



**CITY OF LA CENTER CITY COUNCIL
REGULAR MEETING
June 8, 2016**

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City Council*

REGULAR MEETING:

1. Mayor Thornton called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL:**

Council:

Councilmember Birdwell-Currey	Present
Councilmember Luiz	Present
Councilmember Williams	Present
Councilmember Valenzuela	Present
Councilmember Cerveny	Present
Mayor Thornton	Present

Staff:

Marc Denney, Police Chief
Dan Kearns, City Attorney
Suzanne Levis, Finance Director/Clerk
Jeff Sarvis, Public Works Director

Guests:

Tom Broadwater	Judy Hickman	Daina McLean
Skip Carlson	Dennis Hill	Melinda Mazna
Dan Catchpole	Terresa Holmes	Jeremy Smith
John Dunkle	Jim & Candi Irish	Chris Swindell
Staci Firl	Gale Johnson	Andy "Sheriff" Taylor
Andrew Helm	Larry Lewton	

4. **CONSENT AGENDA**
 - A. **APPROVAL OF CLAIMS/ADJUSTMENTS – 06.08.16**
 - B. **REGULAR MEETING MINUTES – 05.25.16**

MOTION MADE BY COUNCILMEMBER LUIZ, SECONDED BY COUNCILMEMBER BIRDWELL-CURREY AND CARRIED UNANIMOUSLY TO APPROVE THE JUNE 8, 2016 CONSENT AGENDA.



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5. COUNCIL STAFF REPORTS/ANNOUNCEMENTS.

A. MAYOR'S REPORT.

- Mayor Thornton thanked those who have responded to the City's call for volunteers to serve on the City's Salary Commission. The City is still seeking candidates to serve on the Civil Service Commission and the Budget Advisory Committee. Applications and details are available on the City's website.
- The Timmen Memorial Bench dedication hosted by the Museum Board of Directors is Saturday, June 18, with a reception afterwards at the La Center Historical Museum. Everyone is welcomed.
- The splash pad opens officially in Holley Park on June 16. Special thanks to Public Works for opening the splash pad this past weekend for a couple of days during the heat wave.
- The retirement party for La Center School District Superintendent Mark Mansell is being held Friday, June 17, 3:30-5:30 p.m. at the high school commons. Everyone is welcomed.
- The Safewise Report has released its 2016 safest cities in Washington, and La Center is ranked as No. 7 in their top 20 in the State of Washington. The City received a 2016 Safest Cities in Washington Honorary Certificate commemorating the award, as well as a website badge that is displayed on the City's webpage.

B. ATTORNEY'S REPORT – DAN KEARNS, CITY ATTORNEY. The decision from the D.C. Circuit Court of Appeals is still pending, and the Supreme Court litigation challenging the Intergovernmental Agreement is pending as well with a hearing scheduled for later this month. Additional legal matters will be discussed under Item 12, Executive Sessions.

C. COUNCIL COMMENTS.

COUNCILMEMBER BIRDWELL-CURREY – None.

COUNCILMEMBER LUIZ – Congratulations to all 2016 graduates.

COUNCILMEMBER WILLIAMS appreciates the splash pad opening this past weekend; the Chelatchie Railroad's steam engine will be running for Father's Day weekend; he will not be present at the June 22 City Council meeting.



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COUNCILMEMBER VALENZUELA – Congratulations to the Wildcats for their varsity softball team State championship; the Big Paddle event in Ridgefield was great fun; he toured the Cowlitz casino at the I-5 junction, which is rapidly progressing.

COUNCILMEMBER CERVENY advised citizens to drive safely, now that school is out for the summer and welcomed guests in attendance for today's meeting.

D. STAFF REPORTS.

- **POLICE CHIEF MARC DENNEY, POLICE DEPARTMENT.** Chief Denney emailed the May 2016 *Monthly Blotter* to Councilmembers which included PD highlights and crime statistics. He cautioned citizens to drive safely and obey speed limits, especially now that school is out. Parents were advised to utilize the buses for their children's transport to school in the future, to help alleviate the traffic congestion at the school. Citizens were reminded to lock up property to prevent thefts and other crimes.
- **DIRECTOR JEFF SARVIS, PUBLIC WORKS DEPARTMENT.** Director Sarvis emailed his June staff report to Councilmembers. The report provided updates to development projects and other activity in the Public Works department. The reduction of traffic impact by implementing nighttime work for the sewer replacement project in July is not an option, because it was not in the original scope of work and would increase costs. The LED signal at 4th Street and Stonecreek Avenue should be running within the next week. The trails projects are being surveyed and designed.

6. CITIZEN'S PUBLIC COMMENT.

TERRESA HOLMES, 1011 NW 379TH ST., and her husband, David, are longtime residents of La Center and avid runners. She provided Council suggestions for the City's trails project to include the best surface materials preferred by experienced runners.

ANDREW HELM, 39907 NW 9TH AVE., WOODLAND, is the cross-country track coach at La Center High School. He encouraged Council to proceed with the trails project. Running trails would be a beneficial addition to the circular track at the high school.

CANDI IRISH, 1653 HERITAGE LOOP, thanked Public Works for fixing the reader board; the Citywide Garage Sale is free this year and applications are now being accepted; the Lions Club Fun 5K Run / Walk is Saturday, June 11; if you are planning to attend the Timmen Family Bench Dedication on June 18, an RSVP would be greatly appreciated.



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MELINDA MAZNA, 5305 NE 384TH ST. The development of the trails in La Center would be a great opportunity to provide alternative activities for the students and make it possible for the City to host cross-country and other outdoor events. Such events would attract customers to the City providing income for local businesses. Costs of development could be offset with the participation of permitted vendors at events.

STACI FIRL, 539 E. 11TH CT, wants to see the City’s trails project move forward because it is important for student track programs and citizens who run on a regular basis. Off-road trails would provide a safer environment for runners.

7. **PRESENTATIONS** – None.

8. **ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS.**

A. PUBLIC HEARING -- ORDINANCE NO. 2016-04 VACATING AN APPROXIMATELY 4,300 SQUARE FOOT PORTION OF UNDEVELOPED AND UNNEEDED RIGHT-OF-WAY AT THE INTERSECTION OF NW POLLOCK ROAD AND NW TIMMEN ROAD TO THE OWNER OF THE ADJACENT PROPERTY (HARRIER HOUSE, LLC – PARCEL NUMBER 21151500).

Public Works Director Jeff Sarvis presented and moved that Council approve Ordinance No. 2016-04. Daina McLean, the applicant, was in attendance to answer any questions.

At 7:35 p.m., Mayor Thornton opened the discussion up to public comment. There being none, public comment was closed at 7:36 p.m.

A brief discussion of advantages and disadvantages to vacating the property ensued after which the following motion was made:

MOTION MADE BY COUNCILMEMBER LUIZ, SECONDED BY COUNCILMEMBER WILLIAMS AND CARRIED UNANIMOUSLY TO APPROVE ORDINANCE NO. 2016-04 VACATING AN APPROXIMATELY 4,300 SQUARE FOOT PORTION OF UNDEVELOPED AND UNNEEDED RIGHT-OF-WAY AT THE INTERSECTION OF NW POLLOCK ROAD AND NW TIMMEN ROAD TO THE OWNER OF THE ADJACENT PROPERTY (HARRIER HOUSE, LLC – PARCEL NUMBER 21151500).

Mayor Thornton called for a Roll Call vote:

Councilmember Birdwell-Currey: Yes
Councilmember Luiz: Yes
Councilmember Williams: Yes



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Councilmember Valenzuela: No
Councilmember Cerveny: Yes

- 9. **ITEMS REMOVED FROM THE CONSENT AGENDA** – None.
- 10. **UNFINISHED BUSINESS** – None.
- 11. **NEW BUSINESS** – None.
- 12. **EXECUTIVE SESSIONS.** At 7:40 p.m., Mayor Thornton called for Executive Sessions to consult with legal counsel regarding collective bargaining strategy and potential litigation with the first session expected to last approximately 20 minutes with action to be taken afterwards. City Attorney Dan Kearns facilitated both sessions.
 - A. **RCW 42.30.140(4)(B) – CONSULTATION WITH LEGAL COUNSEL REGARDING THE APPROPRIATE STRATEGY TO TAKE IN COLLECTIVE BARGAINING.** Executive session began at 7:45 p.m. At 8:15 p.m., Mayor Thornton closed the Executive Session and resumed the Regular Meeting.

MOTION MADE BY COUNCILMEMBER CERVENY, SECONDED BY COUNCILMEMBER VALENZUELA AND CARRIED UNANIMOUSLY TO AUTHORIZE THE MAYOR TO EXECUTE THE COLLECTIVE BARGAINING AGREEMENT WITH THE LA CENTER EXEMPT EMPLOYEES’ ASSOCIATION, FOR THE PERIOD OF JANUARY 1, 2016 THROUGH DECEMBER 31, 2018.

MOTION MADE BY COUNCILMEMBER LUIZ, SECONDED BY COUNCILMEMBER BIRDWELL-CURREY AND CARRIED UNANIMOUSLY TO AUTHORIZE THE MAYOR TO EXECUTE THE COLLECTIVE BARGAINING AGREEMENT WITH THE LA CENTER POLICE OFFICER’S ASSOCIATION – CIVILIAN, FOR THE PERIOD OF JANUARY 1, 2016 THROUGH DECEMBER 31, 2018, AND TO ALSO EXECUTE THE MOU FOR THE POTENTIAL IMPACTS CAUSED BY THE COWLITZ INDIAN TRIBE’S CASINO OPENING.

No motion was received for the La Center Police Officer’s Association – Sworn (LCPOA-sworn) Collective Bargaining Agreement. Mayor Thornton directed staff to continue to negotiate.

- B. **RCW 42.30.110(1(I) – CONSULTATION WITH LEGAL COUNSEL REGARDING POTENTIAL LITIGATION.** At 8:25 p.m., Mayor Thornton called for an Executive Session to discuss potential litigation expected to last approximately 15 minutes with no action to be taken afterwards. At 8:45 p.m., Mayor Thornton closed the Executive Session and resumed the Regular Meeting. No action was taken.



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13. **ADJOURNMENT.**

Meeting was adjourned at 8:46 p.m.

Mayor Pro Tem Elizabeth Cerveney

Suzanne Levis, Finance Director/Clerk



CITY COUNCIL AGENDA ITEM

Department: Public Works, Jeff Sarvis

Agenda Date: June 22, 2016

Item: Project PW 2016-03, City of La Center and School Subsurface Drainage

Action Requested: Reject Bids

Background

This project is part of the Department of Commerce Grant "City of La Center Parks and Rec, Community Center" grant. Bids were advertised for the installation of subsurface drainage for the high school varsity baseball field and four of the ball/soccer fields in Holley Park.

The work advertised for bid included drainage for all fields and drainage with irrigation for the Holley Park fields. The high school baseball field was the base bid and the four Holley Park fields were designated as alternates.

The City received two bids. Bidder No. 1 provided a bid for the high school field but did not provide bids for the Holley Park ball field alternates. Bidder No. 2 provided bids for the base bid and alternates as advertised in the amount \$300,277.76.

The total budget for this project was \$195,000 of which \$70,502 has already been spent to reimburse work completed in 2014 on the high school football field. Accepting the one responsive bid would result in a total cost of \$371,278, which would be \$176,278 over budget.

The Finance Director is providing an update to the City Council on Commerce Grant expenses in her report.

Budget Impact

Not Applicable.

Recommendation/Motion

Mr. Mayor, I move to approve Resolution No. 16-405, rejecting all bids regarding the City of La Center Project, PW 2016-03.



**CITY OF LA CENTER COUNCIL
RESOLUTION NO. 16-405**

**A RESOLUTION REJECTING ALL BIDS REGARDING
CITY OF LA CENTER PARK AND SCHOOL SUBSURFACE
DRAINAGE PROJECT, PW 2016-03**

WHEREAS, the City of La Center called for bids for the installation of subsurface drain piping in the following five public ball fields: (1) baseball field at La Center High School (field #4), Holley Park baseball (field #1), Holley Park baseball/soccer (field #2), Holley Park Baseball/Soccer (field #3), Holley Park Little League Field, collectively known as the Park and School Subsurface Drainage Project (PW 2016-03); and

WHEREAS, consistent with RCW 39.04.155 Small Works Roster contract procedures, the City issued notice on April 26, 2016 requesting bids on the Park and School Subsurface Drainage Project (PW 2016-03) by contractors on the MRSC Small Works Roster for playground drainage work and on the online Southwest Washington Contractors Association's Plan Center; and

WHEREAS, consistent with LCMC 3.20.010 the bid specifications reserved to the City the right to reject any and all bids if it was in the public interest to do so; and

WHEREAS, at the time and place established in the notice for the receipt of bids, two bids were received, publicly opened, examined and declared; and

WHEREAS, based on the recommendation of the Public Works Department, the City Council has determined that both of the bids thus received are either non-responsive to the bid solicitation or exceed the City Engineer's estimate and the budget for the work proposed, and for those reasons it is in the public interest to reject all bids received on this project.

NOW, THEREFORE, pursuant to LCMC 3.20.010, the City Council for the City of La Center, Washington resolves that all bids submitted to and received by the City relating to City of La Center Park and School Subsurface Drainage Project (PW 2016-03) are hereby rejected, and the Public Works Department shall resolicit bids on this project in the normal course.

PASSED, ADOPTED and EFFECTIVE this 22nd day of June, 2016 by a majority of the La Center City Council.

Elizabeth Cerveney, Mayor Pro Tem
City of La Center

ATTEST:

APPROVED AS TO FORM:

Suzanne Levis, Finance Director/Clerk

Daniel Kearns, City Attorney