



McCleary City Council

PROPOSED AGENDA

June 27, 2012

6:30 Work Session (Well 2/3 Improvements)

7:00 Public Hearing (STIP)

Council Meeting following Public Hearing

Flag Salute

Roll Call

Public Hearing

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: Well 2/3 Improvement Project Contract Award (Tab E)
G&O Amendment No. 1 (Tab F)

New Business: 2013 STIP / Six Year Street Plan (Tab G)
Narrow Band Radio's (Tab H)
Utility Easement (Tab I)
Trip Hazard Removal (Tab J)
Teamsters Contract (Tab K)

Ordinances: Judge Pro Tem (Tab L)

Resolutions: Six Year Street Plan (Tab M)

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

The City of McCleary is an equal opportunity provider and employer.
La ciudad de McCleary es un proveedor de igualdad de oportunidades y el empleador.

CITY OF MCCLEARY
Regular City Council Meeting
Wednesday, June 13, 2012

The City Council meeting scheduled for May 9, 2012 was recessed until June 13, 2012, due to lack of quorum.

FLAG SALUTE	Mayor Dent Called the Regular Meeting to order at 7:00 PM with the Flag Salute.
ROLL CALL	Council members Catterlin, Schiller, Reed, Lant and Ator.
ABSENT	None.
STAFF PRESENT	Present at the meeting were Dan Glenn, Wendy Collins, Nick Bird, George Crumb, and John Graham.
MINUTES APPROVED	It was moved by Councilman Catterlin, seconded by Councilman Reed to accept the minutes from the April 25, 2012 meeting. Motion Carried 5-0.
PUBLIC COMMENT	Joy Iverson thanked Chief Crumb for his support during a recent phone call threat at Mark Reed Hospital. Melin Shelton stated she lives on Elma - Hicklin Road and said her son applied for the summer help position at the City. She is the owner of the latte stand in town and always tries to hire young people that live in McCleary because there are so few job opportunities for our local youth. She hopes the City will give McCleary kids priority over kids from outside the area. Mayor Dent says he does not agree and emphasized that he has full authority to hire who he chooses.
MAYOR'S REPORT	The City received a letter was from Fire District 13 and a copy was provided to the Council for review. Mayor Dent announced the new Deputy Clerk has been hired and her name is Debbi Hufana. She was the Finance Director at the Port of Shelton and is working out very well. The Mayor encourages everyone to welcome her. The Mayor announced he is close on a tentative agreement with the Teamsters on a union contract and is close to finalizing the Fraternal Order of Police contract as well. The IBEW union is not close to an agreement yet. Mayor Dent went to a County Mayor's meeting and they discussed the new jail issue. The County wants the cities to pay for medical care for the felony arrests by police officers of each City. The impact on the City could potentially be devastating. Attorney Glenn is working on a response for the City, along with a response from the other cities he represents. Mayor Dent stated the options do not look good.
CITY ATTORNEY REPORT	Dan Glenn provided a written report and encourages the Council to let him know if there are any questions. Mr. Glenn is optimistic on coming up with a solution on the jail issue because the parties involved do not have other options.
DIRECTOR OF PUBLIC WORKS REPORT	The highline project purchased products authorized at the last meeting. The supplier miss-quoted a few things so the Council will need to approve the additional cost. Councilmember Lant stated it's a massive problem to have the supplier give the wrong quote by \$3800 dollars. He is frustrated that this type of mishap keeps happening. He believes it could be enough to stop the City from awarding it to them. Councilmember Lant said he will not sign off on this.
2013 STIP	Nick Bird provided the major projects for the State Transportation Improvement Plan, in priority order, for Council to review.
G & O CONTRACT	It was moved by Councilman Ator, seconded by Councilman Lant to authorize the execution of the 2012 contract with Gray & Osborne. Motion Carried 5-0.

WELL 2/3 IMPROVEMENT PROJECT FUNDING ANALYSIS	Nick Bird stated certain items were not added to the detailed presentation and the City is short on funds to cover the project. Councilmember Schiller is upset because every meeting he comes to, he hears Nick requesting more money. He wants to know why there are so many mistakes and how he missed the budget. It was moved by Councilman Lant, seconded by Councilman Ator to table the item until the next meeting. Motion Carried 5-0.
G & O AMENDMENT NO. 1	It was moved by Councilman Lant, seconded by Councilman Ator to table the Gray & Osborne Amendment 1. Motion Carried 5-0.
WELL 2/3 IMPROVEMENT PROJECT CONTRACT AWARD	It was moved by Councilman Lant, seconded by Councilman Ator to table the Well 2/3 Improvement Project Contract Award. Motion Carried 5-0.
	Nick suggested having the Finance Committee meet to discuss the Well 2/3 improvement project and both Councilmember's Schiller and Reed agreed.
BUSHING REPLACEMENT CONTRACT AWARD	KVA was the only responsive bid that was received. Councilmember Lant did not find the bid in the packet so Nick Bird retrieved the bid from his office and prepared copies. Mayor Dent called for the executive session at this time since there will be delay in the meeting.
EXECUTIVE SESSION	At 7:45 pm the Councilmember's, Mayor Dent, and Dan Glenn went into executive session for ten minutes.
	At 7:55 pm the executive session ended and the members returned to the scheduled Council meeting.
FEMA AGREEMENT	Reimbursements for costs incurred during the January 2012 snow and ice storm are being provided by FEMA. The City and FEMA must enter into an agreement for this specific disaster. It was moved by Councilman Lant, seconded by Councilmen Schiller and Catterlin to authorize the execution of the Public Assistance Grant Agreement, specifically Grant Number D12-154. Motion Carried 5-0.
BUSHING REPLACEMENT CONTRACT AWARD MOTION	Returning to this subject after halting it before the executive session, Nick provided the bid to the Council for discussion. It was moved by Councilman Lant, seconded by Councilman Reed to award the bid to KVA in the amount of \$35,793.68, which includes tax. Motion Carried 5-0.
WSDOT BIKE AND PEDESTRIAN PROGRAM	There is a grant program funded by WSDOT to help create safe bike and pedestrian areas. WSDOT has issued a call for projects to improve conditions for projects that safely meet the needs of bicyclists, pedestrians, public transportation users and motorists. The two critical areas are adjacent to the school on 3rd Street and on Summit Road at the creek crossing near the s-curves. There was a 5-0 unanimous consensus to authorize Nick Bird to apply for the WSDOT Bike and Pedestrian Grant Program.
MICK SCHLENKER SEPARATION AGREEMENT	It was moved by Councilmember Catterlin, seconded by Councilmen Ator and Reed to authorize the Mayor to sign the separation agreement with Mick Schlenker. Motion Carried 4-1, with Councilman Schiller voting in the negative.
APPROVAL OF VOUCHERS	Vouchers/Checks approved were 34759-34827 including EFT's in the amount of \$196,175.15 and 34856-34905 including EFT's in the amount of \$44,956.52
	Payroll Checks approved were 34635-34758 including EFT's in the amount of \$86,507.35 and 34762-34855 including EFT's in the amount of \$67,398.24.
	It was moved by Councilman Lant, seconded by Councilman Ator to approve the vouchers. Motion Carried 5-0.
PUBLIC COMMENT	None.
EXECUTIVE SESSION	None.

MEETING ADJOURNED

It was moved by Councilman Ator, seconded by Councilmen Reed to adjourn the meeting at 8:06 PM. The next meeting will be on June 27, 2012 at 7:00 PM. Motion Carried.

Mayor Gary Dent:

Clerk-Treasurer Wendy Collins:

NOTICE OF RECESSED MEETING

Pursuant to the provisions of RCW Chapter 42.30, notice is hereby given that the regular meeting of the McCleary City Council scheduled for Wednesday, May 23, 2012, has been recessed until Wednesday, June 13, 2012, due to lack of quorum.

Dated: May 22, 2012

A handwritten signature in cursive script, appearing to read "Danette Brannin", with a long horizontal flourish extending to the right.

Danette Brannin, Deputy Clerk

MEMORANDUM

TO: MAYOR AND CITY COUNCIL, City of McCleary
FROM: DANIEL O. GLENN, City Attorney
DATE: June 21, 2012
RE: LEGAL ACTIVITIES as of JUNE 27, 2012

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. **SIX YEAR STREET PLAN UPDATING:** Given the statutory mandates, Ms. Collins indicated that tonight is the hearing date for the receipt of public input on the updating of this plan. The annual updating, with associated public hearing, is mandated in order to conform with requirements for funding of projects through the Transportation Improvement Board. Prior to the this evening, Mr. Bird has provided you his recommendations as to the updated listing of streets which will be on the City's "wish list" for improvement funding.

The Plan theoretically must be filed with the pertinent state agencies by the end of this month in order to continue eligibility for funding through their programs. The sequence of the projects on the draft plan does not govern or restrict the ability of the City to choose to seek funding for a project which is lower down the list before finishing the projects which are above it on the list. Further, if during the year the situation changes and you need to add a different project, that can be done through the giving of the appropriate public notice and adoption of an amended resolution.

I have prepared a draft resolution which would adopt the plan by reference. I understand that the actual consideration of the resolution will occur at this meeting.

2. **MUNICIPAL COURT JUDGE PRO TEM APPOINTMENT:** Back in 1984 when the Court was established under the then "new" provisions of RCW 3.50, the statute provided, as it does now, that

the judge is appointed by the Mayor and confirmed by the Council. It went on to say that judges pro tem were to be appointed by the Mayor, as well, but did not require confirmation by the Council. (A judge pro tem serves only when the duly appointed and confirmed judge is unavailable. For instance, as Ms. Reed could inform you from her back row seat, when the Judge is on vacation, home ill, if there is some type of conflict of interest, or an affidavit of prejudice is filed by the defendant.)

Some years ago the Legislature amended that provision to provide for such appointments to be made by the Judge and that is the process we have been following since then. However, I did not prepare an amendatory ordinance provision. Well, even though statutes in this area "trump" the municipal code in situations like this, apparently in some areas of the state there have been challenges by defendants seeking new ways out of their charge. [It is difficult to use a word which we have used for so long now that "the Donald" is so loquacious.] Thus, I have prepared for your review and consideration an ordinance which simply brings our Code section into consistency with the statute granting the authority for the City to maintain its court.

3. **JAIL CONTRACT STATUS**: As of this time, there is not really a great deal of additional information to be provided. The County has not yet provided a response to my request for the factual information as to the details on the medical expenditures Sheriff Whelan indicated were made by the County. Further, there has not been any response of which I have knowledge from the Commissioners as to whether or not Sheriff Whelan's letter was pursuant to action they directed at a meeting or simply an action on his part of something he would like to see happen.

If additional information is received before the next meeting, I will provide to Ms. Collins so that she can provide to you.

4. **UTILITY EASEMENT**: A couple of weeks ago Mr. Bird contacted me in relation to a utility line problem. Apparently, a city line had developed a leak, was located upon private property, and there was no record of an easement supporting its placement. Thus, I have prepared a draft easement granting the City the right to maintain the line. Given the physical situation, as I understand it, the physical breadth of the easement is less than we would normally obtain. However, the realities will not allow any broader than that which is being granted.

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

STAFF REPORT

To: Mayor Dent
From: Nick Bird, Director of Public Works
Date: June 22, 2012
Re: Current Non-Agenda Activity

Well 2 & 3 Project

This topic is discussed under various items in new business this meeting.

Summer Outage

JULY 20, 2012 at 11:00 PM through JULY 21, 2012 at 11:00 AM

Advertisements have been prepared and will be mailed out next Tuesday. At this time everything is moving smoothly on our end. It appears that one GHPUD project will be delayed as a result of the ASCS Nationals scheduled at the raceway on the 20th and 21st. It is my understanding that GHPUD and BPA will still be conducting the other work as originally planned.

Bushing Replacement

We are hoping to have the contract executed before the meeting. The bushings have been ordered (at the Contractors expense) and are expected to be in their hands on the 13th of July.

Highline Project

Work has progressed, as you may have noticed. The Light and Power crew just about has the highline work done. This segment of new wire will be energized during the scheduled outage.

Cedar Heights

No new movement to date.

Reservoir Inspection

The City has received the re-sampling results of the VOC test, which resulting in a satisfactory sample (all components were either non-detects or significantly under the maximum contaminant level set by the State).

Summit II

No new information regarding the Performance Bond issue has been received at this time. The one house abutting Summit Road is just about complete. As previously stated, if this issue is not resolved soon, we will need to authorize construction of a concrete driveway to avoid property impacts.

M&M Properties

No additional information has been received from the developers after the May 14 phone call.

Snow Policies

Placeholder for updates this summer.

Developer Extension

Upon review of the developer extension documents, we discovered that the Short Plat was conditioned at Final Plat. A letter to Larry Birindelli dated November 16, 2004 stated, "Construction of roads and utilities must be designed, installed and approved by the City within one year of this final plat approval unless a written application for an extension is filed with the City and approved by the administrator prior to November 15, 2005." As of May 2012, this work was not complete. No records were found indicating an extension had been filed.

Prior to the approval letter, a letter from the City dated September 1, 2004 identified the requirement of a performance bond. The cost of the performance bond was based on a construction estimate provided by Parametrix. Construction items included installation of water and sanitary sewer mains, construction of a roadway bioswale, installation of street lighting, and construction of an asphalt roadway section, including curb and gutter. Upon review of the quantity calculations, it appears the roadway was intended to be 28-foot wide from curb to curb.

Once this information was discovered, I contacted Grays Harbor County (Lee Napier), the City Attorney (Dan Glenn), and the City Engineering Company Gray & Osborne (Jon Hinton) separately. All parties came to the same conclusion; further processing of the plat should not occur. Solutions however varied greatly. The County recommended that we officially declare the plat invalid and merge the properties back into the original lots, thereby forcing the developer to re-submit the short plat application and complete the process again. The difficulty with this option is that currently the nine lots have five different owners.

In discussing this with Mr. Glenn, he indicated that the City would have a difficult time invalidating the plat and merging the properties back together with the multitude of

owners. His recommendation was to enforce the requirement even though the plat approval has expired.

Mr. Hinton's initial recommendation was that we increase the construction requirements to require full roadway construction, curb and gutter, stormwater improvements, and sidewalk as a penalty for non-compliance. After discussing the pedestrian hazards on Summit Road, adjacent to the plat entrance, we agreed that pedestrian improvements at this time were not in the best interest of the City, as it is creating a liability rather than a solution.

After consideration of the three recommendations, the middle road seemed the most appropriate. I then contacted Larry Birindelli to schedule a meeting with him. The meeting was conducted at approximately 3:30 PM on May 23. Before the meeting Larry stated that he believed he knew what this meeting was about, but told me to go ahead. I informed him that during the review process, I had discovered the previously referenced letters from 2004. I stated that I was very disappointed with his decision to move forward on this project without complying with the originally stated requirements.

Mr. Birindelli stated that he had no other option but to construct the improvements. His difficulty was how to finance the improvements. I stated it would have been much cheaper to construct the improvements in 2004. I asked to meet with him on Friday (May 25) to see how he was proceeding in his financing evaluation. He asked for more time, as he would need to know the cost, which is dependent upon what the City would require. I stated that the requirements were defined in the 2004 letter; however I would be more than happy to discuss the requirements with his engineer if necessary.

We discussed the project again on June 1 and I was informed that the estimates were being processed. At the present time, we are still in a holding pattern waiting on the developer. It is my understanding that the funding package is being prepared in conjunction with the engineering work. In the mean time, we have placed on file with the County a notice that no building permits will be authorized for the parcels associated with this plat until the improvements have been made.

Bear Festival

With Bear Festival just around the corner, we thought it prudent to let you know that just about everything is in order. We still need a copy of the Bear Festival insurance and the Parade Route Agreement through WSDOT. Other than that, it appears everything else is in order. On a side note, this year's event may be a little bit smaller than years past, but we will make certain that the City puts on a good show for the event.

Summer Schedule

Please remember that Council Meetings will be held only the 4th Wednesday of the month in July, and August.

STAFF REPORT

To: Mayor Dent
From: Todd Baun, Public Facilities Manager
Date: June 21, 2012
Re: May Report

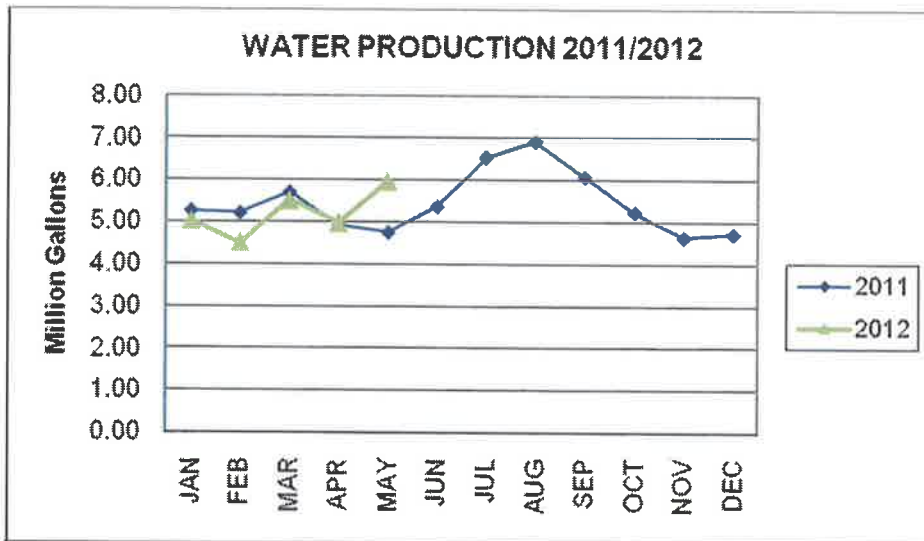
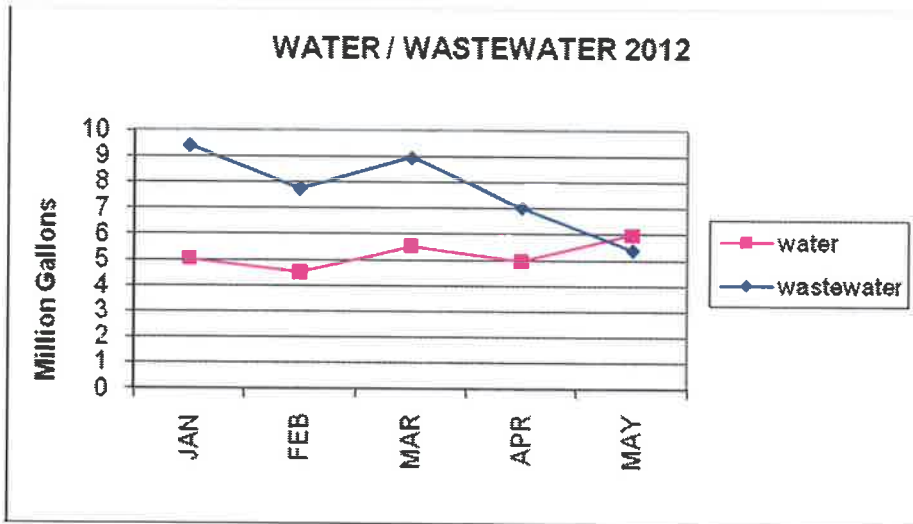
The following items are the highlights of what I have been working on during the past month.

- 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 flower baskets have been hung. We are now watering them when needed, and taking care of them.
- The crew is still filling in many potholes throughout the City. We have gotten 10 tons of cold-patch to help fill in the holes.
- I was contacted by the WSDOT to sweep all of our streets. They will be here on July 6th to sweep our streets.
- We are still finding and fixing minor water leaks.
- We have a list started of manholes that have potential I&I problems. We will have to investigate with a sewer camera to find out what is causing the I&I in several areas.
- We are still locating many side sewer clean outs that go to empty lots. We are checking them for possible I & I issues.
- We have found another failing section of 24" concrete storm line. It is on Maple St. between 5th and 6th Streets. I will be getting quotes to fix another section of this line.
- We also will be starting on our Valve exercising program. It is recommended by several publications that we exercise every valve in our system yearly. We will be updating and implementing our new program soon.
- We have 2 summer help that have started. Trevin Brown and Jenna Powers are the ones that the Public Works have working for us. So far, they are good, smart, and hard working young adults.
- Bear Festival is coming quickly. We are preparing the city for the festival by cleaning, power washing, weeding, mowing and just making the city look clean and presentable.
- 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.

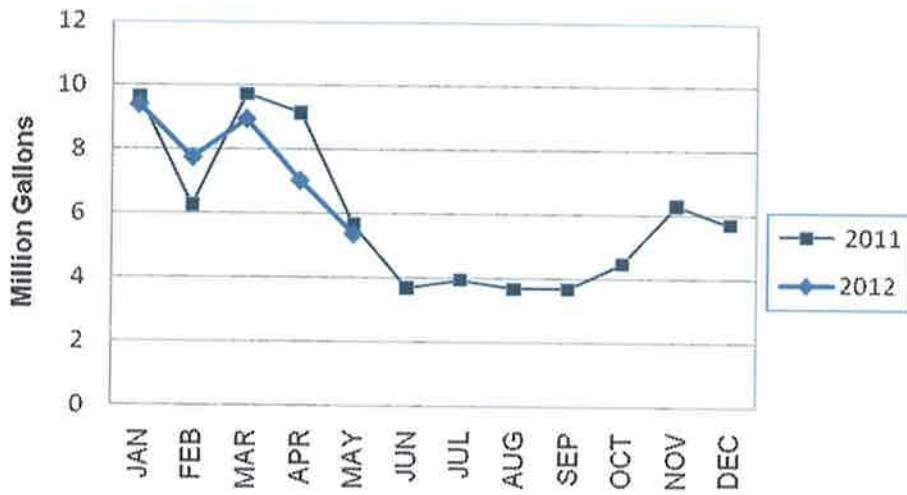
If you have any questions, don't be afraid to ask. If you see something that needs attention or have any ideas that you would like me to pursue, my door is always open, so please come and talk to me.

To: Mayor Dent
From: Vern Merryman, Water/Wastewater
Date: June 2012
Re: Monthly Report

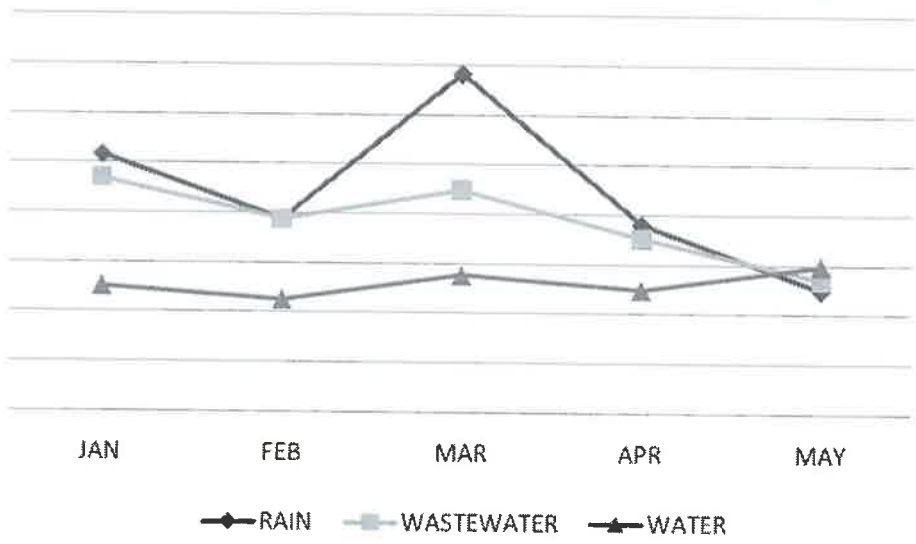
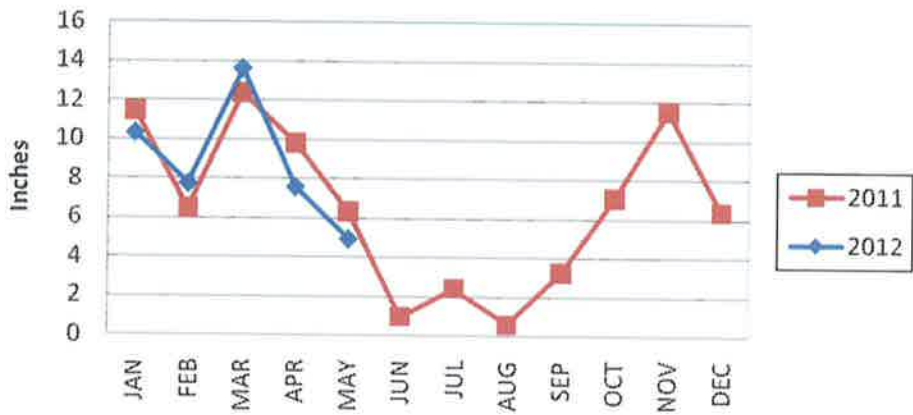
May totals: Water, 5.98 million gallons.
Wastewater, 5.39 million gallons.
Precipitation, 4.97 inches.
Biosolids, 99,394 liquid gallons or 2.09 dry tons.



WASTEWATER FLOW 2011/2012



PRECIPITATION 2011/2012



STAFF REPORT

To: Mayor Dent
From: Colin Mercer Webmaster
Date: June 4, 2012
Re: May Website & Help Desk

Re-Occurring Website Activities

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

New Website Activity

Posted seasonal laborer job announcements.
Posted Deputy City Clerk position announcement.
Posted new Ambulance rate increase on the main page.
Posted Council Meeting Recess notice for 5-23-12 meeting.

Additional Tasks

Conduct daily building department activities in the absence of the Building Official.
Performed 30 building inspections.
Issued 7 building permits.
Sent out 10 Garbage non-compliance letter to tenants and owners.
Work with Nick compiling data for the Electric Rate Study.
Nuisance letters sent out regarding Municipal Code Violations.

Help Desk Activity

Month	Number of Incidents Reported	Staff Reported / Closed / Open	Citizen Reported / Closed / Open
February	15	9 / 7 / 3	6 / 5 / 9
March	9	4 / 2 / 5	5 / 5 / 9
April	14	10 / 5 / 10	4 / 3 / 10
May	11	6 / 1 / 15	5 / 3 / 12

Conservation Program

Month	Applications Received	Conservation Permits Issued	Rebates Paid This Month	Total Rebates Paid To Date
February	1	1	\$1620.00	\$1670.00
March	0	0	0	\$1670.00
April	1	0	0	\$1670.00
May	1	2	\$70.00	\$1740.00

Website Comments:

None this month.

Website Traffic **May 1, 2012 through May 31, 2012**

Section	Page Views	Percent of Total
Default Home Page	2389	36.18%
City Jobs	604	9.15%
Events Calendar	478	7.24%
City Departments	270	4.09%
Agendas and Minutes	240	3.63%
Utilities	176	2.67%
Code, Ordinances & Standards	167	2.53%
Conservation Program	158	2.39%
Police	153	2.32%
Search Results	143	2.17%
Mayor and Council	135	2.04%
Planning Department	132	2%
Administration	121	1.83%
Bear Festival	114	1.73%
Public Facilities	110	1.67%
Water / Wastewater	109	1.65%
City Photos	91	1.38%
Municipal Court	90	1.36%
Development Services / Building	88	1.33%
Light & Power	88	1.33%
Fire	86	1.3%
Chamber of Commerce	72	1.09%
FAQ's Page	70	1.06%
Helpful Links	63	0.95%
Home Page	51	0.77%
2008-12 Budget	43	0.65%
Flood Photos 2009	40	0.61%
Bear Festival Photos	39	0.59%
65th Anniversary Photos	36	0.55%
Interlocal Agreements	35	0.53%
City Staff	31	0.47%
Park Project Photos	31	0.47%
Previous Years Council Minutes	30	0.45%
Tell Us What You Think!	29	0.44%
Christmas Photos 2007	27	0.41%
Previous Years Council Agendas	26	0.39%
Conservation Data Page	17	0.26%
Community Center	14	0.21%
Surveys & Questionnaires	5	0.08%
Public Facilities Survey (Ends March 7th)	1	0.02%
Stormwater Plan Questionnaire	1	0.02%

STAFF REPORT

To: Mayor Dent
From: George M. Crumb, Chief of Police
Date: June 22, 2012
RE: Report for June 27, 2012 Council Meeting

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's, contacts, or other officer generated incidents:

*1338 incident histories reported as of 062212 at 0825 hours.

Notice of Infractions and Criminal Traffic Bails issued from 050312-06012 was \$15,502.00 with 8 mandatory court dates.

35 Speeding.	...Domestic Violence
3 Speeding in School Zone	...Burglary
... Fire Response's	...Disorderly Conduct
120/66 Traffic Stop's(9 no ins)	...Assault/Firearm used /Threats
... Agency Assist's	...Drug Incidents
... Animal Complaints	...Curfew Violations
... Traffic Hazard Reports	...Welfare Checks
... Report of Harassment	...Suspicious Person/Vehicle
... Police Information or Referrals	...9-1-1 Open Line/Hang up
... Traffic Offense/Reckless	...Found Property Reports
... Motorist Assist/Citizen Assist	...Theft Reports
... Attempt to Locate	...Juvenile Problems
... Malicious Mischief	...Warrant Arrests
... 9-1-1 Open Line	...Civil matters
...Custody dispute/Civil	...D.U.I.
...Audible Alarm	...Subject Stop
...Hit & Run	

Discussion: Open

Officer Bunch assigned to light duty after leg injury.

Both 1999 surplus police vehicles have been parked at the treatment plant for further disposition.

New 2013 Fords are in and the city has possession of them. The equipment is being prepped for mounting in the vehicles at time of this report.

Current vehicle status: 2013 Ford Explorer being prepared for service
2013 Ford Explorer being prepared for service
2008 Ford Crown Vic Police Interceptor in service.
2006 Ford Crown Vic. Police Interceptor in service.
2005 Chevy Impala Police Vehicle in service
1998 Ford Crown Vic Sedan in service.

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

Mayor Dent: Present / Not Present _____

Officer Reporting: Chief Crumb _____

STAFF REPORT

To: Mayor Dent
From: Paul Nott, Light & Power
Date: June 22, 2012
Re: May Report



	Monthly Statistics;	YTD Totals;
New Services;	1	4
System Outages;	4	16
Pole Replacements;	4	9
Maintenance Work Orders;	8	24
Billable Work Orders;	1	5

The month of June has been busy, we have been going strong on the high line job, started a distribution re-route at the well site, four power outages and a new service connection.

The high line project is on schedule and today we will be “clipping in” the new conductor. Once that is finished we will be prepared for the scheduled outage to complete the dead ending.

In the mean time we will be back on the well re-route. What that means is; currently the primary takes a route through a heavily treed area that requires a lot of maintenance and also a real outage liability as the trees have grown since it was first constructed. With the new service being required for the well project we have opted to re-locate the existing distribution line to a more accessible route with less maintenance and liability to outages.

We have been hooking up numerous temporary power services at new home construction sites in our service area. Hopefully, it will be a sign of the times for better days ahead with a little residential growth.

The outages we have encountered have been; an outage that originated in a close proximity of our substation, the cause was unknown. During this outage we had a control fail at the substation and required assistance from GHPUD to come and repair it the next day. We had a service burn up at a residence, which required a panel replacement, a wind related power outage on the North End. And last but not least another underground fault on a section of old primary wire. Once again the repair time was increased due to our reliance on Mason Co PUD to assist in locating the fault (we still have no equipment to locate underground faults). We are thankful for their “as quick as possible” assistance.

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

STAFF REPORT

To: Mayor Dent
From: Nick Bird, P.E., Director of Public Works
Date: June 21, 2012
Re: Well 2/3 Improvement Project Contract Award

This topic is covered during the work session prior to the Council Meeting.

The goal of the work session is to increase your comfort level with the project costs and associated work.

In accordance with Section 2.02.1 of the General Conditions, “the bidder cannot withdraw its Proposal unless the Award of the Contract is delayed for a period of 60 calendar days following the Proposal opening”. The opening occurred on May 17, 2012. Sixty days from the opening date is July 16, 2012. At this time, we do not believe that the low bidder would wish to withdraw its bid; however, it is not out of the realm of reason as material prices change daily.

Project Cost / Revenue Summary

To summarize the main point in the work session, the following tables display the project costs (Table 1) and where the money is coming from (Table 2).

Table 1 – Planned Total Project Costs

Project Costs	Today (June 2012)*	Spent (as of 5/31/12)	Amount Remaining*
Pre-Design	\$ 22,500.00	\$ 22,500.00	\$ -
Design	\$ 160,300.00	\$ 160,300.00	\$ -
Construction	\$ 1,302,247.34	\$ -	\$ 1,302,247.34
Construction Management	\$ 169,200.00	\$ -	\$ 169,200.00
Total	\$ 1,654,300.00	\$ 182,800.00	\$ 1,471,500.00

* Note: Total amounts shown have been rounded for clarity.

Table 2 – Planned Total Project Revenue

Funding Source	Today (June 2012)	Spent (as of 5/31/12)	Amount Remaining
USDA	\$ 22,500.00	\$ 22,500.00	\$ -
PWTF	\$ 1,548,000.00	\$ 145,000.00	\$ 1,403,000.00
City (In Kind)	\$ 9,700.00	\$ 4,700.00	\$ 5,000.00
City (Out of Pocket)	\$ 74,100.00	\$ 10,600.00	\$ 63,500.00
Total	\$ 1,654,300.00	\$ 182,800.00	\$ 1,471,500.00

As noted in the workshop, an estimated \$63,500 will be required to completely fund the project, not including additive items. Please note that this value differs from the May 18 report by approximately \$30,000 as \$20,000 of utility work to revise the power configuration was not included as well as approximately \$10,000 of in kind work completed by the City.

Out of Pocket Source

As indicated in the work session, a total of \$54,000 can be allocated to the project right away. This leaves an additional \$9,500 that we need to come up with to fully fund the project. The option of using capital gains, scratching a budgeted item, or using reserves is up to you.

Contingency

It is common to try and maintain a 5% contingency of the construction costs, which translates to a suggested \$65,000 contingency cushion. It is important to note that contingency money is not allotted for spending, but is there just in case we have a major issue during construction. The Contract includes a \$5,000 minor change item, resulting in a suggested cash contingency of \$60,000.

While a dedicated contingency cushion is not required, it is a good idea to know where funds are available in the event of an emergency. Aside from the \$80,000 - \$85,000 earmarked as unreserved in the Water Operating Fund, many cities choose to use reserve funds or capital gains to pay for project activities. The Water Reserve Fund currently has approximately \$100,000. When just reviewing the unreserved funds in the Operating and Reserve funds, we have a 15% contingency cushion. Please note that capital gains are not included in this figure.

Additive Items

Additive items have been reiterated for you below. These items were included in the proposal as “nice to have” not “need to have”.

<u>Additive Item</u>	<u>Cost</u>
1. Decommission Existing Well No. 1	\$9,875.00
2. Chip Seal	\$6,600.00
3. Fence and Gates.....	\$21,750.00
4. Emergency Generator	\$81,000.00
5. Additional Pyrolusite Treatment System.....	\$100,000.00
Subtotal	219,225.00
Sales Tax @ 8.4%.....	\$18,414.90
Additive Items Total.....	237,639.90

As previously discussed, additive items may be awarded at this time. It is also possible to attempt to incorporate additive items via change orders during construction, if funding permits. Additive items would need to be paid for using capital gains, scratching a budgeted item, or using reserves.

Staff Recommendation:

Our suggestion would be to award the base bid, see how the project proceeds and consider incorporating additive items as funding allows via change orders (if the bid price is held).

Action Requested:

Please consider awarding the base bid of the Well 2/3 Improvement Project to Award Construction, Inc. of Ferndale, WA.



Gray & Osborne, Inc.
CONSULTING ENGINEERS

May 17, 2012

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

SUBJECT: REVIEW OF BIDS, WELL FIELD IMPROVEMENTS PROJECT
CITY OF MCCLEARY, GRAYS HARBOR COUNTY, WASHINGTON
G&O #11551

Dear Mr. Bird:

On May 17, 2012, the City of McCleary received four bids for the Well Field Improvements Project. The bids ranged from \$1,519,887.24 to \$1,857,108.80. The Engineer's Estimate was \$1,565,000.00. Each proposal was checked for correctness of extensions of the prices per unit and the total price. One error was found, and that bidder Rodarte Construction, Inc. withdrew their bid due to this bid error. We have provided a bid summary with this letter. The bidders and their respective bid amounts, including sales tax where applicable, are as follows:

	<u>Bidders</u>	<u>Total Base Bid</u>	<u>Total Additive Items</u>	<u>Total Base Bid and Additive Items</u>
1.	Award Construction, Inc.	\$1,282,247.34	\$237,639.90	\$1,519,887.24
	Engineer's Estimate	\$1,300,000.00	\$265,000.00	\$1,565,000.00
2.	Rognlin's, Inc.	\$1,336,084.20	\$246,393.20	\$1,582,477.40
3.	Nova Contracting, Inc.	\$1,629,468.80	\$227,640.00	\$1,857,108.80

The low responsive bidder, Award Construction, Inc. of Ferndale, Washington, is currently a Washington State registered and licensed contractor and appears to have the relevant qualifications and experience to successfully perform the work the project will require. To our knowledge, the low bidder has not claimed bid error and no formal bidding protests have been recorded. In accordance with RCW 39.04, we have verified



Mr. Nick Bird, P.E.
May 17, 2012
Page 2

the low bidder, Award Construction, Inc. of Ferndale, Washington has met the responsibility criteria.

Based on our evaluation, we recommend that the project be awarded to the lowest responsive, responsible bidder, Award Construction, Inc., 980 Willeys Lake Road, Ferndale, WA 98248.

Please contact us if you have any questions and/or require additional information.

Very truly yours,

GRAY & OSBORNE, INC.

Michael B. Johnson, P.E.

MBJ/sp
Encl.

DER BIDDER ADDRESS		ENGINEER'S ESTIM.			AWARD CONSTRUCTION, INC. 980 Willeys Lake Road Ferndale, WA 98248 163, 857-00 AWARDCI970M9 5% BID BOND		ROGNLIN'S, INC. 321 West State Street Aberdeen, WA 98520 216583-01 RO-GN-L**342LF 5% BID BOND		NOV. CONTRACTING, INC. 10615 Delphi Road SW Olympia, WA 98512 20691300 NOVACI*991N3 5% BID BOND	
WASHINGTON STATE WORKMAN'S COMP. ACCT. NO. WASHINGTON STATE CONTRACTOR'S REG. NUMBER BID BOND OR OTHER GOOD FAITH TOKEN										
NO.	ITEM	QUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
BASE BID										
1	Mobilization, Cleanup and Demobilization	1 LS	\$96,000.00	\$96,000.00	\$60,000.00	\$60,000.00	\$100,000.00	\$100,000.00	\$110,000.00	\$110,000.00
2	Minor Changes	1 CALC	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
3	Demolition	1 LS	\$15,000.00	\$15,000.00	\$13,500.00	\$13,500.00	\$25,000.00	\$25,000.00	\$6,000.00	\$6,000.00
4	Locate Existing Utilities	8 EA	\$500.00	\$4,000.00	\$300.00	\$2,400.00	\$400.00	\$3,200.00	\$200.00	\$1,600.00
5	Trench Excavation Safety System	1 LS	\$2,500.00	\$2,500.00	\$80.00	\$80.00	\$2,000.00	\$2,000.00	\$12,000.00	\$12,000.00
6	Excavation, Backfill, Compaction and Grading	1 LS	\$45,000.00	\$45,000.00	\$11,600.00	\$11,600.00	\$15,000.00	\$15,000.00	\$24,000.00	\$24,000.00
7	Special Excavation of Unsuitable Material	25' CY	\$35.00	\$875.00	\$65.00	\$1,625.00	\$20.00	\$500.00	\$60.00	\$1,500.00
8	Erosion Control	1 LS	\$3,000.00	\$3,000.00	\$15,000.00	\$15,000.00	\$9,000.00	\$9,000.00	\$3,000.00	\$3,000.00
9	Railroad Borings	1 LS	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$15,000.00	\$15,000.00	\$60,000.00	\$60,000.00
10	Foundation Gravel	75 CY	\$30.00	\$2,250.00	\$60.00	\$4,500.00	\$30.00	\$2,250.00	\$40.00	\$3,000.00
11	Gravel Borrow	450 TN	\$20.00	\$9,000.00	\$22.50	\$10,125.00	\$15.00	\$6,750.00	\$20.00	\$9,000.00
12	Crushed Surfacing Top Course	250 TN	\$24.00	\$6,000.00	\$34.00	\$8,500.00	\$20.00	\$5,000.00	\$42.00	\$10,500.00
13	Quarry Spalls	5 CY	\$35.00	\$175.00	\$120.00	\$600.00	\$100.00	\$500.00	\$100.00	\$500.00
14	Commercial HMA	25 TN	\$225.00	\$5,625.00	\$135.00	\$3,375.00	\$300.00	\$7,500.00	\$240.00	\$6,000.00
15	Topsoil	150 CY	\$25.00	\$3,750.00	\$38.00	\$5,700.00	\$15.00	\$2,250.00	\$30.00	\$4,500.00
16	Hydroseeding	800 SY	\$2.00	\$1,600.00	\$1.10	\$880.00	\$2.00	\$1,600.00	\$2.00	\$1,600.00
17	Operations Building	1 LS	\$275,000.00	\$275,000.00	\$180,000.00	\$180,000.00	\$140,000.00	\$140,000.00	\$260,000.00	\$260,000.00
18	Existing Well No. 3 Building Modifications	1 LS	\$15,000.00	\$15,000.00	\$56,000.00	\$56,000.00	\$30,000.00	\$30,000.00	\$24,000.00	\$24,000.00
19	Replace Well No. 2 Pump	1 LS	\$65,000.00	\$65,000.00	\$70,000.00	\$70,000.00	\$75,000.00	\$75,000.00	\$80,000.00	\$80,000.00
20	Replace Well No. 3 Pump	1 LS	\$55,000.00	\$55,000.00	\$66,000.00	\$66,000.00	\$68,000.00	\$68,000.00	\$70,000.00	\$70,000.00
21	Pyrolusite Treatment System	1 LS	\$120,000.00	\$120,000.00	\$110,000.00	\$110,000.00	\$117,000.00	\$117,000.00	\$110,000.00	\$110,000.00
22	Sodium Hypochlorite Feed System	1 LS	\$35,000.00	\$35,000.00	\$31,000.00	\$31,000.00	\$44,000.00	\$44,000.00	\$32,000.00	\$32,000.00
23	Potassium Permanganate Feed	1 LS	\$19,000.00	\$19,000.00	\$20,000.00	\$20,000.00	\$27,000.00	\$27,000.00	\$21,000.00	\$21,000.00
24	Piping, Valves and Appurtenances	1 LS	\$200,000.00	\$200,000.00	\$211,000.00	\$211,000.00	\$261,000.00	\$261,000.00	\$160,000.00	\$160,000.00
25	Electrical, Telemetry and Instrumentation	1 LS	\$195,000.00	\$195,000.00	\$276,000.00	\$276,000.00	\$270,000.00	\$270,000.00	\$488,000.00	\$488,000.00
Subtotal, Base Bid:				\$1,198,775.00		\$1,182,885.00		\$1,232,550.00		\$1,503,200.00
Sales Tax @ 8.4%				\$100,697.10		\$99,362.34		\$103,534.20		\$126,268.80
TOTAL CONSTRUCTION COST, BASE BID				\$1,299,472.10		\$1,282,247.34		\$1,336,084.20		\$1,629,468.80

DATE: 5/2012
DRAWN: SN
CHECKED: MBJ
APPROVED: MBJ


CITY OF MCCLEARY, WASHINGTON
WELL FIELD IMPROVEMENTS
GRAY & OSBORNE #11551

GRAY & OSBORNE
CONSULTING ENGINEERS
SEATTLE, OLYMPIA, YAKIMA, VANCOUVER & ARLINGTON, WASHINGTON

ORDER		ENGINEER'S ESTIMATE		AWARD		ROGNLIN'S, INC.		NOVA CONTRACTING, INC.		
ADDITIVE ITEM				CONSTRUCTION, INC.						
1	Decommission Existing Well No. 1	1 LS	\$12,000.00	\$12,000.00	\$9,875.00	\$9,875.00	\$7,500.00	\$7,500.00	\$7,000.00	\$7,000.00
2	Chip Seal	6,000 SF	\$1.20	\$7,200.00	\$1.10	\$6,600.00	\$1.30	\$7,800.00	\$2.00	\$12,000.00
3	Fence and Gates	1 LS	\$25,000.00	\$25,000.00	\$21,750.00	\$21,750.00	\$23,000.00	\$23,000.00	\$21,000.00	\$21,000.00
4	Emergency Generator	1 LS	\$85,000.00	\$85,000.00	\$81,000.00	\$81,000.00	\$79,000.00	\$79,000.00	\$70,000.00	\$70,000.00
5	Additional Pyrolusite Treatment System	1 LS	\$115,000.00	\$115,000.00	\$100,000.00	\$100,000.00	\$110,000.00	\$110,000.00	\$100,000.00	\$100,000.00
Subtotal, Additive Item:				\$244,200.00	\$219,225.00		\$227,300.00		\$210,000.00	
Sales Tax @ 8.4%				\$20,512.80	\$18,414.90		\$19,093.20		\$17,640.00	
TOTAL CONSTRUCTION COST, ADDITIVE ITEM				\$264,712.80	\$237,639.90		\$246,393.20		\$227,640.00	
TOTAL CONSTRUCTION COST, BASE BID				\$1,299,472.10	\$1,282,247.34		\$1,336,084.20		\$1,629,468.80	
TOTAL CONSTRUCTION COST, ADDITIVE ITEM				\$264,712.80	\$237,639.90		\$246,393.20		\$227,640.00	
TOTAL CONSTRUCTION COST, BASE BID AND ADDITIVE ITEM				\$1,564,184.90	\$1,519,887.24		\$1,582,477.40		\$1,857,108.80	

Sealed bids were opened at the City of McCleary, 100 South Third Street, McCleary, Washington 98557 on Thursday, May 17, 2012, at 1:00 p.m. (local time).

I hereby certify that, to the best of my knowledge, the above tabulations are true and correct transcriptions of the unit prices and total amounts bid.


MICHAEL B. JOHNSON, P.E.

CITY OF MCCLEARY, WASHINGTON
WELL FIELD IMPROVEMENTS
GRAY & OSBORNE #11551

DATE: 5/2012
DRAWN: SN
CHECKED: MBJ
APPROVED: MBJ

Page 2 of 2

SEATTLE, OLYMPIA, YAKIMA, VANCOUVER & ARLINGTON, WASHINGTON

GRAY & OSBORNE
CONSULTING ENGINEERS

STAFF REPORT

To: Mayor Dent
From: Nick Bird, P.E., Director of Public Works
Date: June 21, 2012
Re: G&O Amendment No. 1

Alternatives for onsite construction management were presented last meeting in the Report dated May 17, 2012. Based on the need of onsite construction management, we still believe that the best option for protecting the City's large investment is contracting with Gray & Osborne.

Please note that Amendment #1 includes more than just onsite construction management. It includes submittal review, progress pay estimate preparation, reviewing and responding to Contractors requests for information, negotiation and preparation of change orders, attendance at construction meetings, preparation of record drawings, startup/testing/ and commissioning of equipment, providing system training, and preparing an operation and maintenance manuals.

Almost 1,400 hours are estimated to properly manage this project. Again, the City does not currently have the personnel to invest that much time into a project without sacrificing many other services.

Please note that the financial figures previously presented in the Award Tab and in the work session include the full Amendment.

Staff Recommendation:

We still believe that contracting with Gray & Osborne to conduct the construction management services is the appropriate course of action.

Action Requested:

In the event the project award is completed, please consider recommending execution of G&O Amendment No. 1.

EXHIBIT "B"

**ENGINEERING SERVICES
SCOPE AND ESTIMATED COST**

City of McCleary - Wellfield Improvements Construction Management

Tasks	Principal Hours	Project Mgr. Hours	Civil Eng. Hours	Structural Eng. Hours	Electrical Eng. Hours	Mechanical Eng. Hours	Resident Inspector Hours	CADD Tech. Hours
1. Provide Project Management		12						
2. Provide Construction Management Services								
a. Review Submittals	1	8	24	8	12	8		
b. Prepare Progress Pay Estimates		6	18					
c. Review and Respond to RFIs	2	16	24	4	8	2		
d. Review, Negotiate and Prepare Change Orders	2	16	16	4	4			
e. Attend Construction Meetings	8	48	8	8	8			
f. Provide Field Inspection Services							880	
g. Prepare Record Drawings		4	12	4	4			24
3. Provide Start-up, Testing, and Training Services								
a. Complete Inspection of Installed Equipment		4	4		8	4		
b. Review Start-up, Testing, and Commissioning Plans	1	2	4		4			
c. Coordinate and Assist with Start-up Testing and Training Activities		24	24		8			
d. Provide Systems Training		8			8	4		
e. Prepare System O&M Manual	1	8	40		16	2		16
Hour Estimate:	15	156	174	28	80	20	880	40
Estimated Hourly Rates:	\$56	\$46	\$36	\$46	\$50	\$36	\$33	\$28
Direct Labor Cost	\$840	\$7,176	\$6,264	\$1,288	\$4,000	\$720	\$29,040	\$1,120

Subtotal Direct Labor: \$50,448
 Indirect Costs (171%): \$86,266
 Total Labor Cost: \$136,714
 Fee (15%): \$20,507
 Subtotal Labor & Fees: \$157,221
 Direct Non-Salary Cost:
 Mileage & Expenses (Mileage @ \$0.55/mile) \$6,500
 Printing \$479
TOTAL ESTIMATED COST: \$164,200

STAFF REPORT

To: Mayor Dent
From: Nick Bird, P.E., Director of Public Works
Date: June 21, 2012
Re: 2013 STIP / Six Year Street Plan

Since there were no significant concerns identified last meeting, we are presenting the STIP as proposed last meeting. We had intended to refine the costs by completing preliminary engineering estimates. Unfortunately we did not get this task completed prior to the deadline for adoption, thus the preliminary cost remains a planning level cost.

In the event project ordering is reconsidered during the public hearing, we will adjust the final document to coincide with the recommendation. The Official STIP follows this report.

2013 STIP in its current form:

<u>Project</u>	<u>Description</u>	<u>Length</u>	<u>Prelim. Cost</u>	<u>Imp.</u>
P 1.1	West Ash; N. 9th St. to N. 7th St.	700	\$ 132,000	(A)
P 1.2	West Ash; N. 10th St. to N. 9th St.	600	\$ 113,000	(A)
P 2.1	Intersection - Mox Chehalis / 3rd Street		\$ 1,250,000	(B)
P 2.2	S. 3rd St.; Mox Chehalis to Oak St.	1375	\$ 1,118,000	(C)
P 2.3	S. 3rd St.; Oak St. to Simpson Avenue	1325	\$ 1,077,000	(C)
P 3.1	Intersection - Simpson Ave. / Summit Rd.		\$ 1,250,000	(B)
P 3.2	Summit Road; Simpson Ave. to Beck St.	1460	\$ 1,187,000	(D)
P 3.3	Summit Road; Beck St. to N. of Bridge	1765	\$ 1,435,000	(D)
P 3.4	Summit Road; N. of Bridge to SR 108	1630	\$ 1,325,000	(D)
P 3.5	Summit Road; SR 108 to E. Bear St.	2200	\$ 1,788,000	(D)
P 4.1	S. 4th St.; W. Simpson Ave. to Pine St.	1330	\$ 1,081,000	(D)
P 4.2	S. 4th St.; Pine St. to South City Limits	1510	\$ 284,000	(A)
P 5	W. Maple St.; S. 5th St. to S. 3rd St.	890	\$ 724,000	(C)
Total Preliminary Cost			\$12,764,000	

Improvement Types:

- (A) – Resurface and Repair
- (B) – Roundabout, New Curb and Gutter, Storm, Sidewalk, Landscaping, and Bike Lane
- (C) – Resurface & Repair, New Curb and Gutter, Storm, Planter Strip, Sidewalk and Bike Lane
- (D) – Resurface, Widen, New Curb and Gutter, Storm, Sidewalk, Planter Strip, and Bike Lane

Staff Recommendation:

Adopt the STIP per final discussion at Public Hearing.

Action Requested:

Using the resolution provided, please consider adopting the STIP as recommended at the Public Hearing.

STAFF REPORT

To: Mayor Dent
From: Nick Bird, P.E., Director of Public Works
Date: June 21, 2012
Re: Narrow Band Radio's

As was indicated last week, four additional radios must be purchased to comply with the narrowband requirements mandated by the FCC.

The radios are for:

1. Wastewater Treatment Plant Office (Wastewater)
2. Ford Ranger 1 (Building Department)
3. Ford Ranger 2 (Building Department)
4. John Deere Backhoe (Public Facilities)

We are victims of circumstance in this scenario, as we (meaning you and I) were under the impression that authorization of the proposal in February would completely convert the City to narrow band. After scouring the correspondence from 2009-2010, where these radios dropped off the proposal, we believe we have discovered the error.

We had identified 7 radios with a model number of CM-300, which are narrow band compatible. In reality, we only had 3 CM-300 radios, the other 4 were GM-300, which are not narrowband compatible. This fact was known by the City and Day Wireless in July 2009, but when the proposal was prepared in September 2010, it was inadvertently dropped. Why the proposal from July 2009 was not carried forward is anybody's guess.

Moving Forward

The budgeted amount for the narrowband conversion was \$10,000. The amount previously authorized was \$9,204.50. The quote received to complete the radio work from Day Wireless for \$1,771.48 (which includes sales tax). The total cost to complete the work is \$10,975.48, or roughly \$1,000 over budget.

Staff Recommendation:

As this is a necessary evil, staff recommends that the additional radios are purchased and installed. As these radios were not included in the budget, the cost should be borne by the department shown above.

Action Requested:

Please consider authorizing the purchase and installation of last four radios to complete the narrowband process.



DAY WIRELESS SYSTEMS {15}
 1506 West Wishkah Way
 Aberdeen, WA 98520
 (360) 533-5857

QUOTATION

QUOTE NO.: 48553 - 00 RPT
 DATE: 5/18/12
 TERMS: NET 30

TO: McCleary, City of
 Attn: Todd Bonn - Pwks Dept
 100 S 3rd St
 McCleary, WA 98557

Please reference Quote No. on
 Correspondence & purchase orders.
 Prices firm for 30 days.

WE ARE PLEASED TO QUOTE YOU THE FOLLOWING:

QTY	ITEM	DESCRIPTION	UNIT PRICE	TOTAL
4	AAM50KQF9AA3	PM400 VHF 64CH. 25-45W MOBILE STOCK PER 100	388.66	1,554.64
4	PROGRAMMING FEE	Programming Fee	15.00	60.00
Item Summary				1,614.64
Subtotal				1,614.64
Outbound Frt				24.21
Sales Tax				132.63
Grand Total				1,771.48

ORDERS SUBJECT TO SHIPPING & HANDLING AND SALES TAX IF APPLICABLE

TERMS SUBJECT TO CREDIT REVIEW

Quoted rate for maintenance is for service during normal business hours at Day Wireless System locations within designated service area and require a signed contract.
 Maintenance contract coverage invoiced separately. Please contact our Sales or Service Representative for a quote on Preferred Customer 24/7 On Site maintenance.

BY **Dan Casler** (360)491-9000 Ext **DCasler@daywireless.com**

THIS QUOTE IS SUBJECT TO REVIEW BY MANAGEMENT FOR COMPLETENESS AND ACCURACY.

Accepted

by _____

LEGAL NAME OF PURCHASER

P.O. No. _____

AUTHORIZED SIGNATURE

Date _____

STAFF REPORT

To: Mayor Dent
From: Nick Bird, P.E., Director of Public Works
Date: June 21, 2012
Re: Utility Easement

The utility pole providing service to parcels 063002100501 and 063002100300 just off of 10th street on the south side of Simpson Avenue needed to be replaced. Rather than providing a back guy into the cemetery on the north and potentially place the guy near/in a grave, we thought it prudent to provide an underground service to these residents.

As the weather was nice in the end of May, the Owner of the subject parcel verbally authorized the installation of the underground service. The underground service runs along the west side of parcel 063002100401.

To formalize this process, we need authorization to execute the attached "Easement for Utilities" document.

Staff Recommendation:

It is highly recommended to have a utility easement for all utility lines that are placed on private property, especially those that serve additional customers beyond the parcel being used.

Action Requested:

Please consider authorizing the execution of the attached "Easement for Utilities".

EASEMENT FOR UTILITIES

THIS EASEMENT is granted on the _____ day of June, 2012, ("Effective Date") by John Lott and _____ Lott, and the marital community composed thereof ("Grantor").

1. Grant and Location of Easement. Grantor hereby grants and conveys to the City of McCleary, a municipal corporation ("Grantee"), its successors and assigns, a non-exclusive utility easement ("Easement") with immediate right of entry and continued access over, under, and across the real property depicted on Exhibit 1 and legally described on Exhibit 2.

2. Purpose of Easement. The purpose of this Easement is for the installation, maintenance, repair, and replacement of an underground utility element, specifically an enclosed underground power line, and other appurtenant structures.

3. Maintenance of Easement. Grantee shall maintain and repair the line and its appurtenant structures so as not to damage the property burdened by this Easement, or any other property. To the extent that Grantee's exercise of its rights granted under this document disturbs the surface, it shall return the surface to its original condition to the extent reasonably possible and at its sole expense.

4. Interference. Grantor may use the surface above the Easement, PROVIDED that its use does not interfere with or cause damage to the utility line and appurtenant structures, and PROVIDED FURTHER that prior to constructing any building or planting any trees or shrubbery which will grow to a height greater than four feet within the Easement, Grantor shall obtain the written consent of Grantee, which consent shall not be unreasonably withheld. Grantor may construct a fence on the boundary line and street side of Grantor's property, PROVIDED,

however, that Grantor does not prohibit or impede Grantee's access to the Easement. If, in exercising any right to use the surface above the Easement or grant other easements, the Easement is disturbed, Grantor shall return the Easement to its condition prior to its disruption, at Grantor's sole cost and expense.

5. Title. The Grantor warrants that the Grantor has good title to the above property.

6. General Provisions:

6.1. In the event of any litigation arising out of the performance of this Contract, it is agreed that the Courts of the County of Grays Harbor, State of Washington, shall be Courts of proper venue. Further, in addition to any other relief which may be granted to the prevailing party, the Court may award the prevailing party reasonable attorneys' fees and costs.

6.2. The undersigned represent that they are authorized to execute this Contract upon behalf of the respective parties.

6.3. This document and the rights and duties created thereby shall run with the property and be binding upon the Grantor and the Grantee and their respective heirs, executors, administrators, successors, and assigns.

6.4. The rule of interpretation against the drafter shall not apply.

Grantor

STATE OF WASHINGTON)
 : ss.
County of Grays Harbor)

On this day personally appeared before me John Lott and _____, to me known to be the persons who executed the within instrument and foregoing instrument, and acknowledged the said instrument to be their free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument.

GIVEN under my hand and official seal this _____ day of June, 2012, as a Notary Public in and for the State of Washington, residing at _____, Washington. My appointment expires: _____.

Accepted by the City of McCleary this _____ day of June, 2012.

City of McCleary

D. GARY DENT, Mayor

W SIMPSON AVE. (S.R. 108)

UTILITY EASEMENT
(WEST 5' OF PARCEL 063002100401)

S. 10TH ST.

S. 9TH ST.

W SIMPSON AVE. (S.R. 108)

S.R. 8



SCALE 1"=100'

CITY OF McCLEARY
EXHIBIT 1
UTILITY EASEMENT LOCATION MAP

Gray & Osborne, Inc.
CONSULTING ENGINEERS

Exhibit 2

Utility Easement

The west 5.00 feet of the north 154.38 feet of Lot 4, Block 21, Second Addition to the Townsite of McCleary, recorded in Volume 5 of Plats, Page 44, which is in the NE quarter of the NW quarter of Section 14, Township 18 North, Range 5 West of WM in the City of McCleary.

STAFF REPORT

To: Mayor Dent
From: Nick Bird, P.E., Director of Public Works
Date: June 21, 2012
Re: Trip Hazard Removal

I am certain that many of you at one time or another has noticed the trip hazards on the west side of the park, next to the trees. I received a cold sales call a few months back from a company called Precision Concrete Cutting, claiming to have the best option to repair trip hazards. They claim they use a patented technology (horizontal diamond blades) to remove the trip hazard, which greatly diminishes the cost to repair these hazards.

While I admit I was skeptical, I invited them out to scope the project and provide a quote. We reviewed the City Park, City Hall, and the Police Department. A total of 28 trip hazards were identified. Precision Concrete Cutting is proposing to do the work for approximately \$2,000. This cost translates to a repair cost of approximately \$75 per hazard.

A copy of the proposal and bid follows this report.

This item was not budgeted, but we realize the importance of removing these hazards. Ironically, we have recently received many complaints recently about the hazards in and around the park. If at all possible, we would like to have this work completed before Bear Festival.

If authorized, the cost would be split 50/50 between Park (101) and Street (102).

Staff Recommendation:

Rather than remove and replace the hazard areas (which are not all concrete), we would like to give this creative solution a try.

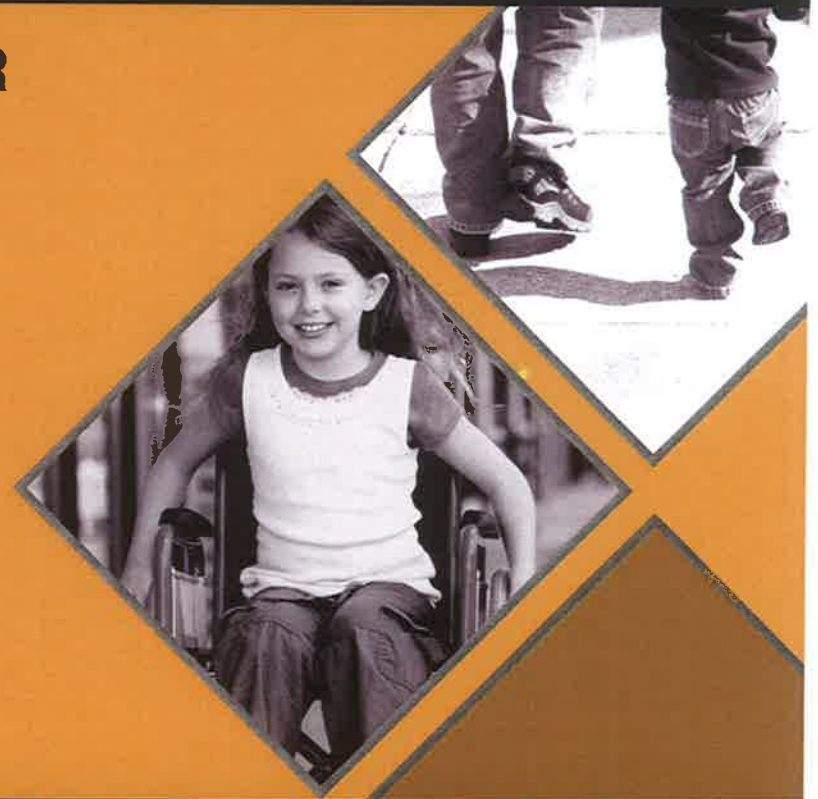
Action Requested:

Please consider authorizing the City to proceed with the proposal from Precision Concrete Cutting.



Contact: Jim Buckley
Phone: 509.421.2090
Fax: 801.224.0062

SIDEWALK TRIP HAZARD REPAIR PROPOSAL: City of McCleary



Presented to: Nicholas Bird
June 2012



EXECUTIVE SUMMARY

Precision Concrete Cutting uses proprietary and patented cutting technology to repair trip hazards. Our work is guaranteed to offer the following benefits:

- **Cost Savings** - Remove trip hazards at a fraction of the cost of other methods.
- **ADA Compliance** - Approved and compliant with ADA standards.
- **Clean** - No mess left behind. No resident complaints.
- **Safety** - Decrease liability on your pedestrian walkways, increase safety.
- **Detailed Reporting** - Invoices show measurements, locations, and cost for each hazard.
- **Low Impact** - Average removal time is 20 minutes, no sidewalk closures.
- **Full Service Contractor** - Complete GIS integration, mapping, etc.



ENVIRONMENTAL IMPACT EXAMPLE: As a member of the U.S. Green Building Council (USGBC) we are proud of the fact that we reduce the impact to landfills and the environment as a result of our service.

Removing and replacing 100 panels would result in approximately 118,500 pounds or 59 tons of concrete being removed (average panel weight of 1185 pounds).

Using Precision Concrete Cutting for 100 trip hazards results in 0.3 tons of concrete removed and recycled, approximately 141 gallons of gasoline saved, and a reduction of 1.3 metric tons of Co2.

The information in this summary is confidential, and is to be used only by the intended recipient and Precision Concrete Cutting in evaluating the project. Any copying or unauthorized disclosure of this information is prohibited.

SURVEY AREA



This proposed project includes removing trip hazards for the City of McCleary. The photos show a few trip hazards at the locations surveyed. These areas were designated by Nicholas Bird.

Total Trip Hazards - 28

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PROGRAM OPTIONS

All Hazards

- 1:8 Slope Ratio
- Dust Abatement Used
- ADA Compliance
- 100% Clean-up / Waste Removal

Quick Approval Discount

- 1:8 Slope Ratio
- Dust Abatement Used
- ADA Compliance
- 100% Clean-up / Waste Removal
- 3% Discount if Approved by June 30th

All options will be performed using our patented saw cutting technique resulting in an edge to edge repair of the sidewalk with a completely planar slope.

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PRICING OPTIONS

All Hazards

- 1:8 Slope Ratio
- Dust Abatement Used
- ADA Compliance
- 100% Clean-up / Waste Removal

\$2,059.99

Quick Approval Discount

- 1:8 Slope Ratio
- Dust Abatement Used
- ADA Compliance
- 100% Clean-up / Waste Removal
- 3% Discount if Approved by June 30th

\$1,999.95

All options will be performed using our patented saw cutting technique resulting in an edge to edge repair of the sidewalk with a completely planar slope.

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COST SAVINGS

Based on an average panel size and an estimated replacement cost, we estimate the cost to remove and replace 28 trip hazards (approx. 1,792 square feet) is **\$14,336**.

Total cost using Precision Concrete Cutting is \$2,060, an estimated savings of \$12,276.

Project Summary:

Total Trip Hazard Repairs	28
Cost Using R&R	\$ 14,336
Cost Savings with PCC	\$ 12,276
Cost Using PCC	\$ 2,060

COST COMPARISON

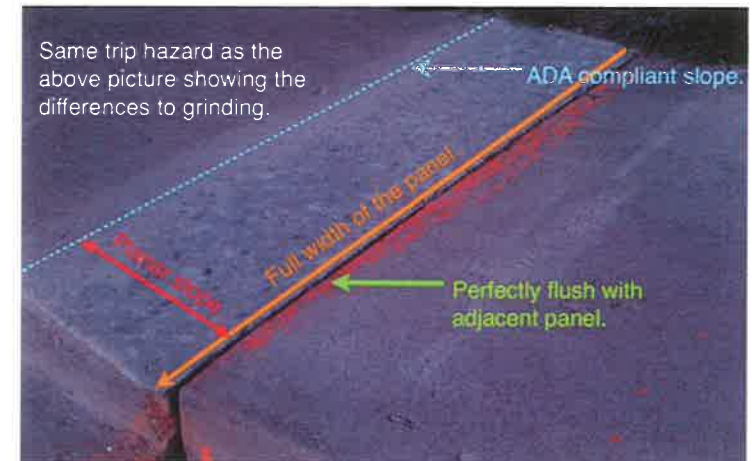
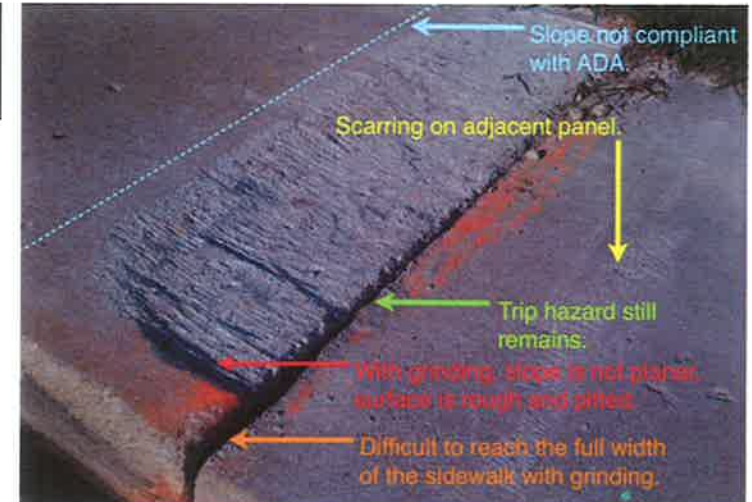


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WHY WE DON'T GRIND

The cost savings compared to grinding is important, but the biggest contrast to grinding is quality, aesthetics and ADA compliance.

- Grinding often damages the concrete (breaks edges, knocks out aggregate, scars adjacent panels, creates micro cracks).
- Often unsightly (leaves a rough, uneven scarring)
- Doesn't comply with the ADA slope requirements
- Has no cost advantage
- Unable to remove hazards next to objects
- Hard to use on small trip hazards (under 3/8") and larger trip hazards (over 1 inch)
- Very slow process and generates lots of dust



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CITY OF MCCLEARY TRIP HAZARDS



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PRECISION CONCRETE CUTTING REPAIRS



Before



After Precision Concrete Cutting has completely and smoothly removed the trip hazard.

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PRECISION CONCRETE CUTTING REPAIRS



Before



After Precision Concrete Cutting has completely and smoothly removed the trip hazard.

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**BID
W1330**

City of McCleary
Attn. Nicholas Bird
100 South 3rd Street
McCleary, WA 98557

Hi Nicholas,

The following is an estimate for trip hazard removal work for the City of McCleary.

Total Estimate Amount \$2,059.99

Cost Savings Analysis:

The cost per square foot is \$1.15. We estimate that this is approximately 86% less expensive than removal and replacement of the concrete, **a savings of \$12,276.01.**

Detail on work that would be completed:

No. of trip hazards	28
Total lineal feet cut	160
Total inch feet cut	86
Total estimate amount	\$2,059.99

Please contact us with any questions. We appreciate the opportunity to provide an estimate for the City of McCleary.

Sincerely,

Jim Buckley
Precision Concrete Cutting
509.421.2090 - cell



City of McCleary
 Attn. Nicholas Bird
 100 South 3rd Street
 McCleary, WA 98557
 360.495.3667 - phone
 nickb@cityofmcclary.com

Date: June 8, 2012
 Bid #: W1330

Precision Concrete Cutting
 3191 North Canyon Road
 Provo, Utah 84604
 (801) 224-0025 - phone
 (801) 224-0062 - fax
 Federal ID #: 04-3800739

Total Ln. Ft.
160.0

Total In. Ft.
86.06

PRECISION CONCRETE CUTTING					
No.	Size	Size	Lineal Feet	Location	Inch Feet
1	0.500	0.000	7	Building A- Asphalt Removal	1.75
2	0.375	0.000	5	Angle Walk to Visitor Sign	0.94
3	0.375	0.000	4	Main Sidewalk Flag Pole	0.75
4	0.500	0.250	7	Main Sidewalk	2.63
5	0.750	0.375	5	Main Sidewalk	2.81
6	0.750	0.500	5	Y in Sidewalk	3.13
7	1.000	0.250	14	End of Angle Sidewalk	8.75
8	0.750	0.375	5	Angle Sidewalk	2.81
9	1.625	0.875	5	Angle Sidewalk by Train	6.25
10	0.625	0.250	5	By Train	2.19
11	0.500	0.250	5	Next to Train	1.88
12	0.375	0.000	5	Main Sidewalk- Cracks	0.94
13	0.625	0.000	6	Main Sidewalk- Cracks	1.88
14	0.625	0.000	7	Main Sidewalk- Cracks & Joint	2.19
15	1.125	0.750	5	Main Sidewalk Patch	4.69
16	0.375	0.000	3	Main Sidewalk Patch	0.56
17	0.500	0.250	5	Main Sidewalk	1.88
18	1.250	0.375	5	Main Sidewalk	4.06
19	0.875	0.625	5	Main Sidewalk Patch	3.75
20	0.625	0.375	5	Main Sidewalk	2.50
21	0.375	0.000	5	Main Sidewalk- Cracks	0.94
22	2.500	1.500	5	Main Sidewalk Lindsey	10.00
23	0.875	0.375	5	By Lindsey	3.13
24	0.375	0.375	2	Stump City Hall	0.75
25	0.375	0.000	3	City Hall	0.56
26	0.625	0.000	9	Police Department- Cracks	2.81
27	1.125	0.500	11	Front Door Police	8.94
28	0.500	0.250	7	Front Door Police - Asphalt-Concrete Level	2.63
		Totals:	160.0		86.06

Total Cost: \$2,059.99

ORDINANCE NO. _____

AN ORDINANCE RELATING TO THE MUNICIPAL COURT, AMENDING SECTION 2.24.040, MMC & SECTION 4, ORDINANCE 472, PROVIDING AN EFFECTIVE DATE & FOR SEVERABILITY.

R E C I T A L S :

1. In 1984, the City exercised the option to implement its Municipal Court under the provisions of RCW 3.50.

2. Since that time, the applicable provision relating to the appointment of judges pro tem to serve in the temporary absence of the duly appointed and confirmed judge has been amended to provide the authority to appoint judges pro tem is granted to the appointed judge.

3. The Mayor and Council wish to amend the applicable code section so as to be in compliance with the statutory authority.

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

SECTION I: Section 2.24.040 and Section 4, Ordinance 472, are each amended to read as follows:

The ((mayor)) individual then serving as the duly appointed and confirmed judge of the Municipal Court shall have the authority to appoint such individuals to serve as judges pro tem as may be from time to time required. Such individuals shall

meet such qualifications as may be from time to time established for the position of judge of the municipal court and shall receive such compensation as may be from time to time fixed by the ordinances of the city. Judges pro tem shall serve in the absence or disability of the regularly appointed judge or subsequent to the filing of an affidavit of prejudice by a party, as such affidavits may from time to time be allowed by statute, court rule, or otherwise, within the municipal court. The term of appointment shall be specified in writing; but in no event may such term of appointment extend beyond the term of the ((~~mayor~~)) judge making the appointment. No bond shall be required of a judge pro tem.

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

SECTION III: This Ordinance shall take effect upon the fifth day following date of publication.

PASSED THIS _____ DAY OF _____, 2012, by the City Council of the City of McCleary, and signed in approval therewith this _____ day of _____, 2012.

CITY OF McCLEARY:

D. GARY DENT, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

STATE OF WASHINGTON)
 : ss.
GRAYS HARBOR COUNTY)

I, WENDY COLLINS, being the duly appointed Clerk-Treasurer of the City of McCleary, do certify that I caused to have published in a newspaper of general circulation in the City of McCleary a true and correct summary of Ordinance Number _____ and that said publication was done in the manner required by law. I further certify that a true and correct copy of the summary of Ordinance Number _____, as it was published, is on file in the appropriate records of the City of McCleary.

WENDY COLLINS

SIGNED AND SWORN to before me this _____ day of _____, 2012, by WENDY COLLINS.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, Residing at:
My appointment expires:

RESOLUTION NO. _____

**A RESOLUTION ADOPTING A SIX-YEAR STREET PLAN
FOR THE CITY OF McCLEARY.**

R E C I T A L S:

1. The City Council and Mayor have received the recommendations of the Director of Public Works in relation to the requirements and programming involved with the six-year street plan.

2. On _____, 2012, after the giving of the required public notice, a public hearing was held to allow the receipt of input from the Public.

3. Taking into consideration the information received, the Council wishes to formally adopt those recommendations as they have been established by the City Director of Public Works subject to the modifications and expansions carried forth by the Council.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

SECTION I: That certain listing of streets and the priorities established thereon attached hereto as Attachment Number 1 and incorporated by this reference shall be and is

hereby adopted as the six-year street plan for the City of McCleary, as that plan is required and designated by the appropriate divisions and agencies of the State of Washington, including but not limited to the Transportation Improvement Board and the Department of Transportation.

SECTION II: The Clerk-Treasurer and the City Director of Public Works shall provide such distribution of this Resolution as may be required from time-to-time.

PASSED THIS _____ DAY OF _____, 2012,
by the City Council of the City of McCleary, and signed in approval therewith this _____ day of _____, 2012.

CITY OF McCLEARY:

D. GARY DENT, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney