

**CITY OF CLARKSTON
CITY COUNCIL AGENDA
829 5th Street
MONDAY, JUNE 12, 2017**

- 1. CALL TO ORDER: 7:00 P.M.**
- 2. PLEDGE OF ALLEGIANCE:**
- 3. AGENDA CHANGES:**
- 4. APPROVAL OF MINUTES:
May 22, 2017 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 – Jun 6**
 - C. Public Works – Jun 6**
 - D. Administrative/Intergovernmental – Jun 12**
 - E. Community Development – Jun 1**

- 7. UNFINISHED BUSINESS: None**

- 8. NEW BUSINESS:**
 - A. Resolution No 2017-03 Reiterating Participation in the Lewis Clark MPO**
 - B. Resolution No 2017-04 Approving the sole source purchase of a sewer inspection vehicle. (Public Works)**
 - C. Resolution No 2017-05 Declaring bicycles surplus and authorizing disposition of said property. (Public Safety)**

- 10. COUNCIL COMMENTS:**
- 11. EXECUTIVE SESSION: Negotiations**
- 12. 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.

CLARKSTON CITY COUNCIL MINUTES
May 22, 2017

ROLL CALL: Skate Pierce, Terry Beadles, Brian Kolstad, Belinda Campbell, John Murray. Kelly Blackmon & Monika Beauchamp.

STAFF: Chief Hastings, Chief Cooper, PWD Martin, PWD Poole, Clerk Austin, City Attorney Richardson

AGENDA CHANGES: Public Safety Committee adds Resolution 2017-02 – Surplus and Disposition of 1993 Fire Engine as item “C” under new business.

APPROVAL OF MINUTES: Minutes of the May 8, 2017 Regular Meeting were approved as distributed.

COMMUNICATIONS:

A. From the Public:

Holly Tietz, 414 7th Street
Lynn Thompson, resident of Clarkston

B. From Mayor:

Mayor Lawrence commented on the interest in the council positions, there are several people running. She advised potential council members that they will need to plan to not only attend council meetings, but also committee meetings and outside organization meetings. She encouraged any with questions to check out the information that is available on those committees and organizations on the City website.

C. From Staff or Employees:

Chief Cooper reminded the mayor and council that today is the first day of automatic aid response to structure fires in the valley. Wheatland Fire District, Asotin County Fire District, Lewiston Fire Department and Clarkston Fire Department have partnered together to respond across jurisdictions to provide more people to respond to structure fires for increased safety for the community and responders. He congratulated the Fire Chiefs from the other departments for their commitment to moving this concept forward, and thanked the council for approving the agreement that was necessary for the City to participate.

PWD Martin thanked the City of Clarkston, council and mayor for the ability to work with a high class of councilmembers that are really thinking ahead for the City. He expressed confidence that PWD Poole will step up to make the department even better.

Robert Marsh, employee of CFD, and resident of 1222 Highland Avenue. Marsh addressed questions for council on working with the Fire Department employees.

COMMITTEE REPORTS

Finance: Councilmember Murray reported the bills were reviewed and approved for payment. Total expenditures for the May 22, 2017 period of \$647,109.25. MOTION BY BEADLES/BLACKMON to approve the bills as read. Motion carried.

Public Safety: Councilmember Beadles reported on the May 16 meeting:

Chief Cooper discussed the fire auto aid announcement: May 22, at Southway Boat Ramp. Cooper presented reserve hours for April 2017.

The old fire engine housed at Clearwater Paper will be offered for sale to Clearwater Paper. The Chief will present a contract to Clearwater Paper and City Attorney for their approval. The contract will be presented to Council for approval. The Civil Service eligibility list was discussed about future hires.

Chief Hastings advised that the Cruzin to Clarkston request for a downtown show on June 24th was presented. (Agenda item for Council action).

The PD will participate in a positive enforcement this summer. Patrolman will present Aquatic Center passes to youth as a reward for positive actions.

Officers will be patrolling the beach and bike path this summer per a contract with the Corps of Engineers.

The Chief has monthly meetings with the Corps of Engineers dealing with security issues on Corps property.

Officers are attending EVOC training in Deer Park. This training is to enhance Officer driving skills. Partial funding is provided through a grant from of WCIA.

We discussed the concept of diagonal parking in downtown Clarkston.

Mayor Lawrence presented a recent posting on the fire hall web site by Local 2299 in response to newspaper article. There are inaccurate statements and errors about Public Safety meeting quotes. The Mayor will contact the union about this posting.

Public Works: Councilmember Pierce reported on the May 16 Meeting.

There was a meeting with the Clarkston School District Superintendent Tim Winter and Architect Greg McCracken to discuss plans for the Northwest corner of Beachview Park. The school district is interested in using the space for tennis courts to allow for expansion in classrooms and parking on the future plan. We asked that some courts be built for multi-purpose use.

We have planned our TBD hearing for May 22, 2017.

Waste Water Treatment Plant screw press repair has been completed. Insurance has denied the claim. Waiting on final cost of the repair.

Safe Routes to Schools grant work may have been started prematurely. We have had a consultant begin work on the project, but the grant hasn't been fully dispensed. Any work done before the grant is awarded will likely have to be paid by the city.

We had a long conversation about the lack of ADA compliance on sidewalks. US Post Service boxes block the sidewalk in multiple places. The Lewiston Tribune has a newspaper box that is also blocking the sidewalk on 3rd St (this has been rectified), Avista has power poles in the middle of sidewalks and we have multiple intersections without ramps. Many of those intersections are out of our control and are on Diagonal, 6th St and Bridge Street. But there are dozens that are the responsibility of the City of Clarkston. We need to make sure that we set aside money from the TBD budget every year to add ramps to our sidewalks. \$30,000-\$45,000 should add 10-15 ramps per year. We also need to make sure that Avista adds power poles that leave at least 3' of clearance on the sidewalks. Also approach the USPS about moving their mailboxes on sidewalks to meet with ADA compliance, for all the good that will do us.

A used truck for sale has been identified and Public Works would like to use it to as a TV Van that will house the sewer cam equipment. The current truck is 30 years old with over 350,000 miles on it.

Money should be available, and we should be able to sell the old truck to make up some of that cost.

Admin Committee: Councilmember Blackmon reported that there was discussion on three items.

The committee would like to bring back the discussion increase in business license fees - \$75 for new and \$75 for renewal. Councilmember Murray will look for grant opportunities for animal control and spay and neuter. Clerk Austin was asked to research a Fire Levy and see if it is possible to add to November Ballot.

Community Development: Councilmember Beauchamp reported that the committee discussed the Avista poles and using them with brackets for banners. Lewiston has something similar, and we will explore if we can do something similar to use the poles and banners for multiple event advertising. PWD Martin advised Avista would be open to consider a plan by the City. We discussed Community Block

Grants, and decided to wait until PWD Poole was on board to explore the grant opportunities. The plans for the new Clarkston School were examined. If the school bond passes, then it may provide area for farmers market.

PUBLIC HEARING:

A. Transportation Benefit District Public Hearing

Public Hearing called to order at 7:22pm. The hearing will be continued on June 26, 2017 during regular council meeting. City Attorney Richardson explained that the ordinance needed correction and will be rewritten and be presented at the June 26 meeting. Adjourned at 7:23pm.

UNFINISHED BUSINESS: None

NEW BUSINESS:

A. Authorize Street Closure, Cruzin' to Clarkston Car Show (Public Safety)

Councilmember Beadles advised that the Police Chief received a request to close 6th Street for the annual car show. Both Chief Hastings and Chief Cooper approved, subject to State approval. MOTION BY BEADLES/PIERCE. Motion carried.

B. Consideration of Proclamation recognizing May as Older Americans Month

Nancy Fontaine presented a proclamation to recognize May as Older Americans Month. MOTION BY KOLSTAD/BEAUCHAMP. Motion carried.

C. Resolution 2017-02 A RESOLUTION DECLARING A CERTAIN VEHICLE AS SURPLUS AND AUTHORIZING DISPOSITION OF SAID PROPERTY. (Public Safety)

Chief Cooper spoke of the history of engine being housed at Clearwater Paper. Lewiston Fire District recently sold a similar engine for \$16,000. He advised that if we deduct the repair to the engine it would be \$12,000. Chief Cooper asked that the resolution be approved pending final approval by the City Attorney. City Attorney Richardson advised that this was the first time during his tenure that the City sold an asset of this value. He recommended that the council approve the resolution conditional on any limits to the sale. MOTION BY BEADLES/BLACKMON. Motion carried.

COUNCIL COMMENTS:

Councilmember Beadles advised that he did not file for the current election. He has been councilmember for 22 years, and decided it was time to retire. I will tell you my wisdom. He was helping to build a gymnasium. The architect asked if anyone had experience. He gave blueprints Beadles the blueprints and said "you will figure it out." He told the council that "You will figure it out."

Mayor thanked him for the time he spent, he has done great job for city. She commented that he will be with the City until the end of the year.

Councilmember Blackmon mentioned that he saw the tail end of work of structure fire, and wanted to tell the Fire Department good job on saving the structure.

Councilmember Pierce advised that he was there at beginning, when the Fire Department showed up. He said it was amazing to see how smooth it went. Pierce mentioned that later Saturday night at work there was a medical emergency, and the Fire Department was there in less than a minute. Pierce thanked PWD Martin for his service, it has been a real pleasure. We are glad you found a good replacement in PWD Poole. Mayor Lawrence reminded everyone that Thursday is going away party at 4pm. Councilmember Campbell commented that PWD Martin has done great job, always performing amazing work. Councilmember Beauchamp thanked PWD Martin for showing how interesting Public Works is. She said she has been glad to be on committee with PWD Martin, and glad to stay on this committee working with PWD Poole.

ADJOURNMENT:

Meeting adjourned at 7:38p.m.

Steve Austin, City Clerk

Monika Lawrence, Mayor

Total Fund Expenditures, 5/22/17	Ck # 64064-64119	\$521,014.61
Payroll, 5/5/17	Ck # 64047-64063	\$126,094.64

DRAFT

RESOLUTION No. 2017-03

A RESOLUTION OF THE CITY OF CLARKSTON, WASHINGTON REITERATING THE CITY'S PARTICIPATION IN THE LEWIS CLARK VALLEY METROPOLITAN PLANNING ORGANIZATION LCVMPPO CONFIRMING CITY COUNCIL ACTION TAKEN ON JUNE 27, 2005 CONFIRMING THE AUTHORIZATION OF THE CITY COUNCIL FOR THE MAYOR AND CLERK TO EXECUTE THE JOINT POWERS AGREEMENT FOR THE LEWIS CLARK VALLEY METROPOLITAN PLANNING ORGANIZATION (LCVMPO) AND PROVIDING EFFECTIVE DATE.

WHEREAS, the City approved the LCVMPPO Joint Agreement on the 27th day of June 2005, a copy of which is attached hereto, and

WHEREAS, the City has continued to participate in the LCVMPPO and has implemented the Joint Powers Agreement, dated July 12, 2005, and

WHEREAS, the City wants to renew its commitment and confirm the City Council's authorization for the execution of the LCVMPPO Joint Powers Agreement, and

WHEREAS, the City has statutory authority pursuant to the Revised Code of Washington, Title 39, Chapter 34 Interlocal Cooperation Act to participate in the LCVMPPO.

NOW THEREFORE, BE IS RESOLVED by the City Council of the City of Clarkston:

1. That the Joint Powers Agreement of the LCVMPPO between the participating entities of Nez Perce County, Asotin County and the Cities of Lewiston, Clarkston and Asotin is acceptable and the terms and conditions as set out in the attached are approved.
2. That the Mayor and City Clerk are authorized to execute the LCVMPPO Joint Powers Agreement on behalf of the City and provide a copy of the executed agreement to the LCVMPPO.
3. This Resolution is to confirm City Council action taken on June 27, 2005 authorizing the signature of the Mayor and City Clerk.
4. This Resolution shall take effect and be in full force and be in effect after its passage and approval.

This Resolution is approved and adopted by the City Council of the City of Clarkston on the 12th of June, 2017.

Monika Lawrence, Mayor

ATTEST:

Steve Austin, City Clerk

Revised January 1, 2017

**Joint Powers Agreement
Lewis-Clark Valley Metropolitan Planning Organization**

Prelude	Introduction
Article I	Definitions
Article II	Creation of LCVMPO
Article III	Purposes and Duration
Article IV	Financial Operations
Article V	Non-Waiver of Governmental or Other Immunity
Article VI	LCVMPO Powers and Duties
Article VII	Jurisdictional Area.
Article VIII	Participation
Article IX	Obligations of Member Organizations
Article X	Budgeted Expenditures
Article XI	Policy Board
Article XII	Powers and Duties of the Policy Board
Article XIII	Meetings of the Policy Board
Article XIV	Liability of Policy Board or Officers
Article XV	Withdrawal from Membership
Article XVI	Contractual Obligation
Article XVII	Distribution of Property, Funds and Supplies upon Termination of Agreement
Article XVIII	Severability
Article XIX	Amendments
Article XX	Effective Date and Termination of Agreement
Article XXI	Signature

Revised January 1, 2017

JOINT POWERS AGREEMENT
Restated effective January 1, 2017
Lewis-Clark Valley Metropolitan Planning Organization

This Interagency Agreement is entered into pursuant to the provisions of Idaho Code, Sections 67-2326 through 67-2333 and the and the Revised Code of Washington (RCW) Title 39, Chapter 34 – “Interlocal Cooperation Act” relating to the Joint Exercise of Powers, by and among the following public agencies of the States of Idaho and Washington: the city of Lewiston and Nez Perce County, Idaho, and the city of Asotin, Washington, the city of Clarkston, Washington and Asotin County, Washington to form a Metropolitan Planning Organization, define its organization and powers, and establish a jurisdictional area.

THIS Restated AGREEMENT is made by and among the City of Lewiston, Idaho, the City of Asotin, Washington, the City of Clarkston, Washington, Nez Perce County, Idaho and Asotin County, Washington, hereinafter referred to as the “Member Organizations” and is effective January 1, 2017

WITNESSETH:

WHEREAS, the Lewis-Clark Valley Metropolitan Planning Organization (LCVMPO) was originally formed in 2003 and has continued in operation since that time, and

WHEREAS, it is now appropriate for the member organizations to review, restate and adopt this Restated Joint Powers Agreement.

WHEREAS, each of the parties hereto is a “public agency” pursuant to the terms of Idaho Code 67-2327 and the Revised Code of Washington (RCW 39.34) and it is the intent and purpose of the parties to exercise their powers and authority jointly in accordance with the provisions of Idaho Code 67-2326 through 67-2333 and the Revised Code of Washington Title 39, Chapter 34 – “Interlocal Cooperation Act”, and

WHEREAS, certain of the parties hereto have transportation planning duties, responsibilities, and authority, and the parties hereto recognize that each of them are in need of planning services, and

WHEREAS, the United States Census Bureau has designated an area encompassing the cities of Lewiston, Clarkston, and Asotin, and portions of Nez Perce County, Idaho and Asotin County, Washington, as the Lewiston, ID-WA Urbanized Area, and

WHEREAS, Federal legislative and regulatory requirements specified in 23 U.S.C. 134, and 49 U.S.C. Section 5303, as amended, CFR 49 Part 613, subpart A and 23 CFR Part 450, subpart C, require a Metropolitan Planning Organization be established for each urbanized area, and

Revised January 1, 2017

WHEREAS, the Parties wish to make the most efficient use of their powers by cooperating to their mutual advantage in coordinating local government transportation planning functions, and

WHEREAS, this Joint Power Agreement is entered into in order to establish the Metropolitan Planning Organization as a separate legal entity and to set forth the powers and authority of that separate legal entity; and

WHEREAS, public agencies with transportation planning functions in Nez Perce and Asotin counties have the common responsibility to study, discuss, and recommend policies for the area's transportation system of direct concern to the performance of their constitutional and statutory powers and responsibilities, and have the right to jointly exercise these powers and responsibilities and expend public funds for these purposes, and

WHEREAS, the Member Organizations acknowledge that this agreement does not relieve them of any obligation or responsibility imposed on them by law, and

WHEREAS, the Governors of Idaho and Washington have designated the Lewis-Clark Valley Metropolitan Planning Organization as the Metropolitan Planning Organization for the Lewiston, ID-WA Urbanized Area.

NOW, BE IT THEREFORE RESOLVED, and in consideration of the mutual advantages and benefits to each public agency, which is a party hereto, and the mutual covenants herein contained, the public agencies agree as follows:

ARTICLE I. DEFINITIONS.

As used in this agreement, the following terms shall have the meaning hereinafter set forth:

1. **LCVMPO.** The Lewis-Clark Valley Metropolitan Planning Organization, established by this Joint Powers Agreement pursuant to the statutes of the States of Washington and Idaho.
2. **MEMBER ORGANIZATION.** The public agencies which originally enter into this Joint Powers Agreement and any other public agencies which qualify and agree to the terms of this agreement.
3. **POLICY BOARD.** The Policy Board of LCVMPPO shall be the governing body of LCVMPPO for purposes of 23 USC §134(b) (2), Idaho Code Sections 67-2326-67-2333, and Ch 39.34 RCW shall consist of representatives appointed by each of the Member Organizations of LCVMPPO in accordance with the adopted bylaws to serve on the Policy Board. There shall be eight (8) Policy Board members. Each Policy Board member shall have one (1) vote on the Policy Board.
4. **AFFIRMATIVE VOTE.** An affirmative or prevailing vote will consist of affirmative votes being cast by at least five (5) of the members of the Policy Board.

ARTICLE II. THE STATEMENT OF CREATION OF LCVMPPO.

A regional body comprised of the Member Organizations, called the Lewis-Clark Valley Metropolitan Planning Organization, referred to hereinafter as the "LCVMPO". The Lewis-Clark Valley Metropolitan Planning Organization is a separate Joint Powers Entity, separate and apart from any member political subdivision or public agency, through this Joint Powers Agreement by the Member Organizations pursuant to the provisions of Idaho Code, Sections 67-2326 through 67-2333 and Revised Code of Washington (RCW) 39.34.

ARTICLE III. PURPOSES AND DURATION.

- (1) Recognizing that coordinated transportation planning of the Member Organizations is necessarily interwoven and interdependent and that the interests of all citizens will best be served by coordinated and cooperative transportation planning, LCVMPO is established to facilitate such appropriate coordination and cooperation and provide for continuing area wide transportation planning.

The LCVMPO is not authorized to in any way supersede the authority vested in the Member Organizations or its represented agencies, but is intended to meet the prerequisites of Federal legislative and regulatory requirements specified in 23 U.S.C 134, and Title 49, Section 5303, as amended, CFR 49 part 613, subpart A and 23 CFR part 450, subpart C.

- (2) It is the intent of the Member Organizations of LCVMPO to create an entity with unlimited duration which will perform the coordinated transportation planning duties of a Metropolitan Planning Organization for the area designated in the United States Census Bureau as the Lewiston, ID-WA Urbanized Area as provided in federal legislative and regulatory requirements specified in 23 U.S.C 134, and Title 49, Section 5303 of the Federal Transit Act, as amended, CFR 49 part 613, subpart A and 23 CFR part 450, subpart C and any subsequent regulations relating to the duties of a metropolitan planning organization, unless terminated or dissolved as herein provided.
- (3) The operations of LCVMPO shall be governed by the terms of this Joint Powers Agreement and any bylaws and policies passed and adopted by its governing Policy Board.

ARTICLE IV. FINANCIAL OPERATIONS.

Financial operations of LCVMPO shall be committed to the sound discretion of the Policy Board. All income and assets of LCVMPO shall be at all times dedicated to the benefit of its Member Organizations through LCVMPO.

ARTICLE V. NON-WAIVER OF GOVERNMENTAL OR OTHER IMMUNITY.

Member Organizations of LCVMPO and their appointed representatives, by participation in this program, do not waive any immunities or limitations of liability provided to political subdivisions or their employees by any state or federal law.

ARTICLE VI. LCVMPO POWERS AND DUTIES.

The powers of LCVMPO, to perform and accomplish the purposes set forth above, shall, within the budgetary limits and procedures set forth in this Agreement, be the following:

- (1) To perform the functions of a Metropolitan Planning Organization within the jurisdictional area defined herein, including those functions permitted by 23 CFR 450.310 as a Metropolitan Planning Organization and certain other functions allowed by public law and as determined by the Policy Board.
- (2) To prepare, develop, and approve a minimum twenty-year multi-modal transportation plan (Long Range Transportation Plan) that identifies strategies and actions for improving and integrating transportation services in the metropolitan planning area as specified in 23 USC 134 (i) and 49 USC 5303 (i).
- (3) To prepare, develop, and approve a Metropolitan Transportation Improvement Program (MTIP) as specified in 23 USC 134 (j) and 49 USC 5303 (j).
- (4) To provide opportunities for public comment and review of metropolitan area transportation plans and programs as required by 23 USC 134 and 49 USC 5303 and 5304.
- (5) To participate in the development and maintenance of transportation related data base information.
- (6) To contract with appropriate entities in order to meet requirements of State and/or Federal Transportation legislation.
- (7) To create technical and citizen committees, and any other committees deemed necessary, to advise LCVMPO on transportation related matters.
- (8) To perform such other transportation planning related functions as the Policy Board may hereinafter determine to be in the best interests of the LCVMPO and the citizens of Member Organizations.
- (9) To receive grants-in-aid from the State or Federal Government or any other department or agency and may accept gifts for the purpose of carrying out the terms of this Agreement.
- (10) To employ agents, employees and independent contractors.
- (11) To purchase, sell, encumber and lease real property; to incur obligations on behalf of the program to the extent permitted by Idaho and Washington State laws; and to purchase, sell, or lease equipment, machinery, and personal property.
- (12) To invest funds as allowed by Idaho and Washington statutes.
- (13) To carry out such other activities as are necessarily implied or required to carry out

the purposes of LCVMPPO specified in Article III of this Agreement or the specific powers enumerated in this Article.

- (14) To sue and be sued.
- (15) To provide security for the official responsibilities of all officers, Policy Board members, and employees of LCVMPPO.

ARTICLE VII. JURISDICTIONAL AREA.

The LCVMPPO's jurisdictional area shall consist of the area as described in Attachment "A" and may include contiguous areas across county or state boundaries as deemed appropriate and which meet the criteria of State and/or Federal Transportation legislation.

ARTICLE VIII. PARTICIPATION.

Any Member Organization of the LCVMPPO shall be permitted to participate in the activities of LCVMPPO as provided in this Agreement. Additional public agencies authorized under Idaho Code and the RCW to participate in a joint powers agreement may be included as a Member Organization upon an affirmative vote of the existing Policy Board to allow said public agency to participate, conditioned upon the public agency agreeing, in writing, to be subject to the terms of this Agreement.

ARTICLE IX. OBLIGATION OF MEMBER ORGANIZATIONS.

The obligations of Member Organizations of LCVMPPO shall be as follows:

- (1) To pay promptly the Member Organization's pro-rata share of the annual cost of the budgeted expenditures for the LCVMPPO in such amounts as shall be established by the Policy Board pursuant to this agreement.
- (2) To designate the representative(s) to be voting members of the Policy Board of LCVMPPO.
- (3) To fully coordinate and engage with the officers, agents and employees of LCVMPPO in activities relating to the purposes and powers of LCVMPPO.
- (4) To continue their respective functions as provided by charter and/or State law, including preparation of City and County Comprehensive Plans, to which the Long Range Transportation Plan shall be coordinated, and administering the zoning, subdivision and similar implementing controls as may be assigned them by their respective legislative bodies.
- (5) To pay promptly the Member Organization's share of the projects and programs which provide a particular benefit to that Member Organization.

ARTICLE X. BUDGETED EXPENDITURES.

The POLICY BOARD of LCVMPPO shall establish the annual operating budget for the LCVMPPO and determine the pro-rata share of each Member Organization and establish the time period for which the pro-rata share payment is due. The pro-rata share shall be as defined in Attachment "B". The annual budget and/or work program of the Policy Board may be amended by an affirmative vote of the Policy Board. After approval of the Policy Board budget, no Member Organization may terminate or withhold its share during the year of which it was allocated.

ARTICLE XI. POLICY BOARD.

The Policy Board will be composed of one or more representative(s) of each of the Member Organizations as voting members as outlined in the Bylaws. Each Member of the Policy Board shall serve for the term designated by the Member Organization which they represent, consistent with the adopted bylaws. Each Policy Board Member may be allowed to provide a proxy in accordance with bylaws adopted by the Policy Board.

ARTICLE XII. POWERS AND DUTIES OF THE POLICY BOARD.

The Policy Board shall have the following powers and duties:

- (1) To annually elect a Chair and Vice Chair in accordance with the provisions of the adopted bylaws. Each officer shall serve until his or her successor is elected.
- (2) To admit new Member Organizations in accordance with Article VIII.
- (3) To provide for selection of all personnel and contractors necessary for the administration of LCVMPPO.
- (4) To establish a schedule for all Policy Board meetings.
- (5) To exercise all powers of LCVMPPO, except powers reserved to the Member Organizations.
- (6) To prepare and adopt a proposed Unified Planning Work Program (UPWP). The UPWP shall include administrative and transportation planning activities to be accomplished by LCVMPPO and list specific work projects to be undertaken and the annual operating budget including the appropriate pro rata share of each member organization. The Policy Board or their designee shall confer with and inform Member Organizations concerning the preparation of and progress on the technical areas of work programs and projects.
- (7) To make reports to the Member Organizations at their meetings.
- (8) To provide for the investment and disbursement of funds.
- (9) To establish bylaws, rules and regulations governing its own conduct and procedures and the powers and duties of its officers, not inconsistent with this Agreement.

- (10) To provide to Member Organizations an annual report of operations and financial affairs.
- (11) To form committees and advisory panels, and to provide other services as needed by LCVMPPO. The Policy Board shall determine the method of appointment and terms of members of committees and advisory panels.
- (12) To dissolve the LCVMPPO in accordance with 23 CFR 450.310, or any other federal regulations governing the dissolution of a Metropolitan Planning Organization and pursuant to the respective state law of Washington and Idaho.
- (13) To disburse its assets upon dissolution of the LCVMPPO as required by the respective state law of Washington and Idaho and consistent with the member organization's pro rata contribution provided that notice of the intent to dissolve shall be provided to all Member Organizations at least thirty (30) days before such vote.
- (14) To do all acts necessary and proper for the implementation of this Agreement.

ARTICLE XIII. MEETINGS OF THE POLICY BOARD.

- (1) The Policy Board may set a time and place for regular meetings in accordance with applicable law. All provisions of law of the States of Idaho and Washington applicable to open public meetings shall be observed.
- (2) The Chair of the Policy Board may call a special meeting under provisions defined in the adopted bylaws.
- (3) Five (5) members of the Policy Board shall constitute a quorum to do business. All acts of the Policy Board shall require an affirmative vote of five (5) members present and voting.
- (4) Each Policy Board member shall be entitled to one vote.

ARTICLE XIV. LIABILITY OF POLICY BOARD OR OFFICERS.

The Members and officers of LCVMPPO should use ordinary care and reasonable diligence in the exercise of their power, and in the performance of their duties hereunder; they shall not be liable for any mistake of judgment or other action made, taken or omitted by them in good faith; nor for any action taken or omitted by any agent, employee or independent contractor selected with reasonable care. No member or officer shall be liable for any action taken or omitted by any other member or officer. The assets of LCVMPPO shall be used to defend and indemnify any member, officer, or employee for actions taken by each such person in good faith within the scope of his or her authority for LCVMPPO. LCVMPPO may purchase insurance providing coverage for members, officers and employees.

ARTICLE XV. WITHDRAWAL FROM MEMBERSHIP.

Any Member Organization may withdraw from LCVMPPO after giving written notice to the LCVMPPO Joint Powers Agreement

Policy Board prior to May 1 of any year, for the following year, except any Member Organization may withdraw from LCVMPPO within fifteen (15) days after the adoption of an amendment to this agreement by giving notice in writing to the Policy Board of its intent to withdraw. Any withdrawal of membership is subject to the provisions of Article X.

ARTICLE XVI. CONTRACTUAL OBLIGATION.

This document shall constitute a Joint Powers Agreement among those public agencies which are Member Organization of LCVMPPO. The terms of this Agreement may be enforced in court by LCVMPPO itself or by any of its Member Organizations. The consideration for the duties herewith imposed upon the Policy Board members and Member Organizations to take certain actions and to refrain from certain other actions is based upon the mutual promises and agreements of the Policy Board members and Member Organizations set forth herein. Except to the extent of the financial contributions to LCVMPPO agreed to herein, or such additional obligations as may come about through amendments to this Agreement, no Member Organization agrees or contracts herein to be held responsible for any claims in tort or contract made against any other Member Organization. The contracting parties intend in the creation of LCVMPPO to establish an organization for coordinated transportation planning only within the scope therein set out, and have not herein created as between Member Organization and Member Organization any relationship of surety, indemnification or responsibility for the debts of or claims against any other Member Organization.

ARTICLE XVII. DISTRIBUTION OF PROPERTY, FUNDS AND SUPPLIES UPON TERMINATION OF THIS AGREEMENT.

In the event of termination of this Agreement, all unused consumable supplies, non-consumable supplies or other property acquired by LCVMPPO shall be disposed of in a manner permissible by law and mutually agreed to by the Member Organizations, and the proceeds of such liquidation shall be disbursed to the Member Organizations at a rate equal to each Member Organization's pro rata share of the assets of LCVMPPO based upon the Member Organization's contribution of funds and in-kind services relevant to the acquisition of the asset from the time said Metropolitan Planning Organization was created until the time that it was terminated. Said determination made by the Policy Board shall be made consistent with the proportional investments made by the Member Organization as set out in Attachment B.

ARTICLE XVIII. SEVERABILITY.

In the event that any Article, provision, clause or other part of this Agreement should be held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforceability with respect to other Articles, provisions, clauses, applications or occurrences, and these agreements are expressly declared to be severable.

ARTICLE XIX. AMENDMENTS.

This Agreement may be amended by a mutual agreement of all of the Member Organizations that are a party hereto.

Revised January 1, 2017

ARTICLE XX. EFFECTIVE DATE AND TERMINATION OF AGREEMENT.

The effective date of this Restated Joint Powers Agreement shall be January 1,

This Agreement shall remain in effect until December 31, 2017. This Restated Joint Powers Agreement will continue to be effective for successive annual terms thereafter unless a member organization withdraws from participation as provided in Article XV.

XXI-SIGNATURE

Each member organization will adopt a resolution authorizing the execution of this Restated Joint Powers Agreement and will execute this agreement consistent with its authorizing resolution. The final Joint Powers Agreement will contain the signature page of each of the member organizations indicating the member organization's agreement to participate in the LCVMPPO.

IN WITNESS WHEREOF, the Member Organizations hereto have entered into this Joint Powers Agreement.

Revised January 1, 2017

Dated this ____ day of _____, 2017.

ASOTIN COUNTY BOARD OF COMMISSIONERS:

Brian Shinn

Chris Seubert

Jim Jeffords

ATTEST:

Vivian Bly, Clerk of the Board

APPROVED AS TO FORM:

Jane Bremner Risley
Chief Deputy Prosecutor

Revised January 1, 2017

Dated this ____ day of _____, 2017.

CITY OF ASOTIN:

Vikki Bonfield, Mayor

ATTEST:

Tiffany Rogers, City Clerk

Revised January 1, 2017

Dated this ____ day of _____, 2017.

CITY OF CLARKSTON:

Monika Lawrence, Mayor

ATTEST:

Steve Austin, City Clerk

Revised January 1, 2017

Dated this ____ day of _____, 2017.

CITY OF LEWISTON:

Jim Kleeburg, Mayor

ATTEST:

Kari Ravencroft, City Clerk

Revised January 1, 2017

Dated this ___ day of _____, 2017.

NEZ PERCE COUNTY BOARD OF COMMISSIONERS:

Doug Zenner

Doug Havens

Bob Tippett

ATTEST:

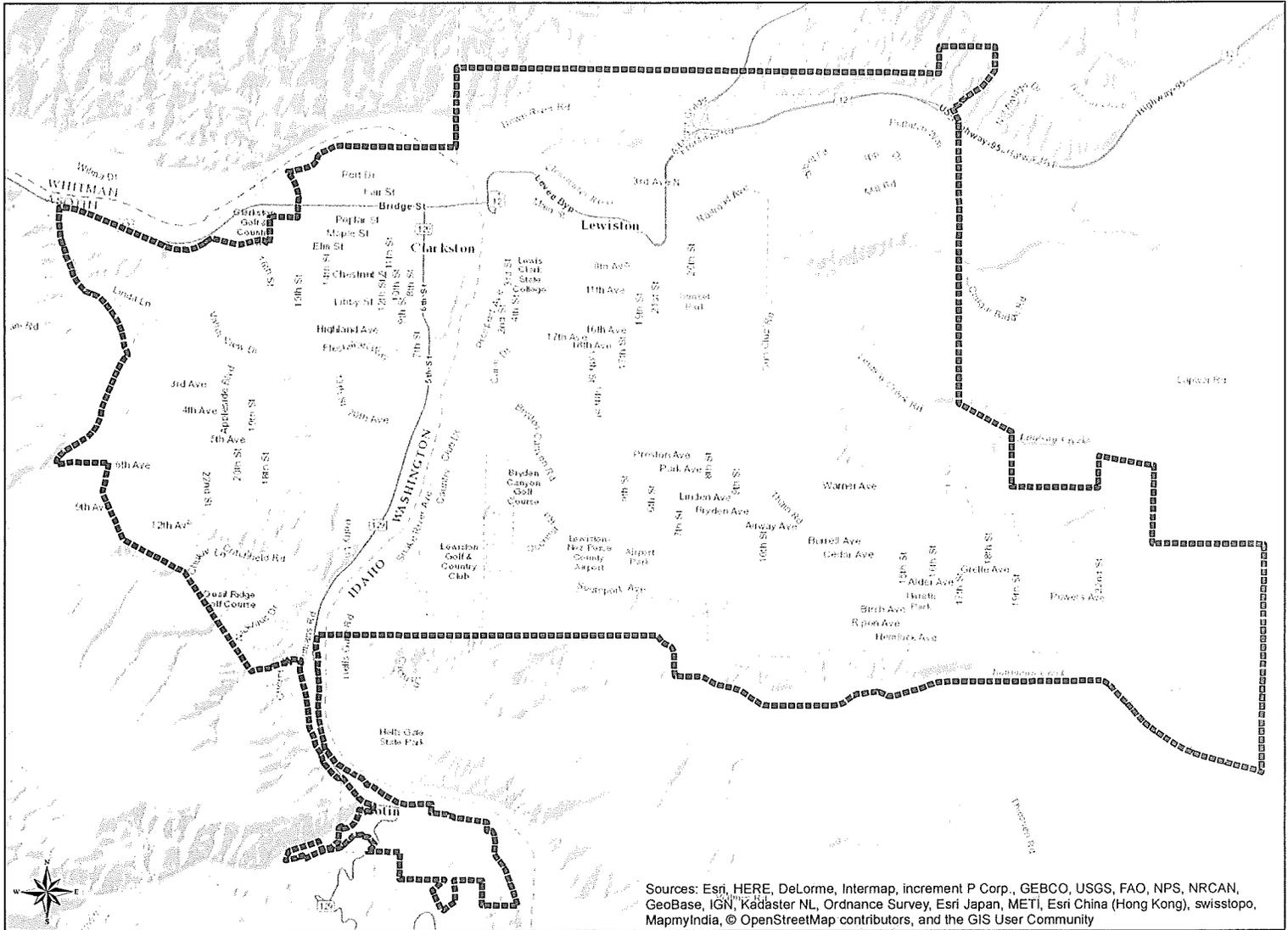
DeeAnn Wittman, Clerk of the Board

Revised January 1, 2017

ATTACHMENT "A"

Map of Urbanized Area

Lewis Clark Valley MPO



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisslipo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

ATTACHMENT “B”

Funding for the Lewis Clark Valley Metropolitan Planning Organization

Funding for the required local match for planning funds is the responsibility of the Member Organizations.

This funding is based upon a two-part formula which allocates fifty (50) percent of the funding requirement on a percentage of the metropolitan area population as shown in column 1 below. The remaining fifty (50) percent is based upon the number of votes held by each Member Organization as shown in column 2 below. There are a total of eight votes allocated among the Member Organizations; each vote is 12.5% of the total number of votes.

Column 3 below identifies the percentage of the total local match required of the Lewis Clark Valley Metropolitan Planning Organization allocated to each of the Member Organizations in accordance with the above-described formula.

<u>Member Organization</u>	<u>COLUMN 1</u>	<u>COLUMN 2</u>	<u>COLUMN 3</u>
	<i>50% of Funding Population Component</i>	<i>50% of Funding Voting Component</i>	Percentage of Total Match for Each Voting Member
City of Lewiston – 3 votes	<i>61.42%</i>	<i>37.5%</i>	49.46%
Asotin County – 2 votes	<i>21.74%</i>	<i>25.0%</i>	23.37%
City of Asotin – 1 vote	<i>2.18%</i>	<i>12.5%</i>	7.34%
Nez Perce County – 1 vote	<i>0.08%</i>	<i>12.5%</i>	6.29%
City of Clarkston – 1 vote	<i>14.58%</i>	<i>12.5%</i>	13.54%
Total			100%

Following the release of official population counts at each Decennial Census by the US Bureau of the Census, or when changes in membership occur, the Policy Board may review and amend the funding formula.

RESOLUTION NO. 2017-04

A RESOLUTION APPROVING THE SOLE SOURCE PURCHASE OF A USED SEWER INSPECTION VEHICLE.

WHEREAS, the City Council of the City of Clarkston, Washington, recognizes the need to adequately equip the Public Works Department; and

WHEREAS, the Public Works Director has found an opportunity to purchase a used sewer inspection vehicle in good condition to replace the current vehicle in the fleet; and

WHEREAS, the City council recognizes that this used vehicle represents good value and is advantageous to the City;

NOW THEREFORE, IT IS HEREBY RESOLVED that:

1. Justification for Sole Source Purchase. Purchase of used equipment is not amenable to the bidding process;
2. Necessity. The used vehicle under consideration represents good value and its purchase would be advantageous to the City.
3. Cost. The purchase price of this vehicle is \$23,000.

DATED this 12th day of June 2017.

Monika Lawrence, Mayor

Steve Austin, City Clerk

**Public Works Department
Vehicle Purchase
Sewer Inspection Van
June 12, 2017**

New Vehicle

Used 2007 Isuzu NQR Cab Over Truck with Van Body

25,900 GVW

100,000 Miles

Purchase price \$23,000.00

Sewer crew will modify interior of van body to use for sewer line video inspection operations.
Video equipment already purchased and ready to install.

Old vehicle to be surplus.

New vehicle similar to Isuzu NQR truck is \$47,370.00 for cab and chassis only.

Public Works Department recommendation is to approve purchase of the 2007 Isuzu NQR truck.

RESOLUTION NO. 2017-05

**A RESOLUTION DECLARING BICYCLES SURPLUS AND
AUTHORIZING DISPOSITION OF SAID PROPERTY.**

WHEREAS, RCW 63.32.50 provides for disposal of unclaimed bicycles by donation to charity; and

WHEREAS, the City of Clarkston is in possession of 47 miscellaneous bicycles per the attached list, which have been determined to be unclaimed after attempts to locate the rightful owners; and

WHEREAS, the City Council has deemed said property to be surplus and believes the best means of disposal is to donate the bicycles to a nonprofit organization for distribution to the needy, per RCW 63.32.050; and

NOW THEREFORE, IT IS HEREBY RESOLVED that the City Council of the City of Clarkston, State of Washington, does hereby declare the aforementioned property to be surplus and authorizes the Chief of police to donate the listed bicycles to the Valley Boys and Girls Club for distribution to needy children.

DATED this 12th day of June, 2017.

Monika Lawrence, Mayor

Attest:

Steve Austin, City Clerk

06/06/17
11:27

Clarkston Police Department
LAW Incident Table:

1029
Page: 1

Incident
Incident Number: 17P03140 Nature: Other Calls
Case Number: Image:
Address= 830 5TH ST; CPD
City: CLARKSTON State: WA ZIP: 99403
Area: CPDA CLARSKTON POLI Contact: 114 / Zeliff

Complainant
Numbr: 236907
Last: CLARKSTON POLICE DEPARTMENTFst: Mid:
DOB: / / SSN: - - Adr= 830 Fifth St
Race: Sx: Tel: (509)758-1680 Cty: CLARKSTON ST: WA ZIP: 99403

Details
Offense Codes: NC Reported: NC Observed:
Circumstances:
Rspndg Officers: Justin S Zeliff
Rspnsbl Officer: Justin S Zeliff Agency: CPD CAD Call ID: 17-040532
Received By: Lisa Peterson Last RadLog: 08:50:36 06/06/17 CMPLT
How Received: T Telephone Clearance: CR Computer Report Only
When Reported: 08:49:08 06/06/17 Disposition: ACT Disp Date: 06/06/17
Occurrd between: 08:49:01 06/06/17 Judicial Sts:
and: 08:49:01 06/06/17 Misc Entry: Bike Donate
MO:

Narrative
Narrative: (See below)
Supplement: (See below)

=====

INVOLVEMENTS:				
Type	Record #	Date	Description	Relationship
NM	236907	06/06/17	CLARKSTON POLICE DEPARTMENT,	*Complainant
CA	17-040532	06/06/17	08:49 06/06/17 Other Calls	*Initiating Call

LAW Incident Offenses Detail:
Offense Codes
Seq Code Amount
1 NC Not Classified 0.00

Narrative:

REQUEST AUTHORIZATION FOR BICYCLE DONATION:

I am the custodian of all properties, items of evidence and found property submitted to the Clarkston Police Department. I have reviewed the following property documents and hereby attest they are bicycles, scooters, and/or other misc items that have gone unclaimed and/or their proper owners cannot be identified.

I hereby request request authorization to dispose of listed items in accordance with RCW 63.62.50 by donating them to the Valley Boys And Girls Club.

47 Bikes

This action is pending receipt of Resolution from the Clarkston City Council.

Requested by: _____
Justin Zelifff, Evidence Officer

Approved by: _____
Joel Hastings, Chief of Police

Witnessed by: _____

Date: _____

