



# McCleary City Council

## AGENDA

**August 28, 2013**

### **7:00 Council Meeting**

Flag Salute

Roll Call

Public Hearings:           Marijuana Moratorium

Public Comment:

Minutes (Tab A)

Mayor's Report/Comments:

Staff Reports:           Dan Glenn, City Attorney (Tab B)  
                              Nick Bird, Director of Public Works (Tab C)  
                              Staff Reports (Tab D)

Old Business:           Engineering Standards (Tab E)

New Business:         Float Shed (Tab F)  
                              Progress Estimate #10 (Tab G)  
                              Simpson Track & Tune (Tab H)  
                              Free Standing Canopy Request (Tab I)  
                              Power Rates (Tab J)

Ordinances:            Marijuana Moratorium (Tab K)

Resolutions:

Vouchers

Mayor/Council Comments

Public Comment

Executive Session

Adjournment

Americans with Disabilities Act (ADA)  
Accommodation is Provided Upon Request

Please Turn Off Cell Phones – Thank You

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La ciudad de McCleary es un proveedor de igualdad de oportunidades y el empleador.

**CITY OF MCCLEARY**  
**Public Hearing and Regular City Council Meeting**  
**Wednesday, July 24, 2013**

ROLL CALL AND FLAG SALUTE Councilmember's Catterlin, Reed, Ator and Schiller.

ABSENT Councilmember Peterson was absent. **It was moved by Councilmember Ator, seconded by Councilmember Schiller to excuse Larry Peterson's absence. Motion Carried 4-0.**

STAFF PRESENT Present at the meeting were Dan Glenn, Wendy Collins, Nick Bird, and George Crumb.

PUBLIC COMMENT Tiffany Fox from the Bear Festival said the festival served 900 bowls of bear stew and had 200 parade entries. They are working on how to make the Sunday activities more profitable. She added the tournament went well.

Tita Mallory introduced herself as the new McCleary Elementary Superintendent. She walked in the parade with the school band and is pleased to be a part of the McCleary community. She looks forward to working and partnering with Councilmember's and the community members to support our families. Mayor Dent welcomed Ms. Mallory and is looking forward to working with her, as well.

MINUTES APPROVED **It was moved by Councilmember Catterlin seconded by Councilmember Reed to approve the minutes from the June 26, 2013 Council Meeting. Motion Carried 4-0.**

MAYOR'S COMMENTS Mayor Dent stated he has been going through some rough experiences last month and is trying to bounce back.

CITY ATTORNEY REPORT Dan Glenn is introducing a marijuana moratorium ordinance tonight which will broaden and extend the current moratorium. A Public Hearing will need to be scheduled for the August Council meeting.

DIRECTOR OF PUBLIC WORKS REPORT Nick Bird announced the nitrogen leak has been found at the 7th and Ash Street substation and will still require an outage to repair the leak. He has scheduled the outage for August 17th and will utilize this outage to install a 4 kV transformer if we receive it in time.

Nick heard from BPA informing him the power rates are increasing. They formalized the power rate increase to be 12.3 % and transmission rate will increase by 8.9%. Staff will have to review the rates to find how the impact is going to be on the financials as it is a significant increase.

PANIC ALARM After months of research and discussion, staff concluded Pioneer Fire and Security to be the most cost effective choice of the four bids submitted. **It was moved by Councilmember Ator, seconded by Councilmember Catterlin to authorize execution of a service agreement with Pioneer Fire and Security contingent on Legal Council review and concurrence of the service agreement. Motion Carried 4-0.**

DEVELOPMENT STANDARDS Mayor Dent asked the Council to review the development standards. Joe Chiaravalloti asked if the steel mill will be hiring American's or bring in Chinese workers? Mayor Dent responded by stating they will be hiring American employees.

RESOLUTION NO. 662 FLOAT SHED TRANSFER **It was moved by Councilmember Schiller, seconded by Councilmember Reed to adopt Resolution 662 authorizing an interfund transfer of property for the float shed property for \$60,000 from Light & Power fund to the Current Expense fund. Motion Carried 4-0.**

RIGHT OF WAY SURVEY ON MOMMSEN **It was moved by Councilmember Ator, seconded by Councilmember Schiller to authorize the City to prepare and execute Amendment No. 4 to the 2012 for conducting a right of way survey on Mommsen for cost not to exceed \$13,969. Motion Carried 4-0.**

WWTP ROOFING Quotes were received for one of the WWTP building roofs. Replacement of the roofing material is recommended to protect the integrity of the remaining structure. Pittman Construction, LLC gave the lowest bid. **It was moved by Councilmember Catterlin, seconded by Councilmember Reed to authorize Pittman Construction, LLC to proceed with replacing the roof at a cost of \$2,460 plus tax. Motion Carried 4-0.**

PORT BLAKELY EASEMENT **It was moved by Councilmember Reed, seconded by Councilmember Ator to authorize the City to execute the final easement, when received from Prot Blakely, subject to the Mayor's and Attorney Glenn's approval. Motion Carried 4-0.**

WSDOT CONSTURCTION EASEMENT A few months ago presentation regarding the need for a temporary construction easement was provided by Scotty Ireland, the Project Engineer for the SR 108 Wildcat Bridge Scour Repair Project. Council has had time to review the formal document identifying the temporary construction easement. **It was moved by Councilmember Schiller, seconded by Councilmember Ator to authorize the City to execute the attached property voucher and temporary construction easement with the WSDOT for the SR 108 Wildcat Creek Bridge Scour Repair Project for the administrative offer of \$6,000.00 for the easement. The \$6,000 will be receipted into the Current Expense fund. Motion Carried 4-0.**

EEI BILATERAL REQUEST The City had an Energy Efficiency Incentive (EEI) budget that is dictated by BPA. The City invoices BPA for conservation work done in our service area and BPA reimburses us for the invoiced amount. The program uses the federal fiscal calendar, which ends on September 30, 2013, and all un-invoiced EEI dollars will disappear on that date. The City estimates \$30,000 will be un-invoiced by September 30th. The City is working with Seattle City Light to facilitate a Bilateral Transfer that will allow us to loan Seattle City Light the remaining \$30,000 of our EEI budget before the deadline for their immediate use and they, in return, will give us \$30,000 for our EEI budget on October 1, 2013, which will allow us to use the money from October 1, 2013 to September 30, 2015 for EEI related activities. **It was moved by Councilmember Schiller, seconded by Councilmember Reed to authorize the City to execute the Bilateral Transfer Agreement forms to transfer \$30,000 from our EEI budget to Seattle City Light and they will transfer it back to us on October 1, 3013. Motion Carried 4-0.**

PROGRESS ESTIMATE NO. 9 **It was moved by Councilmember Ator, seconded by Councilmember Reed to authorize payment of Progress Estimate No. 9 to Award Construction in the amount of \$91,693.48 and deposit \$4,433.92 into the retainage account. Motion Carried 4-0.**

ORDINANCE NO. 797 MARIJUANA MORATORIUM EXTENTION The Council will adopt the ordinance tonight and will hold a Public Hearing at the August 28, 2013 meeting. **It was moved by Councilmember Catterlin, seconded by Councilmember Schiller to adopt Ordinance No. 797 reaffirming the moratorium upon medical marijuana collective gardens and dispensaries and extending that moratorium to other establishments involved in the sale, manufacturing, distribution, or use of marijuana, and directing the setting of a public hearing. Roll call taken in the affirmative. Ordinance Adopted 4-0.**

RESOLUTION - PERSONNEL COST ALLOCATION Tabled.

EXECUTIVE SESSION None.

PUBLIC COMMENT None.

APPROVAL OF VOUCHERS Accounts Payable vouchers/checks approved were 36606-36643 including EFT's in the amount of \$24,850.49 and 36672-36728 including EFT's in the amount of \$121,237.28.

Payroll vouchers/checks approved were 36533-36559 including EFT's in the amount of \$149,072.87.

**It was moved by Councilmember Ator, seconded by Councilmember Reed to approve the vouchers. Motion Carried 4-0.**

MEETING ADJOURNED **It was moved by Councilmember Catterlin, seconded by Councilmember Ator to adjourn the meeting at 7:38 PM. The next meeting will be August 28, 2013 at 7:00 PM. Motion Carried 4-0.**

Mayor Gary Dent: \_\_\_\_\_

Clerk-Treasurer Wendy Collins: \_\_\_\_\_

**MEMORANDUM**

TO: MAYOR AND CITY COUNCIL, City of McCleary  
FROM: DANIEL O. GLENN, City Attorney  
DATE: August 22, 2013  
RE: LEGAL ACTIVITIES as of AUGUST 28, 2013.

THIS DOCUMENT is prepared by the City Attorney for utilization by the City of McCleary and its elected officials and is subject to the attorney-client privileges to the extent not inconsistent with laws relating to public disclosure.

1. **I 502 IMPLEMENTATION**: On Thursday of last week I had the opportunity to attend in person a seminar in relation to this matter put on by AWC at their headquarters. When I received the notification, given the zoning tasks which are upcoming this area; I forwarded the information to Mr. Aaland as well as City staff. It is my understanding that Mr. Aaland "attended" through the even more prevalent webinar element of the presentation. I do not know if any City staff were able to attend through that methodology. The speakers included the two WSLCB staff most responsible for the develop of the implementation and a number of other speakers.

There was the not unanticipated discussion about the conflict between federal and state law in this area. However, in my view, a few of the most useful pieces of information were as follows:

A. Although the Act does not do so formally, the proposed rules recognize the right of a municipality to establish zoning regulations in relation to the location of facilities, whether in the growing area, the processing area, or the retail area. (As you are aware, at this stage Montesano does not have any zoning regulation dealing specifically with any of these three areas nor the location of the currently allowed medical dispensaries.

B. It is likely that the licenses will be allocated upon a population proration basis. The indication was that the LCB would be issuing a notification as to how many licensees each

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county and, apparently, each city would be potentially having within their limits

C. It is likely that licenses will be subject to issuance in the latter part of the first quarter of 2014 but that applications for licenses will be received commencing in the latter part of the third quarter or early part of the fourth quarter of 2013.

D. An assistance Seattle city attorney and a hearing examiner both indicated that it was important to have the zoning codes very clear. For instance, if one has an agricultural zone within its zoning code, is the growing of the product intended to be an authorized use.

In any event, it was several hours well spent from my viewpoint.

2. **BUILDING CODE UPDATE ORDINANCE**: Given the fact that there has been no formal updating of the uniform codes in place since 2004 and combined realities that certain changes have been made in certain of their titles, that more "standard" codes are being implemented by cities, and we have had problems with "nuisance" buildings, I am preparing for review and consideration for adoption an ordinance which would update the provisions of the City Code adopting uniform ordinances relating to the covered areas as well as adding several other unciform codes, including one relating to what I will characterized as nuisance buildings.

Upon completion of the draft, I will provide it to Mr. Mercer and Mr. Bird for their review and suggestions. Upon completion of their review, I will request that it be brought before you for formal consideration.

3. **LEMAY TAX COLLECTION MATTER**: With the assistance of Mr. Cox and Ms. Collins, a meeting has been arranged to follow up on prior discussions. As you may be aware, there apparently was some confusion among we who attended as to the outcome of the prior meeting. It is our hope to have a specific and mutually recognized status report to provide to you at this meeting.

4. **DEVELOPMENT STANDARDS UPDATING**: As you are aware, there is a goal to update the City's development standards, which are a different item than the building code area. It is my understanding that Mr. Bird will be presenting a recommendation as to utilizing the services of the City's consulting engineer in this area. They will likely be developed through the "morphing" of what are perceived to be the best elements of the standards of other cities adapted to McCleary's potential needs. As you may remember from the prior meetings, one issue present is the extent

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to which City staff, including the City Attorney, rather than the consultant develop the document. Nick has indicated that one of the problems is that the City does not have the technology a/k/a AutoCAD to develop the final version of the document. He has also expressed concern about the time demands which would be imposed. As you are aware, as was true when I developed the extensive update to the Sewer Code provision, it is my historical approach that we internalize as much as is reasonably possible before "outsourcing" a matter. Where Nick and I respectfully disagree is the extent to which we can internalize. Thus, the issue for the six of you to decide is the scope of the proposed outsourcing.

Enough said.

As always, this is not meant to be all inclusive. If you have any questions or comments, please direct them to me.

DG/le

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## STAFF REPORT

To: Mayor Dent  
From: Nick Bird, Director of Public Works  
Date: August 23, 2013  
Re: Current Non-Agenda Activity

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### Water Quality

Since last meeting we have had very few water quality complaints. We believe this is directly related to our aggressive flushing and increased chlorine dosage as mentioned in last month's report. We are continuing to monitor our chlorine residual throughout the distribution system, but customer feedback is our key source of information to ensure that this problem is completely addressed. If you or anyone you know is experiencing water quality problems (discoloration, smell, etc) please have them contact me so that we may record and address the problem.

### DOH Sanitary Survey

Every five years the Department of Health visits our water system to ensure that we are in compliance with all state and federal regulations for potable water purveyors. I am pleased to report that there were no system deficiencies! The formal report and notification has not been received, but we are anticipating some minor follow up photos and documentation may be required.

### Well 2 & 3 Project

The Contractor is currently completing punch list items. Project substantial completion was issued on July 31, 2013. We are still working out some of the kinks with some of the supplied equipment and we are still waiting on final operation and maintenance manuals for a few items. Project physical completion will be issued when all items required by the contract have been completed. The project will then be presented to Council for consideration to accept as complete. With some of the mechanical concerns going on right now, I am hesitant to provide an estimated date as to when that may be, as we cannot recommend the project to be accepted as complete if there are outstanding items of work that are not completed to our expectations.

We also began the liquidated damages discussion this last Tuesday. The bottom line is that the Contractor does not believe that he is liable for the liquidated damages. He did not provide a counter offer to our original proposal, but we did agree to follow up this upcoming Monday, so more information will likely be provided verbally at the Council Meeting.

### **Well / Reservoir Communication**

We have initiated discussion on this topic with a couple of equipment suppliers. We are somewhat skeptical of utilizing radio communication, as that has been known to fail (or limited by physical objects such as trees), but is presumed to be more reliable than hard communication lines than require an outside party to correct. This is likely an item that we will want to consider including in the 2014 budget so we will take our time evaluating our alternatives.

### **General Sewer Plan**

I attended the "funding training" for the Ecology Funding program last week. One key item that is necessary prior to executing the funding agreement is to establish the scope of work for the project. I sat down with Gray & Osborne this week to define our goals for the project. We will likely see the project outline first so that we can ensure our efforts are focused on the appropriate areas and then a full scope will be developed. We hope to have this work ironed out by the end of September and present the scope, budget, and agreement to Council for consideration.

### **Shoreline Management Plan**

We have been informed by the Department of Ecology that we are REQUIRED to prepare a Shoreline Management Plan. This is a land use and visioning document that identifies what requirements will be triggered in the event that somebody develops in a "shoreline designated area". When attending preliminary meetings, I informed Ecology that based on the current information shown online; we do not have any designated shorelines within our jurisdiction. They were shocked and ultimately followed up stating that the algae bloom infested beaver bond on Green Diamond property at the end of Sand Creek Road, which is only partially within our jurisdiction, is large enough to qualify as a shoreline, thus triggering the requirement. I am still working with Ecology to determine if this truly is a trigger. In the event we are required to complete this plan, it will likely cost somewhere in the range of \$30,000 to \$50,000. We have been told that a reimbursable grant will be provided, but the formal details on that are not available just yet.

### **Water System Plan**

Water System Plans are required for all Group A water systems every 6 years. Our last water system was last approved in 2008, which means that we will be required to complete the update in 2014. Generally a water system plan can take approximately 6-8 months to complete if the project goes relatively smoothly. We anticipated this work and included some money in the Water Fund to begin this process in 2013, but have held off until we established a timeline with the General Sewer Plan. Since our Interlocal Agreement with the County requires us to establish an Urban Service Boundary, we thought it prudent to combine the planning level effort outside the City with the work



being done for the General Sewer Plan to achieve some economy of scale. We will begin scoping this project in the next couple of months and will hopefully have a draft scope and budget to present in the last quarter of the year.

### **Underground Boring Equipment**

Well, another month goes by and we have not chased down the boring head as we previously discussed. We have been fortunate so far to have not needed the piece of equipment, but Murphy's Law will eventually catch up with us. This will be presented as an action item in the near future.

### **TIB Main Street Application**

We have prepared and submitted a grant application to the Transportation Improvement Board for reconstruction of the Main Street extension to the east of the elementary school. This project was chosen because we have received numerous complaints of the pavement width in this area, congestion that it generates during school pickup/dropoff times, it is on our 2014 STIP, and because it is a very small arterial project. The size was an important factor as most arterial projects are much larger than this and if TIB does not have enough to fully fund a project, the funds will slip down until a project can be fully funded (like ours). We will be notified in November if the City received the grant. The total project cost was approximately \$200,000. The grant requires a 5% local match, which means that if we choose to accept the grant, it will cost us about \$10,000 to complete a \$200,000 project.

### **TIB Ash Street Application**

We have prepared and submitted a grant application to TIB for work on Ash Street, which is also on our STIP. This work would be facilitated through the preservation program, which means it must be an overlay or chip seal. Because the pavement in this area is so poor, we elected to try a cement treated base project, where we grind up the existing rock and pavement while mixing in cement and use that for the road base. This process significantly increases the structural integrity of the pavement section; however, getting to utilities after the fact can present problems. In the areas where the work is planned, we will also plan to replace the water lines at a minimum (before the pavement project) so that we do not have to address problems after the fact. This project includes addressing the existing pavement deficiencies at all three intersections on Ash Street (7th, 8th, and 9th), as well as half of the block between 8th Street and 9th Street. Again, we will be notified in November if the City receives the grant. The total project cost of this work is just under \$100,000. This grant also requires a 5% local match, which means the work will cost us \$5,000 if the city chooses to accept the grant.

### **3rd Street Improvements Phase I**

We have not made any formal action on this project to date. Our next step is to proceed with consultant selection, as required by the Local Agency Guidelines (LAG) Manual. We originally intended to begin the Consultant selection process in the next couple of months, but at this time it seems prudent to see what is going to happen with our TIB Main Street Application.

### **Chip Seal Program**

No additional work has been done regarding this subject since it was last presented. We have yet worked with WSDOT to establish a revised agreement, but it is on the list and should be facilitated in the near future.

### **7th and Ash (12 kV) Substation**

You may have noticed that the lights did not go out on August 17th. We were informed three days before the event that the gasket we need has a three week lead time. Rather than schedule an outage and risk that the part shipped could be the wrong part, we want to have the material in hand before scheduling the outage. At this time, we are tentatively considering the end of September. We anticipate providing a three week notice. This will work well since we have the new transformer for the 4kV substation as well and can complete both items of work under one outage. In the event that the gas analysis for the 4kV substation does not look bad and we have material ordering issues, we may delay the outage until next spring. In any case, affected customers will be notified in a variety of ways to ensure that the majority of our customers are well informed.

### **2014 Budget**

It is that time of year again. We will begin evaluating our 2014 needs in the very near future. As has been done in the past, we will present a milestone timeline so that you know what to expect and when to expect it.

### **Snow Plow**

A while back, in a public works magazine, I saw that there were many agencies that had local school children paint a mural or school mascots on the front of the snow plow on an annual or bi-annual basis. I have initiated this conversation with Tita, the new school superintendent. We have not settled on anything yet, but if you have comments, I would love to hear them.

# STAFF REPORT

To: Mayor Dent  
From: Colin Mercer  
Date: August 2, 2013  
Re: July Building Department

## Activities

- Submit copies of permits issued to Grays Harbor County Assessor's Office.
- McCleary School playshed has completed the corrections and been issued a 90 day temporary occupancy pending the Grays Harbor County Health Department approval of the fitness equipment installation.
- The Beehive Harmony House is in the finishing stages of Phase 1.
- A placement permit for a shed was issued on Mommsen Rd.

## Nuisance Issues in Progress

- 413 S. 3<sup>rd</sup> St is scheduled to be cleaned up as soon as possible by the real estate company.
- 515 W Simpson, the bank has been notified of the overgrown conditions.
- Scotch Bloom Abate letters (14) were sent to various property owners.
- 414 S. 4<sup>th</sup> Street, the mortgage holder has been notified of the overgrown conditions.
- 610 S. 4<sup>th</sup> Street, the mortgage holder has started the cutting.
- 408 S. 2<sup>nd</sup> St the management company has been notified of the conditions and will be requesting maintenance on a bi-weekly schedule.
- 917 N. Summit Road, mortgage holder has been notified of the need to for maintenance.

## Nuisance Issues Resolved

- The overgrown property at 1515 N 5<sup>th</sup> has been taken care of by the bank.
- 709 W. Simpson has been maintained by the bank.
- 414 S. 4<sup>th</sup> Street has been maintained.
- 413 S. 3<sup>rd</sup> Street has been cleaned up and maintained, still working on the removal of the RV.
- 408 S. 2<sup>nd</sup> Street has been maintained.
- 917 N. Summit has been purchased and has been mowed.

## Comments:

- Lexar Homes and High Definition homes both have contacted the building department about potential single family home permits in Summit Place 2 in the near future.
- Another property owner from Summit Place 2 has asked questions about set backs etc.
- We will be sending out Conservation Flyers in next month's utility bills, reminding customers to make improvements to help lower their consumption and offering several incentive options.

## **Building Department Activity**

<b>ACTIVITY</b>	<b>MONTHLY TOTALS</b>	<b>YEAR TO DATE TOTALS</b>	<b>ACTIVITY EXPLANATION</b>
Customer Service	26	317	Answer building department related questions in person or by phone, meeting with potential applicants.
Building Permits Issued	3	19	Remodels, new construction & additions, both residential and commercial.
Plan Reviews Performed	0	9	Reviewing plans for building code and municipal code compliance.
Inspections Performed	12	103	Field inspections, writing of corrections or approving work.
Finals or Certificates of Occupancies	1	4	Performing of the final inspection & issuing of certificate of occupancy allowing use of the structure.
Complaints Received	0	6	Investigate and address citizen or staff reported issues, obtain resolution or acceptable compromise.
Nuisance Letters Sent	4	45	Formal notice from the City informing citizens of violations and providing expectation of the City for compliance.
Lemay's Garbage Letters Sent	0	68	Formal notice from City after notification from Lemay that service has been stopped.
Building Department Revenue	\$2033.00	\$5358.08	Funds generated by the Building Department from permits, inspections, reviews etc.

## **Conservation Program**

<b>Month</b>	<b>Applications Received</b>	<b>Conservation Permits Issued</b>	<b>Rebates Paid This Month</b>	<b>Total Rebates Paid To Date</b>
June	0	0	\$0.00	\$16,144.44
July	1	1	\$3229.00	\$19,373.44

## STAFF REPORT

To: Mayor Dent  
From: Paul Nott, Light & Power  
Date: August 23, 2013  
Re: July Report



	<b>Monthly Statistics;</b>	<b>YTD Totals;</b>
<b>New Services;</b>	<b>0</b>	<b>5</b>
<b>System Outages;</b>	<b>0</b>	<b>3</b>
<b>Pole Replacements;</b>	<b>3</b>	<b>9</b>
<b>Maintenance Work Orders;</b>	<b>4</b>	<b>18</b>
<b>Billable Work Orders;</b>	<b>0</b>	<b>6</b>

The month of July consisted of 4 maintenance work orders, no outages and a lot of brushing.

We completed the brushing on County Line Rd. and all lateral line extensions off that circuit.

We also started and completed the Caille line relocation. All that is left is wreck out of the old poles and hardware.

We have received and tested the replacement transformer for the 4KV substation; also, we have determined where we think the leak is at on 12KV substation transformer. Currently we are awaiting parts to repair the leak and once in hand we will be scheduling a city wide outage to make both repairs.

Wreck out at the wells still needs to be completed.

As soon as surveying is complete on Mommsen road we will begin a pole and re-conductor project. This will coordinate with the 4KV cutover.

As always if you have any questions feel free to contact us....

**Staff Report**

**To: Mayor Dent**  
**From: George M. Crumb, Chief of Police**  
**Date: August 22, 2013**  
**RE: For August 28, 2013 Council Meeting**

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**SUMMARY OF POLICE INCIDENTS / ACTIVITIES:**

The below listed information are calls or contacts received by McCleary Police Officers either generated by Grays Harbor County dispatch 911 service, citizen reports, call in, contacts, or other officer generated incidents:

\*1714 Incident histories reported as of time of this report (082213 / 1044 hrs).

- |                                     |  |
|-------------------------------------|--|
| 63-Speeding (from 072513 to 082213) | 10-Traffic Offense/Reckless/Hazard           |
| 05-DWLS                             | 02-Found-2/Lost Property Reports             |
| 00-Speeding in School Zone          | 07-Motorist Assist/Citizen Assist            |
| 01-Burglary                         | 05-Theft Reports                             |
| 09-Fire Response's                  | 00-Death, report                             |
| 02-Disorderly Conduct/Obstructing   | 01-Juvenile Problems/Run-a-way/1-missing     |
| 115-Traffic Stop's (as of 081913)   | 00-Malicious Mischief                        |
| 01-Harassment                       | 05-Warrant Arrests/Search Warrant/Confirm    |
| 0-Weapons Offense                   | 08-911 Open Line or Hang Up                  |
| 32-Agency Assist's                  | 01-Domestic Violence                         |
| 01-Drug Incidents                   | 04-Citizen dispute-1/Civil-2/Vio Pro Order-1 |
| 05-Animal Complaints                | 00-D.U.I.                                    |
| 00-Curfew Violations                | 01-Audible Alarm                             |
| 06-Welfare Checks                   | 02-Subject Stop                              |
| 03-Trespass (Criminal)              | 00-Traffic Accident                          |
| 08-Suspicious Person/Vehicle        | 00-Noise Complaints                          |
| 07-Police Information or Referrals  | 01-Fraud                                     |
| 00-Alcohol Offense                  | 01-Sex Offense                               |
| 01-Suicide Attempt                  | 01-Parking Complaint                         |
| 15-Insurance violation              | 02-Vehicle Prowl                             |
|                                     | 02-No Valid Operator's License (NVOL)        |

**Discussion:** Open:

Council Members Present: ALL.... Mr. Ator, Mr. Reed, Mr. Caterlin, Mr. Peterson,  
Mr.Shiller.

Mayor Dent: Present / Not Present \_\_\_\_\_

Officer Reporting: Chief Crumb \_\_\_\_\_

## STAFF REPORT

To: Mayor Dent  
From: Todd Baun, Public Facilities Manager  
Date: August 20<sup>th</sup>, 2013  
Re: August Report

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The following items are the highlights of what I have been working on during the past month.

- I still have received no contact from Mr. and Mrs. Gravatt on the storm water issue affecting their property located at 311 W. Simpson Ave. We are in a holding pattern until we receive the legal documents that have been given to them by the city.
- The crew is still filling in many potholes throughout the City.
- We are continuing our maintenance of our equipment and vehicles.
- We have fixed a few more water leaks that have popped up.
- We took inventory of all our tools and equipment. We will be inventorying all our repair parts in the next few weeks
- We have helped Kevin and Jon at the WWTP.
- The summer help have been doing an awesome job with many of the tasks that I have assigned to them.
- We are looking to replace a section of 2” water line on 3<sup>rd</sup> Street. This line is currently an iron pipe that has failed multiple times.
- We have been cleaning ditches and storm ponds. We only have a small section of ditches that need to be cleaned out.
- We flushed hydrants during the week of July 22nd. We got a significant amount of “poor” water out of our system.
- We replaced 2 manhole frames and lids on Summit Rd. They are manholes that are below grade and also wore out from traffic. We will be replacing 2 more at a later date.
- And as always, we are trying to keep up on all our routine and daily maintenance of the parks, cemetery, streets, water, sewer, storm and buildings.

If you have any questions, don't be afraid to ask. If you see something that needs attention or have any ideas that you would like me to pursue, my door is always open, so please come and talk to me.

To: Mayor Dent

From: Kevin Trewhella, Water/ Wastewater Plant Manager

Month: Aug, 2013

Re: Monthly Report

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Sir,

With the changes we have made at the Wastewater treatment plant we continue to have no upsets. With the fact that the treatment plant being 7 years old now, we anticipate some wear and tear on some equipment. An example of this is our cake Biosolids pump. Both Jon and I have spent several hours working on repairing it. A part called the stator has to be replaced. The manufacturer says getting 7 years of service on the pump without any breakdowns is excellent.

During the last month we saw our, much anticipated, well #3 come on-line..

Both Well #2 and Well #3 are operational now. The operation of the the well is very good. . Working in conjunction with the Public Works Department we are working to deliver water consistently of the high quality our citizens expect.

One subject I would like to keep to the forefront even during the dry season is asking you, sir and the council to keep in mind that with the dry season approaching that we need to keep in mind funding to resolve our I & I issues so that we may continue to operate the wastewater treatment facility without having to expand for several years.



## STAFF REPORT

To: Mayor Dent  
From: Colin Mercer Webmaster  
Date: August 2, 2013  
Re: July Website & Help Desk

### Re-Occurring Website Activities

- Council Agenda/Packet posted online.
- Council Minutes posted online.

### New Website Activity

- Upload the water heater flushing flyers to the water department page.
- Post burn ban notice on the fire department and home pages.

### Additional Tasks

- Create water heater flushing informational flyers.
- Coordinate the printing, and mailing out of the Consumer Confidence Reports for the water utility.

### Help Desk Activity

Month	Number of Incidents Reported	Staff Reported / Closed / Open	Citizen Reported / Closed / Open
April	12	8 / 0 / 28	4 / 2 / 12
May	13	5 / 5 / 28	8 / 3 / 17
June	7	6 / 1 / 33	1 / 6 / 12
July	8	3 / 2 / 34	5 / 7 / 10

### Website Comments:

None this month

**Website Traffic July 1, 2013 through July 31, 2013 (Top visited pages shown only)**

Section	Page Views	Percent of Total
<a href="#">Default Home Page</a>	3146	31.32%
<a href="#">Events Calendar</a>	600	5.97%
<a href="#">Agendas and Minutes</a>	348	3.46%
<a href="#">Bear Festival</a>	333	3.31%
<a href="#">City Departments</a>	326	3.25%
<a href="#">City Jobs</a>	309	3.08%
<a href="#">Conservation Program</a>	291	2.9%
<a href="#">Utilities</a>	273	2.72%
<a href="#">Water / Wastewater</a>	216	2.15%
<a href="#">Police</a>	195	1.94%
<a href="#">Mayor and Council</a>	169	1.68%
<a href="#">Public Facilities</a>	166	1.65%
<a href="#">City Forms &amp; Documents</a>	162	1.61%
<a href="#">Administration</a>	150	1.49%
<a href="#">Search Results</a>	147	1.46%
<a href="#">Planning Department</a>	125	1.24%
<a href="#">Fire</a>	123	1.22%
<a href="#">Municipal Code</a>	121	1.2%
<a href="#">City Photos</a>	114	1.13%
<a href="#">FAQ's Page</a>	106	1.06%
<a href="#">Home Page</a>	99	0.99%
<a href="#">Chamber of Commerce</a>	97	0.97%
<a href="#">Light &amp; Power</a>	89	0.89%
<a href="#">2008-13 Budget</a>	86	0.86%
<a href="#">Helpful Links</a>	85	0.85%
<a href="#">Bear Festival Photos</a>	79	0.79%
<a href="#">Municipal Court</a>	77	0.77%
<a href="#">Tell Us What You Think!</a>	72	0.72%
<a href="#">Development Services / Building</a>	71	0.71%
<a href="#">Previous Years Council Minutes</a>	58	0.58%
<a href="#">Data Page</a>	54	0.54%
<a href="#">Code, Ordinances &amp; Standards</a>	48	0.48%
<a href="#">Flood Photos 2009</a>	43	0.43%
<a href="#">65th Anniversary Photos</a>	39	0.39%
<a href="#">Park Project Photos</a>	36	0.36%
<a href="#">Christmas Photos 2007</a>	32	0.32%
<a href="#">Previous Years Council Agendas</a>	29	0.29%

**STAFF REPORT**

To: Mayor Dent  
From: Nick Bird, P.E., Director of Public Works  
Date: August 22, 2013  
Re: Engineering Standards

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At your request, we have coordinated with Gray & Osborne to prepare a scope and budget for revising the City's Existing Development Standards. The primary focus of the revision will be to address the Engineering Standards and associated details; this revision is not intended to be a revision of the Development Code in the McCleary Municipal Code. A brief summary of the scope includes 1) assessing current needs, 2) preparing a draft document, 3) review of the draft document with the City and stakeholders, and 4) compiling the final document. More detail is provided in the attached scope of work identified as Amendment No. 5.

The proposed not to exceed cost for this work is \$10,495, shown on the attached Exhibit A. The schedule shown in the attached Amendment indicates that a draft document will be provided in 2 months from notice to proceed and the final document will be provided two weeks after all comments have been provided. If approved at this meeting, we believe the draft document can be presented at the first meeting in November of 2013.

**Staff Recommendation:**

We believe replacing the standards will provide assist in providing clear and concise requirements for developers and will encourage responsible development within our community.

**Action Requested:**

Please consider authorizing the attached amendment if you so choose.

**AMENDMENT NO. 5  
TO  
CONTRACT FOR ENGINEERING SERVICES**

THIS AMENDMENT, entered into this \_\_\_\_\_ day of August 2013, by and between the City of McCleary, Washington, hereinafter referred to as the Agency, and Gray & Osborne, Inc., hereinafter referred to as the Engineer, hereby modifies the contract for engineering services dated (by Agency) June 20, 2012, for engineering services related to the Development Standard Update.

**DEVELOPMENT STANDARD UPDATE  
SCOPE OF WORK**

The City of McCleary would like to review and update its Development Standards so that they are consistent with current practice within the industry and provide clear and concise direction to developers on the design and construction standards for work on public utility systems and on infrastructure with the City's right-of-way. Gray & Osborne proposes to provide the following services to complete the Development Standards update.

1. Assess Current Development Standard Needs
  - a. Meet with City staff to discuss development standard needs and identify preferences and key issues to incorporate in the update.
  - b. Review with City staff potential standards templates from other municipalities that could be used as models.
2. Prepare Draft Development Standards Update
  - a. Develop text standards for development of water, sewer, street, and stormwater infrastructure. Standards will be based on templates from other municipalities and City preferences.
  - b. Prepare standard details for water, sewer, street, and stormwater construction based upon selected models and City preferences.
  - c. Complete Quality Assurance/Quality Control review of standards.
  - d. Review the McCleary Municipal Code and identify areas that need to be updated or revised to be consistent with the proposed development standards.
3. Review Draft Standards with the City
  - a. Meet with City staff to review draft standards.

- b. Attend up to 2 meetings with the City Council and development community to review and discuss the proposed draft standards.
4. Prepare Final Development Standards
- a. Make revisions to proposed standards based on comments received.
  - b. Prepare final development standards.

**DELIVERABLES**

Deliverables will be provided in the following format:

- Five copies of draft Development Standards.
- One reproducible original of final Development Standards
- Three copies of final Development Standards
- One CD with electronic files of final document in both native and pdf format

**SCHEDULE**

Provide draft Development Standards within 60 days of Notice to Proceed. Provide final Development Standards within 14 day of receipt of comments on draft Development Standards.

**AGREEMENT**

The total compensation for services provided under this Contract Amendment shall not exceed \$10,826 as shown in the attached Exhibit "A" without prior written authorization from the Agency.

**GRAY & OSBORNE, INC.**

**CITY OF MCCLEARY**

By:  By: \_\_\_\_\_  
 (Signature) (Signature)

Name: Thomas M. Zerkel, P.E., President Name: \_\_\_\_\_  
 GRAY & OSBORNE, INC. (Print)

Date: August 1, 2013 Date: \_\_\_\_\_

"Equal Opportunity/Affirmative Action Employer"

## EXHIBIT "A"

### ENGINEERING SERVICES SCOPE AND ESTIMATED COST

*City of McCleary - Development Standards Update*

Tasks	Principal Hours	Civil Eng. Hours	CADD Tech. Hours
1. Assess Current Development Standard Needs	2	2	
2. Prepare Draft Development Standards Update	4	24	24
3. Review Draft Standards with the City	8		
4. Prepare Final Development Standards	2	12	12
Hour Estimate:	16	38	36
Estimated Hourly Rates:	\$56	\$36	\$28
Direct Labor Cost	\$896	\$1,368	\$1,008

Subtotal Direct Labor:	\$ 3,272
Indirect Costs (180%)	\$ 5,890
Total Labor Cost:	\$ 9,162
Fee (15%):	\$ 1,374
Subtotal Labor & Fees:	\$ 10,536
Direct Non-Salary Cost:	
Mileage & Expenses (Mileage @ \$0.56/mile)	\$ 90
Printing	\$ 200
<b>TOTAL ESTIMATED COST:</b>	<b>\$ 10,826</b>

**STAFF REPORT**

To: Mayor Dent  
From: Nick Bird, P.E., Director of Public Works  
Date: August 22, 2013  
Re: Float Shed

---

Last meeting the Council initiated the property transfer of the subject property to Light and Power. As this structure is in such a state of disrepair, we would suggest moving forward in the demolition process. Our end goal for the first phase is to remove the asbestos containing material, demolish the structure, gravel the lot, and fence the property.

While we are pretty certain which direction you are going to choose, what we would like to do at this time is to confirm the process. There are two paths that we are envisioning. The first is to utilize the services of the City Engineer in preparing a bid package for a limited public works project to encompass the all of the work. The second path is to utilize City staff as much as possible to minimize the out of pocket cost, removing the ACM via one contract, demolishing the building and graveling the lot under another contract and fencing the property under a third contract. In effect, the City would be operating as the general contractor facilitating the work.

The first option would likely result in more out of pocket costs due to engineering services, however the schedule of the project would be significantly condensed allowing the project to be completed rapidly. The second option would minimize out of pocket costs but would likely allow the project to drag on into 2014 because of our limited resources.

At this time, we need direction on whether to expeditiously remove the liability or to conserve financial resources, accepting the liability for a little bit longer, and minimize out of pocket costs.

**Staff Recommendation:**

While we may be able to minimize the out of pocket costs by conducting the administrative work internally, we are in effect internalizing an external cost, which means the total project cost may be equal either way we go. At a minimum, before launching head long in a give direction, it would seem prudent to see what the external cost is before moving forward.

**Action Requested:**

Please discuss this topic and let staff know how you would like to proceed.

**STAFF REPORT**

To: Mayor Dent  
From: Nick Bird, P.E., Director of Public Works  
Date: August 22, 2013  
Re: Well 2/3 Progress Estimate No. 10

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Attached you will find a copy of Progress Estimate No. 10 for the Wellfield Improvements Project. As usual, included with this Progress Estimate is a summary of work performed during the progress estimate time period.

**Action Requested:**

Please authorize payment of Progress Estimate No. 10 to Award Construction in the amount of \$56,125.01 and deposit \$2,713.97 into the retainage account.





August 12, 2013

Mr. Nick Bird, P.E.  
City of McCleary  
100 South Third Street  
McCleary, Washington 98557

SUBJECT: PROGRESS ESTIMATE NO. 10, WELL FIELD IMPROVEMENTS  
PROJECT  
CITY OF MCCLEARY, GRAYS HARBOR COUNTY, WASHINGTON  
G&O #11551.01

Dear Mr. Bird:

We have enclosed two copies of Progress Estimate No. 10 for this project. Also enclosed is a summary of the work performed to date. The total amount now due the contractor and the amount to be deposited in the retainage account are as follows:

<u>Amount Now Due</u>	<u>Amount to be Deposited in Retainage Account</u>	<u>Total Retainage Amount</u>
\$56,125.01	\$2,713.97	\$59,753.40

Please call the undersigned if you have any questions or concerns regarding this matter.

Very truly yours,

GRAY & OSBORNE, INC.

  
Joe Plahuta, P.E.

JP/sp  
Encl.

cc: Mr. Todd Vasey, Award Construction, Inc.

**PROGRESS ESTIMATE NO. 10**

AUGUST 12, 2013

CITY OF MCCLEARY  
 GRAYS HARBOR COUNTY  
 WASHINGTON

PROGRESS ESTIMATE PERIOD  
 JULY 13, 2013 TO AUGUST 9, 2013

PROJECT:  
 CITY OF MCCLEARY  
 WELLFIELD IMPROVEMENTS  
 G&O JOB NUMBER #11551.01

CONTRACTOR:  
 AWARD CONSTRUCTION, INC.  
 980 WILLEYS LAKE ROAD  
 FERNDALE, WA 98248

NO.	DESCRIPTION	BID ITEMS		QUANTITIES		PROJECT COSTS		PERCENT OF CONTRACT QUANTITY
		QUANTITY	UNIT PRICE	TOTAL TO DATE	TOTAL THIS PERIOD	AMOUNT TO DATE	AMOUNT THIS PERIOD	
1	Mobilization, Cleanup and Demobilization	1 LS	\$60,000.00	75.00%	0.00%	\$45,000.00	\$0.00	75%
2	Minor Changes	1 CALC	\$5,000.00	98.19%	3.00%	\$4,909.30	\$150.00	98%
3	Demolition	1 LS	\$13,500.00	100.00%	0.00%	\$13,500.00	\$0.00	100%
4	Locate Existing Utilities	8 EA	\$300.00	9	0	\$2,700.00	\$0.00	113%
5	Trench Excavation Safety System	1 LS	\$80.00	100.00%	0.00%	\$80.00	\$0.00	100%
6	Excavation, Backfill, Compaction and Grading	1 LS	\$11,600.00	100.00%	0.00%	\$11,600.00	\$0.00	100%
7	Special Excavation of Unsuitable Material	25 CY	\$65.00	0	0	\$0.00	\$0.00	0%
8	Erosion Control	1 LS	\$15,000.00	95.00%	5.00%	\$14,250.00	\$750.00	95%
9	Railroad Borings	1 LS	\$20,000.00	100.00%	0.00%	\$20,000.00	\$0.00	100%
10	Foundation Gravel	75 CY	\$60.00	35	0	\$2,100.00	\$0.00	47%
11	Gravel Borrow	225 TN*	\$22.50	238	15	\$5,355.00	\$337.50	106%
12	Crushed Surfacing Top Course	250 TN	\$34.00	255	63	\$8,670.00	\$2,142.00	102%
13	Quarry Spalls	5 CY	\$120.00	1	0	\$120.00	\$0.00	20%
14	Commercial HMA	25 TN	\$135.00	25	0	\$3,375.00	\$0.00	100%
15	Topsoil	150 CY	\$38.00	45	0	\$1,710.00	\$0.00	30%
16	Hydroseeding	800 SY	\$1.10	667	0	\$733.70	\$0.00	83%
17	Operations Building	1 LS	\$180,000.00	98.00%	0.00%	\$176,400.00	\$0.00	98%
18	Existing Well No. 3 Building Modifications	1 LS	\$56,000.00	95.00%	45.00%	\$53,200.00	\$25,200.00	95%
19	Replace Well No. 2 Pump	1 LS	\$70,000.00	100.00%	0.00%	\$70,000.00	\$0.00	100%
20	Replace Well No. 3 Pump	1 LS	\$66,000.00	95.00%	20.00%	\$62,700.00	\$13,200.00	95%
21	Pyrolusite Treatment System	1 LS	\$110,000.00	100.00%	0.00%	\$110,000.00	\$0.00	100%
22	Sodium Hypochlorite Feed System	1 LS	\$31,000.00	100.00%	0.00%	\$31,000.00	\$0.00	100%
23	Potassium Permanganate Feed	1 LS	\$20,000.00	100.00%	0.00%	\$20,000.00	\$0.00	100%
24	Piping, Valves and Appurtenances	1 LS	\$211,000.00	100.00%	2.00%	\$211,000.00	\$4,220.00	100%
25	Electrical, Telemetry and Instrumentation	1 LS	\$276,000.00	98.00%	3.00%	\$270,480.00	\$8,280.00	98%
*Per Change Order No. 1, the contract quantity of gravel borrow has changed from 450 tons to 225 tons.								
<b>CHANGE ORDERS:</b>						\$0.00	\$0.00	
CO1								
	Install Additional Pipe	1 LS	\$4,413.42	100.00%	0.00%	\$4,413.42	\$0.00	100%
	Materials Testing and Segregation	1 LS	\$1,821.70	100.00%	0.00%	\$1,821.70	\$0.00	100%
	Generator Conduits	1 LS	\$2,328.29	100.00%	0.00%	\$2,328.29	\$0.00	100%
	Relocate Discharge Line	1 LS	(\$706.38)	100.00%	0.00%	(\$706.38)	\$0.00	100%
Well No. 2 Rehabilitation								
	Change Well Casing Extension from 12" to 20"	1 LS	\$1,210.00	100.00%	0.00%	\$1,210.00	\$0.00	100%
	Sonar Jetting the Well Screen	1 LS	\$3,891.15	100.00%	0.00%	\$3,891.15	\$0.00	100%
	Well Cleanup	16 HR	\$302.50	27	0	\$8,167.50	\$0.00	169%

**PROGRESS ESTIMATE NO. 10**

AUGUST 12, 2013

CITY OF MCCLEARY  
 GRAYS HARBOR COUNTY  
 WASHINGTON

PROGRESS ESTIMATE PERIOD  
 JULY 13, 2013 TO AUGUST 9, 2013

PROJECT:  
 CITY OF MCCLEARY  
 WELLFIELD IMPROVEMENTS  
 G&O JOB NUMBER #11551.01

CONTRACTOR:  
 AWARD CONSTRUCTION, INC.  
 980 WILLEYS LAKE ROAD  
 FERNDALE, WA 98248

BID ITEMS				QUANTITIES		PROJECT COSTS		PERCENT OF CONTRACT QUANTITY
NO.	DESCRIPTION	QUANTITY UNIT	UNIT PRICE	TOTAL TO DATE	TOTAL THIS PERIOD	AMOUNT TO DATE	AMOUNT THIS PERIOD	
CO2						\$0.00	\$0.00	
	Raise Building Elevation	1 LS	\$700.65	100.00%	0.00%	\$700.65	\$0.00	100%
	Install Additional Fitting	1' LS	\$889.65	100.00%	0.00%	\$889.65	\$0.00	100%
	Well No. 3 Rehabilitation							
	Well Cleanup	27 HR	\$302.50	26.5	26.5	\$8,016.25	\$0.00	98%
	Post Cleaning Video Inspection	1 LS	\$825.00	100.00%	0.00%	\$825.00	\$0.00	100%
CO3								
CO4	Recommission Well No. 1 and Demolish							
	Building	1 LS	\$9,875.00	100.00%	0.00%	\$9,875.00	\$0.00	100%
CO5	Install New Well Screen on Well No. 3	1 LS	\$13,678.50	100.00%	0.00%	\$13,678.50	\$0.00	100%
	Install New Sheeting on Well No. 3							
	Building	1 LS	\$3,864.95	100.00%	0.00%	\$3,864.95	\$0.00	100%
	Credit for Less Siding Replacement	1 LS	(\$2,790.59)	100.00%	0.00%	(\$2,790.59)	\$0.00	100%

				PROJECT COSTS	
				AMOUNT TO DATE	AMOUNT THIS PERIOD
<b>TOTAL EARNED TO DATE</b>				\$1,195,068.09	\$54,279.50
<b>SALES TAX</b>				8.40%	\$4,559.48
<b>MATERIALS ON HAND (INCLUDING SALES TAX)</b>				\$0.00	\$0.00
<b>TOTAL WITH SALES TAX (Incl. Materials on Hand)</b>				\$1,295,453.82	\$58,838.98
<b>LESS 5% RETAINED (BEFORE TAX)</b>				\$59,753.40	\$2,713.97
<b>TOTAL EARNED TO DATE LESS RETAINAGE</b>				\$1,235,700.41	

<b>ORIGINAL CONTRACT AMOUNT</b>	\$1,182,885.00
<b>CONTRACT AMOUNT WITH CHANGE ORDERS 1-4</b>	\$1,216,078.48
<b>CONTRACT PERCENTAGE TO DATE</b>	98%

PROGRESS ESTIMATE NO. 1	\$157,255.89
PROGRESS ESTIMATE NO. 2	\$303,871.80
PROGRESS ESTIMATE NO. 3	\$220,704.20
PROGRESS ESTIMATE NO. 4	\$64,904.18
PROGRESS ESTIMATE NO. 5	\$98,431.94
PROGRESS ESTIMATE NO. 6	\$139,310.82
PROGRESS ESTIMATE NO. 7	\$35,288.35
PROGRESS ESTIMATE NO. 8	\$68,114.75
PROGRESS ESTIMATE NO. 9	\$91,693.48
<b>TOTAL PAYMENT NOW DUE:</b>	<b>\$56,125.01</b>

**PROGRESS ESTIMATE NO. 10**  
**AUGUST 12, 2013**

CITY OF MCCLEARY  
 GRAYS HARBOR COUNTY  
 WASHINGTON

PROGRESS ESTIMATE PERIOD  
 JULY 13, 2013 TO AUGUST 9, 2013

PROJECT:  
 CITY OF MCCLEARY  
 WELLFIELD IMPROVEMENTS  
 G&O JOB NUMBER #11551.01

CONTRACTOR:  
 AWARD CONSTRUCTION, INC.  
 980 WILLEYS LAKE ROAD  
 FERNDALE, WA 98248

I HEREBY CERTIFY THE ABOVE ESTIMATE IS  
 A TRUE AND CORRECT STATEMENT OF THE  
 WORK PERFORMED UNDER THIS CONTRACT.

I HEREBY CERTIFY THAT THE  
 PREVAILING WAGES HAVE BEEN PAID IN  
 ACCORDANCE WITH RCW 39.12.

GRAY & OSBORNE, INC.

AWARD CONSTRUCTION, INC.

  
 \_\_\_\_\_  
 JOE PLAHUTA, P.E.

  
 \_\_\_\_\_  
 CONTRACTOR'S REPRESENTATIVE

**SUMMARY AND DISTRIBUTION OF PAYMENTS**

PAY EST NO.	PROGRESS ESTIMATE PERIOD DATES	TOTAL EARNED PER PERIOD	SALES TAX RATE	SALES TAX AMOUNT	MATERIALS ON HAND	RETAINAGE (5%)	TOTAL PAYMENT
1.	SEPTEMBER 4, 2012 TO SEPTEMBER 28, 2012	\$152,085.00	8.40%	\$12,775.14	\$0.00	\$7,604.25	\$157,255.89
2.	SEPTEMBER 29, 2012 TO OCTOBER 31, 2012	\$293,879.88	8.40%	\$24,685.91	\$0.00	\$14,693.99	\$303,871.80
3.	NOVEMBER 1, 2012 TO NOVEMBER 30, 2012	\$213,447.00	8.40%	\$17,929.55	\$0.00	\$10,672.35	\$220,704.19
4.	DECEMBER 1, 2012 TO DECEMBER 31, 2012	\$62,770.00	8.40%	\$5,272.68	\$0.00	\$3,138.50	\$64,904.18
5.	JANUARY 1, 2013 TO JANUARY 31, 2013	\$95,195.30	8.40%	\$7,996.41	\$0.00	\$4,759.77	\$98,431.94
6.	FEBRUARY 1, 2013 TO FEBRUARY 28, 2013	\$134,730.00	8.40%	\$11,317.32	\$0.00	\$6,736.50	\$139,310.82
7.	MARCH 1, 2013 TO APRIL 30, 2013	\$34,128.00	8.40%	\$2,866.75	\$0.00	\$1,706.40	\$35,288.35
8.	MAY 1, 2013 TO JUNE 10, 2013	\$65,875.00	8.40%	\$5,533.50	\$0.00	\$3,293.75	\$68,114.75
9.	JUNE 11, 2013 TO JULY 12, 2013	\$88,678.41	8.40%	\$7,448.99	\$0.00	\$4,433.92	\$91,693.48
10.	JULY 13, 2013 TO AUGUST 9, 2013	\$54,279.50	8.40%	\$4,559.48	\$0.00	\$2,713.97	\$56,125.01
<b>TOTAL:</b>		<b>\$1,195,068.09</b>		<b>\$100,385.73</b>	<b>\$0.00</b>	<b>\$59,753.40</b>	<b>\$1,235,700.41</b>

**PROGRESS ESTIMATE NO. 10**  
AUGUST 12, 2013

CITY OF MCCLEARY  
GRAYS HARBOR COUNTY  
WASHINGTON

PROGRESS ESTIMATE PERIOD  
JULY 13, 2013 TO AUGUST 9, 2013

PROJECT:  
CITY OF MCCLEARY  
WELLFIELD IMPROVEMENTS  
G&O JOB NUMBER #11551.01

CONTRACTOR:  
AWARD CONSTRUCTION, INC.  
980 WILLEYS LAKE ROAD  
FERNDALE, WA 98248

NO.	DESCRIPTION	BID ITEMS		QUANTITIES		PROJECT COSTS		PERCENT OF CONTRACT QUANTITY		
		QUANTITY	UNIT	UNIT PRICE	TOTAL TO DATE	TOTAL THIS PERIOD	AMOUNT TO DATE		AMOUNT THIS PERIOD	
1	Mobilization, Cleanup and Demobilization	1	LS	\$60,000.00	75.00%	0.00%	\$45,000.00	\$0.00	75%	
2	Minor Changes	1	CALC	\$5,000.00	98.19%	3.00%	\$4,909.30	\$150.00	98%	
3	Demolition	1	LS	\$13,500.00	100.00%	0.00%	\$13,500.00	\$0.00	100%	
4	Locate Existing Utilities	8	EA	\$300.00	9	0	\$2,700.00	\$0.00	113%	
5	Trench Excavation Safety System	1	LS	\$80.00	100.00%	0.00%	\$80.00	\$0.00	100%	
6	Excavation, Backfill, Compaction and Grading	1	LS	\$11,600.00	100.00%	0.00%	\$11,600.00	\$0.00	100%	
7	Special Excavation of Unsuitable Material	25	CY	\$65.00	0	0	\$0.00	\$0.00	0%	
8	Erosion Control	1	LS	\$15,000.00	95.00%	5.00%	\$14,250.00	\$750.00	95%	
9	Railroad Borings	1	LS	\$20,000.00	100.00%	0.00%	\$20,000.00	\$0.00	100%	
10	Foundation Gravel	75	CY	\$60.00	35	0	\$2,100.00	\$0.00	47%	
11	Gravel Borrow	225	TN*	\$22.50	238	15	\$5,355.00	\$337.50	106%	
12	Crushed Surfacing Top Course	250	TN	\$34.00	255	63	\$8,670.00	\$2,142.00	102%	
13	Quarry Spalls	5	CY	\$120.00	1	0	\$120.00	\$0.00	20%	
14	Commercial HMA	25	TN	\$135.00	25	0	\$3,375.00	\$0.00	100%	
15	Topsoil	150	CY	\$38.00	45	0	\$1,710.00	\$0.00	30%	
16	Hydroseeding	800	SY	\$1.10	667	0	\$733.70	\$0.00	83%	
17	Operations Building	1	LS	\$180,000.00	98.00%	0.00%	\$176,400.00	\$0.00	98%	
18	Existing Well No. 3 Building Modifications	1	LS	\$56,000.00	95.00%	45.00%	\$53,200.00	\$25,200.00	95%	
19	Replace Well No. 2 Pump	1	LS	\$70,000.00	100.00%	0.00%	\$70,000.00	\$0.00	100%	
20	Replace Well No. 3 Pump	1	LS	\$66,000.00	95.00%	20.00%	\$62,700.00	\$13,200.00	95%	
21	Pyrolusite Treatment System	1	LS	\$110,000.00	100.00%	0.00%	\$110,000.00	\$0.00	100%	
22	Sodium Hypochlorite Feed System	1	LS	\$31,000.00	100.00%	0.00%	\$31,000.00	\$0.00	100%	
23	Potassium Permanganate Feed	1	LS	\$20,000.00	100.00%	0.00%	\$20,000.00	\$0.00	100%	
24	Piping, Valves and Appurtenances	1	LS	\$211,000.00	100.00%	2.00%	\$211,000.00	\$4,220.00	100%	
25	Electrical, Telemetry and Instrumentation	1	LS	\$276,000.00	98.00%	3.00%	\$270,480.00	\$8,280.00	98%	
*Per Change Order No. 1, the contract quantity of gravel borrow has changed from 450 tons to 225 tons.										
<b>CHANGE ORDERS:</b>										
CO1								\$0.00	\$0.00	
	Install Additional Pipe	1	LS	\$4,413.42	100.00%	0.00%	\$4,413.42	\$0.00	100%	
	Materials Testing and Segregation	1	LS	\$1,821.70	100.00%	0.00%	\$1,821.70	\$0.00	100%	
	Generator Conduits	1	LS	\$2,328.29	100.00%	0.00%	\$2,328.29	\$0.00	100%	
	Relocate Discharge Line	1	LS	(\$706.38)	100.00%	0.00%	(\$706.38)	\$0.00	100%	
Well No. 2 Rehabilitation										
	Change Well Casing Extension from 12" to 20"	1	LS	\$1,210.00	100.00%	0.00%	\$1,210.00	\$0.00	100%	
	Sonar Jetting the Well Screen	1	LS	\$3,891.15	100.00%	0.00%	\$3,891.15	\$0.00	100%	
	Well Cleanup	16	HR	\$302.50	27	0	\$8,167.50	\$0.00	169%	

**PROGRESS ESTIMATE NO. 10**

AUGUST 12, 2013

CITY OF MCCLEARY  
 GRAYS HARBOR COUNTY  
 WASHINGTON

PROGRESS ESTIMATE PERIOD  
 JULY 13, 2013 TO AUGUST 9, 2013

PROJECT:  
 CITY OF MCCLEARY  
 WELLFIELD IMPROVEMENTS  
 G&O JOB NUMBER #11551.01

CONTRACTOR:  
 AWARD CONSTRUCTION, INC.  
 980 WILLEYS LAKE ROAD  
 FERNDALE, WA 98248

BID ITEMS				QUANTITIES		PROJECT COSTS		PERCENT OF CONTRACT QUANTITY
NO.	DESCRIPTION	QUANTITY UNIT	UNIT PRICE	TOTAL TO DATE	TOTAL THIS PERIOD	AMOUNT TO DATE	AMOUNT THIS PERIOD	
CO2						\$0.00	\$0.00	
	Raise Building Elevation	1 LS	\$700.65	100.00%	0.00%	\$700.65	\$0.00	100%
	Install Additional Fitting Well No. 3 Rehabilitation	1 LS	\$889.65	100.00%	0.00%	\$889.65	\$0.00	100%
	Well Cleanup	27 HR	\$302.50	26.5	26.5	\$8,016.25	\$0.00	98%
	Post Cleaning Video Inspection	1 LS	\$825.00	100.00%	0.00%	\$825.00	\$0.00	100%
CO3								
CO4	Recommission Well No. 1 and Demolish Building	1 LS	\$9,875.00	100.00%	0.00%	\$9,875.00	\$0.00	100%
CO5	Install New Well Screen on Well No. 3	1 LS	\$13,678.50	100.00%	0.00%	\$13,678.50	\$0.00	100%
	Install New Sheeting on Well No. 3 Building	1 LS	\$3,864.95	100.00%	0.00%	\$3,864.95	\$0.00	100%
	Credit for Less Siding Replacement	1 LS	(\$2,790.59)	100.00%	0.00%	(\$2,790.59)	\$0.00	100%

**PROJECT COSTS**

	AMOUNT TO DATE	AMOUNT THIS PERIOD
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<b>TOTAL EARNED TO DATE</b>	\$1,195,068.09	\$54,279.50
<b>SALES TAX</b>	8.40% \$100,385.73	\$4,559.48
<b>MATERIALS ON HAND (INCLUDING SALES TAX)</b>	\$0.00	\$0.00
<b>TOTAL WITH SALES TAX (Incl. Materials on Hand)</b>	\$1,295,453.82	\$58,838.98
<b>LESS 5% RETAINED (BEFORE TAX)</b>	\$59,753.40	\$2,713.97
<b>TOTAL EARNED TO DATE LESS RETAINAGE</b>	\$1,235,700.41	

<b>ORIGINAL CONTRACT AMOUNT</b>	\$1,182,885.00
<b>CONTRACT AMOUNT WITH CHANGE ORDERS 1-4</b>	\$1,216,078.48
<b>CONTRACT PERCENTAGE TO DATE</b>	98%

PROGRESS ESTIMATE NO. 1	\$157,255.89
PROGRESS ESTIMATE NO. 2	\$303,871.80
PROGRESS ESTIMATE NO. 3	\$220,704.20
PROGRESS ESTIMATE NO. 4	\$64,904.18
PROGRESS ESTIMATE NO. 5	\$98,431.94
PROGRESS ESTIMATE NO. 6	\$139,310.82
PROGRESS ESTIMATE NO. 7	\$35,288.35
PROGRESS ESTIMATE NO. 8	\$68,114.75
PROGRESS ESTIMATE NO. 9	\$91,693.48
<b>TOTAL PAYMENT NOW DUE:</b>	\$56,125.01

**PROGRESS ESTIMATE NO. 10**

AUGUST 12, 2013

CITY OF MCCLEARY  
GRAYS HARBOR COUNTY  
WASHINGTON

PROGRESS ESTIMATE PERIOD  
JULY 13, 2013 TO AUGUST 9, 2013

PROJECT:  
CITY OF MCCLEARY  
WELLFIELD IMPROVEMENTS  
G&O JOB NUMBER #11551.01

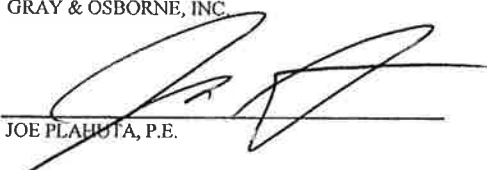
CONTRACTOR:  
AWARD CONSTRUCTION, INC.  
980 WILLEYS LAKE ROAD  
FERNDALE, WA 98248

I HEREBY CERTIFY THE ABOVE ESTIMATE IS  
A TRUE AND CORRECT STATEMENT OF THE  
WORK PERFORMED UNDER THIS CONTRACT.

I HEREBY CERTIFY THAT THE  
PREVAILING WAGES HAVE BEEN PAID IN  
ACCORDANCE WITH RCW 39.12.

GRAY & OSBORNE, INC.

AWARD CONSTRUCTION, INC.

  
\_\_\_\_\_  
JOE PLAHUTA, P.E.

  
\_\_\_\_\_  
CONTRACTOR'S REPRESENTATIVE

**SUMMARY AND DISTRIBUTION OF PAYMENTS**

PAY EST NO.	PROGRESS ESTIMATE PERIOD DATES	TOTAL EARNED PER PERIOD	SALES		MATERIALS ON HAND	RETAINAGE (5%)	TOTAL PAYMENT
			TAX RATE	SALES TAX AMOUNT			
1.	SEPTEMBER 4, 2012 TO SEPTEMBER 28, 2012	\$152,085.00	8.40%	\$12,775.14	\$0.00	\$7,604.25	\$157,255.89
2.	SEPTEMBER 29, 2012 TO OCTOBER 31, 2012	\$293,879.88	8.40%	\$24,685.91	\$0.00	\$14,693.99	\$303,871.80
3.	NOVEMBER 1, 2012 TO NOVEMBER 30, 2012	\$213,447.00	8.40%	\$17,929.55	\$0.00	\$10,672.35	\$220,704.19
4.	DECEMBER 1, 2012 TO DECEMBER 31, 2012	\$62,770.00	8.40%	\$5,272.68	\$0.00	\$3,138.50	\$64,904.18
5.	JANUARY 1, 2013 TO JANUARY 31, 2013	\$95,195.30	8.40%	\$7,996.41	\$0.00	\$4,759.77	\$98,431.94
6.	FEBRUARY 1, 2013 TO FEBRUARY 28, 2013	\$134,730.00	8.40%	\$11,317.32	\$0.00	\$6,736.50	\$139,310.82
7.	MARCH 1, 2013 TO APRIL 30, 2013	\$34,128.00	8.40%	\$2,866.75	\$0.00	\$1,706.40	\$35,288.35
8.	MAY 1, 2013 TO JUNE 10, 2013	\$65,875.00	8.40%	\$5,533.50	\$0.00	\$3,293.75	\$68,114.75
9.	JUNE 11, 2013 TO JULY 12, 2013	\$88,678.41	8.40%	\$7,448.99	\$0.00	\$4,433.92	\$91,693.48
10.	JULY 13, 2013 TO AUGUST 9, 2013	\$54,279.50	8.40%	\$4,559.48	\$0.00	\$2,713.97	\$56,125.01
<b>TOTAL:</b>		<b>\$1,195,068.09</b>		<b>\$100,385.73</b>	<b>\$0.00</b>	<b>\$59,753.40</b>	<b>\$1,235,700.41</b>

## Summary of Work Performed

### *Progress Estimate No. 1 (September 4, 2012 through September 28, 2012):*

- The settling basin was excavated. Both the bottom of the settling basin and the access ramp were paved.
- The pump station manhole was installed and both drain lines running from the settling basin to the manhole were installed.
- Two 18-foot sections of drain line extending up from the pump station manhole (to the floor drains and catch basins at the operations building) were installed.
- The 2-inch force main extending from the pump station manhole to the existing sanitary sewer manhole on Summit Road was installed.
- The existing Well No. 2 building and slab were demolished.
- The existing well pump and motor were removed from Well No. 2 and the well casing was inspected by video camera.
- The 8-inch and 16-inch bore casings were installed under the railroad.
- The 8-inch raw water line was installed from the operations building to the Well No. 3 building (no tie in has been made).
- 2-inch electrical conduit was installed from the 16-inch railroad bore to the Well No. 3 building (including the portion through the bore casing).
- The bypass piping was installed and bedded to a point such that a tie-in to the existing system could be made at either end.

### *Progress Estimate No. 2 (September 29, 2012 through October 31, 2012)*

- The tie in of the bypass piping to the City's distribution system has been completed.
- The catch basins located adjacent to the operations building have been installed.
- The drain line extending from the catch basins adjacent to the operations building to the pump station manhole was finished.
- All pipeline trenches have been backfilled.
- Fittings (to allow sand to be blown in) were welded onto the ends of the bore casings and sand was blown into each of the bore casings.
- The 2-inch electrical conduit was extended from the 16-inch bore casing to the operations building.
- The raw water line was disinfected and pressure tested.
- The under slab drain lines were pressure tested.
- The City installed the transformer vault.
- The space between the 16-inch bore casing and the surrounding earth has been grouted and the bore pit excavations completely backfilled.
- The footing and stem wall have been poured.
- Foundation gravel has been placed for the slab subgrade and building apron subgrades.
- The area around the operations building has been graded out with gravel borrow.
- All floor drain piping has been installed and the floor drains have been set.



- All under-slab chemical, water, and vent piping has been installed.
- All conduits have been stubbed up to the MCC/control panel.
- The ground ring has been installed around the operations building foundation.
- The ATEC filter unit has been delivered.
- The chemical metering pumps and chemical tanks have been delivered.
- The well has been cleaned by sonic jetting.

*Progress Estimate No. 3 (November 1, 2012 through November 30, 2012)*

- Foam insulation and vapor barrier have been placed above the slab subgrade.
- The floor drains have been set.
- The slab has been poured and finished.
- Equipment pads have been poured for the SHC and ATEC tanks.
- The CMU wall has been erected and the top plate installed.
- The interior chemical room wall has been framed.
- The SHC tank has been set inside the operations building
- The ATEC tanks have been set inside the operations building.
- Well No. 2 has been brushed and surged.
- The Well No. 2 pump and motor has been installed.
- A video was taken to document the effectiveness of the Well No. 2 cleaning.

*Progress Estimate No. 4 (December 1, 2012 through December 31, 2012)*

- The roof trusses have been delivered and erected.
- Cross bracing for the trusses has been installed.
- The roof has been sheeted.
- Tar paper has been placed over the entire roof.
- The ATEC filter units have been filled with media.
- The electricians have been running conduit inside the Well No. 2 building.
- The mechanical makeup from the Well No. 2 pump to the ATEC filters is in process.

*Progress Estimate No. 5 (January 1, 2013 through January 31, 2013)*

- The metal roofing has been installed.
- The metal wall panels on the gable ends have been installed.
- All exterior sheet metal louvers have been installed.
- All interior and HVAC equipment has been installed.
- The control panel has been installed in the Well No. 2 building.
- All interior conduit and boxes have been installed at the Well No. 2 building.
- Conductors have been run from the transformer vault to the meter base at the Well No. 2 building.
- All mechanical makeup in the Well No. 2 building has been completed.

- All electrical work that could be completed prior to installation of the Well No. 3 pump motor and the MCC, has been completed.
- The ceiling of the Well No. 2 building has been insulated.
- Sheetrock has been installed on the interior ceiling of the Well No. 2 building.
- The sodium hypochlorite and potassium permanganate feed pumps have been installed.
- All PVC chemical piping has been installed.
- The chlorine analyzer has been installed.
- Minor grading work has been done in the vicinity of the transformer vault.

*Progress Estimate No. 6 (February 1, 2013 through February 15, 2013)*

- All painting has been completed in the Well No. 2 building.
- The exterior of the CMU block wall was acid washed.
- The exterior of the CMU wall was sealed.
- All electrical work in the Well No. 2 building (less installation of the MCC), has been completed.

*Progress Estimate No. 7 (February 16, 2013 through April 30, 2013)*

- The MCC was delivered and installed in the operations building.
- 192 tons of crushed surfacing was placed to grade around the operations building.
- All wiring has been completed in the operations building.

*Progress Estimate No. 8 (May 1, 2013 through June 10, 2013)*

- The operations building has been completed. However, floor mats still need to be provided by Award to remedy the slab drainage issue.
- Well No. 2, the chemical feed system, and the ATEC filter system have been started up and are running.
- Interior demolition work has been completed at Well No. 3.
- The two new 2x8 beams were installed in the Well No. 3 building.
- The existing roofing on the Well No. 3 building has been removed.
- The Well No. 3 casing and screen have been cleaned by Hokkaido drilling.
- All electrical work excepting connections to the Well Pump and HVAC equipment have been completed at Well No. 3.

*Progress Estimate No. 9 (June 11, 2013 through July 12, 2013)*

- The pump pier for Well No. 3 was poured around the existing well casing.
- A new stainless steel well screen was fabricated and set in Well No. 3.
- The Well No. 3 well pump was installed.
- The cost to add a phone line and conduit between the control panel and the HMI computer (\$894.30) was included in minor changes. \$110 to account for a change

in the cost of video inspection services was also included under minor changes for a total payment of \$1,004.30 under the minor changes line item.

*Progress Estimate No. 10 (July 13, 2013 through August 9, 2013)*

- New metal roofing and a roof hatch was installed at the Well No. 3 building.
- Gutter and a downspout was installed at the Well No. 3 building.
- All mechanical makeup and piping has been completed at the Well No. 3 building.
- All interior and exterior painting has been completed at the Well No. 3 building.
- The catch basin and drain line for the Well No. 3 pump control valve has been installed.
- Well No. 3 has been started up and is operational.
- \$150 has been included under the minor changes line item in order to account for mobilization and demobilization of a roller to compact the gravel roadway around Well No. 3 (surfacing not originally called for in the contract).

**STAFF REPORT**

To: Mayor Dent  
From: Nick Bird, P.E., Director of Public Works  
Date: August 22, 2013  
Re: Simpson Track & Tune

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Simpson Door Company is by far our largest power customer. In August, a Track and Tune (T&T) scoping assessment was completed based on a site review of the facility in July of 2013. A summary of the T&T program follows this report. The scoping assessment is still in draft form, but if you would like to review the document, please let me know.

This project is one of three projects that we will be discussing with Simpson on Tuesday the 27<sup>th</sup>. The basics of the T&T program is that they (Simpson Door) make some operational changes, with some minor capital improvements if necessary, and we provide financial incentives out of our Energy Efficiency Incentive (EEI) program dollars from BPA. The financial incentives are for four years, where the first is an incentive amount for implementation, and the following three years are for achieving the energy savings goal identified in the report.

This program seems like a great deal to the customer (Simpson), mostly because it is a fantastic deal. We are in effect paying them to reduce their power bill, which is the whole intent of the EEI program. The energy savings that they are estimated to receive translates to almost one average month's power bill. There is one catch though; an agreement must be signed by both parties to initiate the T&T project. Since we will be discussing this next week with Simpson, we thought it prudent to start discussions at the Council level as well. Presentation of the agreement will likely be after we have determined that Simpson is certain they would like to move forward with the T&T project.

In the event Simpson does make the decision to move forward with the T&T project, we will need to make some of our own decisions. Currently our estimated biennium budget (for FY 14 and FY 15) is a total of approximately \$90,000 (please note that this does include the transfer from Seattle City Light as discussed last meeting). This project is currently estimated to utilize 2/3 of the biennium total, leaving only \$30,000 for the remaining two years.

At this time, the estimated remaining balance is not a major issue, as over the last two years we have utilized approximately \$41,000 for commercial and residential projects, and \$20,000 of that amount was for the City Lighting Project and for the Energy Smart Grocer Program.

Our main focus will continue to be to provide incentives to the customers that want to utilize the incentives. Since we have initiated our program in early 2011, only \$35,000 of approximately \$105,000 has been used for residential projects. In the event the City authorizes the T&T program with Simpson, we will likely distribute the majority of the remaining \$30,000 to residential customers to continue to encourage residential activities.

In the mean time, we will be working with BPA to see if there is any way that we can receive more EEI dollars to try and incorporate Simpson's other projects into the EEI program.

**Staff Recommendation:**

The EEI program is intended to facilitate improvements to reduce energy consumption. With the program goal in mind, it seems prudent for us to continue to reduce energy consumption, effectively buying electrical system capacity.

**Action Requested:**

Please discuss this topic and identify any concerns that may arise.



# Energy Smart Industrial

BPA ENERGY EFFICIENCY

## Track and Tune

Low-cost and no-cost solutions  
to save energy and money

Scarce capital can be a significant hurdle to achieving energy savings. The BPA Energy Smart Industrial (ESI) program's Track and Tune component allows industrial facilities to realize significant energy savings for little-to-no cost.



Track and Tune focuses on operations and maintenance (O&M) savings instead of typical capital-intensive projects. The benefits to industrial facilities include:

- Little-to-no capital investment required to achieve cost savings
- Immediate achievement of energy cost savings when tune-up actions are implemented
- Schedule a tune-up event (multi-day facility review that focuses on O&M efforts) and develop an action item list
- Co-funding of technical resources to support tune-up events and action item implementation
- Incentives may be available to facilities that sustain and improve efficiency

### How do I qualify for Track and Tune?

To qualify, an industrial facility must meet the following requirements:

- Statement of commitment to the tune-up event, and implementation of operations and maintenance action items
- Willingness to share data required for tracking energy performance. *NOTE: All data is kept private and confidential*
- Willingness to implement and manage an energy performance tracking system with technical and funding assistance provided by ESI
- Annual energy savings potential of at least 250,000 kWh/yr (facility, system, or process)

### How does Track and Tune work?

1. An initial project screening is provided by your utility and Energy Smart Industrial Partner (ESIP).
2. A Track and Tune project scoping is conducted by either an outside technical expert or in-house resource.
3. A Track and Tune agreement between the facility and utility is signed.
4. A Track and Tune performance tracking system is installed and the baseline is established.
5. A tune-up event is held, resulting in action items and implementation strategy for the area of focus (facility, system or process).
6. Action items are implemented, followed by a 90-day post tune-up measurement period.
7. A Track and Tune completion report is developed, documenting first-year savings and eligible action item costs.
8. Action item cofunding check is issued by the utility.
9. Sustained savings are quantified annually. An incentive check is issued by the utility, based on actual performance for three or five annual cycles.

### Are there financial incentives available for energy savings?

Yes, the following incentives are available for qualifying Track and Tune projects:

- \$0.075 per kWh of verified energy savings up to 70% of eligible action item cost.
- \$0.025 per kWh of annual sustained energy savings issued annually over a three- or five-year performance period.
- \$0.0025 per kWh of baseline energy use (up to \$50,000) for purchase and installation of performance tracking system for a five-year performance period (\$0.0015 per kWh for a three-year performance period).

For more information, please contact your Energy Smart Industrial Partner or your utility.

The BPA Energy Smart Industrial program is sponsored by your local public utility and the Bonneville Power Administration.

Learn more at [www.EnergySmartIndustrial.com](http://www.EnergySmartIndustrial.com)

## STAFF REPORT

To: Mayor Dent  
From: Nick Bird, P.E., Director of Public Works  
Date: August 22, 2013  
Re: Free Standing Canopy Request

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Attached you will find a request from DJ Blaylock requesting authorization to place a third free standing canopy on his property adjacent to Mox Chehalis Road.

McCleary Municipal Code (MMC) Section 17.28.040 addresses Free Standing Canopies. Subsection D states that *“Except otherwise allowed pursuant to subsection F of this section (relates to temporary entertainment uses), there shall be no more than two allowed upon any lot without the prior approval of the City Council”*.

This issue arose when Colin observed the third free standing canopy being constructed earlier this week. Colin was able to contact Mr. Blaylock after the canopy had been constructed and informed him that 1) a placement permit is required for free standing canopies within the City Limits and 2) without prior authorization from the City Council, a third canopy cannot be installed on the property.

Mr. Blaylock submitted the attached request shortly after the initial contact was made and initiated obtaining a placement permit. As the structure was already up, it did not make economical sense to deconstruct the unit and reconstruct the unit if Council approval was obtained. In the event authorization is not provided, he will remove the structure from the property.

While Mr. Blaylock has been exceptionally cooperative, there are a few concerns that we must address. The property in question is zoned highway commercial. The primary purpose of the property is a “motor vehicle repair” use, which technically is not permitted under the current land use regulations provided under MMC 17.20. A secondary use of “outdoor sales”, which is the intent of constructing the third free standing canopy, is also not permitted within the highway commercial zone.

These are important facts, however, it appears that the property owner has owned the property since prior to the implementation of the current zoning code, which was created in 2004. This means the property is also subject to the regulations identified in MMC 17.36, Nonconforming Uses, Lots, and Structures. Subsection A of MMC 17.36.020 states that “Existing nonconforming structures or uses cannot be enlarged or altered so as to increase their nonconformity”.

### **Staff Recommendation:**

While personally, we do not see a major concern with adding a third free standing canopy, strict interpretation of the zoning code prohibits the expansion of nonconforming uses. Mr. Glenn may wish to weigh in on the concept of property impacts due to strict interpretation of the zoning code.

**Action Requested:**

Please consider authorizing or rejecting the request provided by Mr. Blaylock.



Dear McCleary City Counsel Members

My name name is DJ Blaylock I own the Muffler shop at 757 3rd st and I also sell metal carports off this property and I am zoned for this type of activity. I currently have two [ 2 ] display models and I am requesting two have a third I am in the proses of the building permit with the city now.

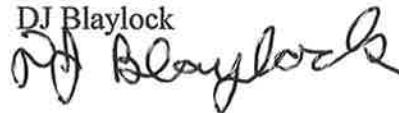
these displays are critital to selling carports as it is hard to sell off of a piece of paper , with a display customers can look at it and see the quality of the product and have a better idea of what their buying.

I am requesting a wavier to McCleary Municipal Code Section 17.28.040 [ord 709.2004] section D which is approved with council approval

these carports are an economy booster for both the City and myself as I collect sales tax on these units and pay B&O tax to the city of .065% in my quarterly tax returns to the state and also the permitting building permits through the city

these carports are engineered and certified to meet or exceed building codes requirements as per instalation

DJ Blaylock



360-495-3624

Aug 21 2013

## STAFF REPORT

To: Mayor Dent  
From: Nick Bird, P.E., Director of Public Works  
Date: August 23, 2013  
Re: Power Rates

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Last month we mentioned that Bonneville had finalized their rates for the 2014 and 2015 fiscal years. We had originally been informed that the rate increase beginning in October 2013 is expected to be 12.3% for power services and the transmission rate increase is expected to be 8.9%. After we had reviewed and digested the information presented, we discovered that there was something seriously wrong with our rate. We were in the 99<sup>th</sup> percentile for rate charges AND we were seeing a HUGE rate increase.

After bringing this up with Bonneville, they put their teams hard at work to determine how this could be. Fortunately they discovered a significant error. Not only did they correct the rate increase, **which is now expected to be 7.7%**, our existing rate is actually in the 85<sup>th</sup> percentile, which makes a lot more sense considering our size and loading configurations.

On August 22, I sat down with our Power Services Account Executive to thoroughly review the material. After a three hour meeting, I now have a much better understanding of their rate setting process, which is similar to most rate setting process, but on massive amounts of steroids. Think third grade math compared to calculus.

The basic information that was obtained from the meeting was that the actual rate increase is 9% for all customers. The other figures are represent assumptions made to variables that are specifically dependent upon when the utility utilizes the power in relation to how much power is generated. If you use a lot of power when a lot of power is being generated your effective rate increase will be lower and if you use a lot of power outside of the peak generation times your effective rate increase will be higher. The 7.7% figure presented is based on our estimated load shape curve which is based on our historical loading.

The other item to consider is that our base charges have been reduced because our cost allocation based on the total system load has been reduced (the percentage of our usage of the total system load has decreased because the total system load has increased). When considering both of these factors, BPA has estimated our total annual charges will increase by less than \$80,000 or less than \$6,500 a month. To compensate for only this cost increase, an estimated 3.4% increase in revenue will likely be required. A more detailed analysis evaluating the fund and associated necessary capital improvements will be provided through the budget process, but we thought it prudent to complete a “back of the envelope” analysis to get you thinking about this subject

### **Action Requested:**

No action requested at this time.

## ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE REAFFIRMING THE MORATORIUM UPON MEDICAL MARIJUANA COLLECTIVE GARDENS AND DISPENSARIES AND EXTENDING THAT MORATORIUM TO OTHER ESTABLISHMENTS INVOLVED IN THE SALE, MANUFACTURING, DISTRIBUTION, OR USE OF MARIJUANA, AND DIRECTING THE SETTING OF A PUBLIC HEARING.

1. ESSSB 5073, effective on July 22, 2011, amended the Medical Cannabis Act, Chapter 69.51A RCW, and authorized, at RCW 69.51A.085, the creation of and participation in "collective gardens for the purpose of producing, processing, transporting, and delivering cannabis for medical use" subject to certain conditions.

2. State law acknowledges the needs of persons suffering from debilitating or terminal conditions and the benefits that some qualifying patients experience from the medical use of cannabis.

3. Moratoria adopted pursuant to the authority of applicable law are methods by which local governments may preserve the status quo so that new plans and regulations will not be rendered moot by intervening development. The City has exercised that authority as to collective gardens and dispensaries through the adoption of prior ordinances which are currently in effect imposing moratoriums on both activities.

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4. RCW 69.51A.140 authorizes cities to adopt and enforce health and safety requirements related to cannabis, including medical cannabis, within their jurisdictions.

5. Initiative 502, passed at the November 2012 General Election and effective on December 6, 2012, directs the Washington State Liquor Control Board to develop rules and regulations to determine the number of producers by county, and to develop licensing and other regulatory measures for producing, processing, and selling marijuana for non-medical purposes.

6. As has been referenced in prior discussions, the Washington State Liquor Control Board is developing such rules, which must be completed and implemented no later than December 1, 2013. The City continues to be concerned both that marijuana-related land uses could become established within the corporate limits that would be inconsistent with or conflict with the final Liquor Control Board rules or that could undermine the objectives and goals the Council and Mayor have for the City.

7. While the matter is apparently under review, it is clear the use, possession, and delivery of marijuana remains a violation of federal law under the Controlled Substances Act. The U.S. Department of Justice has not yet announced the position of the federal government on Washington's legalization of recreational marijuana or on Washington's laws regarding medical marijuana collective gardens. Further, the City has been informed the Washington State Department of Health has confirmed

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that medical marijuana dispensaries are illegal under current state law.

8. By adoption of this Ordinance, there is no attempt to shield medical marijuana users from arrest under state or federal law nor shield any person, entity, or establishment involved in the use, production, processing, or distribution of marijuana from any other legal requirements.

9. The siting and location of facilities growing or dispensing marijuana has been and remains a significant public safety matter. This concern is shown by Initiative 502's requirement that the Liquor Control Board's rules must determine the maximum number of retail outlets that may be licensed in any specific county, and Initiative 502's requirement that one thousand foot buffers exist between licensed marijuana retailers and any school grounds, playground, recreation center or facility, child care center, public park, library, public transit center, or any game arcade which is open to persons under age twenty-one.

10. Additional time is needed to study existing and potential impacts from land uses associated with marijuana. Such land use and public safety issues include, but are not limited to, appropriate signage, taxes, licensing, applicable building codes, location restrictions, density, spacing requirements between marijuana-associated uses, appropriate zones for growing,

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manufacturing and distribution, and separation from schools and other facilities where children are present.

11. Based upon information provided to the Council and Mayor, the City has legitimate concerns that marijuana-associated land uses have a higher than average potential for burglary and other crimes, and such concerns need to be evaluated in greater detail before determining appropriate land use controls. The impacts which may arise include the following:

A. Conversion of residential uses into marijuana cultivation and processing facilities, removing valuable housing stock in a community.

B. Increased night-time traffic; parking issues; loitering from potential purchasers looking to buy from a collective member.

C. Environmental damages from chemicals being discharged into surrounding and off-site soil and storm and sanitary sewer systems.

D. Risk of fire hazard due to overloaded service connections used to operate grow lights and fans.

E. Improper ventilation leading to high levels of moisture and mold.

F. As was reported in the July 1, 2013, edition of *The Daily Olympian*, illegal structural modifications.

G. Other criminal issues including home invasions, burglaries of medical marijuana facilities, theft, and property damage.

12. The City desires to insure that its regulation of the covered activities will take into consideration the rules and regulations issued by the Liquor Control Board. Since those will not be finalized until at least December, 2013, the City will need at least a six-month period to conduct an appropriate analysis and to develop appropriate provisions regulating these activities.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY:

SECTION I: Moratorium. Pursuant to the provisions of this ordinance, a moratorium is imposed upon and any existing moratorium is extended upon the following actions or activities:

A. The submission, acceptance, processing, or approval of any permit applications or licenses by or for marijuana collective gardens, as described in RCW 69.51A.085, or providers, as described in RCW 69.51A.040, and any other establishments involved in the sale, use, growing, manufacture, or processing of marijuana, including but not limited to performance spaces, private clubs, open-to-the-public night clubs, cabarets, taverns, or similar establishments.

B. The creation by an owner or operator of any land or building of any new use of such land or buildings for the sale,

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use, growing, distribution, manufacturing, or processing of marijuana.

C. Collective Gardens as described in RCW 69.51A.085 being a part of or connected to any other type of land use, including but not limited to, performance spaces, private smoking or use clubs, open-to-the-public night clubs, cabarets, taverns, and similar establishments.

SECTION II: Duration. The moratorium adopted by this Ordinance is effective immediately upon adoption and shall remain in effect for six (6) months from the date of adoption, unless subsequently extended by the Council pursuant to state law: PROVIDED THAT, moratorium implemented pursuant to the provisions of Ordinance Numbers 782 and 793 shall be deemed extended by the provisions of this ordinance to the same termination date.

SECTION III: Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases had been declared invalid or unconstitutional, and if for any reason this Ordinance should be declared invalid or unconstitutional, then

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the original ordinance or ordinances shall be in full force and effect.

SECTION IV: Effective Date. This Ordinance shall take effect immediately upon adoption.

SECTION V: Corrections by the Clerk-treasurer or Code Reviser. Upon approval of the Mayor and City Attorney, the Clerk-treasurer and the Code Reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors, references to other local, state, or federal laws, codes, rules, or regulations, or ordinance number and section/subsection numbering.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013, by the City Council of the City of McCleary, and signed in approval thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

CITY OF McCLEARY:

\_\_\_\_\_  
D. GARY DENT, Mayor

ATTEST:

\_\_\_\_\_  
WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

\_\_\_\_\_  
DANIEL O. GLENN, City Attorney

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