

To be posted on City webpage

**EXTENSION OF INTERLOCAL SERVICES AGREEMENT
BETWEEN CITY OF VANCOUVER AND CLARK COLLEGE
FOR SWIM FACILITY USE
ACADEMIC YEAR 2012-2013**

THIS IS AN EXTENSION OF THE INTERLOCAL AGREEMENT (“the Agreement”) FOR SWIM FACILITY USE between the City of Vancouver (“City”) and Clark College (“Clark”), dated January 10, 2010, and originally effective September 1, 2009, for use of Vancouver-Clark Parks and Recreation aquatics facilities or other pool locations for Clark College’s swimming programs for their students.

WHEREAS, Section 3 of the Agreement provides for administrative extensions on a year-to-year basis for up to a total of five (5) years, ending August 31, 2014, by the City Manager and the Clark College President subject to annual review of the level of services and adjustments of compensation, provided that the rate of compensation set forth in Section 6 of the Agreement may not be reduced without approval of City Council and Board of Trustees; and

WHEREAS, the City and Clark have extended the Agreement for each academic year since 2009; and

WHEREAS, the City and Clark have reviewed the level of service and compensation for the 2012-2013 academic year and desire to extend the Agreement again, subject to agreed to adjustments to level of service and compensation;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. The Agreement shall be further extended from September 1, 2012 through September 4, 2013.

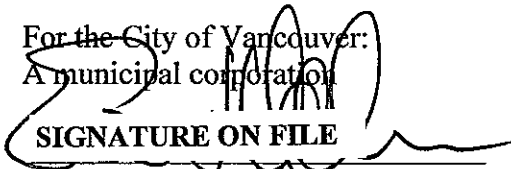
2. The City agrees to provide the following use of Marshall Pool to Clark during Clark's 2012 – 2013 academic year:
 - a) Physical Education Swim Classes. The City will provide use of Marshall Pool for Clark's Physical Education classes as set forth in Exhibit A, subject to the provisions of Section 9 (Change in Circumstances) of the Agreement. The City will provide a certified lifeguard. The prorated hourly rate is based on the City of Vancouver's ability to schedule other classes during this time to compensate their true hourly operational cost. Therefore, Clark agrees that the City of Vancouver may schedule other programs for partial pool use only during Clark's times of use to compensate the reduced hourly cost to Clark; and the City agrees to endeavor to schedule other programs which are compatible with Clark's usage during the times of shared use and includes use of selected equipment, such as kick boards, pull buoys, deep water exercise belts, and dumb bells.
 - b) Fitness Trainer Classes. The City will provide the use of Marshall Pool and use of selected equipment such as kick boards, swim buoys, water exercise belts, and dumb bells for Clark College's Fitness Trainer classes as set forth in Exhibit A, subject to the provisions of Section 9 (Change in Circumstances) of the Agreement.
 - c) Summer Quarter 2013. No classes are scheduled as of the execution of this Agreement. Additional classes may be scheduled at the rates set forth in Exhibit A for all other uses as scheduled in advance with City.

3. Clark agrees to compensate the City at the rates set forth in Exhibit A to this Extension of the Agreement.
4. That all other terms of the Agreement shall remain in full force and effect.
5. Acts taken in conformity with this Extension Agreement prior to its execution are hereby ratified and affirmed.

Dated: 10.19.12

Dated: 9/27/12

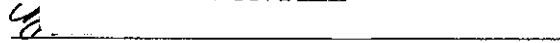
For the City of Vancouver:
A municipal corporation


SIGNATURE ON FILE

Eric Holmes, City Manager

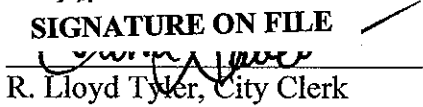
For Clark College:

SIGNATURE ON FILE


Bob Williamson, Vice President
Administrative Services

Attest:

SIGNATURE ON FILE

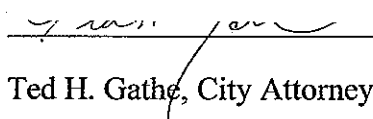

R. Lloyd Tyler, City Clerk

By: Carrie Lewellen, Deputy City Clerk

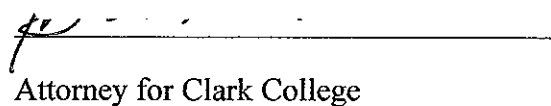
Approved as to form:

Approved as to form:

SIGNATURE ON FILE


Ted H. Gathe, City Attorney

SIGNATURE ON FILE


Attorney for Clark College

Attachments:

- Exhibit A – Schedule and Rates for 2012-2013 Academic Year
- Exhibit B – Dates for 2012-13 Academic Year

EXHIBIT A

ACADEMIC YEAR 2012-2013 EXTENSION – CLARK SWIM INTERLOCAL

HOURS & RATES FOR FALL 2012, WINTER 2013 & SPRING 2013 QUARTERS

Pool Usage	Hours	Dates	Rates
PE Swim Class - Marshall Pool – Exclusive Use	1 p.m. – 3 p.m.	Tuesdays and Thursdays <i><u>Fall, Winter and Spring</u></i> <i><u>quarters</u></i>	\$63.25/hour
PE Swim Class - Marshall Pool – Shared Use	12 p.m. – 1 p.m.	Tuesdays and Thursdays <i><u>Fall, Winter and Spring</u></i> <i><u>quarters</u></i>	\$31.00/hour
Fitness Trainer Class - Marshall Pool – Exclusive Use	11 a.m. – 12 p.m.	Tuesdays and Thursdays <i><u>Spring Quarter only</u></i>	\$63.25/hour
Marshall Pool – Exclusive use – all other uses as scheduled in advance with City	As scheduled	As scheduled	\$116.50/hour for up to 25 people; additional \$35.00/hour for each additional 25 people

EXHIBIT B - Marshall Pool Use - 2012-2013

Fall Quarter 2012	Winter Quarter 2013	Spring Quarter 2013																																																																																																													
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ANNUAL TOTALS:

Fitness Trainer Class Rental Rate (Spring Quarter Only):
 11a-12p: \$63.25/hr x 1 hrs = 63.25 x 20 days = \$1,265.00/yr
 Swim Class Rental Rates (Fall, Winter & Spring):
 * 12 p.m.: \$31.00/hr. x 1/hr x 61 days/yr = \$1,891.00/yr
 1 & 2 p.m.: \$63.25/hr. x 2hrs = \$126.50/day x 61 days = \$7,716.50/yr

* 12 p.m. swim class uses 1/2 the pool--charged at 1/2 price.

Shaded areas indicate no pool use

\$1,265.00 Annual Total for FT Class
 \$ 9,607.50 Annual Total for Swim Classes
\$ 10,872.50 Annual Rental Fee
 \$ 3,675.00 Less Estimated Student Fees
 \$ 7,197.50 Estimated Cost to College