

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
CITY OF PORTLAND
AND
VANCOUVER, WASHINGTON**

This Agreement dated this 5th day of August, 2009, is made and entered into by and between City of Portland; Bureau of Human Resources ("City") and City of Vancouver, Washington ("Vancouver"). Individually, either the City or Vancouver may be referenced as a "party" and collectively as the "parties."

RECITALS:

- A. The City and Vancouver (Clackamas; Metro; Multnomah County; Portland Development Commission (PDC); Washington County and any other additional jurisdictions) jointly sponsor and produce an annual education conference to provide training in cultural competency to managers, supervisors and employees. This year the conference will be held on October 27, 2009 at the Oregon Convention Center, 777 NE Martin Luther King Jr. Blvd., Portland, Oregon 97232.
- B. The City and Vancouver (Clackamas; Metro; Multnomah County; Portland Development Commission (PDC); Washington County and any other additional jurisdictions) jointly have agreed to sponsor and pay for the Annual NW Public Employees Diversity Conference.
- C. Vancouver wishes to enter into an Intergovernmental Agreement with the City to facilitate payment of Vancouver's share of the cost of the payment of the Annual NW Public Employees Diversity Conference
- D. The parties have authority to enter into this Intergovernmental Agreement under the authority of their respective Interlocal Cooperation Acts, RCW 39.34 and ORS 190.007.

AGREEMENT:

I. Work

- A. The City will perform as a partner in the production of the conference, and as the fiscal agent of the conference to pay expenses for supplies, printing, refreshments, contracts, fees and honoraria, presenters, speakers, and other services reasonably necessary to conduct an education conference.

II. Term

- A. This Agreement shall commence on July 24, 2009, or on the date of the last signature, terminating on January 31, 2010.
- B. If this Agreement is extended, the extension shall be done by a written amendment to this Agreement signed on behalf of the City by the Director of the Bureau of Human Resources and on behalf of Vancouver by the City Manager.

- C. Either party may terminate this Agreement upon giving 30 days written notice to the other party. For purpose of termination, the notice shall be given to the City's Director of Human Resources and for Vancouver, the City Manager. Upon termination, Vancouver shall pay the City its share of any outstanding invoices incurred during the term of this Agreement. The total of the invoices not to exceed one thousand dollars (\$1,000.00)

III. Payment

- A. The Vancouver is contributing a total of one thousand dollars (\$1,000.00) to the 2009 Annual NW Public Employees Diversity Conference.
- B. This payment of \$1,000.00 will be made to the "City of Portland" and sent to the attention of Mr. Joseph Quinones, Diversity Development Affirmative Action Manager, 1120 SW Fifth Avenue, Room 404, Portland, Oregon 97204, telephone number (503) 823-3514, by the close of business on August 31st, 2009.

IV. Miscellaneous Provisions

- A. Entire Agreement: The parties agree and acknowledge that this Agreement is a complete, integrated agreement that supersedes and cancels all prior negotiations and understandings of any kind that may previously have been made with regard to the payment of expenses for the Annual NW Public Employees Diversity Conference. Further, the parties agree that this Agreement is the entire agreement between them and that no other promises have been made by either party, either express or implied that are not contained herein.
- B. Governing Law: The parties agree that this Agreement shall be construed according to the law of the State of Oregon.
- C. Document Execution and Posting. The parties agree that this Agreement may be signed in two (2) or more counterparts, each of which shall be deemed an original, and which when taken together, shall constitute one Agreement. Upon execution, one executed original of this Agreement shall be retained by the Vancouver City Clerk and one shall be retained by the City of Portland. The Vancouver City Clerk shall cause a copy of this Agreement is to be posted on the City of Vancouver website pursuant to Chapter 32, Laws of Washington 2006 (RCW 39.34.040). Upon execution of the originals and posting of a copy on the City of Vancouver website, each such duplicate original shall constitute an agreement binding upon all parties.
- D. Amendment: The parties agree that this Agreement shall not be amended unless such amendment is in writing and signed by both parties and approved as to form by their respective City Attorneys.
- E. Non-Assignment. This Agreement may not be assigned without the agreement of the original parties.

CITY OF VANCOUVER SIGNATURES:

By: SIGNATURE ON FILE
Pat McDonnell, City Manager

Date: 8-18-09

Approved as to Form:

By: SIGNATURE ON FILE
Ted H. Gathe, City Attorney

Date: 8-17-09

Attest:

By: SIGNATURE ON FILE
R. Lloyd Tyler, City Clerk
~~By: Carrie Lowellen, Deputy, City Clerk~~

Date: 8/17/09