

**CITY OF CLARKSTON
CITY COUNCIL AGENDA
829 5th Street
TUESDAY, NOVEMBER 12, 2013**

- 1. CALL TO ORDER: 7:00 P.M.**
- 2. PLEDGE OF ALLEGIANCE:**
- 3. AGENDA CHANGES:**
- 4. APPROVAL OF MINUTES:
October 28, 2013 Regular Meeting**

- 5. COMMUNICATIONS:**
 - A. From the Public (Please limit comments to 3 minutes)**
 - B. From the Mayor**
 - C. From Staff or Employees**

- 6. COMMITTEE REPORTS:**
 - A. Finance – Audit Report on Current Bills**
 - B. Public Safety – November 5**
 - C. Public Works –**
 - D. Administrative/Intergovernmental –**
 - E. Community Development – no meeting**

- 7. PUBLIC HEARING:
Revenue Sources including Property Tax Levy for 2014 Budget**

- 8. UNFINISHED BUSINESS:**

- 9. NEW BUSINESS:**
 - A. DECA Proclamation (CD)**
 - B. Authorization to proceed with ordinance limiting fireworks (PS)**
 - C. Authorization to proceed with purchase of Fire Engine. (PS)**
 - D. Direction to set meeting for Dispatch Contract Negotiations (PS)**
 - E. Authorize Traffic Safety Grant Application (PS)**
 - F. Authorize STOP Grant Application (PS)**
 - G. Ordinance No. 1515, Moratorium on Recreational Marijuana Businesses, 1st Reading**
 - H. Contract for Victim/Witness Coordinator (PS)**
 - I. Resolution No. 2013-07, Authorization to enter into agreement for Credit Card Services (Admin)**
 - J. Authorize Stormwater Grant Application (PW)**
 - K. Change Order Approval, Bubble-up Project (PW)**

- 10. COUNCIL COMMENTS**
- 11. MEDIA QUESTIONS**
- 12. EXECUTIVE SESSION: Union Negotiations**
- 13. ADJOURN:**

Time limits for addressing the council have been established by council direction. Presentations are limited to 15 minutes and public comments are limited to 3 minutes per person, per topic.

Individuals with disabilities may request reasonable accommodations by calling (509) 769-0131 at least three days prior to meeting.

CLARKSTON CITY COUNCIL MINUTES
October 28, 2013

CALL TO ORDER: Mayor Warren, 7:00 P.M.

COUNCIL:

- | | |
|--|--|
| <input type="checkbox"/> Beadles, excused | <input checked="" type="checkbox"/> Nash |
| <input checked="" type="checkbox"/> Provost | <input checked="" type="checkbox"/> Baumberger |
| <input checked="" type="checkbox"/> Smith | <input checked="" type="checkbox"/> Blackmon |
| <input checked="" type="checkbox"/> Manchester | |

STAFF:

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Chief Hastings | <input checked="" type="checkbox"/> Chief Cooper | <input checked="" type="checkbox"/> PWD Martin |
| <input checked="" type="checkbox"/> Clerk Storey | <input checked="" type="checkbox"/> City Attorney Grow | |

AGENDA CHANGES: Councilmember Manchester added an executive session to discuss union negotiations.

APPROVAL OF MINUTES: MOTION BY NASH/BLACKMON to approve the minutes of the October 14, 2013, Regular Meeting. Motion carried.

COMMUNICATIONS:

- A. **From the Public:**
- B. **From the Mayor:** Mayor Warren
- C. **From Staff:** Chief Cooper advised that he has completed specifications for a new fire truck. Estimated cost is about \$400,000. Some savings are possible if early payments are taken advantage of. He is looking at financing options and will bring a proposal to the next meeting.

COMMITTEE REPORTS:

Finance: Councilmember Provost reported the bills were reviewed and approved for payment. MOTION BY PROVOST/MANCHESTER to approve the bills for October 28, 2013, total expenditures of \$829,555.95. Motion carried.

Public Safety: No meeting.

Public Works: No meeting.

Admin Committee: Councilmember Manchester said committee met on October 28. A report will be made as part of executive session.

Community Development: No meeting.

UNFINISHED BUSINESS:

A. Interlocal Agreement with Columbia County, Shoreline Management Plan

PWD Martin explained that the city attorney has reviewed the language and is satisfied with the termination clause that is in the agreement. MOTION BY NASH/BAUMBERGER to remove this item from the table. Motion carried. MOTION BY NASH/MANCHESTER to authorize the mayor to sign the Interlocal agreement. Motion carried.

NEW BUSINESS

A. Professional Services Contract, The Wesley Group

MOTION BY MANCHESTER/SMITH to approve the agreement with The Wesley Group for

management representation. Motion carried.

COUNCIL COMMENTS:

MEDIA QUESTIONS:

EXECUTIVE SESSION:

Council went into executive session at 7:09 p.m. to discuss union negotiations. Anticipated length of session is 15 minutes and there will be no action as a result of the session. Council returned to open session at 7:30.

ADJOURNMENT:

Meeting adjourned at 7:30 p.m.

Vickie Storey, City Clerk

Kathleen A. Warren, Mayor

Total Fund Expenditures, 10/28/13	CK #54934-95, 20131005-06, 09/2013	\$702,072.02
Total Payroll, 10/15/13	CK #54912-33	\$124,483.93

Public Safety Committee

November 5, 2013

Attendance: Chief Hastings, Chief Cooper, Bill Provost, Larry Baumberger, Terry Beadles

We have discussed the consumer discharge of fireworks for sometime. The committee recommends that discharging of fireworks be limited to July 3rd and July 4th and December 31st. Chief Hastings presented a Pullman City ordinance that deals with limited discharge of fireworks. With Council approval, we would like to request that the City Attorney draft an ordinance for the above limited fireworks discharges. (Agenda item for Council action).

Chief Cooper presented the details for the purchase of a new fire engine. We recommend that Chief Cooper purchase the new fire engine. (Agenda item for Council action).

We discussed the dispatch contract negotiations. We recommend that City Attorney Richardson arrange a meeting involving City of Asotin, Asotin County Fire District #1, City of Clarkston, and Asotin County Commissioners to discuss the dispatch contract. (Agenda item for Council action).

Chief Hastings recommends that we apply for the Traffic Safety Grant. The grant will be for the purchase of a radar unit. We have used this program previously, (Agenda item for Council action).

Chief Hastings recommends that we apply for the STOP grant. The grant will fund the witness advocate program. We have used this program for many years, (Agenda item for action).

**PUBLIC HEARING
2014 BUDGET – REVENUE SOURCES
CURRENT EXPENSE FUND**

REVENUE SOURCE	2013 ESTIMATED REVENUE	2014 ESTIMATED REVENUE
Property Taxes	446,000	449,300
Sales Tax	1,568,000	1,530,000
Business Taxes	766,000	781,000
Excise, Gambling Taxes	71,500	72,000
Licenses & Permits	127,600	132,600
Grants	281,000	279,250
State Entitlements	151,900	157,900
Intergovernmental	70,000	70,000
Charges for Goods & Services	11,100	10,500
Fines	113,000	104,000
Miscellaneous	18,900	17,600
Total Actual Revenues	3,625,000	3,604,150

Revenue projections for the General Fund include:

- An increase to Property Taxes resulting from new construction. A 1% property tax increase is included. Property taxes have been split 50/50 with the Street Fund.
- Sales Tax is running a 6% increase over 2012. I have projected a small decrease for 2014 mainly because a lot of the increase is construction related (WWTP).
- Business taxes include utility or B & O taxes on gas, electricity and phones. Avista revenue is down 4% from 2012 and \$17,000 less than the 2013 budget.
- Gambling Taxes are down compared to 2012 and less than budgeted for this year. There is no indication that revenue will increase from that source.
- Licenses & Permits, which includes business licenses and building permits are planned up just a bit. Building permits for 2013 have been lower than anticipated.
- Grant revenue is planned for the Narcotics Assistance program and the Domestic Violence program, as in 2013. It also includes the second year of the SAFER grant for the fire department.
- State Entitlements are anticipated to be about the same as this year. Criminal justice funds depend on the city's crime rate and are determined on the state's fiscal year. So we don't know until July if we will qualify for continued funding. The state continues to raid the liquor tax fund.
- Intergovernmental revenue is not anticipated to change significantly.
- Court revenues seem to be declining, so I planned accordingly.
- Interest earnings are insignificant. A half percent is a good rate of return these days. The State Investment Pool has been at around .12% for over a year. I have diversified in an effort to increase our interest earnings, but there are no high return investments available.

CLARKSTON DECA

Clarkston High School
401 Chestnut Street
Clarkston, WA 99403



DECA Proclamation

WHEREAS, Clarkston DECA promotes understanding and appreciation of our free enterprise system and develops educational programs in marketing, merchandising, and management:

WHEREAS, "DECA CONNECT" is the theme for the 2013 Clarkston DECA week:

WHEREAS, DECA is the only national student organization operating through the Nation's schools to attract individuals to careers in marketing and management:

NOW, THEREFORE, I, Kathleen Warren, Mayor of Clarkston, Washington, do here by proclaim November 18th-November 22nd, 2013, as

CLARKSTON HIGH SCHOOL DECA WEEK

In the city of Clarkston, I urge all citizens to join me in recognizing the valuable contributions made by this organization.

Signed, this _____ Day of November 2013

Kathleen Warren

Subscribed and sworn to, before me on this __ day of _____, 2013.

Notary Public Residing at Commission Expires

CITY OF CLARKSTON

InterOffice Memorandum

DEPARTMENT: FIRE

DATE: November 4, 2013

TO: Clarkston City Councilors and Mayor Warren

FROM: Steve Cooper, Fire Chief 

SUBJECT: Fire Engine Purchase Recommendation

After months of considering the services a fire engine needs to support today, anticipating what services it may support 20 years into the future and evaluating what is available in the field; specifications have been completed for building a new fire engine.

I recommend a Pierce Saber SLT PUC Pumper be purchased through the Huston Galveston Purchasing Consortium (HGACBuy); information on this program is attached. This satisfies Washington bid requirements and assures a fair price as the manufacturer bids for placement in that purchase pool. When received, this fire engine will replace a 1992 fire engine.

I suggest purchase of the fire engine should include payment of a significant portion of the purchase price from the vehicle replacement fund - fund 016; then finance the balance. The current balance of the vehicle replacement fund is \$335,000. Of the options available to finance the balance of the purchase, I suggest considering the following two:

- Borrowing from a WA state program called LOCAL, through the state treasurer's office. At a current cost range of 0.85% for a three year loan to 1.62% for a six year loan. A five year loan borrowing \$200,000 would require two payments a year, each approximately \$21,000. The application must be submitted in December.
- Utilize the lease purchase option available through OSHKOSH Capital – another branch of the parent company of Pierce fire engines – by leasing the engine all available deductions would benefit Clarkston (total \$18,319) but the City's down payment would need to be made at the time the finance agreement is signed. The interest rates associated with this plan would range from 2.18% for two years to 2.94% for six years. The attached example of a five year lease borrowing \$200,000 would require two payments a year, each approximately \$21,560.

Please remember that these interest rates should be considered examples because they may vary before we would act to complete a purchasing agreement.

The cost for a Pierce PUC engine with a saber cab, 1500 gpm pump, 750 gallon water tank, ladder storage tunnel and a foam system as recommended is \$396,652.00 before sales tax. Two deductions are available that I recommend we capitalize on. Pay for the chassis three months before it is ready for pick-up from the factory date – payment for this is approximately \$205,115 and the resulting savings is \$6,153. Pay the balance of the purchase price when the engine is completed with a savings of \$4,474. If we pursue these deductions the engine price is \$386,025.

Washington sales tax will add about \$28,952 if we capitalize on these deductions and WA motor vehicle tax will add about \$1,160. Assuming the deductions for chassis payment and payment of the balance of purchase price when the engine is completed are received, including a performance bond, sales tax and WA motor vehicle tax the total fire engine cost is \$416,137, delivered to Clarkston.

The discounts that are described in this memo are pretty significant. Available discounts are listed on the attached purchase recap sheet.

The physical layout of the fire engine has been an important consideration.

Our effort has been to place the fire hose cross lays as low as practical so deployment to attack a fire is not just rapidly accomplished, but responders would not need to climb onto the running boards on the fire engine to pull the hose – helping to reduce ankle and knee injury potential. Cross lays will have trays in them that can be pulled and loaded on the ground then placed into position for deployment – speeding return to service time.

The pump is PUC (pump under chassis) configuration – the control panel does not include water intake or discharge fixtures, they are moved to the side of the panel so firefighters 'running' the pump do not straddle those lines. The PUC configuration provides great access for maintenance and repair of the pump and water distribution valves and piping.

The cab is configured to sit six firefighters. When the engine is staffed by volunteers this sitting space is necessary. The cab will be air conditioned allowing for rehabilitation of firefighters.

A foam system with a 30 gallon concentrated foam reservoir is plumbed to discharge mixed foam for control of wood and ordinary material fires – especially valued if juniper bush fires burn on hillsides or useful in combatting some structure fires.

Ladder storage will be in a ladder tunnel accessed from the back of the engine rather on a hydraulic rack on the side of the engine. Ladder racks on the side of the engine require careful spacing from parked cars and fences upon arrival at a fire incident and the ladder rack obstructs access into equipment storage compartments when lowered. A ladder tunnel is less expensive than a hydraulic ladder rack and because there are no moving parts long term maintenance should be less of a challenge.

Electrical generator mounted on top of the engine preserves compartment space – it will be covered to protect it from weather. Placing the generator on top of the pump panel area will reduce fireground noise.

LED emergency lights and manually raised telescoping scene lights on each side of the engine draw less power so only one alternator is needed to power these units.

An enclosed pump panel protects the valving and gauges from exposure to weather and road grime unless it is being utilized.

Roll-up doors on equipment storage compartments eliminates open compartment door protrusion into streets when working at an incident. Additionally, roll up doors reduces the opportunity to drive out of the station with a compartment door open causing damage.

Large diameter discharge increases single hose output when necessary at a large fire or when relaying water from one source to the fire incident.

Bus style mirrors increase visibility while decreasing blind spots caused by other style mirrors.

Equipment in the cab will be secured to prevent flying debris to injure occupants if an accident occurs.

An access ladder is mounted on the back of the fire engine to provide safer access and exit from the top of the engine. This is needed to service the generator, access some engine top storage and when reloading fire hose when returning the engine to service. This is expected to be safer access than with folding steps on current engines.

750 gallon water tank provides fire attack capacity at smaller fires or while awaiting fire hydrant connection completed by the second arriving engine. 1500 gallons per minute pump capacity allows us to maximize the fire hydrant system capacity.

The Engine specification have considered and will deliver a fire engine within the Washington Bridges and Roads weight restrictions.

It is expected that construction of a new fire engine will take 8 to 9 months after it is ordered.

The present Huston/Galveston bid prices are good through the end of November – I do not know how new bids may impact the available pricing.

I will seek Council discussion at the November 12th meeting. Please contact me with any questions about fire engine purchase that you have.

Copy: Vickie Storey
Jim Grow
Jim Martin
Joel Hastings

BRIAN SHINN
COMMISSIONER, FIRST DISTRICT

JIM JEFFORDS
COMMISSIONER, THIRD DISTRICT



P.O. BOX 250
ASOTIN, WASHINGTON 99402-0250
PHONE (509) 243-2060
FAX (509) 243-2005

JIM FULLER
COMMISSIONER, SECOND DISTRICT

VIVIAN BLY
CLERK OF THE BOARD/BENEFITS

October 18, 2013

Clarkston City Council
829 5th Street
Clarkston WA 99403

re: Executive Session Invitation

Clarkston City Council:

We have Mr. Richardson's letter and would like to invite your Council to meet with us in executive session to discuss your request to change the contract you have with us regarding E-911 and dispatch services. Attached is the letter our attorney sent to Mr. Richardson, outlining our reasons for requesting a meeting with the full Council.

We look forward to a cordial resolution of this matter.

Sincerely,

Brian Shinn, Chairman
Asotin County Board of Commissioners

/vb

Enclosures

cc: Jane Risley
Todd Richardson

Joel Hastings

From: gtwo-bounce@waspc.org
Sent: Tuesday, October 29, 2013 2:05 PM
To: jhastings@clarkstonpolice.org
Subject: [WASPC MEDIUM PRIORITY] 2013-2014 Traffic Safety Grants



Get The Word Out

Please don't reply to this message! This mailbox is not monitored.

DATE: October 29, 2013
TO: WASPC Police Chiefs, Sheriffs, and Tribal Police
FROM: Mitch Barker, WASPC Executive Director
SUBJECT: 2013 - 2014 Traffic Safety Grants

Effective October 1, 2013, grants are now available to law enforcement agencies in the following areas: **Equipment jurisdictional grants.**

Please note that the application process has changed this year. Applications are to be submitted by using WAS <https://adobeformscentral.com/?f=Dbkbcy15Y3JheNWnle1F4w>. You will only need to submit one application, contained within the application.

Please review the list below for information on maximum awards **per unit** for specific equipment:

Lidar Radar: \$3,000
Radars: \$1,000
Handheld Radars: \$799
FST: \$500
Regular In-Car Video System: \$1,000
Rear Antenna: \$400
Digital In-Car Video System: \$2,500
Scanner (Sector): \$255
Printer (Sector): \$400

Each grant type will still require that you complete an agreement form. As you are completing the application you scanning the appropriate agreement form and attaching it to the application or (b) printing off the agreement form to do one or another, the application is not complete without this agreement form. The agreement forms are available

Funding priorities will be given for Traffic Safety equipment requests where traffic safety enforcement is a high priority given a lower priority. **Applications will not be approved if the request is to replace equipment.**

General Information

FFY 2013 STOP Grant Renewal Application for Funding

This application details the process to apply for funding from the Washington State STOP Formula Grant. These funds are allocated to states through Title IV of the Federal Violent Crime Control and Law Enforcement Act of 1994, by the Office on Violence Against Women and Department of Justice, and subsequent reauthorizations of VAWA. All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by the federal Office on Violence Against Women, U.S. Department of Justice.

VAWA funds are to assist states, Indian tribal governments, and local governments to develop and strengthen effective law enforcement and prosecution strategies to combat violent crimes against women, and to develop and strengthen victim services in cases involving violent crimes against women. This indicates that funding may only be directed to those entities whose primary focus is combating violence against women. However, VAWA does not prohibit services to male victims and applicants who receive funds under this application must serve all victims regardless of gender. The STOP Grant is awarded to support coordinated responses to adult or teen victims of sexual assault, domestic violence, dating violence, or stalking crimes.

Key Goals of the STOP Grant

1. To make the criminal justice system work more effectively for women;
2. To increase collaboration between law enforcement, prosecution, victim services, tribes, faith-based and other community organizations, judiciary, pretrial services, probation and parole; and
3. To increase the safety of women in every community.

Activities of the STOP Grant

Activities supported by the STOP Grant Program are determined by statute, Federal Regulations, and the federal Office on Violence Against Women policies. Eligible STOP Grant activities must support communities in their efforts to develop and strengthen effective victim services, law enforcement and prosecution strategies. Grants and subgrants supported through the STOP Grant Program **must** meet one or more of the statutory purpose areas, which can be found at 42 U.S.C. § 3796gg(b). Some purpose areas include: training of law enforcement officers or prosecutors; developing and implementing law enforcement and prosecution policies or protocols; system improvements such as interpreters or translation of forms; direct services for victims of domestic violence, sexual assault, dating violence, or stalking, including people with disabilities, elderly, tribal, or immigrant victims; and training sexual assault forensic medical personnel.

Grant funded system-based victim/witness positions must be located independently of the community-based victim services agency.

Ineligible Activities Under the STOP Grant Program

Services for offenders, such as treatment, mediation, or diversion, are not eligible activities for funding under this grant. Development of sexual assault and domestic violence prevention curricula for schools is not eligible under this grant. Primary prevention programs are not eligible under this grant.

Civil legal services, such as divorce, child custody, etc. are not eligible services under this grant. However, legal assistance to victims attempting to obtain civil protection orders may be supported.

Projects that include any activities that may compromise victim safety.

Prohibition on Public Awareness or Community Education

Grant funds cannot be used to conduct public awareness or community education campaigns or related activities. Grant funds may be used to support, inform, and outreach to victims about available services.

STOP funds cannot be used for prevention and awareness activities in schools or in the greater public community. STOP funds can be used to conduct interventions in schools and can fund outreach about available services. For example, a grantee could conduct dating violence support groups in schools, as this would constitute an intervention.

BUDGET

FFY 2013 STOP Grant Renewal Application for Funding

Function Areas:

For the purposes of this application, there are three function areas: non-profit, non-governmental victim services; prosecutors; and law enforcement. It is not allowable for one function area to donate their funds to another function area. The allocations for each function area must be received by the eligible entity for that function area either directly or through a subcontract.

Reduced Grant Allocation:

Based on prior years of spending, some grantees may not be given the entire allocation. If you are in this category of low spending, you will hear directly from OCVA. For planning purposes, draft your budgets on the allocation listed in the attached Formula Distribution Chart.

Start Date for Grants:

Completed applications received in OCVA no later than October 31, 2013, will be issued a grant with a start date of January 1, 2014 with an end date of December 31, 2014. Applications will be reviewed as received and grants will be developed after approval of the community application. No applications will be accepted after October 31, 2013 without prior written approval from Pearl Gipson-Collier, OCVA. Applications submitted after October 31, could have a grant start date later than January 1, 2014.

Non-Supplanting of Funds:

The funds from the STOP Grant must be used to supplement existing state, local or other funds for program activities. They cannot replace (supplant) non-federal funds that have been appropriated for the purpose of providing services to victims of domestic violence, sexual assault, dating violence, or stalking. Violation of the non-supplanting requirement can result in a range of penalties, including suspension of future funds under this grant, recoupment of monies provided under this grant, and civil and/or criminal penalties.

Application Budgets:

Please complete the proposed budget worksheets for each agency receiving STOP Grant funds. Not all budget categories (salary, benefits, contracted services, goods and service, or administrative costs) may be applicable to each function area. Goods and services must be proportionate to the grant-funded project staff activities. If space costs for project staff are included in the budget, the computations in goods and services must show the calculation based on square footage. Additionally, other goods and services such as telephone, general office supplies, printing and copy expenses must be direct project costs. Equipment costs may not exceed \$5,000 for any one item.

Contracted services and consultant fees may not exceed \$650.00 per day for an eight hour day or \$81.25 per hour for less than an eight hour day.

Administrative Costs:

Administrative costs are allowed and must be related to STOP Grant Program activities and may not exceed 15% of your agency's STOP Grant funding. In cases where one entity administers the grant and subgrants to another agency within the same function area, each entity may allocate up to 15% of their STOP Grant budget for administrative costs. One function area (victim services, law enforcement, or prosecutors) may not use another function area's administrative allocation.

Match Requirement:

The STOP Grant requires states to match the total fiscal year award. For the purposes of Washington State's award match, each county application will be required to provide a project match as indicated in the attached Formula Distribution Chart. A function area may cover the match for another function area. Each county application will be considered one project and the match is provided as part of your county project. For example, the match may be shared equally between function areas or one agency may provide the entire match for your county project. Non-profit, non-governmental victim service agencies and Tribes are not required to provide a match. However, these organizations are encouraged to maximize the impact of federal dollars by contributing to the costs of their county project match, if possible.

How to Calculate Match:

The formula for calculating the required match is:

Award Amount ÷ 75% Federal Share = Adjusted Project Costs

Adjusted Project Costs X 25% Recipient's Share = Required Match

Example: 75/25% Required Match

For a Federal award amount of \$35,000, required match would be calculated as follows:

$\$35,000 \div 75\% = \$46,667$

$\$46,667 \times 25\% = \$11,667$ Required Match

ORDINANCE NO. 1515

AN ORDINANCE of the City Council of the City of Clarkston, Washington, issuing moratorium imposed by Ordinance No 1515 with respect to the acceptance or processing of applications, or issuance of permits, and approvals, and uses or activities associated with the producing, processing, or retailing of marijuana and marijuana-infused products.

WHEREAS, Washington voters approved Initiative 502 (1-502) in 2012, which, among other provisions, allows persons twenty-one (21) years old and older to legally possess one-ounce of useable marijuana;

WHEREAS, 1-502 legalizes the production, processing, and retail sales of marijuana and directs the Washington State Liquor Control Board (WSLCB) to promulgate rules for the issuance of licenses by the WSLCB to such producers, processors, and retailers;

WHEREAS, under 1-502, a "producer" is one who produces marijuana at the wholesale level for sale to processors, a "processor" is one who processes, packages, and labels marijuana for sale to marijuana retailers, and a "retailer" is one who sells useable marijuana and marijuana-infused products at a retail outlet;

WHEREAS, the WSLCB has promulgated draft rules pertaining to licensing of the producers, processors, and retailers, and held public hearings throughout the state regarding the draft rules;

WHEREAS, according to the WSLCB timeline, the rules will be effective November 16, 2013;

WHEREAS, upon the effective date of the licensing rules, the WSLCB will begin accepting applications for producers, processors, and retailers of marijuana and marijuana-infused products and may start issuing licenses by the end of this year;

WHEREAS, the City does not have any regulations addressing the type and location of facilities/premises used for the production, processing, and retail sales of marijuana and marijuana-infused products;

WHEREAS, the City needs time to study the land use impacts of these types of facilities/premises and the various development standards that should be considered to mitigate these impacts before adoption of any City regulations and/or acceptance of applications and issuance of any permits or licenses;

WHEREAS, the City is authorized pursuant to RCW 35A.63.220 and RCW 36.70A.390 to impose a moratorium that can last up to six-months as long as the City adopts findings of fact and holds a public hearing on such moratorium;

WHEREAS, the Clarkston City Council believes a moratorium is needed to preserve the status quo until the WSLCB adopts rules as required by 1-502 and to allow the City to study and draft potential comprehensive plan amendments, zoning and development regulations, business licensing regulations, and other regulatory controls pertaining to marijuana producers, processors, and retailers who receive a license from the WSLCB.

WHEREAS, the City of Clarkston believes such moratorium should go into effect for a period of six-months;

WHEREAS, a moratorium is in the best interest of the City of Clarkston and is needed to preserve the public health, safety and welfare of the residents of the City; and

NOW THEREFORE, the City Council of the City of Clarkston ordains as follows:

Section 1. The City of Clarkston hereby adopts, pursuant to RCW 35A.63.220 and RCW 36.70A.390 a moratorium to prohibit the establishment, location, operation, licensing maintenance or continuation of any collective garden, production, retail establishment or other establishment, whether for profit or not for profit, relating to the recreational use of marijuana that may appear to be, or may be, authorized by Initiative 502. This ordinance is not intended to prohibit the possession or use of recreational marijuana in a quantity of one ounce or less.

Section 2. Findings of Fact. The Clarkston City Council adopts the foregoing recitals as findings of fact.

Section 3. Duration. This ordinance shall be in effect through June 1, 2014, unless repealed, extended or modified by the City Council.

Section 4. Public Emergency. The City Council hereby finds and declares that a public emergency exists, and that this ordinance is necessary for the protection of the health, safety and welfare of the City's residents and, thus, should take effect upon adoption.

Section 5. Severability — Construction. If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction; such decision shall not affect the validity of the remaining portions of this ordinance unless the invalidity destroys the purpose and intent of this ordinance. If the provisions of this ordinance are found to be inconsistent with other provisions of the Clarkston Municipal Code, this ordinance is deemed to control.

Section 6. Publication. A summary of this ordinance shall be published as required by law.

Section 7. Effective Date. In accordance with RCW 35A.13.190, this ordinance, as a public emergency ordinance, shall take effect and be in force immediately upon adoption. Passed and approved by City Council of the City of Clarkston at regularly scheduled open public meeting on the ____ day of _____, 2013.

Kathleen A. Warren, Mayor

Approved as to Form

Attest:

James Grow, City Attorney

Vickie Storey, City Clerk

SUPPORT SERVICES AGREEMENT
Between the City of Clarkston
And

This is a level of effort Victim Witness Advocacy Support Services Agreement between the City of Clarkston, a Municipal Corporation, referred to herein below as the "City" and _____, licensed to do business in the City of Clarkston, referred to hereinafter as the "Contractor".

1. Requirements

- A. The City requires contract victim witness advocacy support services for victims and witnesses of domestic violence for the purpose of prosecuting criminal cases brought by the City Attorney in the Municipal Court of the City of Clarkston;
- B. That the nature of the services referred to above, are described within the Victim Witness Advocacy Grant conveyed to the City through the YWCA, which is incorporated herein as if fully set forth.

2. Deliverables

- A. Prepare and deliver reports, correspondence, and other documents under the direction of and on the premises of the Office of the Chief of Police;
- B. Interview, prepare and provide out-take reports and related correspondence; coordinate all Court appearances for witnesses, victims, informants and other persons required for the prosecution of criminal litigation in the Municipal Court of the City of Clarkston, superior courts, appellate courts, or federal courts, in a timely manner and under the direction of the Police Chief;
- C. Where appropriate and within the scope of the deliverables set forth hereinabove, coordinate Docket calendars, administrative scheduling calendars, population report schedules, trial schedules, subpoena preparation activities and service instruction packets where required for victims, witnesses and law enforcement personnel;
- D. Assist the Police Chief by coordinating through word processing letters, correspondence, memoranda, telephone calls and other communications with victims, witnesses and law enforcement personnel all matters relating to victim witness advocacy.

3. Controls

- A. The Contractor shall be responsible for providing the deliverables to the City, through the Office of the Police Chief, and shall perform all tasks in conformance with W.S.B.A. Rules of Professional Conduct regarding disclosure, confidentiality, and handling of materials provided by the City during the period of performance under this Agreement. Upon termination of this Agreement, the Contractor shall inventory, account for and return any materials, papers, software or other documentation, including copies, whether computerized or hard documents to the City through the Office of the Chief of Police;
- B. Contractor may use such City facilities and equipment as are required for providing the deliverables set forth herein above; control of and access to supplies, facilities and equipment shall be under the supervision of the Chief of Police and must be within the budget limitations of the City;
- C. All products or other items prepared by the Contractor during the period of performance of this Agreement, whether complete or incomplete, shall remain the property of the City of Clarkston.

4. Payment and Terms of Agreement

In consideration for the Contractor's performance herein, the City shall pay Contractor a monthly amount to be set and paid in accordance to the terms and conditions of the Grant described herein above. The term of this Agreement shall begin on _____, 2013 and terminate on September 30, 2014, as set forth in said grant.

5. Indemnity

Contractor shall defend, indemnify and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits, including attorney fees, arising out of or resulting from the acts, errors or omissions of the Contractor in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

6. Insurance

The Contractor shall procure and maintain for the duration of the Agreement, errors and omissions insurance against claims which may arise from or in connection with the performance of the work hereunder by the Contractor, its agents, representatives, or employees, in an amount to be determined by the City.

7. Independent Contractor

Contractor is and shall be at all times during the term of this Agreement an independent Contractor and shall indemnify and hold harmless the City from all costs associated with the wages, benefits or taxes of Contractor's employees or agents. The Contractor is required to maintain a City of Clarkston business license.

CITY OF CLARKSTON

CONTRACTOR

Kathleen A. Warren, Mayor

Date: _____

Date: _____

RESOLUTION NO. 2013-07

**A RESOLUTION OF THE CITY OF CLARKSTON, WASHINGTON, AUTHORIZING
THE MAYOR TO EXECUTE AN AGREEMENT WITH MERCHANT CARD
SERVICES FOR CREDIT CARD PROCESSING.**

WHEREAS, the City Clerk/Treasurer has determined that it is in the best interests of the City to contract with Merchant Card Services through Columbia Bank for credit card processing services ; and

WHEREAS, the agreement requires signature by authorized city officials; and

WHEREAS, it is necessary for the city council to authorize all contracts,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Clarkston, Washington, as follows:

The Mayor and Clerk/Treasurer are authorized to execute the agreement for credit card services with Merchant Card Services of Tacoma, WA., and to bind the city to the terms included in the agreement

DATED this 12th day of November, 2013.

Kathleen A. Warren, Mayor

ATTEST:

Vickie Storey, City Clerk

2013-15 MUNICIPAL STORMWATER CAPACITY GRANT PROGRAM

Grant Agreement

Between

The State of Washington Department of Ecology

And

City of Clarkston

THIS is a binding agreement entered into, by, and between the state of Washington Department of Ecology (DEPARTMENT), and the City of Clarkston (RECIPIENT). The purpose of this agreement is to provide funds to the RECIPIENT to carry out the requirements described herein.

PART I. GENERAL INFORMATION

Project Title:	2013-15 Municipal Stormwater Capacity Grant Program
State Fiscal Year:	FY2014
Grant Number:	G1400292
RECIPIENT Name:	City of Clarkston
Mailing Address:	PO Box 160, Asotin, WA 99402
RECIPIENT Federal ID Number:	91-6001238
Total Eligible Cost:	
(\$120,000):	\$120,000
DEPARTMENT Funding Sources:	
ELSA – Capital Budget Provision:	\$120,000
DEPARTMENT Share:	\$120,000
DEPARTMENT Maximum Percentage:	100%
Effective Date Of This Grant Is:	July 1, 2013 Any work performed prior to the effective date of this agreement is not eligible for reimbursement.
This Grant Agreement Expires On:	January 31, 2015

2013-15 Municipal Stormwater Capacity Grant Program
 State Of Washington, Department Of Ecology

RECIPIENT Contact:	Cheryl Sonnen
Telephone Number:	509-243-2074
E-Mail Address:	csonnen@co.asotin.wa.us
RECIPIENT Billing Contact:	Cheryl Sonnen
Telephone Number:	509-243-2074
E-Mail Address:	csonnen@co.asotin.wa.us
DEPARTMENT Project/Financial Manager:	Layne Slone
Mailing Address	Water Quality Program Washington State Department of Ecology P.O. Box 47600 Olympia, WA 98504-7600
Telephone Number:	360-407-6225
Fax Number:	360-407-7151
E-Mail Address:	Layne.Slone@ecy.wa.gov
Designated Local Government Partners (if applicable):	

PART II. PERFORMANCE MEASURES

A. Water Quality Goal

Improved stormwater oversight and water quality protection through the direct development and implementation of a comprehensive stormwater management program.

B. Project Outcomes

Implementation of Phase I and II municipal stormwater National Pollutant Discharge Elimination System (NPDES) permits.

PART III. PROJECT DESCRIPTION

RECIPIENT will address implementation or management of municipal stormwater programs. Additionally, the RECIPIENT's project will include project specific planning and design for a retrofit project which includes low-impact development techniques.

City of Clarkston
Public Works Director
829 5th St.
(509) 758-1662
(509) 769-6019fax

Memo

To: Council

From: James E. Martin, PWD

CC: Mayor Warren

Date: Nov. 7, 2013

Re: Stormwater Bubble-up Retrofit Project

We are nearly finished with the improvements to drainage in a number of our intersections. During the process it was necessary to allow some needed changes to occur. I've signed off on three change orders (attached). The good news is that Ecology has reviewed the change orders and approved them all (\$12,035.34). The project is coming in under budget and has accomplished some much needed improvements to our system.

I am requesting Council's blessing on the change orders for our records. Given the current and possible future funding possibilities, I look forward to the possible expansion of our drainage improvement process that has begun. Another grant has already been submitted to Ecology that will continue the improvements. I will keep you in the loop as information comes available.

Thanks,



Jim



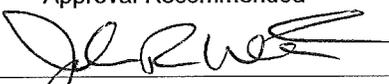
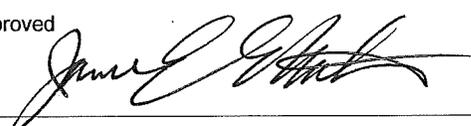
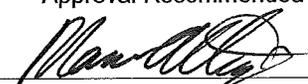
Contract Number	Contract Title – City of Clarkston, Wa. Bubble-Up Retrofit Project	Federal Aid Number
Change Order Number 1	Change Description – Additional infrastructure at 11 th & Sycamore	Date 9/13/2013
Prime Contractor / Design-Builder - M.L. Albright & Sons., Inc.		

Ordered by Engineer under the terms of Section 1-04.4 of the Standard Specifications

Change proposed by – City of Clarkston

Change Description – This change order is for the creation of Schedule B for additional work asked for by the City of Clarkston. Schedule B work items will be paid directly by the City. The additional work includes the following items (1) Type 1 catch basin at \$1200.00, approx. 120 lineal feet of 12" Storm Sewer C900 at \$32.00 per foot and a 6' wide asphalt patch that is approx. 80 square yards @ \$36.00 per SY. Matt Thorson (M.L. Albright & Sons. Foreman) and Jim Martin (Clarkston Public Works Director), agreed that the new pavement section will include 4" of base rock and 2.5" of Asphalt. (see attached revised pay estimate schedule with the inclusion of Schedule B work items as described above.)

Verbal Approval Date - 9/10/13	Working Days +/- (1 day)
Original Contract Amount \$ 147,494.50	Current Contract Amount \$ 147,494.50
Est.Net Change This C.O. \$ 7,920.00	Est. Contract Amount \$ 155,414.50

Approval Recommended  Project Engineer	Approved	Approved  Approving Authority per C.A. Agreement
Date 9/17/13		Date 9-13-13
Approval Recommended  By Prime Contractor		Other Approval As Required
Date 9/19/13		Signature _____ Date _____
		Representing _____



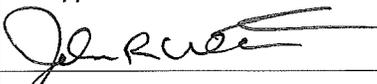
Contract Number	Contract Title – City of Clarkston, Wa. Bubble-Up Retrofit Project	Federal Aid Number
Change Order Number 2	Change Description – Removal of additional pave. at 9 th & Sycamore	Date 10/03/2013
Prime Contractor / Design-Builder - M.L. Albright & Sons., Inc.		

Ordered by Engineer under the terms of Section 1-04.4 of the Standard Specifications

Change proposed by – City of Clarkston

Change Description – This change order is for the removal of additional pavement to improve drainage along the south curb line in the Southwest quadrant of 9th and Sycamore, and will be tracked under Add Alternate #1 C.O. 2. The added area is approximately 21' long and 5' wide. Paving will be paid for as additional quantity to Add Alternate #1 surface restoration, bid item #14.1.

Verbal Approval Date – 9/26/13		Working Days +/- (1 day)	
Original Contract Amount \$ 147,494.50	Current Contract Amount \$ 155,414.50	Est.Net Change This C.O. \$ 555.00	Est. Contract Amount \$ 155,969.50

Approval Recommended  Project Engineer	Approved	Approved  Approving Authority per C.A. Agreement
Date 10/8/13		Date 10-8-13
Approval Recommended  By Prime Contractor		Other Approval As Required
Date 10/8/13		Signature _____ Date _____
		Representing _____



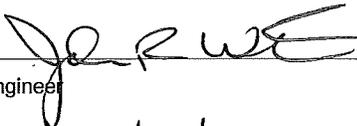
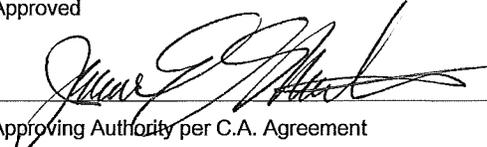
Contract Number	Contract Title – City of Clarkston, Wa. Bubble-Up Retrofit Project	Federal Aid Number
Change Order Number 3	Change Description – Alternate Catch Basin Trap & Sanitary Repair	Date 10/30/2013
Prime Contractor / Design-Builder - M.L. Albright & Sons., Inc.		

Ordered by Engineer under the terms of Section 1-04.4 of the Standard Specifications

Change proposed by – City of Clarkston

Change Description – This change order is for the return of catch basin traps, Neenah Foundry model number 3700, and replace with RAVEN HDPE traps. After receiving the catch basin traps that are called out in the plans, it was determined that due to the angle of pipes entering the catch basins, the traps could not operate properly. After further research, Albright's proposed using RAVEN's catch basin trap for an additional cost of \$1,820.69. This price includes returning the original traps, freight, restock fee and new traps. In addition, this change order is for work performed by M.L. Albright to repair an unmarked sanitary sewer main. The work took place on 10/08/13, between 10 am and 3 pm. To repair the existing 8" sanitary main, Albrights installed 9' of SDR pipe and two 8" Fernco fittings. This work was completed at a cost of \$1,739.65.

Verbal Approval Date – 9/26/13	Working Days +/- (1 day)
Original Contract Amount \$ 147,494.50	Current Contract Amount \$ 155,969.50
Est.Net Change This C.O. \$ 3,560.34	Est. Contract Amount \$ 159,529.84

Approval Recommended  Project Engineer	Approved  Approving Authority per C.A. Agreement
Date 10/30/13	Date 10-31-13
Approval Recommended  By Prime Contractor	Other Approval As Required
Date 10-31-13	Signature _____ Date _____
Date _____	Representing _____

Ben Waldemarson

From: Marvin Albright <MarvinA@mlalbright.com>
Sent: Wednesday, October 30, 2013 8:48 AM
To: Ben Waldemarson
Subject: Bubbleup hoods

Ben, here is what I am now proposing for the catch basin traps.

Switching from the Neenah 3700 hood to a Raven HDPE hood as per sample shown.

The cost will be as follows:

Restocking fee: 20% of \$1979.45	\$395.89
Return freight cost:	\$418.00
Additional cost for traps:	\$908.80
Freight for new hoods:	\$ 98.00
Total	\$1,820.69

Any questions feel free to call.

Marvin Albright
M.L. Albright & Sons, Inc.
P.O. Box 603
Lewiston, ID 83501
(208) 743-2100
marvina@mlalbright.com



M.L. ALBRIGHT & SONS, INC.

General & Excavation Contractor

6182 Lapwai Road
 P.O. Box 603
 Lewiston, ID 83501

Phone: (208) 743-2100
 Fax: (208) 743-2166
 Email: mlasons@cableone.net

Change Order Request

Owner/General Contractor : City Of Clarkston
 829 5th Street
 Public Works Department
 Clarkston, WA 99403

Project: Clarkston Bubble-Up Retrofit

MLA Job #:13018-

Change Order Request: # 02 - Work to repair unmarked sanitary sewer

Repair unmarked sanitary sewer main @ 7th & Sunrise

Item	Quantity	UM	Unit Price	Amount
01 Labor	22.000	HRS	50.00000	1,100.00
02 Operator	1.000	HRS	55.00000	55.00
03 Truck Driver	1.000	HRS	55.00000	55.00
04 320C Excavator	1.000	HRS	70.00000	70.00
05 Truck	1.000	HRS	70.00000	70.00
06 8" SDR Pipe	20.000	LF	3.95000	79.00
07 8" Fernco	2.000	EA	24.97000	49.94
08 Pump & generator rental		LS		120.00
09 O&P on materials		LS		19.34
10 Sales tax		LS		121.37
Total For Change Order				1,739.65

Approved By: City Of Clarkston
 Signed: _____
 Date: _____

Submitted By: M.L. Albright & Sons, Inc.

 10/23/2013