

Kelso City Council Agenda

Regular Meeting, 6:00 pm
November 4, 2014
City Hall, Council Chambers
203 South Pacific
Kelso, WA 98626



Special accommodations for the handicapped and hearing impaired are available by special arrangement through the City Clerk's Office at 360-423-0900

Invocation:

Pastor Vonda McFadden, Kelso First United Methodist

Roll Call to Council Members:

1. Approve Minutes:

1.1. October 21, 2014 – Regular Meeting

2. Public Hearing:

2.1. Declare Surplus of Personal Property – Utility Vehicles

3. Consent Items:

4. Citizen Business:

5. Council Business:

5.1. Contract – Computer Support Services, Compass Lane

5.2. 2015 State Legislative Agenda

5.3. 2015-2016 Budget Discussion

6. Action/Motion Items:

6.1. Ordinance, 1st Reading

6.1.1. Setting 2015 Property Tax Levy Amount

6.2. Ordinance, 1st Reading

6.2.1. B&O Utility Tax Rates

6.3. Resolution

6.3.1. Declare Surplus of Personal Property

Kelso City Council Agenda

Regular Meeting, 6:00 pm
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6.4. Resolution

6.4.1. Declare Emergency Repair Work – Intersection of S. 13th Ave & Chestnut St.

6.5. Resolution

6.5.1. Declare Emergency Repair Work – Storm drain repair on Minor Rd. & Allen St.

Other Items:

- City Manager Report
- Staff/Dept Head Reports
- Council Reports
- Other Business
- Executive Session

Pastor Nick Stumbo, East Hills Alliance Church, gave the invocation. Mayor David Futcher led the flag salute. The Regular Meeting of the Kelso City Council was called to order by Mayor David Futcher. Councilmembers in attendance were: Futcher, Schimmel, Franklin, Roberson, Myers, McDaniel, and Archer.

Minutes: Upon motion by Councilmember Myers, seconded by Councilmember Schimmel, 'Approve the Minutes of the 10/07/14 Regular Meeting,' motion carried, all voting yes.

CONSENT AGENDA:

1. **Re-Appointments:** Planning Commission – Position #6, Chuck Hendrickson and Position #7, James Webb
2. **Professional Services Agreement:** Municipal Legal Counsel – Law Office of Janean Z. Parker
3. **Professional Services Agreement:** Municipal Legal Counsel – Kenyon Disend, PLLC
4. **Auditing of Accounts:** \$ 1,622,780.55

Upon motion by Councilmember Schimmel, seconded by Councilmember Roberson, 'Approve the Consent Agenda and the Auditing of Accounts in the amount of \$1,622,780.55,' motion carried, all voting yes.

CITIZEN BUSINESS:

Clark W. Hislop: 806 N Kelso Avenue, spoke about street lights on the 800 block of Kelso Drive.

COUNCIL BUSINESS:

Professional Services Agreement – Prosecution Services, Fred Johnson, Attorney at Law: Upon motion by Councilmember McDaniel, seconded by Councilmember Myers, 'Approve the agreement with Fred Johnson,' motion carried, all voting yes.

Professional Services Agreement – Indigent Defense Counsel, Debra Burchett, Attorney at Law: Upon motion by Councilmember Schimmel, seconded by Councilmember Myers, 'Approve the agreement with Debra Burchett,' motion carried, all voting yes.

MOTION ITEMS:

Ordinance No. 14-3831 – Transfer of Property at 1124 N Pacific Ave: The Deputy Clerk read the proposed ordinance by title only. Upon motion by Councilmember Roberson, seconded by Councilmember Myers, ‘Adopt Ordinance No. 14-3831, ‘AN ORDINANCE OF THE CITY OF KELSO DECLARING CERTAIN REAL PROPERTY SURPLUS AND AUTHORIZING THE CONVEYANCE OF THE PROPERTY AT 1124 NORTH PACIFIC AVENUE IN KELSO TO THE LOWER COLUMBIA COMMUNITY ACTION PARTNERSHIP,’ motion passed, all voting yes.

Resolution No. 14-1124 – Master Fee Schedule Amendment: The Deputy Clerk read the proposed resolution by title only. Upon motion by Councilmember Roberson, seconded by Councilmember Myers, ‘Pass Resolution No. 14-1124, ‘A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KELSO, WASHINGTON, AMENDING THE CITY’S MASTER FEE SCHEDULE.’ Motion passed, all voting yes.

Ordinance No. 14-3832 – Water/Sewer Rates: The Deputy Clerk read the proposed ordinance by title only. Upon motion by Councilmember Myers, seconded by Councilmember Roberson, ‘Adopt Ordinance No. 14-3832, ‘AN ORDINANCE OF THE CITY OF KELSO AMENDING ORDINANCE NO. 10-3733 UPDATING WATER AND SEWER RATES.’ Motion passed, all voting yes.

Ordinance No. 14-3833 – Chapter 13.10 KMC Stormwater Utility Amendment: The Deputy Clerk read the proposed ordinance by title only. Upon motion by Councilmember McDaniel, seconded by Councilmember Schimmel, ‘Adopt Ordinance No. 14-3833, ‘AN ORDINANCE OF THE CITY OF KELSO, WASHINGTON AMENDING SECTIONS 13.10.050, 13.10.110 AND ADDING SECTION 13.10.115 OF THE KELSO MUNICIPAL CODE RELATING TO THE STORMWATER MANAGEMENT UTILITY AND ESTABLISHING A CAPITAL RECOVERY CHARGE FOR CONNECTION TO THE INFRASTRUCTURE AND SERVICES PROVIDED BY THE UTILITY.’ Motion passed, all voting yes.

Ordinance No. 14-3834 – 2015-2019 Stormwater Rates: The Deputy Clerk read the proposed ordinance by title only. Upon motion by Councilmember McDaniel, seconded by Councilmember Myers, ‘Adopt Ordinance No. 14-3834, ‘AN ORDINANCE OF THE CITY OF KELSO AMENDING ORDINANCE NO. 13-3811 RELATING TO THE STORMWATER MANAGEMENT UTILITY BY ESTABLISHING NEW BASE RATES FOR SINGLE-FAMILY PARCELS AND LISTING NEW MONTHLY SERVICE CHARGES FOR OTHER DEVELOPED PARCELS FOR 2015 THROUGH 2019. ALSO CREATING A STORMWATER CAPITAL RECOVERY CHARGE.’ Motion passed, all voting yes.

Budget Workshop: City Manager Steve Taylor provided an overview of the previous regular council meeting’s budget discussion. After a lengthy discussion, the directions the Council gave the Staff went as follows:

Upon motion by Councilmember Myers, seconded by Councilmember Archer, **‘Direct Staff to provide for a 2% rate increase on the B&O Utilities Tax in the preliminary budget.’** Councilmembers: Myers, Archer, McDaniel, Futchter, and Roberson, voted yes. Councilmembers Franklin and Schimmel voted no. Motion passed, 5 to 2.

Upon motion by Councilmember Archer, seconded by Councilmember McDaniel, **‘Direct Staff to provide for one additional police officer position in the preliminary budget.’** Councilmembers: Archer, McDaniel, Schimmel, and Franklin voted yes. Councilmembers: Myers, Futchter, and Roberson voted no. Motion passed, 4 to 3.

Upon motion by Councilmember Myers, seconded by Councilmember Roberson, **‘Direct Staff to provide for a new civil engineer position for the Engineering Department in the preliminary budget.’** Councilmembers: Archer, McDaniel, Myers, Futchter, and Roberson voted yes. Councilmembers Franklin and Schimmel voted no. Motion passed, 5 to 2.

COUNCIL REPORTS:

Gary Archer: No report.

Todd McDaniel: Announced that the Witches Hollow event will be held on October 31, 2014, from 5 p.m. to 9 p.m. at the Commons Park.

Dan Myers: No report.

Rick Roberson: No report.

Jared Franklin: Commented that he will be participating in the Witches Hollow event.

Gary Schimmel: No report.

David Futchter: No report.

EXECUTIVE SESSION:

At 7:21 p.m. Mayor Futchter announced that the Council will convene into Executive Session to discuss the annual evaluation of the city manager. The Executive Session is expected to last approximately 2 hours and no action will be taken. The city attorney was not present.

The Council reconvened into Regular Session at 9:21 p.m.

There being no further business, Mayor Fatcher adjourned the meeting at 9:21 p.m.

MAYOR

CITY CLERK

AGENDA SUMMARY SHEET

Business of the City Council City of Kelso, Washington

SUBJECT TITLE:

Public Hearing for Resolution to declare certain personal property as surplus and directing the deposition.

Agenda Item: _____

Dept. of Origin: Public Works-Fleet Division

For Agenda of: November 4, 2014

Cost of Item: _____

City Manager: Steve Taylor

PRESENTED BY:

Randy Johnson
Public Works Superintendent

AGENDA ITEM ATTACHMENTS:

Fair Market Values

SUMMARY STATEMENT:

In accordance with RCW 35.94.040, a public hearing is required to declare certain personal property as surplus and no longer of necessary use to the city.

RECOMMENDED ACTION:

Declare items of personal property as surplus and dispose of according to city policy.



The Power of Vehicle Information
NADAguides.com

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10/27/2014

2000 Chevrolet C3500 PICKUP-1 Ton-5.7L V8

Fleetside

NADAguides.com Price Report

	Rough Trade-In	Average Trade-In	Clean Trade-In	Clean Retail
Base Price	\$1,600	\$2,425	\$3,100	\$5,175
Mileage: (120,000) miles	\$675	\$675	\$675	\$675
Total Base Price	\$2,275	\$3,100	\$3,775	\$5,850
Options:				
W/out Air Conditioning	-\$200	-\$200	-\$200	-\$200
W/out Power Door Locks	-\$75	-\$75	-\$75	-\$75
W/out Cruise Control	-\$50	-\$50	-\$50	-\$50
Dual Rear Wheels	\$150	\$150	\$150	\$175
PRICE with Options	\$2,100	\$2,925	\$3,600	\$5,700

The history of a vehicle impacts its value

Get the history at AutoCheck.com/NADAguides



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The Power of Vehicle Information
NADAguides.com

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10/27/2014

2002 Dodge Ram 2500 Pickup-3/4 Ton-V8

Regular Cab SLT 2WD

NADAguides.com Price Report

	Rough Trade-In	Average Trade-In	Clean Trade-In	Clean Retail
Base Price	\$2,325	\$3,250	\$4,025	\$6,275
Mileage: (98,700) miles	\$1,025	\$1,025	\$1,025	\$1,025
Total Base Price	\$3,350	\$4,275	\$5,050	\$7,300
Options:				
W/out Air Conditioning	-\$300	-\$300	-\$300	-\$300
W/out Cruise Control	-\$75	-\$75	-\$75	-\$75
PRICE with Options	\$2,975	\$3,900	\$4,675	\$6,925

The history of a vehicle impacts its value

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AGENDA SUMMARY SHEET

AGENDA ITEM: Agreement regarding
onsite computer support services for
2015.

SUBMITTED BY: Brian Butterfield

AGENDA ITEM # _____
FOR AGENDA OF: 11/4/2014
ORIGINATING DEPT: Finance
DATE SUBMITTED: 10/27/2014
COST OF ITEM: _____
AMT. BUDGETED _____
CITY ATTY. APPROVAL _____
CITY MGR. APPROVAL _____

AGENDA ITEM PAPERWORK:
Compass Lane Agreement Extension

SUMMARY STATEMENT:

Agreement for 2015 services for a annual total of \$70,560. This figure includes 600 hours of onsite computer support. The term of this contract extension is January 1, 2014 through December 31,2014.

RECOMMENDED ACTION:

Staff recommends approval of the contract extension.



Oct. 8, 2014

Contract Extension

The Contract for on-site computer services between the City of Kelso, WA and Compass Lane, Inc. shall be extended from Jan. 1, 2015 to Dec. 31, 2015

The terms of the contract shall be as follows:

On-Site Support – 600 hrs. \$ 70,560.00 annually.

Billable Monthly at \$ 5,880 (approx. 50 hours per month).

Additional time over the 600 hours shall be billed at the current hourly rate of \$ 160/hr.

A handwritten signature in black ink that reads "Dave Roberts".

Dave Roberts
President
Compass Lane, Inc.
10/08/2014
Date

City of Kelso, WA

Date

AGENDA SUMMARY SHEET

Business of the City Council City of Kelso, Washington

SUBJECT TITLE: 2015-2017 Biennium State
Legislative Agenda

Agenda Item: _____

Dept. of Origin: _____ City Council _____

For Agenda of: _____ November 4, 2014 _____

Originator: _____ Steve Taylor _____

PRESENTED BY:

Steve Taylor, City Manager

City Attorney: **Janean Parker**

City Manager: **Steve Taylor**

Agenda Item Attachments:

City of Kelso 2015-2017 Biennium State Legislative Agenda

SUMMARY STATEMENT:

Attached is the City's 2015-2017 Biennium State Legislative Agenda for Council's consideration. The agenda was developed working with the government affairs consultants from Gordon, Thomas, Honeywell GA and contains the City's top legislative policy priorities and capital funding requests as well as referencing support for the positions being advocated by the Association of Washington Cities. Briahna Taylor and Alex Soldano will provide a briefing to Council regarding what to expect in the upcoming legislative session.

AWC's Legislative Committee is in the process of finalizing its priorities for 2015. The top five preliminary priorities identified are:

- Restore funding for the Public Works Trust Fund/Assistance Account
- Transportation funding
- Sharing of marijuana tax revenue with cities
- Restoring liquor funding
- Maintaining existing state shared revenue

Adoption of the agenda provides a clear, consistent message concerning the city's priorities for our legislative representatives and regional stakeholders. The City will also look for opportunities to support our regional partners in their legislative advocacy efforts on issues of mutual concern.

OPTIONS:

1. Move to approve the 2015-2017 Biennium State Legislative Agenda;
2. Do not approve the legislative agenda;
3. Provide direction on revisions or amendments and bring back for consideration at a future meeting

RECOMMENDED ACTION:

Move to approve the City of Kelso 2015-2017 Biennium State Legislative Agenda.



City of Kelso 2015-17 Legislative Biennium Agenda

Minor Road Reservoir Replacement

Kelso requests \$4.5 million to replace the failing Minor Road Reservoir. The Minor Road Reservoir is located above and adjacent to I-5 and consists of two 90-year-old 1 million gallon concrete tanks. Both are leaking, structurally deficient, and unfit for repair or rehabilitation. In the event of a seismic event 6.0 or greater, both tanks are at a 100% risk of failure, which would result in catastrophic damage to residents, local homes, and a church/private school. Failure would likely result in significant damage to and closure of I-5. The City has conducted a full seismic and structural evaluation study, but does not have the resources to fund its construction without significant impacts on low-income ratepayers.

PWAA: Yew Street Reconstruction Project

Kelso supports full funding of the Public Works Assistance Account, including loan funding for the city's Yew Street Reconstruction project. Yew Street's condition is severely deteriorating, and has no storm drainage system. The project will construct 1,300-feet of new street with sidewalks and stormwater facilities. The Public Works Board recommended that the Yew Street Reconstruction project receive a \$1,410,464 loan to complete the project. The City supports the Legislature funding the Public Works Assistance Account.

Indigent Defense Standards:

Kelso requests funding assistance to meet the new Supreme Court-mandated indigent defense standards. The new caseload standards significantly limit the number of cases a public defender can manage. The financial impact of the new regulations on cities' general operating funds is burdensome. Under the new requirements, Kelso's additional indigent defense services must be acquired, increasing annual costs 90% from \$90,000 to \$170,000. The City requests legislative relief for the financial impact of these new standards.

Transportation Funding

Kelso supports regional priorities to improve vital infrastructure projects, including improving State Routes 432/433, and funding for grant programs, including the Transportation Improvement Board and the Freight Mobility Strategic Investment Board. Additionally, the City supports the following projects in the City's geographic limits:

West Main Street Realignment Completion

Kelso requests \$5 million for Phase II of the West Main Street Realignment project. The West Main Street Corridor provides a direct route from SR 4 to I-5 through Kelso and improves access to SR 411. Phase II will complete the project and includes right-of-way acquisition, widening of the corridor, and intersection improvements at the SR 4 junction. This project will enhance safety and relieve congestion by offering a direct route between two major state highway facilities.

Hazel Street Rail Crossing Grade Separation

Kelso requests \$900,000 to complete an Environmental Assessment (EA) for grade separation at Hazel Street. The BNSF railway crosses over two at-grade crossings in south Kelso, Mill Street and Yew Street. When trains pass through this area, both crossings are blocked – preventing emergency access to residents and businesses located between the railroad and Cowlitz River. An overpass over the BNSF rail lines has been identified as the most cost-effective and least intrusive solution. Completion of the EA is required to qualify for any potential federal funding.

The City supports the Association of Washington Cities' legislative agenda.

AGENDA SUMMARY SHEET

Business of the City Council City of Kelso, Washington

SUBJECT TITLE: 2015-2016 Preliminary
Budget Discussion

Agenda Item: _____

Dept. of Origin: _____ City Council _____

For Agenda of: _____ November 4, 2014 _____

Originator: _____ Steve Taylor _____

PRESENTED BY:

Steve Taylor, City Manager

City Attorney: Janean Parker

City Manager: Steve Taylor

Agenda Item Attachments:

SUMMARY STATEMENT:

Continue from the October 21, 2014 Budget Workshop providing additional opportunity for Council to have discussion on the 2015-2016 Preliminary Budget.

RECOMMENDED ACTION:

Provide direction to staff regarding desired changes, if any, to the outlay of programs delineated in the proposed preliminary budget.

AGENDA SUMMARY SHEET

AGENDA ITEM: An ordinance setting
the 2015 property tax levy amount.

First reading.

SUBMITTED BY: Brian Butterfield

AGENDA ITEM # _____

FOR AGENDA OF: 11/4/14

ORIGINATING DEPT: Finance

DATE SUBMITTED: 10/27/14

COST OF ITEM: _____

AMT. BUDGETED _____

CITY ATTY. APPROVAL _____

CITY MGR. APPROVAL _____

AGENDA ITEM PAPERWORK:

See attached ordinance.

SUMMARY STATEMENT/DEPT. RECOMMENDATION:

The levy amount for the 2015 General Levy is \$1,411,235

This represents a dollar increase of \$17,361 over the
2014 General Levy. The increase is made up of two

components:

1) New Construction: \$3,422

2) 1.00% increase over prior
year levy: \$13,939

Total Increase \$17,361

Staff recommends approval of this ordinance on first reading.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KELSO FIXING THE ESTIMATED AMOUNT TO BE RAISED BY AD VALOREM TAXES AT \$1,411,235 FOR THE 2015 BUDGET OF THE CITY.

THE CITY COUNCIL OF THE CITY OF KELSO DO ORDAIN AS FOLLOWS:

SECTION 1. The estimated dollar amount to be raised upon real and personal property in Cowlitz County, Washington, to raise said dollar amount to cover the estimated budget needs of the City of Kelso for calendar year 2015 are as follows:

DOLLAR AMOUNT

General Levy \$1,411,235 or maximum allowed by law

SECTION 2. This Ordinance shall be in full force and effect five (5) days from and after its passage and publication of summary as required by law.

ADOPTED by the City Council and **SIGNED** by the Mayor this _____ day of _____, 2014.

MAYOR

ATTEST/AUTHENTICATION:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

PUBLISHED: _____

AGENDA SUMMARY SHEET

AGENDA ITEM: 1st reading of an
Ordinance of the City of Kelso amending
Kelso Municipal Code 5.05.120 to
increase tax rates for water, sewer and
garbage providers.

SUBMITTED BY: Brian Butterfield

AGENDA ITEM # _____
FOR AGENDA OF: 11/4/2014
ORIGINATING DEPT: Finance
DATE SUBMITTED: 10/30/2014
COST OF ITEM: _____
AMT. BUDGETED _____
CITY ATTY. APPROVAL _____
CITY MGR. APPROVAL _____

AGENDA ITEM PAPERWORK:

See attached ordinance.

SUMMARY STATEMENT:

During the budget discussion at the October 21, 2014, City Council meeting, Council directed staff to add two positions to the proposed preliminary budget. The two positions include one police patrol officer and one civil engineer. To defray the costs of the two new positions Council further directed staff to increase the utility tax on providers of water, sewer, and garbage services by 2%.

OPTIONS:

- 1) Move to approve ordinance on first reading.
- 2) Do not approve ordinance.
- 3) Provide direction to staff regarding desired changes.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KELSO AMENDING KMC 5.05.120 TO INCREASE UTILITY BUSINESS TAX RATES FROM EIGHTEEN PERCENT TO TWENTY PERCENT FOR WATER SEWER AND GARBAGE PROVIDERS

WHEREAS, the City has suffered from decreased or flat tax revenues combined with increased operating expenditures, and

WHEREAS, the City Council would like to enhance the services provided to the residents of the City of Kelso for the 2015/2016 biennium, and

WHEREAS, without additional revenue sources, these enhanced services to the residents of the City of Kelso would have a negative effect on the City's financial position;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KELSO DO ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT OF KMC 5.05.120. That Kelso Municipal Code Section 5.05.120—Imposition of the tax—Tax levied, Subsections E, F, and G are hereby amended to provide as follows:

5.05.120 Imposition of the tax—Tax levied.

Upon every person engaging within the city in any one or more of the businesses hereinafter mentioned, as to such person the license fee shall be equal to the gross operating revenue of the business multiplied by the rate set forth after the business, as follows:

[...]

E. The business of selling or furnishing water for hire, ~~twenty eighteen~~ percent of the total gross revenue.

F. The business of selling or furnishing sanitary sewer service, ~~twenty eighteen~~ percent of the total gross revenue.

G. The business of selling or furnishing garbage or refuse service, ~~twenty eighteen~~ percent of the total gross revenue.

SECTION 3. SEVERABILITY. The provisions of this Ordinance are declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Ordinance.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect January 1, 2015.

ADOPTED by the City Council and **SIGNED** by the Mayor this _____ day of November, 2014.

ATTEST/AUTHENTICATION:

MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

PUBLISHED:

AGENDA SUMMARY SHEET

Business of the City Council City of Kelso, Washington

SUBJECT TITLE:

Resolution to declare certain personal property as surplus and directing the deposition.

Agenda Item: _____

Dept. of Origin: Public Works-Fleet Division

For Agenda of: November 4, 2014

Cost of Item: _____

City Manager: Steve Taylor

PRESENTED BY:

Randy Johnson
Public Works Superintendent

AGENDA ITEM ATTACHMENTS:

Proposed Resolution

SUMMARY STATEMENT:

In accordance with RCW 35.94.040, a public hearing is required to declare certain personal property as surplus and no longer of necessary use to the city.

RECOMMENDED ACTION:

Declare items of personal property as surplus and dispose of according to city policy.

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY OF KELSO, WASHINGTON
AUTHORIZING THE SURPLUS AND SALE OF CERTAIN UTILITY PROPERTY**

WHEREAS, the City is the owner of certain vehicles purchased with utility funds for utility purposes; and

WHEREAS, these vehicles have reached the end of their useful life and were declared surplus by Resolution No. 13-1082 on March 5, 2013; and,

WHEREAS, RCW 35.94.040 requires a public hearing on the sale or lease of such property and a resolution setting forth the terms and conditions for such disposition; and

WHEREAS, the City Council held a public hearing and considered the matter on November 4, 2014; and

NOW THEREFORE, be it resolved by the City Council of the City of Kelso, Washington, as follows:

Section 1. Property Declared Surplus. The Council hereby ratifies and confirms that the following property has been declared surplus to the needs of the City. This property is no longer required for providing continued public utility service.

1. a. 2000 Chevrolet 3500 Service Truck and Body
VIN # 1GBK34J6YF421240 117,000 miles

- b. 2002 Dodge Ram 2500 Pickup
VIN# 3B7KC23Z22M277058 98,762

Section 2. Property Disposal Authorized. The City Manager is directed to dispose of the vehicles by sale by bid, auction, or private sale or such other method as is reasonably calculated to bring the best value to the City.

Section 3. Property Value. Upon staff evaluation, the City Council determines the fair market value of the property to be as follows:

- a. Fair Market Value: \$2500.00
- b. Fair Market Value: \$2900.00

Section 4. This Resolution shall be effective immediately upon its adoption.

ADOPTED by the City Council and **SIGNED** by the Mayor this ____ day of _____, 2014.

Mayor

Attest:/Authentication:

City Clerk

Approved as to form:

City Attorney

AGENDA SUMMARY SHEET

Business of the City Council City of Kelso, Washington

SUBJECT TITLE:

Resolution determining work at the Intersection of S. 13th Ave & Chestnut Street to be an Emergency, therefore exempt from formal bidding

Agenda Item: _____

Dept. of Origin: Public Works

For Agenda of: November 4, 2014

PRESENTED BY:

Michael G. Kardas, P.E.
Community Development Director/City Engineer
for Randy Johnson, Public Works Superintendent

Cost of Item: not to exceed \$10,000.00

City Manager: Steve Taylor

AGENDA ITEM ATTACHMENTS:

Proposed Resolution
Proposal Letter
Force Account Rates

SUMMARY STATEMENT:

A sinkhole has formed at the intersection of S. 13th Avenue and Chestnut Street. In order to determine the cause of this sinkhole and prepare to repair it as soon as possible, we have contracted with Rotschy, Inc. of Vancouver, WA to perform some exploratory excavation in the area on a time and materials basis not to exceed \$10,000.00.

FINANCIAL SUMMARY:

Time and Materials at the rates listed on the attached force account rates not to exceed \$10,000.00

RECOMMENDED ACTION:

Move to adopt this resolution for emergency contract work being performed at the intersection of S. 13th Ave and Chestnut Street without formal bidding.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF KELSO FINDING THE EXPLORATORY EXCAVATION AT THE INTERSECTION OF S. 13TH AVENUE AND CHESTNUT STREET TO BE A SPECIFIC EMERGENCY AND APPROVES CONTRACT FOR EMERGENCY REPAIR WORK WITHOUT FORMAL BIDDING.

WHEREAS, the law at RCW 39.04.280 recognizes emergencies which may justify exemption from bidding requirements on public works projects upon subsequent findings of the existence of the emergency; and

WHEREAS, the City has a duty to maintain the City right-of-ways in a safe manner to protect the public health, safety and welfare of its citizens; and

WHEREAS, the City right-of-way has the potential for being blocked and damage to personal property or life may be possible by the formation of a sinkhole in S. 13th Avenue; and

WHEREAS, as a result of the foregoing emergency, the City of Kelso entered into the following contract in the absence of taking formal bids:

1. "Rotschy, Inc." to perform exploratory investigation at hourly rates not to exceed \$10,000.00.

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KELSO DO RESOLVE AS FOLLOWS:

Section 1. Factual Findings in Support of Contract Award. The City Council finds the following:

1. High traffic volume and the potential safety risk to the public if a sinkhole were to develop. The work began on Monday, October 20, 2014.
2. The condition of the road continues to deteriorate.

3. City staff had reached the limits of their expertise.

Section 2. Existence of Emergency. The City Council finds that the conditions created by the sinking pavement constituted an emergency that justified the waiver of the competitive bidding requirements and the immediate award of the contract to Rotschy, Inc. to address the emergency situation without formal public bidding.

ADOPTED by the City Council and **SIGNED** by the Mayor this ____ day of _____, 2014.

MAYOR

ATTEST/AUTHENTICATION:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



9210 NE 62nd Ave. Vancouver, WA • P (360) 334-3100 • F (360) 334-3101

City of Kelso

October 22, 2014

Attn: Michael Kardas

RE: Potholing

Rotschy Inc will perform exploratory excavation for the City of Kelso at the city's direction. Costs will not exceed \$10,000 without additional authorization from the city. Force account rates will be based on the attached worksheet.

Thank you,

A handwritten signature in blue ink that reads "Michael McBride".

Michael McBride
Project Manager
Rotschy Inc.

AGENDA SUMMARY SHEET

Business of the City Council City of Kelso, Washington

SUBJECT TITLE:

Resolution determining work on Minor Road/Allen St. to be an Emergency, therefore exempt from formal bidding

Agenda Item: _____

Dept. of Origin: Engineering

For Agenda of: November 4, 2014

PRESENTED BY:

Michael G. Kardas, P.E.
Community Development Director/City Engineer

Cost of Item: \$16,556.40

City Manager: Steve Taylor

AGENDA ITEM ATTACHMENTS:

Proposed Resolution
Pro-Vac Estimate/Agreement

SUMMARY STATEMENT:

The City's large diameter storm drain on Minor Road that crosses Allen Street has possibly been damaged. Efforts to inspect the damage were unsuccessful due to a large volume of material in the pipe. The City does not have the experience, expertise, or additional manpower to clean and inspect a line of this size. There is an urgency to evaluate the condition of the pipe because of the high traffic volume and primacy of the route to schools.

Staff have determined that waiting to follow the open bid process might jeopardize the use of the intersection. ProVac of Puyallup, Washington was called as they are currently working to clean and inspect the large diameter pipe belonging to Three Rivers Regional Waste Water Association (TRRWA).

FINANCIAL SUMMARY:

The total contract amount of \$16,556.40 including tax will be paid via the Drainage Fund.

RECOMMENDED ACTION:

Move to adopt this resolution for emergency contract work to be performed on Minor Rd/Allen St. without formal bidding.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF KELSO FINDING THE
CLEAINING AND INSPECTION OF THE LARGE DIAMETER STORM
DRAIN ON MINOR ROAD TO BE A SPECIFIC EMERGENCY AND
APPROVES CONTRACT FOR EMERGENCY REPAIR WORK
WITHOUT FORMAL BIDDING.**

WHEREAS, the law at RCW 39.04.280 recognizes emergencies which may justify exemption from bidding requirements on public works projects upon subsequent findings of the existence of the emergency; and

WHEREAS, the City has a duty to maintain the City right-of-ways in a safe manner to protect the public health, safety and welfare of its citizens; and

WHEREAS, the City right-of-way has the potential for being blocked and damage to personal property or life may be possible by the failure of this large diameter storm drain; and

WHEREAS, as a result of the foregoing emergency, the City of Kelso entered into the following contract in the absence of taking formal bids:

1. "Pro-Vac" to perform the cleaning and inspection for a total cost of \$16,556.40 including tax.

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KELSO DO RESOLVE AS FOLLOWS:

Section 1. Factual Findings in Support of Contract Award. The City Council finds the following:

1. High traffic volume and the potential safety risk to the public if the pipe were to fail.
2. City staff had reached the limits of their expertise.

Section 2. Existence of Emergency. The City Council finds that the conditions created

by the uncertainty of the extent of the pipe damage and risks to the intersection constitute an emergency that justifies the waiver of the competitive bidding requirements and the immediate award of the contract to Pro-Vac to address the emergency situation without formal public bidding.

ADOPTED by the City Council and **SIGNED** by the Mayor this ____ day of _____, 2014.

MAYOR

ATTEST/AUTHENTICATION:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



6622 112th St E | Puyallup, WA 98373
(888) 565-5665 | Fax: (253) 435-5788 | www.pro-vac.com

10/23/14
City of Kelso
203 S. Pacific #205
Kelso WA

Allen St Storm Line
Proposal to clean storm

SCOPE OF WORK:

- Perform confined space entry if required.
- Vactor clean approximately 400' of 60" CMP storm pipe.
- CCTV inspect lines after cleaning has taken place.
- Provide DVD and inspection report for all lines inspected.
- Provide 2 vactor trucks and confined space gear along with ADS to reach into pipe for cleaning.
- Dispose of material at City of Kelso's fill site located at 2514 Talley Way.
- Work will be performed after 10pm.
- Nightly rate includes all labor, equipment, mobilization, and susistance

Nightly Rate: \$4,495.00

CCTV inspection when cleaning is finished: \$1,845.00

Estimate for 3 nights of cleaning and CCTV: \$15,330.00

Please note that the above estimate does not include sales tax, tax on materials, or permits.

We propose to furnish all materials and labor to perform work upon designated areas. Pro-Vac Clean Service will notify the customer of any problems or change of conditions. Disposal of waste will be in accordance with all state regulations, and any additional work found during the course of cleaning and inspection, will be forwarded upon another proposal.

Other services we provide:

- **Parking lot/street sweeping**
- **Storm drain main line cleaning/jetting**
- **Catch basin cleaning & repair**
- **Pipe inspection camera / grouting & repairs**
- **Emergency spill response**
- **Tank cleaning / confined space entry**

If you have any questions or need additional information, please don't hesitate to call me at (253) 435-4328.

Sincerely,

Graham Gill
Pro-Vac Clean Service
(253) 606-1072 | graham@pro-vac.com

Customer agrees to pay all the costs and fees charged for the services rendered as stated on this proposal. The terms are Net 30 days, 1.5% on unpaid balance monthly. If collection services are required, solely in the opinion of Pro-Vac, to collect the debt, I agree to pay reasonable costs for collection including attorney fees



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and costs and any collection agency fees. If legal action is required the parties agree that the venue of the action will be Pierce County Superior Court, State of Washington. It is further agreed that any accounts past due will be assessed at late fees of 1.5% per month, cumulative.

Customer Signature

Print Name

Date

Pro-Vac Signature

Print Name

Date