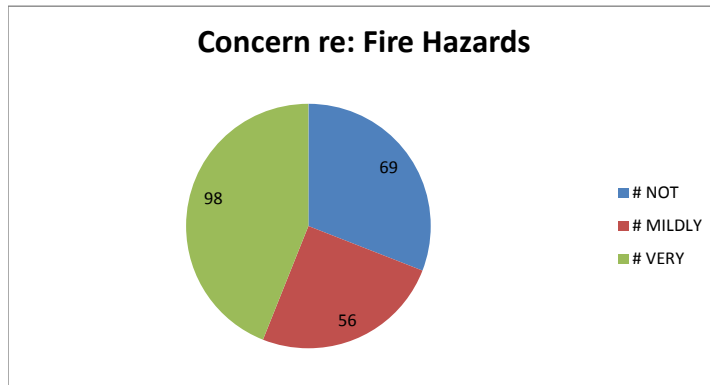
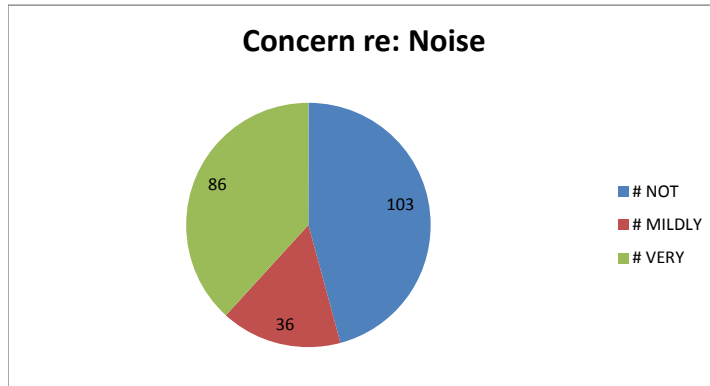
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Concern re: Noise	76	30	69	175	43.4%	17.1%	39.4%
Concern re: Fire Hazards	31	52	90	173	17.9%	30.1%	52.0%
Concern re: Garbage	47	63	65	175	26.9%	36.0%	37.1%
Importance: Personal Fireworks	81	32	60	173	46.8%	18.5%	34.7%



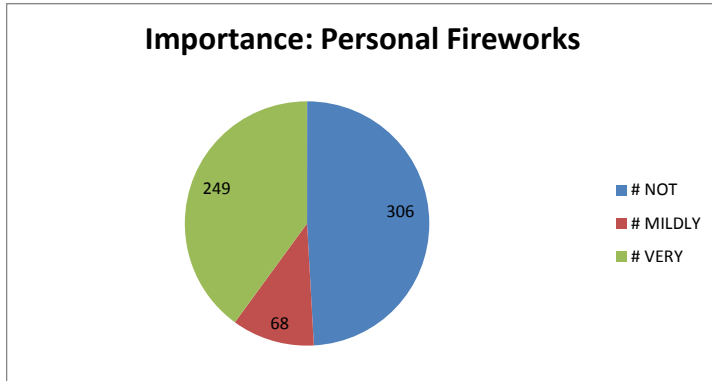
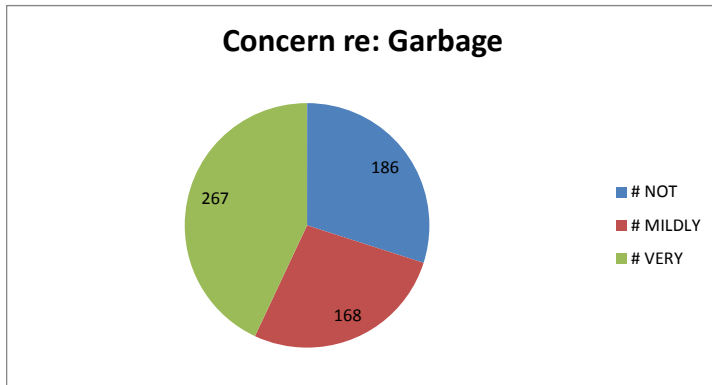
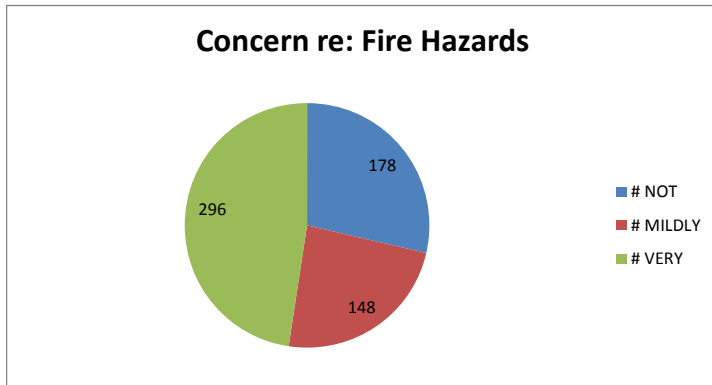
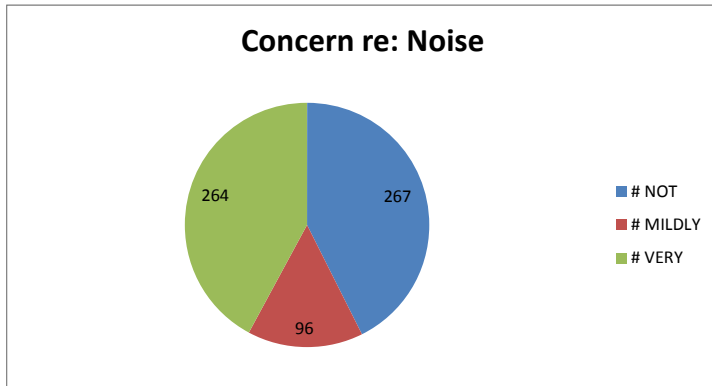
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Concern re: Fire Hazards	120	127	273	520	23.1%	24.4%	52.5%
Concern re: Garbage	138	142	241	521	26.5%	27.3%	46.3%
Importance: Personal Fireworks	284	58	175	517	54.9%	11.2%	33.9%



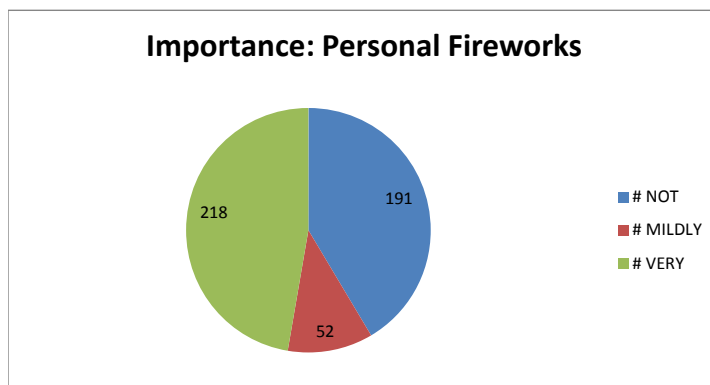
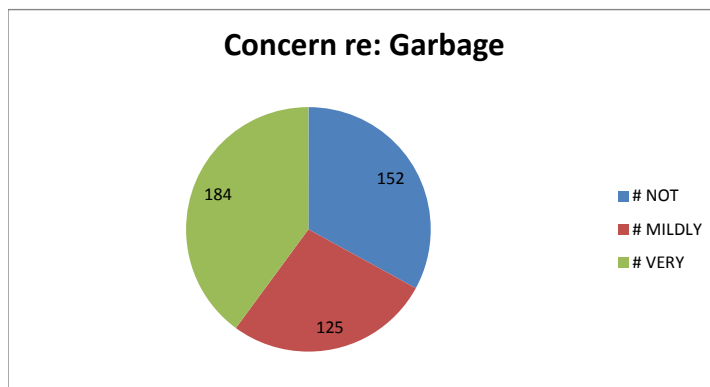
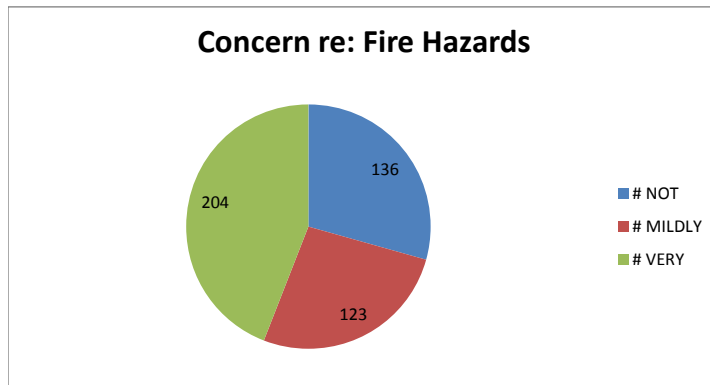
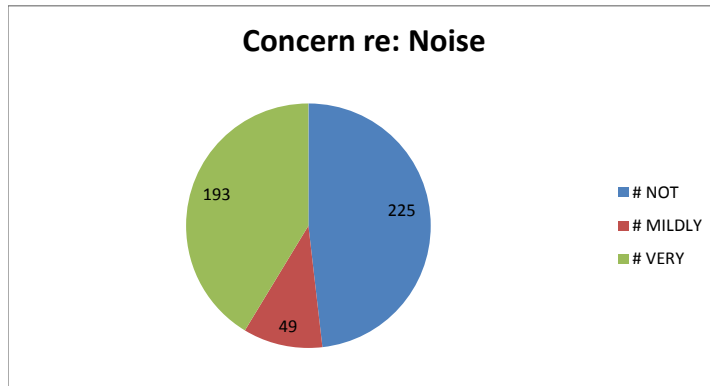
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Concern re: Noise	103	36	86	225	45.8%	16.0%	38.2%
Concern re: Fire Hazards	69	56	98	223	30.9%	25.1%	44.0%
Concern re: Garbage	78	50	96	224	34.8%	22.3%	42.9%
Importance: Personal Fireworks	94	39	88	221	42.5%	17.7%	39.8%



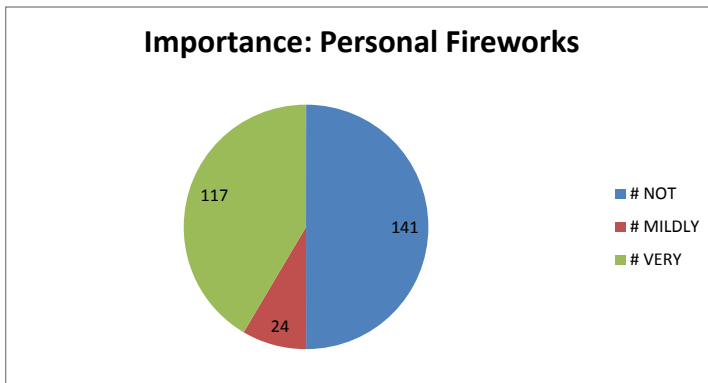
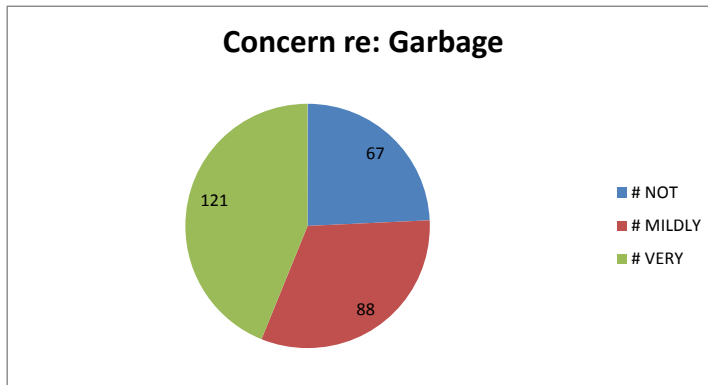
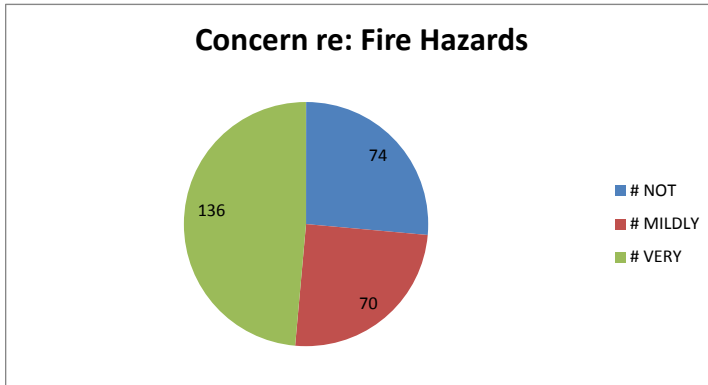
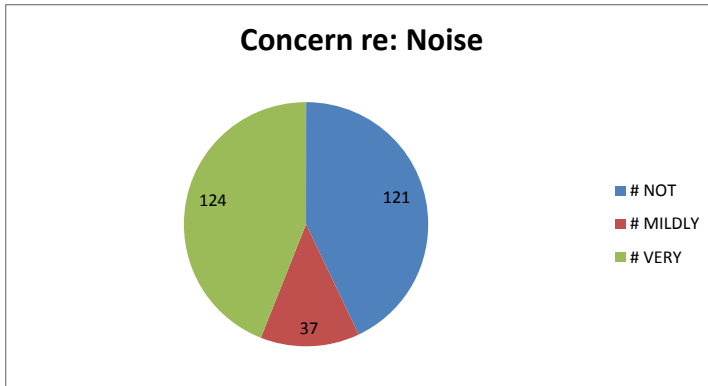
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Concern re: Noise	267	96	264	627	42.6%	15.3%	42.1%
Concern re: Fire Hazards	178	148	296	622	28.6%	23.8%	47.6%
Concern re: Garbage	186	168	267	621	30.0%	27.1%	43.0%
Importance: Personal Fireworks	306	68	249	623	49.1%	10.9%	40.0%



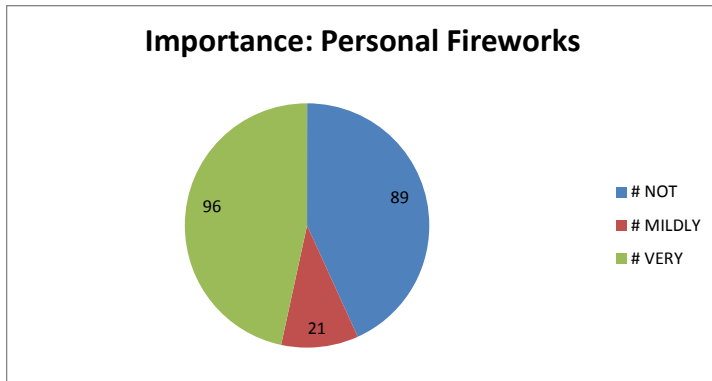
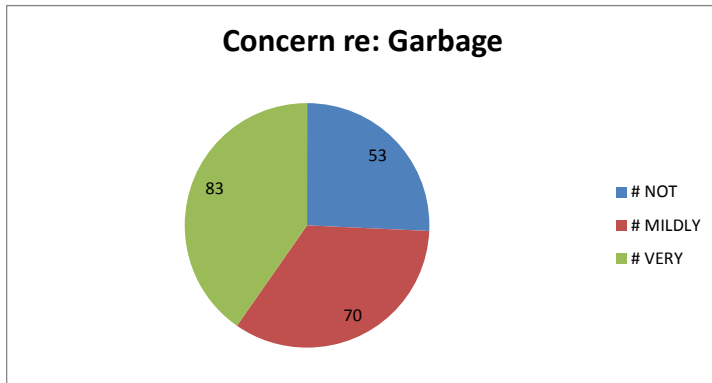
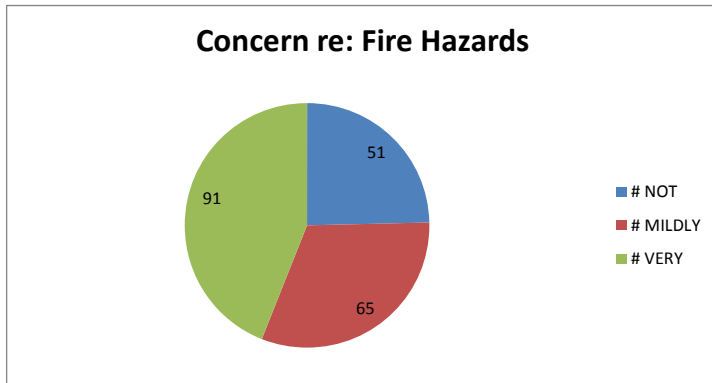
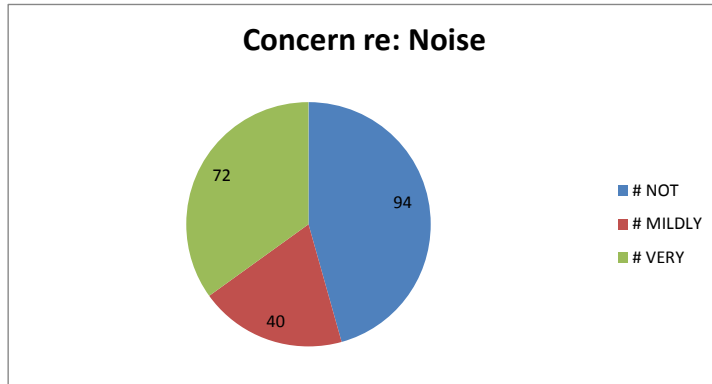
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Concern re: Noise	225	49	193	467	48.2%	10.5%	41.3%
Concern re: Fire Hazards	136	123	204	463	29.4%	26.6%	44.1%
Concern re: Garbage	152	125	184	461	33.0%	27.1%	39.9%
Importance: Personal Fireworks	191	52	218	461	41.4%	11.3%	47.3%



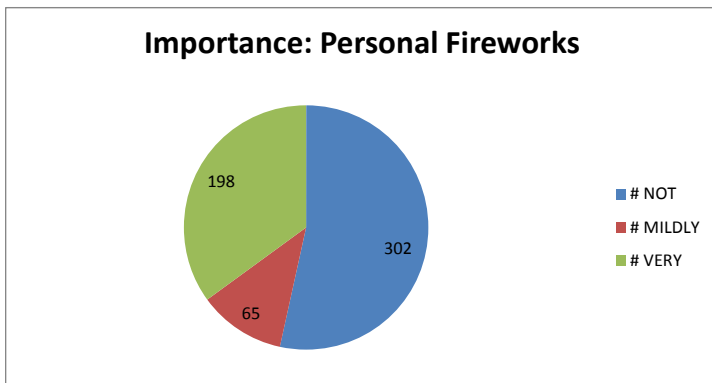
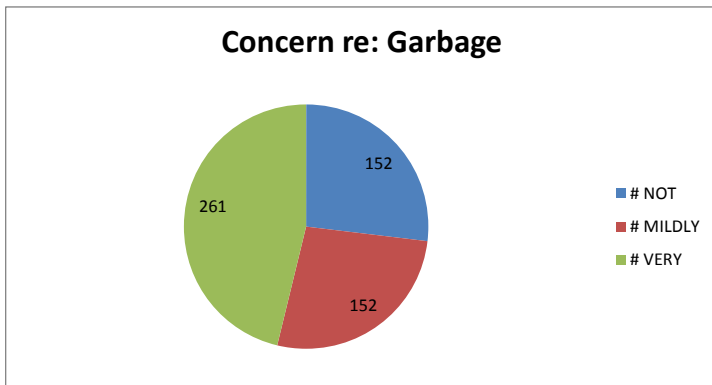
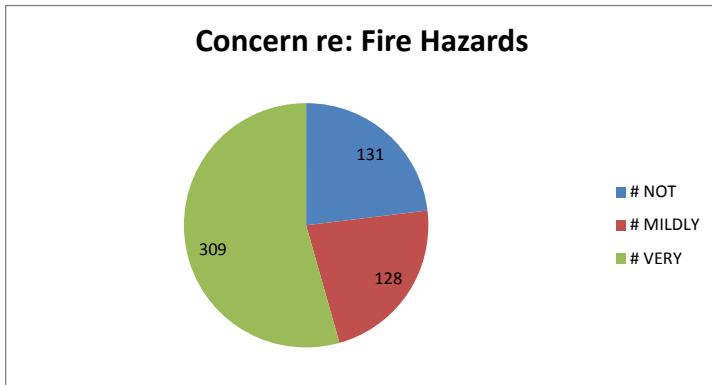
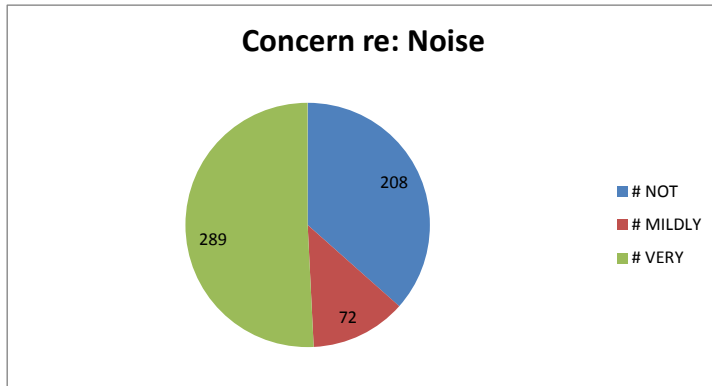
	# NOT	# MILDLY	# VERY	Total Answered	%NOT	%MILDLY	%VERY
Concern re: Noise	121	37	124	282	42.9%	13.1%	44.0%
Concern re: Fire Hazards	74	70	136	280	26.4%	25.0%	48.6%
Concern re: Garbage	67	88	121	276	24.3%	31.9%	43.8%
Importance: Personal Fireworks	141	24	117	282	50.0%	8.5%	41.5%



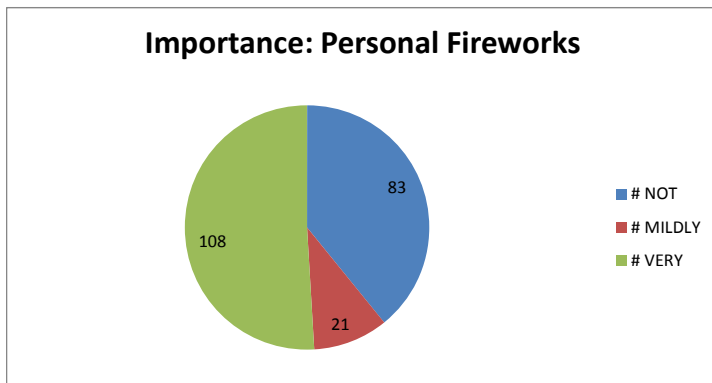
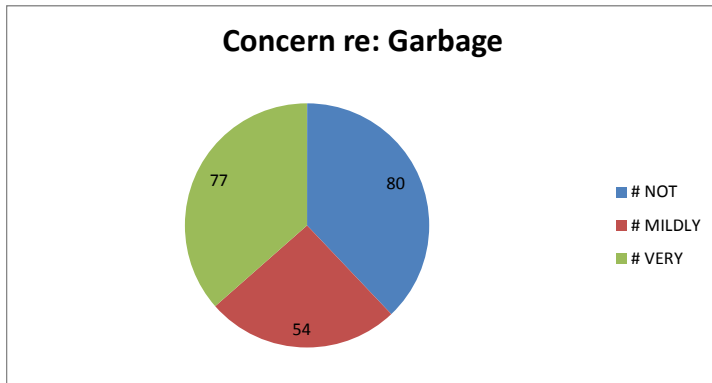
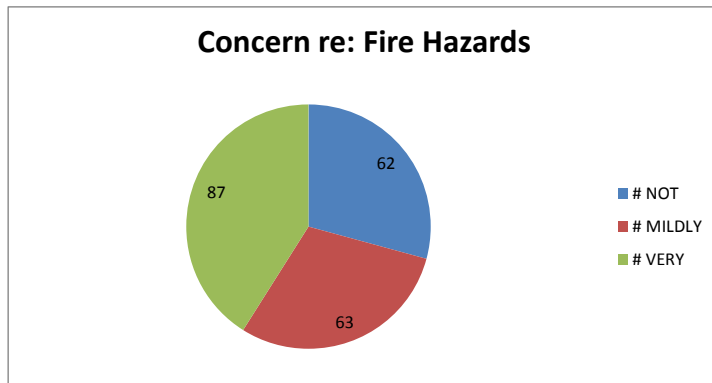
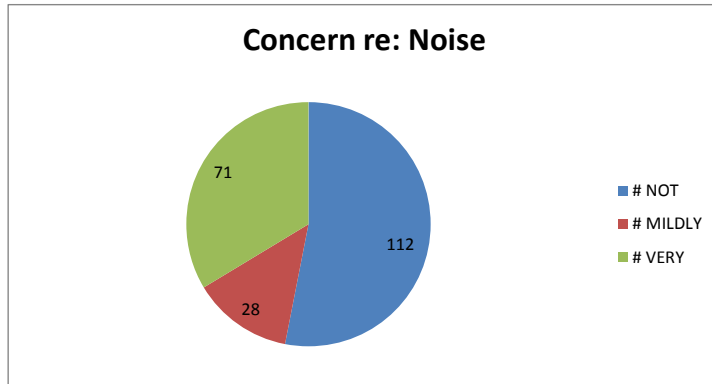
	# NOT	# MILDLY	# VERY	Total Answered	%NOT	%MILDLY	%VERY
Concern re: Noise	94	40	72	206	45.6%	19.4%	35.0%
Concern re: Fire Hazards	51	65	91	207	24.6%	31.4%	44.0%
Concern re: Garbage	53	70	83	206	25.7%	34.0%	40.3%
Importance: Personal Fireworks	89	21	96	206	43.2%	10.2%	46.6%



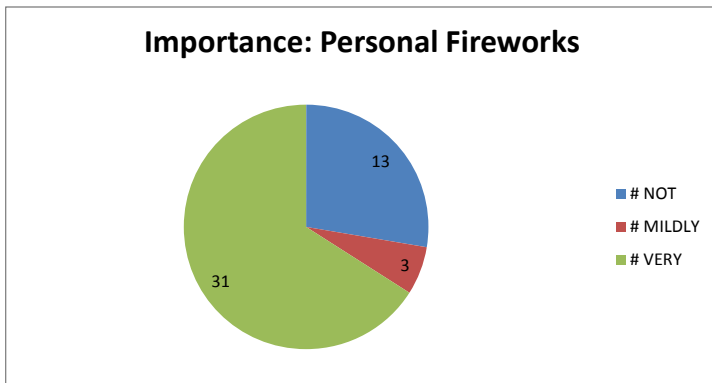
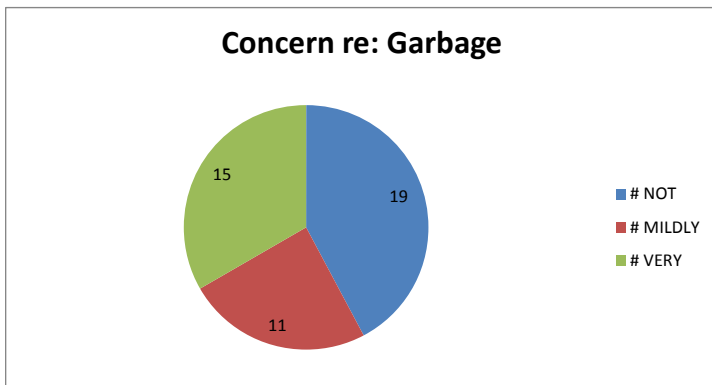
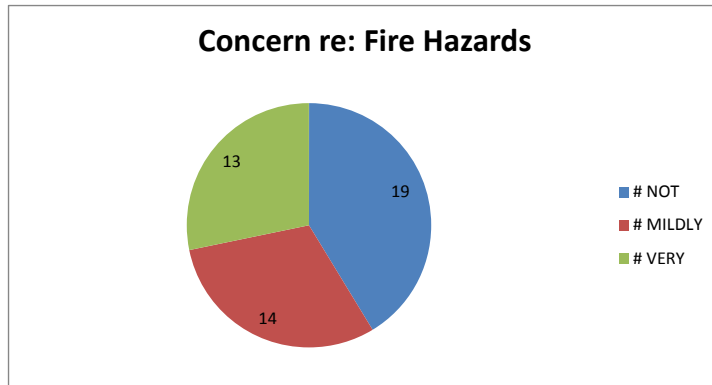
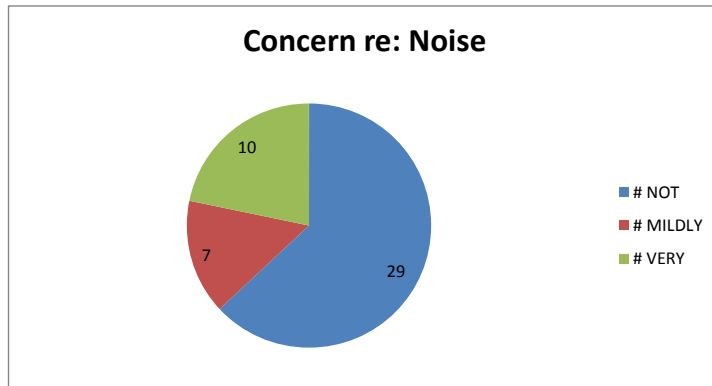
	# NOT	# MILDLY	# VERY	Total Answered	%NOT	%MILDLY	%VERY
Concern re: Noise	208	72	289	569	36.6%	12.7%	50.8%
Concern re: Fire Hazards	131	128	309	568	23.1%	22.5%	54.4%
Concern re: Garbage	152	152	261	565	26.9%	26.9%	46.2%
Importance: Personal Fireworks	302	65	198	565	53.5%	11.5%	35.0%



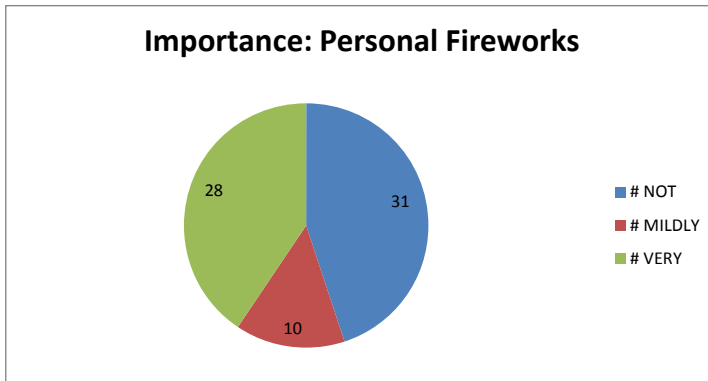
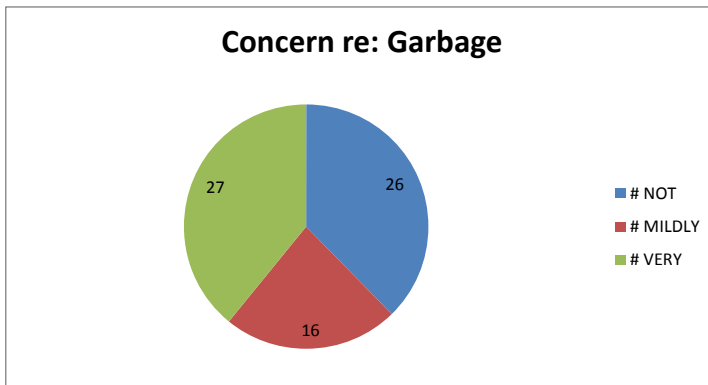
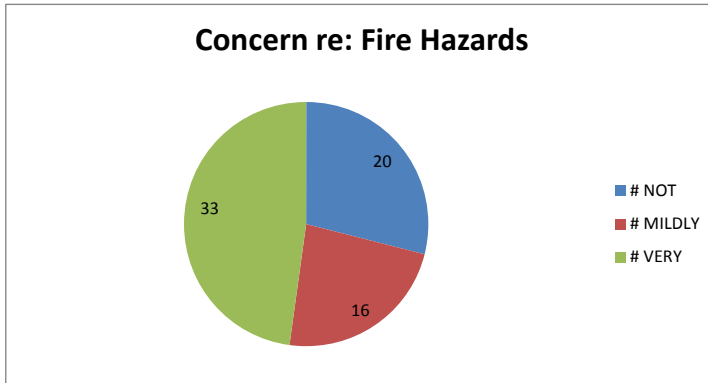
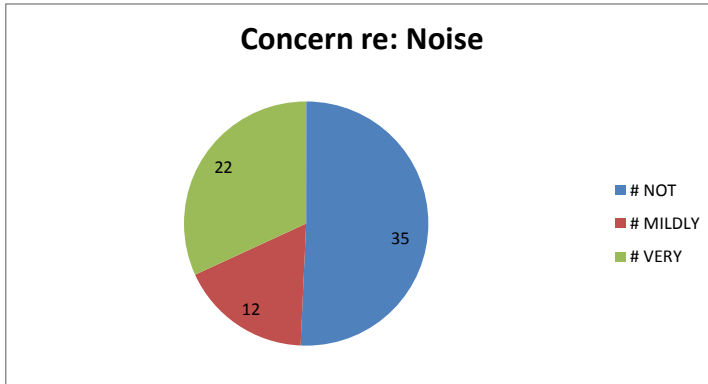
	# NOT	# MILDLY	# VERY	Total Answered	%NOT	%MILDLY	%VERY
Concern re: Noise	112	28	71	211	53.1%	13.3%	33.7%
Concern re: Fire Hazards	62	63	87	212	2.3%	29.7%	41.0%
Concern re: Garbage	80	54	77	211	37.9%	25.6%	36.5%
Importance: Personal Fireworks	83	21	108	212	39.2%	9.9%	50.9%



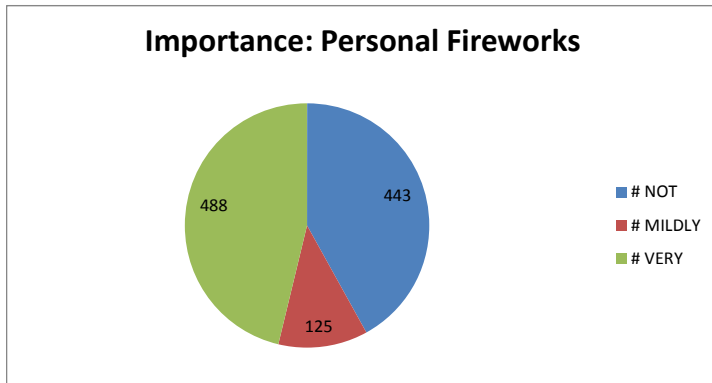
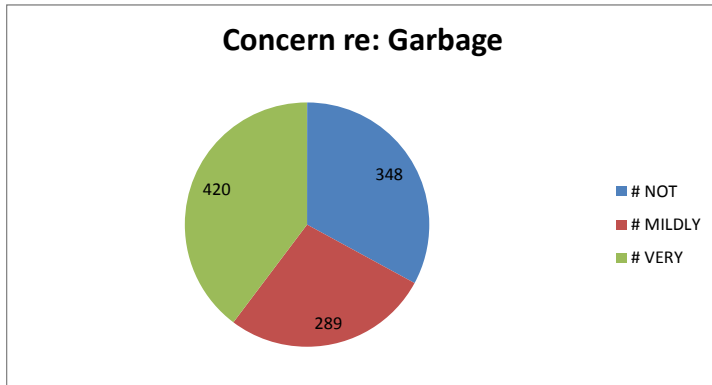
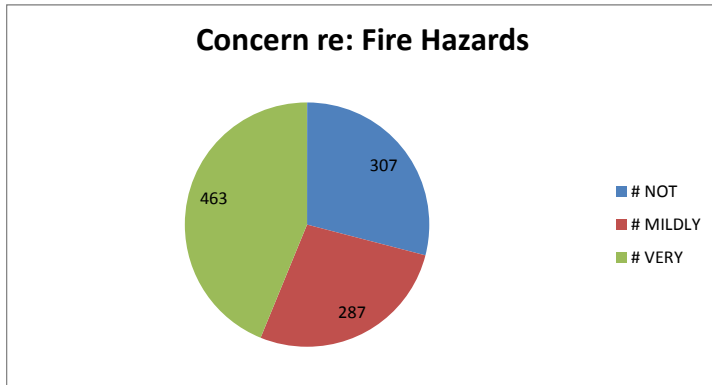
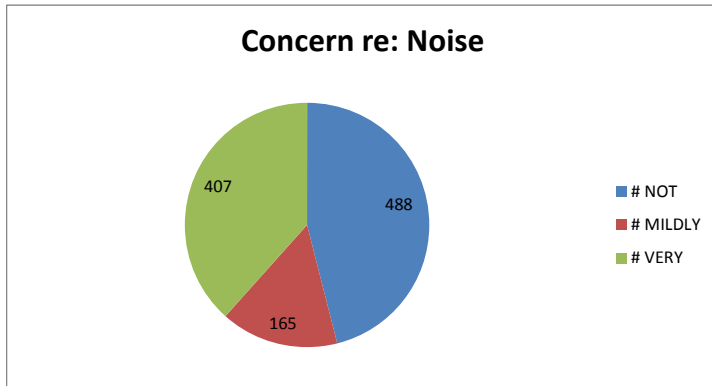
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Concern re: Noise	29	7	10	46	63.0%	15.2%	21.7%
Concern re: Fire Hazards	19	14	13	46	41.3%	30.4%	28.3%
Concern re: Garbage	19	11	15	45	42.2%	24.4%	33.3%
Importance: Personal Fireworks	13	3	31	47	27.7%	6.4%	66.0%



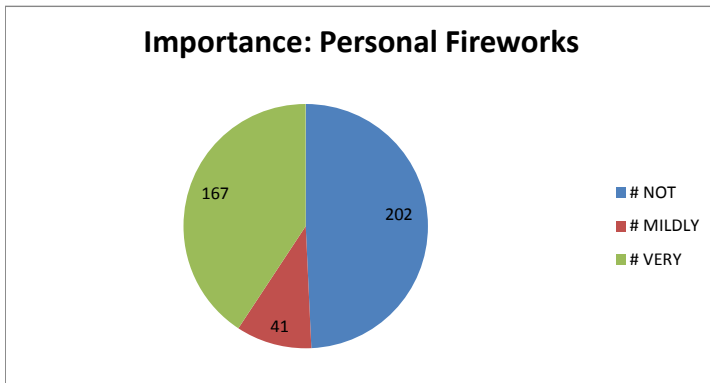
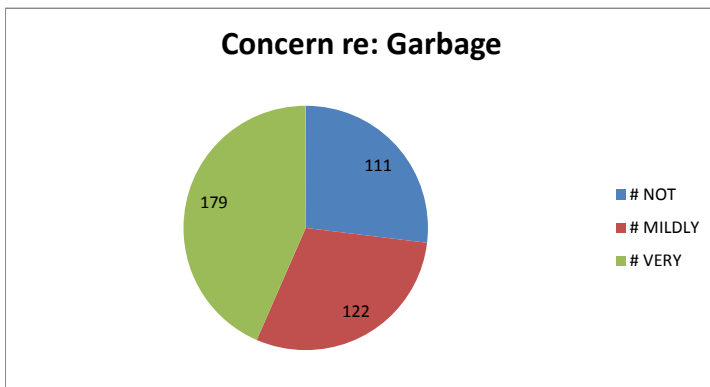
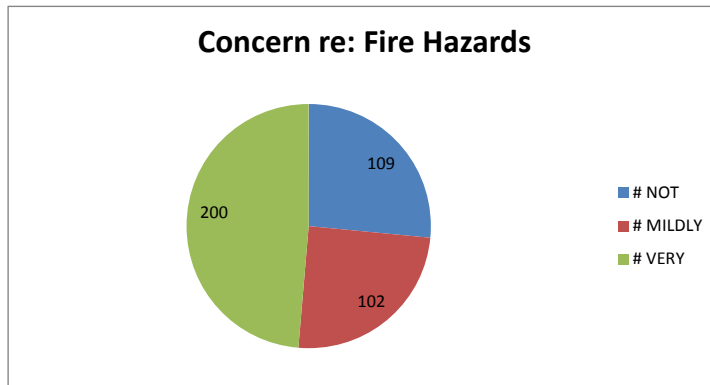
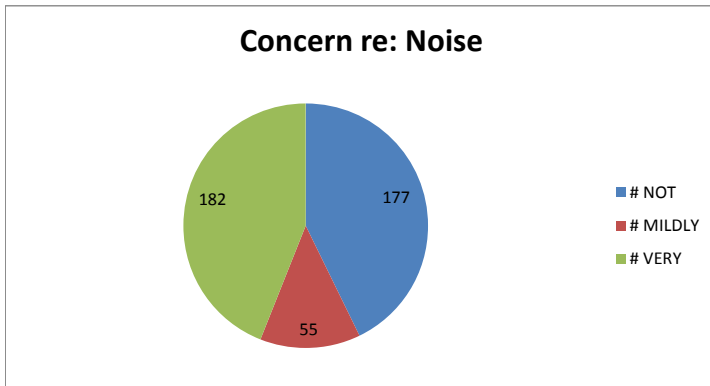
	# NOT	# MILDLY	# VERY	Total Answered	%NOT	%MILDLY	%VERY
Concern re: Noise	35	12	22	69	50.7%	17.4%	31.9%
Concern re: Fire Hazards	20	16	33	69	29.0%	23.2%	47.8%
Concern re: Garbage	26	16	27	69	37.7%	23.2%	39.1%
Importance: Personal Fireworks	31	10	28	69	44.9%	14.5%	40.6%



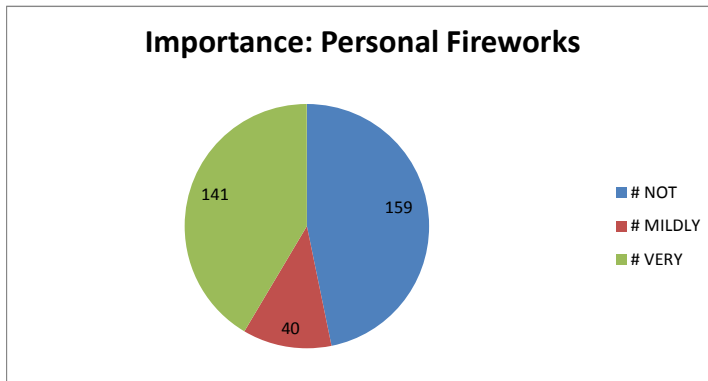
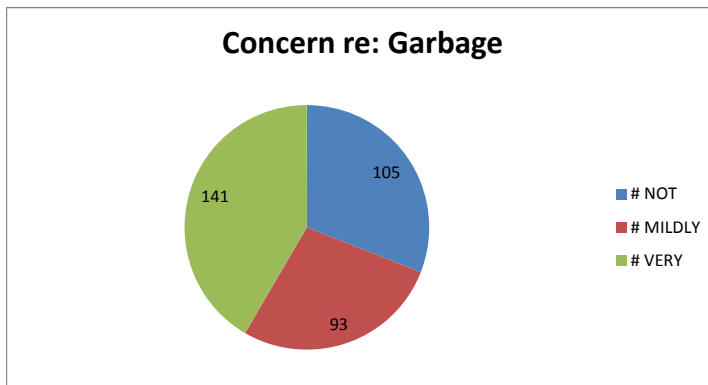
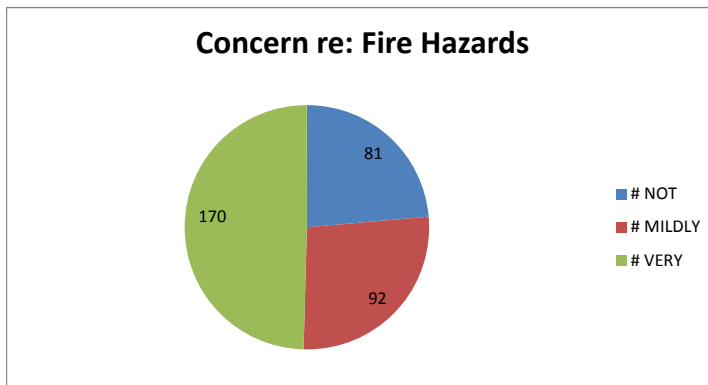
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Concern re: Noise	488	165	407	1060	46.0%	15.6%	38.4%
Concern re: Fire Hazards	307	287	463	1057	29.0%	27.2%	43.8%
Concern re: Garbage	348	289	420	1057	32.9%	27.3%	39.7%
Importance: Personal Fireworks	443	125	488	1056	42.0%	11.8%	46.2%



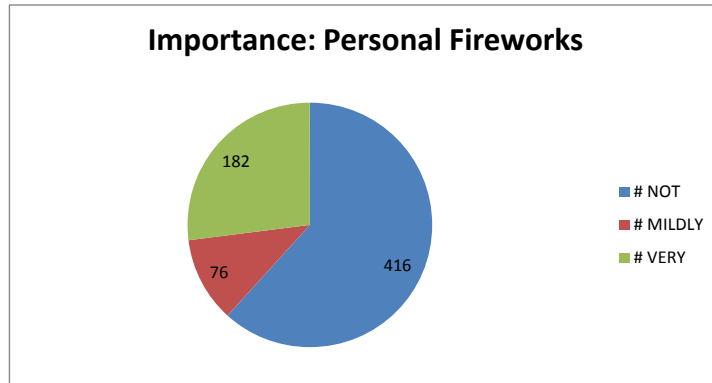
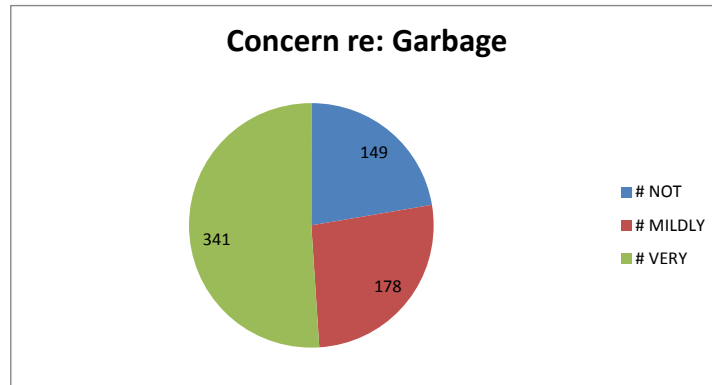
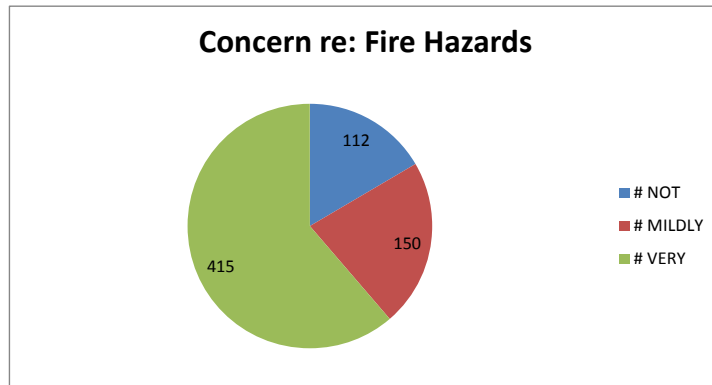
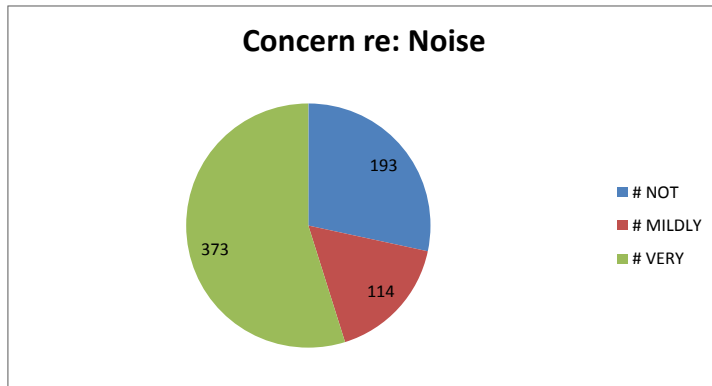
	# NOT	# MILDLY	# VERY	Total Answered	%NOT	%MILDLY	%VERY
Concern re: Noise	177	55	182	414	42.8%	13.3%	44.0%
Concern re: Fire Hazards	109	102	200	411	26.5%	24.8%	48.7%
Concern re: Garbage	111	122	179	412	26.9%	29.6%	43.5%
Importance: Personal Fireworks	202	41	167	410	49.3%	10.0%	40.7%



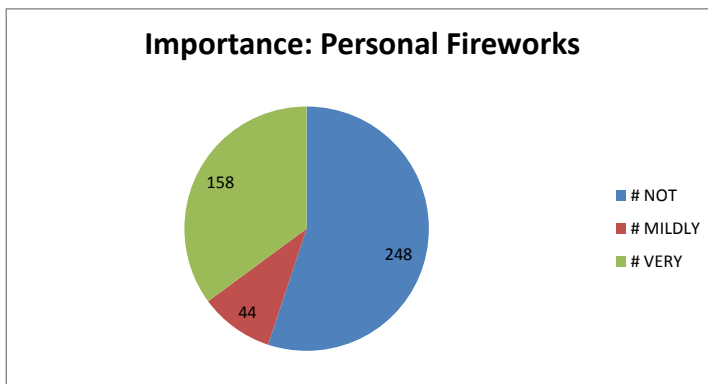
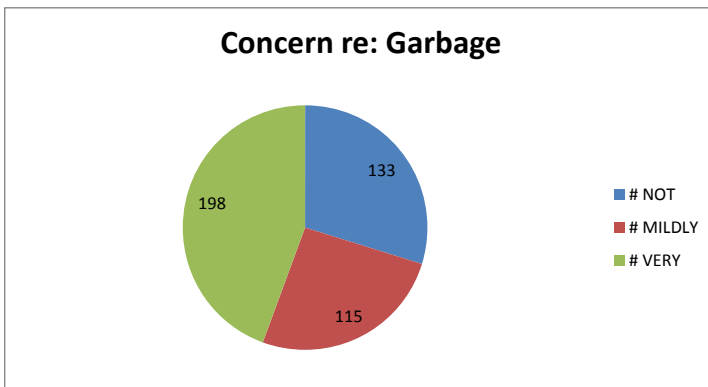
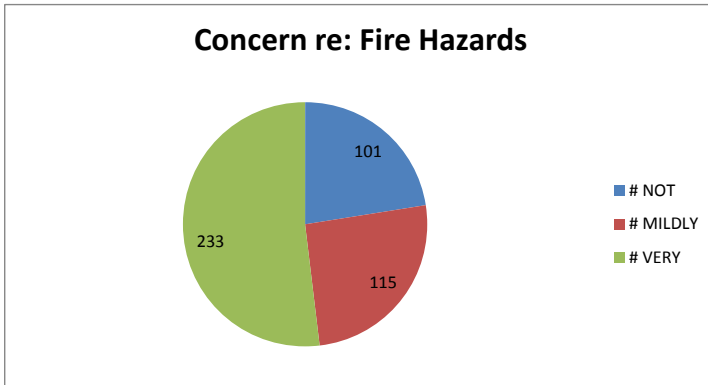
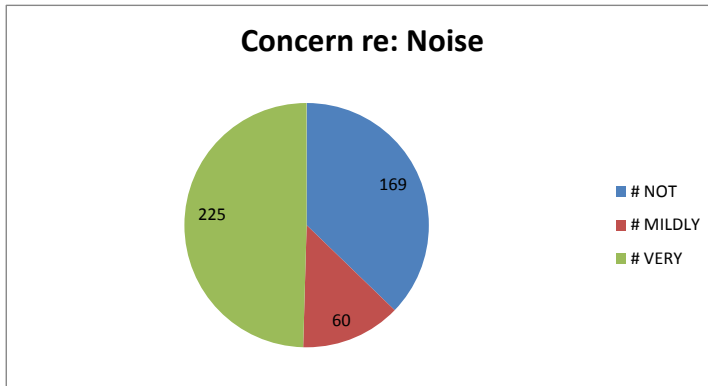
	# NOT	# MILDLY	# VERY	Total Answered	%NOT	%MILDLY	%VERY
Concern re: Noise	146	56	142	344	42.4%	16.3%	41.3%
Concern re: Fire Hazards	81	92	170	343	23.6%	26.8%	49.6%
Concern re: Garbage	105	93	141	339	31.0%	27.4%	41.6%
Importance: Personal Fireworks	159	40	141	340	46.8%	11.8%	41.5%



	# NOT	# MILDLY	# VERY	Total Answered	%NOT	%MILDLY	%VERY
Concern re: Noise	193	114	373	680	28.4%	16.8%	54.9%
Concern re: Fire Hazards	112	150	415	677	16.5%	22.2%	61.3%
Concern re: Garbage	149	178	341	668	22.3%	26.7%	51.1%
Importance: Personal Fireworks	416	76	182	674	61.7%	11.3%	27.0%

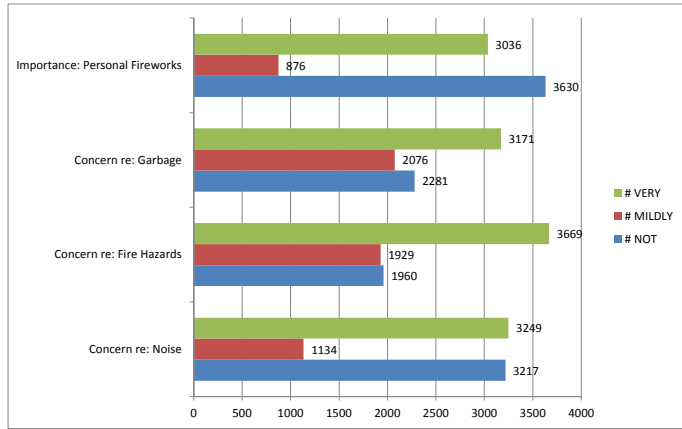
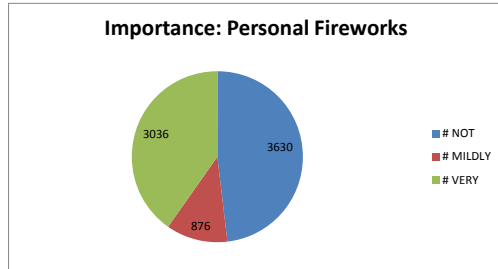
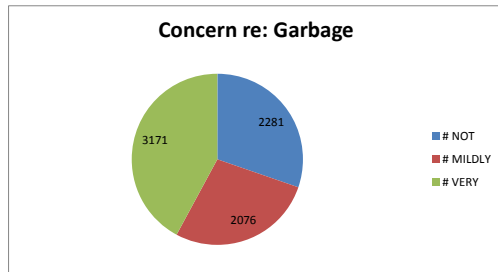
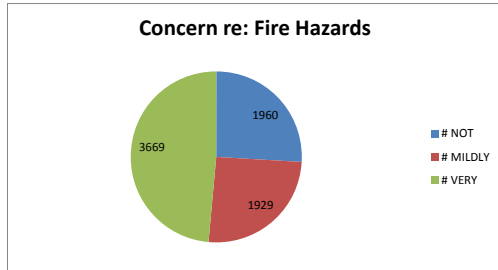
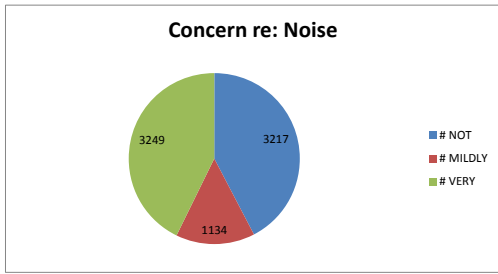


	# NOT	# MILDLY	# VERY	Total Answered	%NOT	%MILDLY	%VERY
Concern re: Noise	169	60	225	454	37.2%	13.2%	49.6%
Concern re: Fire Hazards	101	115	233	449	22.5%	25.6%	51.9%
Concern re: Garbage	133	115	198	446	29.8%	25.8%	44.4%
Importance: Personal Fireworks	248	44	158	450	55.1%	9.8%	35.1%



Overall Results

	# NOT	# MILDLY	# VERY	Total Answered	%NOT	%MILDLY	%VERY
Concern re: Noise	3217	1134	3249	7600	42.3%	14.9%	42.8%
Concern re: Fire Hazards	1960	1929	3669	7558	25.9%	25.5%	48.5%
Concern re: Garbage	2281	2076	3171	7528	30.3%	27.6%	42.1%
Importance: Personal Fireworks	3630	876	3036	7542	48.1%	11.6%	40.3%





Town of Yacolt

Request for Council Action

Proposed Meeting Date: Monday, June 4, 2018

Contact Information for Person/Group/Department Requesting Council Action:

Requester's Name	Staff
Group Name, (if applicable)	Staff
Address	
Daytime Phone	
E-Mail Address	

Action Requested of Council:

Discussion Only.

Proposed Motion, (if applicable):

n/a.

Summary / Background:

RCW 35.77 requires that all cities and towns create perpetual six-year plans for proposed transportation improvements. Yacolt is required to update its six-year plan annually before July 1st of each year. Based on the Council's direction following discussion at this meeting, staff will prepare a revised six-year plan for 2019-2024. The proposed new plan will be the subject of a public hearing at the Council's June 18, 2018, regular meeting. Following that public hearing, the Council may revise and/or adopt the final six-year plan as presented. The plan must be filed with the Secretary of Transportation within 30 days of its adoption.

A copy of the Town's 2017 and 2014 plans are attached. Other noteworthy elements of the statute are listed below. (Staff will work to address these elements in the final proposed report before June 18, 2018.)

1. The Town's Six-Year Transportation Plan must be consistent with the Comprehensive Plan. (RCW 35.77.010(1)).
2. The Plan must include any new or enhanced bicycle or pedestrian facilities identified pursuant to 36.70A.070(6) or other applicable changes that promote nonmotorized transit. (RCW 35.77.010(1)).
3. The Six-Year Plan must specifically set forth projects and programs of regional significance. (RCW 35.77.010(1)).
4. The Six-Year Plan must contain information as to how the Town will expend its moneys, including funds made available for nonmotorized transportation purposes. (RCW 35.77.010(2) and RCW 47.30).
5. The Six-Year Plan must contain information as to how the Town will preserve railroad right-of-way in the event the railroad ceases to operate in the Town's jurisdiction. (RCW 35.77.010(3)).
6. Each annual revision to the Six-Year Plan must include consideration of, and, where practicable, provisions for bicycle routes. However, the Town is not required to provide for bicycle routes where the cost of establishing them would be excessively disproportionate to the need or probable use. (RCW 35.77.015).
7. The Town is allowed to enter agreements with the County to perform road construction and maintenance services. Such agreements must be approved by Town ordinance. (RCW 35.77.020, 030, and 040).

Governing Legislation:

RCW 35.77.

Budget/Finance Impacts:

Budget impacts (projected revenue sources and expenses) are described in the Six-Year Transportation Plan documents. Costs for projects would be funded through state grants or allocations, traffic impact fees collected by the Town, general revenues of the Town allocated to street and transportation projects, and developer-required improvements, as applicable.

Attachments:

The Town's most recent 6-year plan document, adopted in 2017, is attached. The Town's 2014 6-year plan is also attached for comparison purposes.

Staff Contact(s):

Dawn Salisbury, Town Clerk; Bill Roberts, Public Works Director; Devin Jackson, Town Engineer; Katie Younce, Assistant Clerk; David Ridenour, Town Attorney.

Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	1	Parcel Ave #! W Yacolt Rd to W Humphrey St New pavement, reconstruction , curbs widening	WA-04899	09/05/17	09/05/17		559	03	C P T W	21.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2016		0	TIB	600,000	100,000	700,000
Totals				0		600,000	100,000	700,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	400,000	0	0	0	0
Totals	400,000	0	0	0	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	R/W Required
08	1	Parcel Ave #2 Parcel Ave W Humphrey St to South Town Limits New Pavement	WA-04900	09/05/17	09/06/17		559	05	C P T W	26.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2018	CDBG	600,000		0	43,000	643,000
Totals				600,000		0	43,000	643,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
	0	0	0	0	0
Totals	0	0	0	0	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
02	1	Railroad Ave Railroad Ave Yacolt Rd to Hoag Rd Preservation	WA-04901	09/05/17	09/05/17		559	03	C P T W	35,000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2022		0	OTHER	225,000	25,000	250,000
Totals				0		225,000	25,000	250,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	250,000	0	0	0	0
Totals	250,000	0	0	0	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
06	2	East Yacolt Rd E Yacolt Rd N Railroad Ave to E Town Limits New pavement curbs and drainage	WA-04902	09/05/17	09/05/17		559	03	C P W		CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2018		0	RSTP	400,000	6,000	406,000
Totals				0		400,000	6,000	406,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	0	0	750,000	0
Totals	0	0	0	750,000	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	3	Johnson Ave Johnson Ave W Yacolt RD to W Humphrey St new pavement curbs sidewalks and drainage	WA-04948	09/05/17	09/05/17		559	03	CPTW	20,000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2019	CDBG	411,000		0	30,000	441,000
Totals				411,000		0	30,000	441,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
	0	0	0	0	0
Totals	0	0	0	0	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	5	E Farrer St E Farrer St N Hubbard to N Pine Ave pavement preservation	WA-04938	09/05/17	09/05/17		559	07	C P T W	22.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2020		0	OTHER	10,000	0	10,000
Totals				0		10,000	0	10,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
	0	0	0	0	0
Totals	0	0	0	0	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	5	E Humphrey St E Humphrey St S Williams Ave to S Hubbard Ave new pavement curbs, sidewalks, drainage	WA-04950	09/05/17	09/05/17		559	07	C P T W	5.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2020		0	OTHER	180,000	0	180,000
Totals				0		180,000	0	180,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
	0	0	0	0	0
Totals	0	0	0	0	0

Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	R/W Required
08	5	N Amboy Rd #1 N Amboy Rd W Jones St to W Yacolt Rd new pavement, curbs, sidewalks and drainage	WA-04946	09/05/17	09/05/17		559	06	C P T W	20.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2020	CDBG	300,000		0	30,000	330,000
Totals				300,000		0	30,000	330,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	330,000	0	0	0	0
Totals	330,000	0	0	0	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	5	N Hubbard #2 N Hubbard E Yacolt Red to N Dead End pavement preservation	WA-04906	09/05/17	09/05/17		559	07	C P T W	24.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2020		0		0	15,000	15,000
Totals				0		0	15,000	15,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
	0	0	0	0	0
Totals	0	0	0	0	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	5	N Pine St #2 Pine St E Yacolt Rd to Dead End pavement preservation	WA-04941	09/05/17	09/05/17		559	07	C P T W	25,000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2020		0	OTHER	15,000	0	15,000
Totals				0		15,000	0	15,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
	0	0	0	0	0
Totals	0	0	0	0	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	5	Ranck Ranck Ave W Cushman St to W Wilson St new pavement, curbs and drainage	WA-04947	09/05/17	09/05/17		559	06	C P T W	19,000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2020		0	OTHER	400,000	0	400,000
Totals				0		400,000	0	400,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
	0	0	0	0	0
Totals	0	0	0	0	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt
 County: Clark
 MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	5	S Hubbard Hubbard E Jones to E Hoag St pavement preservation	WA-04908	07/05/16	07/05/16		540	06	C P T W	8.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2017		0	OTHER	10,000	0	10,000
Totals				0		10,000	0	10,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
	0	0	0	0	0
Totals	0	0	0	0	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Term F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	5	S Williams E Jones St to E Humphrey St new sidewalks curbs pavement and drainage	WA-04909	09/05/17	09/05/17		559	07	C P T W	50,000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2021	CDBG	100,000	OTHER	10,000	0	110,000
Totals				100,000		10,000	0	110,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
	0	0	0	0	0
Total	0	0	0	0	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	5	W Bump ^{ski} St W Bump ^{ski} St S Parcel to Dead End new pavement, sidewalks, curbs and drainage	WA-04943	09/05/17	09/05/17		559	03	C P T W	5.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2022	CDBG	105,000	OTHER	19,000	0	124,000
Totals				105,000		19,000	0	124,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
	0	0	0	0	0
Totals	0	0	0	0	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPD/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Terminations F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	5	W Christy St # 1 W Christy St N Amboy Rd to Dead End at Little League Park new pavement and sidewalks	WA-04942	09/05/17	09/05/17		559	03	C P T W	8,000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2020		0	OTHER	85,000	5,000	90,000
Totals				0		85,000	5,000	90,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	150,000	0	0	0
Total	0	150,000	0	0	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	5	W Hoag St Hoag St S Railroad Ave to Dead End new pavement, curbs and drainage	WA-04944	09/05/17	09/05/17		559	03	C P T W	29.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2022	CDBG	531,000		0	94,000	625,000
Totals				531,000		0	94,000	625,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
	0	0	0	0	0
Totals	0	0	0	0	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	5	W Humphrey St Humphrey St S Railroad Ave to West Town Limits new pavement curbs and drainage	WA-04949	09/05/17	09/05/17		559	03	C P T W	42.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2019		0	OTHER	888,000	157,000	1,045,000
Totals				0		888,000	157,000	1,045,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	1,045,000	0	0	0
Totals	0	1,045,000	0	0	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	5	W Jones St W Jones St W Town Limits to Railroad Ave pavement preservation	WA-04945	09/05/17	09/05/17		559	03	C P T W	38.000	CE	No

Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2021		0		0	25,000	25,000
Totals				0		0	25,000	25,000

Phase	1st	2nd	3rd	4th	5th & 6th
ALL	25,000	0	0	0	0
Totals	25,000	0	0	0	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Term F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	5	W Wilson St #1 W Wilson St s Railroad Ave to Dead Ends new pavement, curbs	WA-04936	09/05/17	09/05/17		559	03	C P T W	26.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2021		0	OTHER	550,000	97,000	647,000
Totals				0		550,000	97,000	647,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	647,000	0	0	0	0
Totals	647,000	0	0	0	0

Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
07	6	Blackmore Ave Blackmore W Humphrey St to W Jones pavement preservation	WA-04904	09/05/17	09/05/17		559	07	C P T W	0.060	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2021		0	OTHER	9,000	0	9,000
Totals				0		9,000	0	9,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
	0	0	0	0	0
Totals	0	0	0	0	0

Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	R/W Required
07	6	E Valley Rd Valley Rd S Hubbard to Dead End pavement preservation	WA-04912	09/05/17	09/05/17		559	07	C P T W	11.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2020		0	OTHER	9,000	1,000	10,000
Totals				0		9,000	1,000	10,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	10,000	0	0	0	0
Totals	10,000	0	0	0	0

Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt
County: Clark
MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	R/W Required
08	6	E Wilson Wilson S Hubbard to Dead End pavement preservation	WA-04913	09/05/17	09/05/17		559	07	C P T W	11,000	CE	Nc

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2020		0	OTHER	9,000	3,000	12,000
Totals				0		9,000	3,000	12,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
	0	0	0	0	0
Totals	0	0	0	0	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Term F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	6	N Cedar Ave Cedar Ave E Yacolt Rd to Dead End PAVEMENT PRESERVAION	WA-04955	09/05/17	09/05/17		559	07	C P T W	24,000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2020		0	OTHER	16,000	0	16,000
Totals				0		16,000	0	16,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	0	0	16,000	0
Totals	0	0	0	16,000	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	6	N Pine Ave #1 N. Pine Ave E Jones to Dead End curbs, sidewalks, drainage	WA-04935	09/05/17	09/05/17		559	06	C P T W	6.000	CE	No

Error: Subreport could not be shown.

Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	0	0	105,000	0
Totals	0	0	0	105,000	0

Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	6	W Christy St # 2 W Christy St N Amboy Rd to Dead End pavement preservation	WA-04952	09/05/17	09/05/17		559	07	C P T W	20.000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2021		0	OTHER	12,000	0	12,000
Totals				0		12,000	0	12,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
	0	0	0	0	0
Totals	0	0	0	0	0



Six Year Transportation Improvement Program From 2017 to 2022

Agency: Yacolt

County: Clark

MPO/RTPO: RTC

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	R/W Required
08	6	W Jones St W Jones St Railroad Ave to West Town Limits pavement preservation	WA-04953	09/05/17	09/05/17		559	07	C P T W	11,000	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2020		0	OTHER	15,000	0	15,000
Totals				0		15,000	0	15,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
	0	0	0	0	0
Totals	0	0	0	0	0

	Federal Funds	State Funds	Local Funds	Total Funds
Grand Totals for Yacolt	2,514,000	4,831,000	737,000	7,282,000

Street, Sidewalk and Stormwater Control Projects

Project Description	Financing Method	2014	2015	2016	2017	2018	2019	Not Determined 2014-19	Priority
<i>Blackmore Av.</i> : W Humphrey St to W Yacolt Rd .16 miles—new pavement, curbs, drainage	Street fund, STP		\$249,000						2
<i>W/Hoag St.</i> : S Railroad Av to dead end .29 miles—new pavement, curbs, drainage	Street fund, STP			\$230,000					3
<i>W Yacolt Rd.</i> : N Railroad Av to N Amboy Av .14 miles—reconstruct road, drainage	Street fund, STP	\$243,000							1
<i>Parcel/ Av.</i> : W Yacolt Rd to W Humphrey St .18 miles—reconstruct road, curbs, drainage	Street fund, STP				\$173,000				4
<i>Blackmore Av.</i> : W Humphrey St to W Yacolt Rd .16miles—sidewalks, drainage	Street fund, CDBG	\$66,000							1
<i>Parcel/ Av.</i> : W Humphrey to S town limits .26 miles—reconstruct road, curbs, drainage	Street fund, STP				\$264,000				4
<i>Johnson Av.</i> : W Yacolt Rd to W Humphrey St .2 miles—new pavement, curbs, sidewalks, drainage	Street fund, STP					\$225,000			5
<i>S Railroad Av.</i> : W Hoag St to S town limits .15 miles—reconstruct road, sidewalks, drainage	Street fund, STP				\$169,000				4

Street, Sidewalk, Stormwater Control	Method	2014	2015	2016	2017	2018	2019	2014-19	Priority
N Amboy Av: W Jones St to W Yacolt Rd .2 miles—new pavement, curbs sidewalks, drainage	Street fund, STP					\$225,000			5
W Wilson St: S Railroad Av to dead end .26 miles—new pavement, curbs, sidewalks, drainage	Street fund, STP					\$292,000			5
W Jones St: W town limits to Railroad Av .38 miles—new pavement, curbs, sidewalks, drainage	Street fund, STP					\$427,000			5
E Jones St: Railroad Av to E town limits .34 miles—new pavement, curbs, sidewalks, drainage	Street fund, STP					\$382,000			5
Ranck Av: W Cushman St to W Wilson St .19 miles—new pavement, curbs, sidewalks, drainage	Street fund, STP					\$214,000			5
W Humphrey St: S Railroad Av to W town limits .42 miles—new pavement, curbs, sidewalks, drainage	Street fund, STP					\$472,000			5
E Humphrey St: S Railroad Av to S Hubbard Av .05 miles—new pavement, curbs, sidewalks, drainage	Street fund, STP					\$56,000			5
W Christy St: N Amboy Av to dead end .08 miles—new pavement, curbs, sidewalks, drainage	Street fund, STP					\$90,000			5
W Hoag St: S Railroad Av to dead end .29 miles—sidewalks, drainage	Street fund, PSMP	\$96,000							1

Street, Sidewalk, Stormwater Control	Method	2014	2015	2016	2017	2018	2019	2014-19	Priority
<i>W Bumpski St:</i> S Parcel Av to dead end .05 miles—new pavement, curbs, sidewalks, drainage	Street fund, STP					\$56,000			5
<i>E Clark St:</i> N Ankeny Av to N Cedar Av .06—new sidewalks	SCP					\$6,000			5
<i>N Hubbard:</i> E Twin Falls St to old railroad right-of-way .11 miles—new sidewalks	SCP					\$10,000			5
<i>E Farrer St:</i> N Hubbard Av to N Pine Av .22 miles—pavement preservation	WSDOT					\$3,000			5
<i>E Alexander St:</i> N Hubbard Av to N Pine Av .22 miles—preserve pavement	WSDOT					\$3,000			5
<i>N Pine Av:</i> E Clark St to dead end .17 miles—preserve pavement	WSDOT					\$2,000			5
<i>N Cedar Av:</i> E Clark St to dead end .2 miles—preserve pavement	WSDOT					\$3,000			5
<i>N Hubbard Av:</i> E Twin Falls St to dead end .25 miles—preserve pavement	WSDOT					\$3,000			5
<i>E Yacolt Rd:</i> N Railroad Av to E town limits .41 miles—new pavement, curbs, drainage	Street fund, STP		\$403,000						2
<i>N Pine Av:</i> E Jones St to dead end .06 miles—new pavement, curbs, sidewalks, drainage	Street fund, STP					\$67,000			5
<i>W Yacolt Rd:</i> N Blackmore to W town limits .11 miles—reconstruct road	Street fund, STP						\$90,000		6

RCW 35.77

STREETS - PLANNING, ESTABLISHMENT, CONSTRUCTION, AND MAINTENANCE

35.77.010 - Perpetual advanced six-year plans for coordinated transportation program expenditures—Nonmotorized transportation—Railroad right-of-way.

(1) The legislative body of each city and town, pursuant to one or more public hearings thereon, shall prepare and adopt a comprehensive transportation program for the ensuing six calendar years. If the city or town has adopted a comprehensive plan pursuant to chapter 35.63 or 35A.63 RCW, the inherent authority of a first-class city derived from its charter, or chapter 36.70A RCW, the program shall be consistent with this comprehensive plan. The program shall include any new or enhanced bicycle or pedestrian facilities identified pursuant to RCW 36.70A.070(6) or other applicable changes that promote nonmotorized transit.

The program shall be filed with the secretary of transportation not more than thirty days after its adoption. Annually thereafter the legislative body of each city and town shall review the work accomplished under the program and determine current city transportation needs. Based on these findings each such legislative body shall prepare and after public hearings thereon adopt a revised and extended comprehensive transportation program before July 1st of each year, and each one-year extension and revision shall be filed with the secretary of transportation not more than thirty days after its adoption. The purpose of this section is to assure that each city and town shall perpetually have available advanced plans looking to the future for not less than six years as a guide in carrying out a coordinated transportation program. The program may at any time be revised by a majority of the legislative body of a city or town, but only after a public hearing.

The six-year plan for each city or town shall specifically set forth those projects and programs of regional significance for inclusion in the transportation improvement program within that region.

(2) Each six-year transportation program forwarded to the secretary in compliance with subsection (1) of this section shall contain information as to how a city or town will expend its moneys, including funds made available pursuant to chapter 47.30 RCW, for nonmotorized transportation purposes.

(3) Each six-year transportation program forwarded to the secretary in compliance with subsection (1) of this section shall contain information as to how a city or town shall act to preserve railroad right-of-way in the event the railroad ceases to operate in the city's or town's jurisdiction.

[2005 c 360 § 4. Prior: 1994 c 179 § 1; 1994 c 158 § 7; 1990 1st ex.s. c 17 § 59; 1988 c 167 § 6; 1984 c 7 § 23; 1977 ex.s. c 317 § 7; 1975 1st ex.s. c 215 § 1; 1967 ex.s. c 83 § 27; 1965 c 7 § 35.77.010; prior: 1961 c 195 § 2.]

35.77.015 - Provisions for bicycle paths, lanes, routes, roadways and improvements to be included in annual revision or extension of comprehensive street programs—Exception.

The annual revision and extension of comprehensive street programs pursuant to RCW 35.77.010 shall include consideration of and, wherever reasonably practicable, provisions for bicycle routes: PROVIDED, That no provision need be made for any such route where the cost of establishing it would be excessively disproportionate to the need or probable use.

35.77.020 - Agreements with county for planning, establishment, construction, and maintenance.

Any city or town may enter into an agreement with the county in which it is located authorizing the county to perform all or any part of the construction, repair, and maintenance of streets in such city or town at such cost as shall be mutually agreed upon. The agreement shall be approved by ordinance of the governing body of the city or town and by resolution of the board of county commissioners.

Any such agreement may include, but shall not be limited to the following:

(1) A provision that the county shall perform all or a specified part of the construction, repair, or maintenance of the city or town streets and bridges to the same standards provided by the county in unincorporated areas, or to increased standards as shall be specified which may include construction, repair, or maintenance of drainage facilities including storm sewers, sidewalks and curbing, street lighting, and traffic control devices.

(2) A provision that the county may provide engineering and administrative services necessary for the planning, establishment, construction, and maintenance of the streets of the city or town, including engineering and clerical services necessary for the establishment of local improvement districts. In providing such services the county engineer may exercise all the powers and perform all the duties vested by law or by ordinance in the city or town engineer or other officer or department charged with street administration.

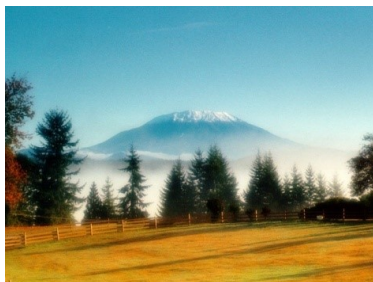
(3) A provision that the city or town shall enact ordinances for the administration, establishment, construction, repair, maintenance, regulation, and protection of its streets as may be necessary to authorize the county to lawfully carry out the terms of the agreement.

35.77.030 - Agreements with county for planning, establishment, construction, and maintenance—County may use road fund—Payments by city—Contracts, bids.

Pursuant to an agreement authorized by RCW 35.77.020, the board of county commissioners may expend funds from the county road fund for the construction, repair, and maintenance of the streets of such city or town and for engineering and administrative services. Payments by a city or town under such an agreement shall be made to the county treasurer and by him or her deposited in the county road fund. Such construction, repair, maintenance, and engineering service shall be ordered by resolution and proceedings conducted in respect thereto in the same manner as provided for the construction, repair, and maintenance of county roads by counties, and for the preparation of maps, plans and specifications, advertising and award of contracts therefor: PROVIDED, That except in case of emergency all construction work performed by a county on city streets pursuant to RCW 35.77.020 through 35.77.040, which exceeds ten thousand dollars, shall be done by contract, unless after advertisement and solicitation of competitive bids it appears that bids are unobtainable or that the lowest bid exceeds the amount for which such construction can be done by means other than contract. No street construction project shall be divided into lesser component parts for the purpose of avoiding the requirements for competitive bidding.

35.77.040 - Agreements with county for planning, establishment, construction, and maintenance—Act is additional and concurrent method.

RCW 35.77.020 through 35.77.040 shall not repeal, amend, or modify any law providing for joint or cooperative agreements between cities and counties with respect to city streets, but shall be held to be an additional and concurrent method providing for such purpose.



Town of Yacolt

Request for Council Action

Proposed Meeting Date: Monday, June 04, 2018 Agenda Item:

Contact Information for Person/Group/Department Requesting Council Action:

Requester's Name	Council member Rowe-Tice
Group Name (if applicable)	
Address	
Daytime Phone	
Alternate Phone	
E-Mail Address	

Item Title:

Fire Chief Shawn Ford - Discussion

Action Requested of Council:

Discussion

Proposed Motion:

Summary / Background:

Governing Legislation:

Budget/Finance Impacts:

Attachments, (previous ordinance, resolution, proposed ordinance, etc.):

Staff Contact(s):



Town of Yacolt

Request for Council Action

Proposed Meeting Date: Monday, June 04, 2018 Agenda Item:

Contact Information for Person/Group/Department Requesting Council Action:

Requester's Name	Mayor Myers, Council member Boget
Group Name (if applicable)	
Address	
Daytime Phone	
Alternate Phone	
E-Mail Address	

Item Title:

Draft Resolution and Agreement for KWRL - Discussion

Action Requested of Council:

Discussion

Proposed Motion:

Summary / Background:

Governing Legislation:

Budget/Finance Impacts:

Attachments, (previous ordinance, resolution, proposed ordinance, etc.):

Draft Resolution KWRL
Draft Use Agreement KWRL

Staff Contact(s):

Younce

RESOLUTION #

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YACOLT, WASHINGTON, AUTHORIZING A LICENSE AGREEMENT BETWEEN THE TOWN OF YACOLT AS LICENSOR AND THE KWRL BABE RUTH LEAGUE AS LICENSEE, FOR THE NON-EXCLUSIVE USE OF THE TOWN OF YACOLT'S BASEBALL FIELD FACILITIES.

Whereas, The Town of Yacolt is the owner of Property commonly known as the 'Old Ball Park', (approximately 2.9 acres), and the 'Big League Field', (approximately 3 acres), (the "Property"); legally described in Exhibit A, and as such parcels may have been altered by events including boundary line adjustments of record, (together the "Property");

Whereas, KWRL Babe Ruth League (hereafter, "KWRL") desires to support Babe Ruth league baseball and related activities for children, and desires to use the Property for such purposes;

Whereas, the Yacolt Town Council believes that KWRL's use of the Property will stimulate business, tourism and revenue for the community, promotes community pride and involvement, and is therefore in the public interest; and,

Whereas, the Town Council of the Town is in regular session this 18th day of June, 2018, 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 - Grant of License - Authorization to Enter License Agreement: The Town of Yacolt hereby grants a non-exclusive license to the KWRL to use the Property for the purposes and at such times and in such manner as set forth in Exhibit A hereto, upon execution by the parties of the Agreement attached as Exhibit A. The Mayor is hereby authorized to execute a license agreement in the form attached hereto as Exhibit A.

Section 2 - 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 3 - Effective Date:

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

Town of Yacolt- Summary of Resolution #

The Town Council of the Town of Yacolt adopted Resolution # at its regularly scheduled Town Council meeting held on June 18th, 2018. 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 a License Agreement between the Town of Yacolt as Licensor and the KWRL Babe Ruth League as Licensee,

Town of Yacolt

Resolution #

for the Non-Exclusive Use of the Town of Yacolt's Baseball Field Facilities. The effective date of the Resolution is June 18th, 2018.

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. Telephone - (360) 686- 3922.

Published this ___ day of June, 2018
Katie Younce, Assistant Clerk

RESOLVED by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 18th day of June.

TOWN OF YACOLT

Vince Myers, Mayor

Attest:

Katie Younce, Assistant Clerk

Approved as to form:

David W. Ridenour, Town Attorney

Ayes: _____
Nays: _____
Absent: _____
Abstain: _____

TOWN CLERK'S CERTIFICATION

I hereby certify that the foregoing is a true and correct copy of **Resolution #** of the Town of Yacolt, Washington entitled:

A Resolution of the Town Council of the Town of Yacolt, Washington, authorizing a license agreement between the Town of Yacolt as licensor and the KWRL Babe Ruth league as licensee, for the non-exclusive use of the Town of Yacolt's baseball field facilities 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:

Katie Younce, Assistant Clerk

Published: _____, 2018
Effective Date: June 18th, 2018
Resolution Number:

DRAFT

LICENSE AGREEMENT BETWEEN THE TOWN OF YACOLT AND KWRL BABE RUTH

This Agreement is made this 18th day of June, 2018, by and between the Town of Yacolt, a Washington municipal corporation, ("Yacolt" or "Licensor") and KWRL Babe Ruth League, a Washington licensed public benefit corporation, ("KWRL" or "Licensee").

Background

Whereas, The Town of Yacolt is the owner of Property commonly known as the 'Old Ball Park', (approximately 2.9 acres), and the 'Big League Field', (approximately 3 acres), (the "Property"); legally described in Exhibit A, and as such parcels may have been altered by events including boundary line adjustments of record, (together the " Property");

Whereas, KWRL desires to support Babe Ruth League baseball and related activities for children, and desires to use the Property for such purposes;

Whereas, the Yacolt Town Council believes that KWRL's use of the Property stimulates business, tourism and revenue for the community, promotes community pride and involvement, and is therefore in the public interest; and,

Whereas, the Yacolt Town Council has passed **Resolution #** authorizing the execution of this Agreement to give permission to KWRL to make non-exclusive use of the Property as described herein:

Now, therefore, in consideration of the mutual covenants and provisions set forth herein, the parties agree as follows:

Agreement

- 1. Grant of License.** The Town of Yacolt hereby grants to KWRL, its agents, guests and invitees, a non-exclusive license and privilege to use the Property for the purposes and at such times and in such manner as hereinafter set forth.
- 2. Purpose of License:** KWRL is authorized to use the Property for the purpose of KWRL Babe Ruth baseball fields, and all other reasonable uses related to that purpose. KWRL agrees that its use of the Property shall be proper, legal and safe.
- 3. Term of License.** This Agreement shall commence upon the effective date of the Agreement described above, and shall continue for one (1) year, at which time the Agreement shall terminate automatically unless extended by the parties.
- 4. Termination.** Either party may terminate this Agreement at any time and for any reason by giving to the other party sixty (60) days written notice.

5. **No Transfer or Assignment.** The license granted to KWRL under this Agreement is personal to KWRL. Any attempt to transfer or assign this Agreement by the Licensee shall terminate this Agreement.
6. **Cooperation and Scheduling.** KWRL understands that its license to use the Property is non-exclusive, and that Yacolt and other licensees are also expected to use the Property during the term of this Agreement. In order to avoid scheduling conflicts, KWRL agrees to provide a schedule of anticipated uses as least thirty (30) days in advance of all activities on the Property, including planned baseball, and softball practices and games, and to obtain written approval from the Licensor for said schedule. KWRL agrees that it shall not unreasonably interfere with the normal operations and activities of Licensor, and KWRL agrees to use ordinary care in its activities on the Property to minimize damage to the Property and inconvenience to the Licensor, its agents, employees, licensees and invitees. For its part, Yacolt agrees that it will provide to Licensee a schedule of the Town's desires and intentions to use the Property that provides at least thirty (30) days advance notice of the Town's planned use of the Property. As a form of advance notice through this Agreement, Yacolt discloses that it intends to regularly use some or all of the Property for events including, without limitation, annual events such as the Town Easter Egg Hunt, the 4th of July Celebration, and the Spring Clean-Up. In the case of any scheduling conflict, KWRL understands and agrees that the use of the Property by the Licensor shall be considered a priority over use of the Property by the Licensee. As a general matter, the parties agree to work cooperatively and in reasonable fashion to avoid scheduling conflicts over the use of the Property.
7. **Compliance with Applicable Law/ Necessary Permits.** At all times during the term of this Agreement, KWRL will comply with any and all applicable federal, state and local laws, rules and regulations, and shall obtain or cause to be obtained any and all state or local licenses or permits required of or applicable to the uses to be made of the Property.
8. **Maintenance of Property.**
 - 8.1 KWRL agrees to pay all costs involved in construction, repairs and maintenance of the buildings and grounds related to its use of the Property. All construction, plumbing and electrical work shall comply with all applicable laws and codes. KWRL agrees to reasonably clean the Property following activities to ensure debris from an event does not damage or impact public property. KWRL agrees to obtain written permission prior to constructing or altering the Property or its improvements other than general clean up, lawn mowing and tilling. KWRL agrees to notify Yacolt and Clark Public Utilities in writing prior to any grading or excavating on the Property. KWRL assumes all responsibility for utility maintenance improvements and security of Property. KWRL agrees that NO herbicides, pesticides, fungicides or dust palliatives may be applied to the soil or vegetation. Any substance used to enhance or decrease growth in vegetation must be verified to be a safe product for use near a well field. KWRL agrees to obtain in writing approval from the Public Works Department of the Licensor and Clark Public Utilities prior to use of any such substance.
 - 8.2 Repair and Restoration. If Licensee, its agents or contractors cause any damage to the Property or to Licensor's roads, infrastructure or other property and improvements, Licensee shall repair and restore the Property and improvements to their original condition prior to Licensee's use of the Property under this Agreement. In the event that repair and restoration is performed following the termination this Agreement, the Licensee's indemnity and

insurance obligations under this Agreement shall continue until repair and restoration is completed.

- 9. **Revenue from Activities.** All proceeds from activities under this Agreement including revenue from concessions and memorabilia sales shall belong to KWRL or its designee.
- 10. **Breach and Cure.** In the event that Licensee breaches any of its obligations under this Agreement, Licensor shall send Licensee a written notice specifying the nature of such breach. Licensee shall have ten (10) days from the receipt of such notice to cure such breach. If more time is reasonably required for Licensee's performance, then Licensee shall commence performance within such ten (10) day period and, thereafter, diligently proceed to completion. If Licensee fails to cure or to commence cure within such ten (10) day period, then Licensor shall have the right to terminate this License immediately by serving Licensee with written notice of termination. Licensor shall have all rights and remedies available under Washington law including, but not limited to, actions for damages and specific performance, for any breach of Licensee's obligations hereunder. In the event litigation arises out of this Agreement, the losing party agrees to pay the prevailing party's attorney's fees incident to said litigation, together with all costs and expenses incurred in connection with such action, and whether or not incurred in the trial court or on appeal.
- 11. **Alteration in Writing.** This Agreement supersedes any and all prior understandings and agreements, whether written or oral, between the parties with respect to the subject matter of this License. No alteration or variation of this Agreement shall be valid unless made in writing and signed by Licensor and Licensee.
- 12. **Notices.** All notices and other communications between the parties shall be in writing and may be hand-delivered or mailed by first-class mail, postage prepaid, to the parties hereto at the appropriate address below. The parties shall keep each other advised of their mailing addresses to enable the notices anticipated herein.

Licensor: Town of Yacolt
 P.O. Box 160 Yacolt, WA
 98675

 (physical address)
 202 W. Cushman Street Yacolt, WA
 98675

Licensee: KWRL Babe Ruth
 38706 NW 14th Ave.
 Woodland, WA 98674

 (physical address) 202 W.
 Christy
 Yacolt, WA 98675

13. Indemnification.

13.1 Licensee's Obligation. Licensee shall indemnify, defend and hold harmless Licensor, its officers, agents, partners and employees, from and against any Claims, arising out of or in

any way connected with this License including, without limitation, Claims for loss or damage to any property, or for death or injury to any person or persons but only in proportion to and to the extent that such Claims arise from the negligent or intentional acts or omissions of Licensee, its officers, agents, or employees.

13.2 Licensor's Obligation. Licensor shall indemnify, defend, and hold harmless Licensee, its officers, agents and employees, from and against any claims, damages, costs, expenses, or liabilities (collectively "Claims") arising out of or in any way connected with this License including, without limitation, Claims for loss or damage to any property, or for death or injury to any person or persons but only in proportion to and to the extent that such Claims arise from the negligent or intentional acts or omissions of Licensor, its officers, agents, partners or employees.

14. Insurance. The Town of Yacolt agrees that it is responsible for its own insurance coverage with respect to claims or losses as a result of the Town's actions and events on the Property and/or the Town's use of the Property. The insurance required by Licensee under this Paragraph is to provide coverage for the obligations or actions of the Licensee and/or its agents, guests and invitees, as described in this Agreement. Licensee, at its sole cost and expense, shall insure its activities in connection with this Agreement and obtain, keep in force and maintain insurance as described below. KWRL shall provide a certificate of insurance for all liabilities prior to the beginning of each year's activities.

14.1 General Liability Insurance, (contractual liability included), with minimum limits of \$1,000,000 per each occurrence, with a general aggregate of coverage of \$2,000,000.00, with such coverage to be described on an occurrence basis rather than a claims-made basis, by a carrier licensed to conduct business in the State of Washington.

14.2 Property, Fire and Extended Coverage in an amount sufficient to reimburse Licensee for all of its equipment, trade fixtures, inventory, fixtures and other personal property located on or in the Premises including improvements hereinafter constructed or installed.

14.3 Worker's Compensation Insurance, to the extent required by the laws of the State of Washington.

14.4 The coverages required under this Section 14 shall not limit the liability of Licensee.

14.5 The coverages referred to under Section 14.1 and 14.2 shall include Licensor as an additional insured. Upon the execution of this Agreement and with respect to all insurance renewals, Licensee shall furnish Licensor with certificates of insurance evidencing compliance with all requirements. Certificates shall provide for thirty (30) days advance written notice to Licensor of any material modification, change or cancellation of the above insurance coverages.

14.6 Waiver of Subrogation. The Licensee hereby waives any right of recovery against the Licensor as a result of loss or damage to the property of either Licensee or Licensor when such loss or damage arises out of an Act of God or any of the property perils insurable under extended coverage, whether or not such peril has been insured, self-insured, or non-insured.

15. Lien Free Condition. Licensee shall not cause or permit any liens to be placed against the Property as a result of Licensee's exercise of rights under this Agreement. In the event of the filing of any such liens, Licensee shall promptly cause such liens to be removed.

16. Additional Rules. The Yacolt Town Council may by resolution adopt additional rules and regulations for KWRL's use of the Property for any reason that the Council considers appropriate, including an effort to minimize strain upon Town services. Such additional rules and regulations shall become effective sixty (60) days after

written notice to KWRL.

- 17. **Nondiscrimination of Services and Employment.** KWRL covenants and agrees that in all matters pertaining to the performance of this Agreement, KWRL shall at all times conduct its business in a manner which assures fair, equal and nondiscriminatory treatment of all persons with respect to race, color, national origin, religion, gender, age, marital status, or disability, including compliance with all requirements of applicable federal, state and local laws and regulations issued pursuant thereto relating to the establishment of any nondiscriminatory requirements in hiring and employment practices.
- 18. **Corrective Legal Description Allowed.** The Parties agree that this Agreement may be re-executed in order to provide any corrective legal description of the Property so that the intent of the Parties is given full effect.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

Town of Yacolt
"Yacolt" or "Licensor"

KWRL Babe Ruth
"KWRL" or "Licensee"

Vince Myers, Mayor

Will Block, President

Attest:

Katie Younce, Assistant Clerk

Buck Harris, Secretary

Approved as to Form:

David W. Ridenour, Town Attorney