

**CITY OF CLARKSTON
CITY COUNCIL AGENDA
829 5th Street
MONDAY, JULY 23, 2012**

- 1. CALL TO ORDER: 7:00 P.M.**
- 2. PLEDGE OF ALLEGIANCE:**
- 3. AGENDA CHANGES:**
- 4. APPROVAL OF MINUTES:
July 9, 2012 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 – 7/17**
 - C. Public Works – 7/18**
 - D. Administrative/Intergovernmental – 7/23**
 - E. Community Development – no meeting**

- 7. UNFINISHED BUSINESS:**

- 8. NEW BUSINESS:**
 - A. Inter-Local Agreement, Quad City Drug Task Force (PS)**
 - B. Resolution No. 2012-08, EMS Levy (PS)**
 - C. Authorization for Grant Application, Fire Dept Recruit and Retention (PS)**
 - D. Letter of Support, Port Grant Application (PW)**
 - E. WWTP Upgrade Bid Results (PW)**

- 9. COUNCIL COMMENTS**
- 10. MEDIA QUESTIONS**
- 11. EXECUTIVE SESSION:
Litigation**

- 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.

CLARKSTONCITY COUNCIL MINUTES

July 9, 2012

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

COUNCIL:

	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 Acceptance of FEMA SAFER Grant to New Business.

APPROVAL OF MINUTES: MOTION BY NASH/SMITH to approve the minutes of the June 25, 2012 Regular Meeting. Motion carried.

COMMUNICATIONS:

A. From the Public

B. From the Mayor

Mayor Warren said she was concerned with the proposed format for a meeting between the City Council and the County Commissioners. She proposed that the elected officials get together to discuss resolution of the aquatic center funding problem and begin discussion on other areas of interest to both, but not in a moderated forum setting.

C. From Staff

COMMITTEE REPORTS:

Finance Committee:

Councilmember Provost reported all bills have been audited and approved. MOTION BY PROVOST/MANCHESTER to authorize payment of the bills, total expenditures for July 9, 2012 of \$374,461.62. Motion carried.

Public Safety: No meeting.

Public Works Committee: No meeting.

Admin Committee:

Councilmember Manchester said committee met on July 9 and discussed the grant offer from the FEMA SAFER program to fund two new firefighter positions.

Community Development: No meeting.

UNFINISHED BUSINESS:

NEW BUSINESS:

A. Award Certificate of Achievement to David Seward, Eagle Scout

Mr. Seward was not present to receive the award. Mayor Warren read the certificate.

B. Resolution No. 2012-07, Sole Source Supplier (Used ambulance)

Chief Cooper explained this resolution authorizes the possible purchase of a used ambulance. MOTION BY BAUMBERGER/SMITH to approve Resolution No. 2012-07. Motion carried.

C. Grant Offer, FEMA SAFER Grant

Chief Cooper explained that the City has been offered a grant through FEMA for staffing in the fire department. The grant is for \$455,543.00 and there are no matching funds required. It will fully fund two new firefighters and reserves to replace them when they are gone on leave. The grant period is for two years and there is no obligation to maintain the new positions beyond the grant period. There are no penalties if the city should have to reduce force and cancel the agreement during the term of the grant. MOTION BY NASH/MANCHESTER to accept the FEMA grant. Motion carried.

COUNCIL COMMENTS:

Councilmember Blackmon asked if there has ever been a study done drawing water from the river or drilling wells to irrigate the parks. PWD Martin said he has been contacted by a consultant who says he can reduce water consumption by 20% or more. However, the PUD owns water rights so wells are probably not a possibility.

Councilmember Provost asked for a report on 4th of July activities. Chief Cooper said there were only a couple of minor fires. Chief Hastings said there were a normal number of calls. Many of the calls were found to be legal fireworks, so officers did a lot of education.

MEDIA QUESTIONS:

Kevin Gaboury asked what the bid for the ambulance will be. Chief Cooper said he is researching to establish a reasonable cost.

ADJOURNMENT:

Meeting adjourned at 7:15 p.m.

Vickie Storey, City Clerk

Kathleen A. Warren, Mayor

Total Fund Expenditures 7/09/12	CK# 51237, 51302-58, 78-96	\$129,389.38
Total Payroll, 6/30/12	CK # 51238-51301	\$246,072.24

Public Safety Committee

July 17, 2012

Present: Chief Hastings, Chief Cooper, Bill Provost, Terry Beadles, Director Martin.

Chief Hastings presented the Inter-Local Agreement for the Quad-City Drug Task Force. Council action is required on this agreement.

The National Night Out will be on August 7th. This will also be announced at the council meeting.

Dan Combs has assumed the position of Animal Control Officer. Monte Ronzelman has begun duties as Police Officer.

Chief Cooper announced that we were successful bidder for a used ambulance.

The Clarkston Fire Department would like to apply for the Recruit & Retention Grant. Council action is required on the request.

Chief Cooper presented a draft copy of the 2013 Ambulance Budget. There will be a small rate increase for transport services. We will need approval for a levee amount that funds Rescue One on the fall election ballot.

Director Martin discussed the bids for the upgrade at the Waste Water Treatment Plant. We will need council action accepting the addendum items on the contract bid.

PUBLIC WORKS COMMITTEE

7/18/12

J.Martin, G.Nash

1. Port of Clarkston is wooing a Hi-tech firm
They would like a letter of support from
the mayor
Council Action

2. WWTP Public Works would like direction on
alternates for the WWTP It would be a 1.1 million
dollar addition
Council Action

INTER-LOCAL AGREEMENT FOR THE JOINT EXERCISE OF POWERS TO CREATE THE QUAD-CITY DRUG TASK FORCE

WHEREAS, cooperative investigation between law enforcement agencies increases their effectiveness in the battle against illegal drug manufacture, delivery, possession and use; and

WHEREAS, Nez Perce County, Idaho; Latah County, Idaho; Whitman County, Washington; Asotin County, Washington, and Garfield County, Washington; the Nez Perce Tribe; City of Moscow, Idaho; City of Clarkston, Washington; City of Pullman, Washington; City of Colfax, Washington; Washington State University and the Washington State Patrol have agreed to work in cooperation in the investigation and prosecution of drug offenses in the respective jurisdictions; and,

WHEREAS, by virtue of various prior Inter-Local Agreements, law enforcement agencies and prosecuting attorney's offices from these jurisdictions have been operating a task force known as the Quad-City Drug Task Force originally funded by grant monies to support the cooperative investigations and prosecution of drug offenses in the Quad-City area; and,

WHEREAS, the parties wish to update their agreements to support the ongoing operation of the Quad-City Drug Task Force; and,

WHEREAS, pursuant to Idaho Code 67-2326 through 67-2333, and 67-2337 and 2338, and 67-4002; and the provisions of the Revised Code of Washington 39.34, the parties are authorized to enter into and carry out this intergovernmental agreement.

NOW, THEREFORE, IT IS HEREBY AGREED by and between Nez Perce County, Idaho; Latah County, Idaho; Whitman County, Washington; Asotin County, Washington, and Garfield County, Washington; the Nez Perce Tribe; City of Moscow, Idaho; City of Clarkston, Washington; City of Pullman, Washington; City of Colfax, Washington; Washington State University and the Washington State Patrol as follows:

I

PURPOSE

The law enforcement agencies for the respective members will work together as the Quad-City Drug Task Force to enhance through cooperation the successful investigation and prosecution of drug offenses in the jurisdictions represented in this agreement.

II

EFFECTIVE DATE AND DURATION

This agreement shall take effect and be binding upon each member jurisdiction upon its execution by that jurisdiction.

This agreement shall automatically renew from year to year commencing on the 1st day of each January unless any party gives thirty (30) days notice of its intent to withdraw. This agreement shall remain in full force and effect for the parties not withdrawing.

Additional members may be added by the written agreement of all then-existing members and the execution of appropriate documentation by the new member whereby it legally obligates itself to this agreement.

III

MANNER OF FINANCING

The operational expenses of the Quad-City Drug Task Force shall be paid from contributions in cash or in kind from the member agencies and from any grant monies or other monies awarded to or received by the Quad-City Drug Task Force.

IV

JOINT BOARD

An administrative board will supervise the operation of the Quad-City Drug Task Force which will be known as the Quad-City Drug Task Force Policy Board (Policy Board), and shall be made up of the chief officials of the following agencies: Moscow Police Department, Nez Perce Tribal Police Department, Clarkston Police Department, Colfax Police Department, Pullman Police Department, Nez Perce County Sheriff's Office, Asotin County Sheriff's Office, Latah County Sheriff's Office, Whitman County Sheriff's Office, Garfield County Sheriff's Office, Nez Perce County Prosecuting Attorney's Office, Latah County Prosecuting Attorney's Office, Whitman County Prosecuting Attorney's Office, Washington State University Police and Washington State Patrol.

The policy board is empowered to adopt such policies, procedures and rules, as it deems appropriate or necessary for its purposes. A quorum, which shall consist of a majority of the current members to the agreement, is needed to take action at any meeting.

V

LEAD AGENCY

The policy board shall designate a lead agency, project director and treasurer. In the event the policy board fails to act in this regard, or in the event of any vacancies in any of those positions, the Whitman County Sheriff's Office is designated as the default lead agency, project director and treasurer (to the extent permissible by applicable law, rule and regulation).

VI

TITLE TO PROPERTY

The Quad-City Drug Task Force shall not hold title to any real or personal property, however, the lead agency may manage any grant funds and other monetary contributions or acquisitions via the project director and treasurer. Operational policies for the Quad-City Drug Task Force shall be as developed and adopted by the Quad-City Drug Task Force Policy Board.

VII

TERMINATION

Any party to this agreement may terminate its membership by providing thirty (30) days prior written notice to the project director. Additionally, this agreement may be terminated at any time by written agreement of all then-existing parties. Upon any such full termination, any assets of the lead agency, project director and/or treasurer as the situation may require directly linked to a specific case shall be delivered to the agency with primary legal jurisdiction over said case; and any all other assets will be distributed pro rata among the existing members unless those existing members agree in writing otherwise.

VIII

RELIABILITY

Pursuant to Idaho Code 67-2337 and Revised Code of Washington chapter 10.93.040, the original employing and/or primary commissioning agency shall be responsible for any liability from the acts within the course and scope of the officer's duties as an employee and/or peace officer participating in the operation of the Quad-City Drug Task Force pursuant to the agreement herein.

IX

MISCELLANEOUS

A. **NON-WAIVER:** No waiver by any party of any of the terms of this Agreement shall be construed as a waiver of the same or other rights of that party in the future.

B. **ENTIRE AGREEMENT:** This Agreement contains terms and conditions agreed upon by the Parties. The Parties agree that there are no other understandings, oral or otherwise, regarding the subject matter of this Agreement. No changes or additions to this Agreement shall be valid or binding upon the Parties unless the change or addition is in writing, executed by the Parties.

C. MODIFICATION: No modification or amendment to this Agreement shall be valid until put in writing and signed with the same formalities as this Agreement.

D. HEADINGS: The section headings appearing in this Agreement have been inserted solely for the purpose of convenience and ready reference. In no way do they purport to, and shall not be deemed to define, limit or extend the scope or intent of the sections to which they pertain.

E. COUNTERPARTS: This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original, but such counterparts shall together constitute but one and the same.

F. SEVERABILITY: If any term or provision of this Agreement is held by the courts to be illegal or invalid, the remaining terms and provisions shall not be affected.

X

RCW 39.34 REQUIRED CLAUSES

A. PURPOSE: See section I above.

B. DURATION: See section II above.

C. ORGANIZATION OF SEPARATE ENTITY AND ITS POWERS: See section IV above.

D. RESPONSIBILITIES OF THE PARTIES: See above.

E. FINANCING: Each party shall be responsible for the financing of its contractual obligations under its normal budgetary process.

F. TERMINATION: See section VI above.

XI

AGREEMENT TO BE FILED

Washington member agencies shall file this agreement with their designated clerk or other appropriate representative and, to the extent required by law, place the agreement on the agency's website or other electronically retrievable public source. Idaho member agencies shall comply with their own procedures for filing and publishing this agreement. Additionally, pursuant to Idaho Code 67-2329, this agreement shall be filed with the Idaho Secretary of State who shall require an opinion of the Idaho Attorney General that the agreement does not violate the provisions of the Constitution of the United States, the Idaho Constitution or any statutes of the State of Idaho.

XII

PRIOR AGREEMENTS

This agreement, upon its execution and filing as required by law, replaces and supersedes all prior interlocal agreements for the Quad Cities Drug Task Force.

**CITY OF CLARKSTON
RATIFICATION OF "INTER-LOCAL AGREEMENT FOR
THE JOINT EXERCISE OF POWERS TO
CREATE THE QUAD CITY DRUG TASK FORCE"**

We, the undersigned, acting in our official capacities pursuant to applicable provisions of law, hereby join and ratify the "Inter-Local Agreement for the Joint Exercise of Powers to Create the Quad City Drug Task Force" entered into by and between Nez Perce County, Idaho; Latah County, Idaho; Whitman County, Washington; Asotin County, Washington, and Garfield County, Washington; the Nez Perce Tribe; City of Moscow, Idaho; City of Clarkston, Washington; City of Pullman, Washington; City of Colfax, Washington; Washington State University and the Washington State Patrol.

DATED this _____ day of _____, of 20_____.

Mayor -

Chief of Police - Joel Hastings

ATTEST:

Clerk/Secretary

RESOLUTION NO. 2012-08

A RESOLUTION PLACING AN EXCESS PROPERTY TAX LEVY FOR EMERGENCY MEDICAL SERVICES AND RESCUE ONE UNIT, OPERATED BY THE CITY OF CLARKSTON, ON THE BALLOT AT A SPECIAL ELECTION TO BE HELD ON NOVEMBER 6, 2012 IN CONJUNCTION WITH THE STATE GENERAL ELECTION TO BE HELD ON THE SAME DATE.

WHEREAS, the City of Clarkston has established and operates a Rescue One Unit providing emergency medical services and ambulance transport to the residents of the City of Clarkston; and

WHEREAS, the City portion of the cost of said Rescue One Unit services for 2013 is anticipated to be \$511,800.00; and

WHEREAS, if the Rescue One Unit is discontinued, the City will be unable to meet its obligations to IAFF #2299, a labor contract; and

WHEREAS, RCW 84.52.052 AUTHORIZES AN EXCESS PROPERTY TAX LEVY TO SUPPORT OBLIGATIONS OF CONTRACT AND FOR OTHER PURPOSES UPON VOTER APPROVAL; and

WHEREAS, the lack of emergency medical services care to the residents of the City of Clarkston constitutes an emergency dealing with health and welfare of the citizens of the City;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSTON IN REGULAR MEETING ASSEMBLED AS FOLLOWS:

SECTION 1.0

That a special election is to be held in the City of Clarkston, State of Washington, on November 6, 2012, in conjunction with the state general election to be held on the same date. This election is for the purpose of submitting an excess levy proposition as authorized by RCW 84.52.052 in the amount of \$511,800.00 to the electors of said City for their approval or rejection, the proceeds thereof be placed in the Ambulance/EMS Fund of the City to be used for the maintenance and operation of the Rescue One Emergency Medical Services Unit.

SECTION 2.0

Proposition: Shall the City of Clarkston, Washington, authorize the County Commissioners of Asotin County to levy in the year 2013 as part of the ad valorem real property taxes to be collected for the City in 2013 the sum of \$511,800.00, which will require a rate of approximately \$1.29 per thousand dollars of assessed valuation of the aforesaid City based upon

the assessment ratio of 100 percent of true and fair value. Said tax levy is to be in addition to the maximum levy provided by law for such City. The proceeds thereof are to be placed in the EMS Fund to be used for the maintenance and operation of the Rescue One Emergency Medical Services Unit, which shall be submitted to the electors of said City for their approval or rejection in the form of the following ballot title:

**CITY OF CLARKSTON, WASHINGTON
EMERGENCY MEDICAL SERVICES EXCESS
TAX LEVY**

The City Council of the City of Clarkston, Washington, adopted Resolution No. 2012-08 concerning a proposition to finance emergency medical services. This proposition, if approved, would permit maintenance and operation of Rescue One Emergency Medical Services through the levy of a special excess tax for collection in 2013 of \$511,800.00 requiring approximately \$1.29 per thousand dollars of assessed value (based on 100% of true and fair value). Should this proposition be approved?

LEVY YES

LEVY NO

SECTION 3.0

The Clerk of the aforesaid City is hereby directed to immediately transmit to the Asotin County Auditor a copy of this Resolution duly signed and attested and upon receipt of which the Asotin County Auditor is hereby requested to concur in the finding of an emergency and to take all procedural steps necessary and as are required by law to the end that this proposition shall be submitted to the voters of said City.

DATED this 23rd day of August, 2012.

Kathleen A. Warren, Mayor

Authenticated by:

Vickie Storey, City Clerk

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: July 18, 2012

Re: WWTP Bids/Funding Needs

Our second bidding process provided all new bids for our WWTP on July 12th. Some "pencil sharpening" did occur and now you have the difficult decision as to how to award the project. Attached is an example of the low bidder, and the funding required for two scenarios. Option #1 indicates the required funding based on the base bid plus the most wanted bid alternate (2nd screw press). The bottom line shows the anticipated increase to our rate payers based on the additional \$1.46 million needed to borrow. Option #2 is the low base bid plus all bid alternates. That indicates a need to borrow an additional \$2.56 million. Of course we would suggest going for the entire package as construction and materials will not get cheaper. The Engineering expense for their inclusion is also figured into the project.

For rate payers, over and above the 10% we are already planning for the project, this would mean a range from \$2.45 to \$3.94 per month increase. Both over and above the 10% hike as mentioned. Those increases in rates would be added to approximately \$2.20 per user so the actual impact would be \$4.65 to \$6.14 per month depending on the option chosen. Please consider all the aspects of this major project as we make this important change to our infrastructure.

WWTP CONSTRUCTION BUDGET - OPTION 1 - Rebid

RESERVE BALANCES

REVENUES	RESERVE BALANCES
PWTF LOAN	401-EQUIP RESERVE
\$ 10,000,000	\$ 34,700
SRF LOAN - DESIGN	402-LINE RESERVE
\$ 660,480	\$ 464,000
BOND	403-CAP RPLCMNT
\$ 2,001,370	\$ 20,000
\$ 12,661,850	404-SEWER RESERVE
	\$ 109,400
	\$ 628,100
	SEWER O&M FUND BALANCE
	\$ 500,000

EXPENSES	
DESIGN ENGINEERING	
Low Base Bid	\$ 241,000
CONSTRUCTION ENGINEERING	\$ 12,102,205
Additive Item #3	\$ 734,800
CONTINGENCY (5%)	\$ 420,705
	\$ 626,200
	\$ 14,124,910
FUNDS NEEDED	\$ 1,463,060
NEW LOAN	\$ 1,463,060
BOND LOAN PAYMENT 3.5%, 20 YR	\$ 113,200
PUD SHARE	\$ 39,620
CITY PORTION	\$ 73,580
CUST RATE INCREASE (ESTIMATE)	\$ 2.45

WWTP CONSTRUCTION BUDGET - OPTION 2 - Rebid

RESERVE BALANCES

REVENUES	
PWTF LOAN	\$ 10,000,000
SRF LOAN - DESIGN	\$ 660,480
BOND	\$ 2,001,370
	\$ 12,661,850
	\$ 12,661,850

EXPENSES	
DESIGN ENGINEERING	\$ 241,000
Low Base Bid	\$ 12,102,205
CONSTRUCTION ENGINEERING	\$ 734,800
All Additives	\$ 1,467,136
CONTINGENCY (5%)	\$ 678,500
	\$ 15,223,641
FUNDS NEEDED	\$ 2,561,791

RESERVE BALANCES	
401-EQUIP RESERVE	\$ 34,700
402-LINE RESERVE	\$ 464,000
403-CAP RPLCMNT	\$ 20,000
404-SEWER RESERVE	\$ 109,400
	\$ 628,100

SEWER O&M FUND BALANCE	\$ 500,000
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NEW LOAN	\$ 2,561,791
BOND LOAN PAYMENT 3.5%, 20 YR	\$ 182,000
PUD SHARE	\$ 63,700
CITY PORTION	\$ 118,300
CUST RATE INCREASE (ESTIMATE)	\$ 3.94



Clarkston WWTP Re-Bid
 Bid Opening Results
 2:00 PM, July 12, 2012

Rank	Contractor	Base Bid	Additive Bids					Total
			#1	#2	#3	#4	#5	
1	Williams Brother Construction	\$ 12,102,205.00	\$ 307,361.00	\$ 654,897.00	\$ 420,705.00	\$ 27,284.00	\$ 56,889.00	\$ 13,569,341.00
4	Williams Charles West	\$ 12,781,750.00	\$ 284,875.00	\$ 612,750.00	\$ 413,875.00	\$ 89,225.00	\$ 48,375.00	\$ 14,230,850.00
5	RSCI	\$ 13,058,778.00	\$ 226,288.00	\$ 634,358.00	\$ 440,535.00	\$ 52,030.00	\$ 57,943.00	\$ 14,469,932.00
3	Apollo Inc.	\$ 12,536,900.47	\$ 291,325.00	\$ 685,850.00	\$ 414,950.00	\$ 82,560.00	\$ 58,050.00	\$ 14,069,635.47
6	McClure and Sons Inc.	\$ 13,055,841.68	\$ 328,950.00	\$ 785,825.00	\$ 441,825.00	\$ 86,000.00	\$ 58,050.00	\$ 14,756,491.68
2	Hoffman-Northwest J.V.	\$ 12,642,000.00	\$ 299,818.00	\$ 546,100.00	\$ 420,325.00	\$ 84,925.00	\$ 49,450.00	\$ 14,042,618.00
	Low Bid	\$ 12,102,205.00	\$ 226,288.00	\$ 546,100.00	\$ 413,875.00	\$ 27,284.00	\$ 48,375.00	\$ 13,569,341.00
	High Bid	\$ 13,058,778.00	\$ 328,950.00	\$ 785,825.00	\$ 441,825.00	\$ 89,225.00	\$ 58,050.00	\$ 14,756,491.68
	Average	\$ 12,696,245.86	\$ 289,769.50	\$ 653,296.67	\$ 425,369.17	\$ 70,337.33	\$ 54,792.83	\$ 14,189,811.36
	Standard Deviation	\$ 360,351.99	\$ 34,646.27	\$ 80,149.70	\$ 12,559.22	\$ 25,111.77	\$ 4,588.47	\$ 405,553.92