

RESOLUTION NO. 1987-88-5

WHEREAS, the Port of Hood River ("Port") had instructed staff to make preapplication to Federal Economic Development Administration ("EDA") for a public works grant under CFDA 11-300; and

WHEREAS, the project is described as - Reconstruction of Columbia Ave. from 3RD to 7TH St. and Reconstruction of 7TH from Columbia Ave. to Oak Ave. with alternates for Reconstruction of 5TH (Alt. #1) St. from Columbia Ave. to Cascade Ave. and Reconstruction of 4TH (Alt. #2) St. from Columbia Ave. to Cascade Ave.; and

WHEREAS, the Port was indicated as the applicant with the City of Hood River ("City") named as joint applicant; and

WHEREAS, the EDA had responded by letter of March 15, 1988 that the preapplication had been accepted with an invitation extended to submit a formal application for grant; and

WHEREAS, the Port and City will enter into an intergovernmental agreement for operations and maintenance of proposed improvements;

THEREFORE, BE IT RESOLVED THAT:

The President or any other officer of the Port shall be authorized to execute the EDA grant application and intergovernmental agreement, subject to review and approval of counsel for the above described project.

DATED: April 12, 1988.

ATTEST:


Percy Jensen, President

Robert L. Nickelsen, Secretary

or


William C. Baker, Treasurer

INTERGOVERNMENTAL AGREEMENT
REGARDING
PROJECT IMPROVEMENTS OF PORT OWNED PROPERTIES
FOR
RECONSTRUCTION OF COLUMBIA AVENUE FROM 4TH STREET TO 7TH STREET
AND
RECONSTRUCTION OF 5TH STREET FROM COLUMBIA AVENUE TO CASCADE AVENUE
(EDA NO. 07-...-.....)

This AGREEMENT dated this 14th day of April, 1988, between the Port of Hood River ("Port") and the City of Hood River ("City") has been entered into by the parties for the purpose of funding, construction, maintenance and operation of infrastructure improvements to the project area.

The project area description is defined below.

City of Hood River right-of-way:

- Reconstruction of Columbia Ave. from 3RD to 4TH St.
- Reconstruction of 7TH St. from Columbia Ave. to Oak Ave.
- Reconstruction of 4TH St. from Columbia Ave. to Cascade Ave. (Alt. #2)

Port of Hood River property:

- Reconstruction of Columbia Ave. from 4TH to 7TH St.
- Reconstruction of 5TH St. from Columbia Ave. to Cascade Ave. (Alt. #1)

In consideration of their mutual interests and promises to each other, the parties hereby agree:

1. OWNERSHIP OF PROPERTY, MAINTENANCE AND OPERATIONS INTERESTS OF EACH PARTY.

Existing infrastructure improvements in the project area defined more specifically as watermains, sanitary sewers and storm sewers are presently owned by the City with full maintenance and operations responsibility.

Existing street improvements, including pavement, curbs and sidewalks, in the project area within City rights-of-way are presently owned by the City with full maintenance and operations responsibility.

Existing street improvements, including pavement, curbs and sidewalks, within the vacated street segments of the project area presently owned by the Port are the maintenance responsibility of the Port.

The City will own, operate and maintain all proposed underground infrastructure improvements in the project area for the useful life of the systems.

The City will own, operate and maintain all proposed street improvements in the project area within City rights-of-way for the useful life of the systems.

The Port will own, operate and maintain all proposed street improvements for those vacated street segments of the project area now in ownership of the Port until such time as the City accepts the streets back into the street system.

2. CONSTRUCTION OF IMPROVEMENTS

The Port will construct underground infrastructure and street improvements in the project area, subject to approval and standards of the City and in conformance with design standards, mutually established and approved, under the master plan of the project area.

The Port will coordinate with the City for construction of all improvements within the project area.

3. GRANT APPLICATION AND ADMINISTRATION

The Port shall be the authorized representative and lead agency for purposes of applying for and administering the EDA grant for the project. The City will cooperate with and provide all information deemed necessary by the Port and required by EDA. The City will provide the designated representative indicated on the EDA application for consultation and coordination regarding construction and administration of the project for continuity, conformance and protection of its interests.

The Port shall be responsible for the execution and filing of EDA documentation and shall be designated as the lead agency to receive and distribute grant funds and file EDA financial reports. The Port, in consultation with the designated City representative, shall be responsible for the bidding, award and management of the various construction contracts.

4. PROJECT EXPENSES

It is anticipated that the EDA grant, if approved, will cover all administration and project expenses, other than the City local share required to be paid under the terms of the grant. If expenses are not covered by the grant, the Port and the City shall each bear their own expenses as incurred.

5. PROJECT DURATION

This agreement shall be binding and shall continue through project construction, and for so long as the EDA grant requirements apply. This agreement may not be terminated by either party after the EDA grant is committed.

6. COMPLIANCE AUTHORITY

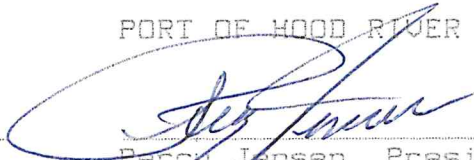
The parties to this AGREEMENT understand that they are bound by the application and grant documentation as submitted, executed and accepted on their behalf and the applicable statutes and regulations as provided under the grant and this agreement.

IN WITNESS WHEREOF the parties hereto have passed a motion and/or resolution and executed this intergovernmental AGREEMENT by the respective officers thereunto duly authorized.

APPROVED AS TO FORM:

PORT OF HOOD RIVER


Jerry F. Jacques, Port Counsel


Percy Jensen, President
Date: 4/24/88


Deborah M. Phillips, City Counsel

CITY OF HOOD RIVER


Michael A. Maurer, Mayor
Date: 4/24/88