

RESOLUTION NO. 18-2012

RESOLUTION OF THE OMAK CITY COUNCIL FOR A MEMORANDUM OF UNDERSTANDING WITH OKANOGAN COUNTY TO PLACE BALLOT DROP BOXES ON CITY PROPERTY

THE CITY COUNCIL OF THE CITY OF OMAK, Washington do hereby resolve that a Memorandum of Understanding to place election ballot drop boxes on City property, attached hereto as "Exhibit A", between the **CITY OF OMAK**, a municipal corporation, and **OKANOGAN COUNTY**, is hereby approved.

NOW, THEREFORE, BE IT RESOLVED, this resolution is approved and the Mayor is hereby authorized and directed to execute the same for and on behalf of the CITY; and that the City Clerk is authorized and directed to attest her signature.

INTRODUCED and passed this 7th day of May, 2012.

SIGNED:

Cindy Gagne
Cindy Gagne, Mayor

ATTEST:

Kathy Lobdel
Kathy Lobdel, City Clerk

APPROVED AS TO FORM:

Michael Howe
Michael Howe, City Attorney

EXHIBIT A

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OMAK AND OKANOGAN COUNTY TO PLACE BALLOT DROP BOXES ON CITY PROPERTY

The purpose of the Memorandum is to set forth an agreement between Okanogan County ("County") and the City of Omak ("City") to place and permanently affix a ballot box on City property.

WHEREAS, pursuant to Washington law and code, the Okanogan County Auditor is tasked with providing safe and secure locations to deposit ballots; and

WHEREAS, the citizens of the City of Omak and the general voting public at large would benefit from the siting of a permanent fixed and secure ballot drop box on City property.

NOW, THEREFORE, the parties agree:

Section 1. The Okanogan County Auditor will confer with the appropriate City official to determine a location on City property to place a secure ballot deposit box.

Section 2. After choosing a suitable location for siting the box, the County shall make all necessary arrangements to place and permanently affix in concrete the ballot deposit box. The County shall be responsible for ensuring the installation proceeds in a safe and orderly manner and shall repair any damage to City property caused during installation.

Section 3. The term of this agreement shall begin on _____, and shall continue until the agreement is terminated by one of the parties upon 60 days notice. Should either party choose to terminate this agreement the County shall make arrangements to remove ballot drop box from City property within a reasonable amount of time and shall exercise reasonable prudence in returning the City property to its previous condition.

Section 4. At all times after execution of this agreement, the County shall be responsible for the monitoring, maintenance and operation of the ballot drop box and will assure compliance with all State and Federal laws, regulations and rules with regards to its installation and use.

Section 5. The County shall defend, indemnify, and save harmless the City, its officers, employees and agents from any and all costs, claims, judgments, and awards of damages resulting from the placement and operation of the ballot drop box with the exception of costs, claims, judgments, and awards of damages resulting from the sole negligence of the City, its officers, employees, or agents. It will be the City's responsibility to promptly inform the County of any claim or suit received by the City resulting from or related to the placement or operation of the ballot drop box.

DATED at Okanogan, Washington, this _____ day of _____, 2012.

**CITY OF OMAK
OMAK, WA**

Cindy Gagne, Mayor

Kathy Lobdell, City Clerk



Michael D. Howe, City Attorney

**BOARD OF COUNTY COMMISSIONERS
OKANOGAN, WASHINGTON**

Jim Detro, Chairman

Andrew Lampe, Member

Don (Bud) Hover, Member

Lalena Johns, Clerk of the Board

Steve Bozarth, DPA

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Section 3. The term of this agreement shall begin on May 7, 2018, and shall continue until the agreement is terminated by one of the parties upon 60 days notice. Should either party choose to terminate this agreement the County shall make arrangements to remove ballot drop box from City property within a reasonable amount of time and shall exercise reasonable prudence in returning the City property to its previous condition.

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DATED at Okanogan, Washington, this 7th day of May, 2012.

**CITY OF OMAK
OMAK, WA**

Cindy Gagne
Cindy Gagne, Mayor

Kathy Laddell
Kathy Laddell, City Clerk

Michael D. Howe
Michael D. Howe, City Attorney

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