

RESOLUTION NO. 4859

A RESOLUTION ACCEPTING THE 2003-2004 CITY OF CORVALLIS INTERGOVERNMENTAL AGREEMENT FOR THE LINN-BENTON LOOP TRANSIT SYSTEM FUNDING.

WHEREAS, the City of Corvallis has submitted the 2003-2004 annual funding support agreement for the Linn-Benton Loop Transit System; and


WHEREAS, the City of Albany is the service provider for the Linn-Benton Loop Transit System.

NOW, THEREFORE, BE IT RESOLVED that the City of Albany accepts the City of Corvallis funding support agreement in the amount of \$13,300 for operating expenses for the Linn-Benton Loop Transit System for fiscal year 2003-2004; and

BE IT FURTHER RESOLVED that the City Council of the City of Albany, Oregon, accepts these funds and authorizes the City Manager to execute the agreement and conditions for their acceptance.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage by the Council and approval by the Mayor.

DATED AND EFFECTIVE THIS 9TH DAY OF JULY 2003.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT is entered into this 9 day of July, 2003, by and between the CITY OF CORVALLIS, hereinafter referred to as "Corvallis", and the CITY OF ALBANY, hereinafter referred to as "Albany", the promises of each being given in consideration of the promises of the other.

WHEREAS, Albany is the operator of the Linn-Benton Loop Transit System, which provides an economical, effective, and responsive public transit system between Albany and Corvallis; and

WHEREAS, the Linn-Benton Loop is a cooperative effort of the cities of Albany and Corvallis, Linn-Benton Community College, Benton County, and Linn County; and

WHEREAS, Corvallis desires to continue to participate in this cooperative effort to provide a transportation alternative for Corvallis residents desiring to travel to Albany and Linn-Benton Community College;

NOW, THEREFORE, the parties agree as follows:

1. Compensation. Corvallis shall pay \$13,302 to CITY OF ALBANY in twelve equal monthly payments of \$1,108.50 each beginning July 1, 2003 and continuing during the term of the contract.

2. Purpose. Albany shall use these funds to offset operating expenses of the Linn-Benton Loop Transit System.

3. Term. The period of this Agreement is from July 1, 2003 through June 30, 2004.

4. Loop Commission. Corvallis through this payment becomes a member of the Linn-Benton Loop Transit Commission; and the rules for that Commission are attached hereto as Exhibit A and by this reference are incorporated into and made a part of this agreement.

5. Living Wage. Albany agrees to comply with Corvallis Municipal Code Chapter 1.25 establishing and implementing the Living Wage, a copy of which is attached as Exhibit B and by this reference is incorporated into and made a part of this agreement.

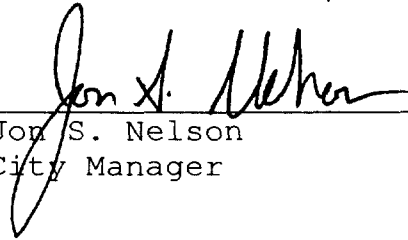
6. Each party shall indemnify and hold harmless the other from any suits or damages caused by the negligent actions or omissions of

its employees or agents. Nothing in this hold harmless condition shall be deemed to create a liability in excess of the Oregon Tort Claims limits for either party. Albany shall maintain general and automobile liability insurance meeting or exceeding the amounts stated in ORS 30.260 through 30.300 as now exists or as may be hereinafter amended. Such insurance shall name the City of Corvallis and Linn-Benton Transit Loop Commission as additional insureds, but only with respect to Albany's services to be provided under this Agreement.

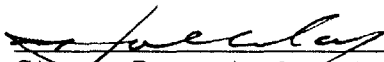
7. The parties shall not discriminate on the basis of race, religion, sex, color, age, source of income, sexual orientation, or national origin in the performance of this contract.

In witness whereof the parties hereto affix their signatures below.

CITY OF CORVALLIS, OREGON

  
\_\_\_\_\_  
Jon S. Nelson  
City Manager

CITY OF ALBANY, OREGON

  
\_\_\_\_\_  
~~Steve Bryant~~ Gary Holliday  
~~City Manager~~ Interim Assistant City Manager

Approved as to form:

  
\_\_\_\_\_  
Scott A. Fowel  
Corvallis City Attorney

Approved as to form:

\_\_\_\_\_  
Albany City Attorney