



**CITY OF WASHOUGAL
CITY COUNCIL REGULAR MEETING
Monday, March 25, 2024
7:00 PM**

MEETING INFORMATION

Please click the link below to join the webinar:
<https://us02web.zoom.us/j/84954179153>

I. INVOCATION

II. CALL TO ORDER

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. AMENDMENTS TO THE AGENDA

VI. PROCLAMATIONS

- A. National Child Abuse Prevention Month**
- B. Poetry Month**

VII. PUBLIC COMMENTS

VIII. CONSENT AGENDA

The following items will be passed by a single motion to approve all listed actions and resolutions. There will be no discussion on these items unless requested by Council. If discussion is requested, the item will be moved from the Consent Agenda and considered separately - after the motion has been made and passed to approve the remaining items.

- A. Workshop Minutes of March 11, 2024**
- B. Council Minutes of March 11, 2024**
- C. Payroll Claims of March 15, 2024, Totaling \$340,662.63**
- D. Accounts Payable of March 14, 2024 - Totaling \$478,922.82**
- E. Authorize the City Manager to Sign: Amendment to Solid Waste Collection and Transfer Station Development and Operation Agreement with Waste Connections**
Agenda Bill #10-2024

IX. NEW BUSINESS

- A. Resolution: Support of Congressionally Directed Spending Requests**
Agenda Bill #11-2024
- B. Council Adoption: Council Rules of Procedure**
Agenda Bill #12-2024

X. REPORTS AND COMMUNICATIONS

A. CITY MANAGER

B. MAYOR

C. CITY COUNCIL

XI. ADJOURNMENT

UPCOMING MEETINGS: Monday, April 8, 2024, Workshop at 5:00 pm and Council at 7:00 pm

BUSINESS OF THE CITY COUNCIL
City of Washougal, Washington

FOR AGENDA OF:

3/25/2024

SUBJECT:

MEETING INFORMATION

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84954179153>

DEPT. OF ORIGIN:

Administration

REVIEWED AT:

TO BE RETURNED TO COUNCIL:

EXPENDITURE REQUIRED:

BUDGETED:

APPROPRIATION REQUIRED:

SUMMARY STATEMENT

RECOMMENDED ACTION

BUSINESS OF THE CITY COUNCIL
City of Washougal, Washington

FOR AGENDA OF:

3/25/2024

SUBJECT:

National Child Abuse Prevention Month

DEPT. OF ORIGIN:

Administration

REVIEWED AT:

TO BE RETURNED TO COUNCIL:

ATTACHMENTS:

📎 Child Abuse Prevention 2024.docx

EXPENDITURE REQUIRED:

BUDGETED:

APPROPRIATION REQUIRED:

SUMMARY STATEMENT

RECOMMENDED ACTION

~ Proclamation ~
Child Abuse Prevention Month
April 2024

WHEREAS, Washougal, Washington prides itself on contributing to the quality of life among our citizens; and

WHEREAS, the General Federation of Women's Club Camas/Washougal and its members desire to help raise awareness of child abuse and promote healthy childhoods; and

WHEREAS, children who are raised in supportive and stable environments are more academically and financially successful; and

WHEREAS, great childhoods help children grow into productive, contributing adults who help their community, and our country, be more prosperous and competitive in the global economy; and

WHEREAS, through a national effort, members of the City of Washougal community are encouraged to join together in the month of April to raise awareness for these children who are victims of child abuse and neglect; and

WHEREAS, specifically, the month of April shall be recognized as Child Abuse Prevention Month with a pinwheel garden and signage; and

NOW, the Washougal City Council, on behalf of its citizens, do hereby proclaim the month of April 2024 as

CHILD ABUSE PREVENTION MONTH

THEREFORE, the Washougal City Council urges all citizens of Washougal to join in a national effort to raise awareness and help prevent child abuse.

In witness whereof, I have set my hand and caused the seal of the City of Washougal to be affixed this 25th day of March 2024.

David Stuebe, Mayor

BUSINESS OF THE CITY COUNCIL
City of Washougal, Washington

FOR AGENDA OF:

3/25/2024

SUBJECT:

Poetry Month

DEPT. OF ORIGIN:

Administration

REVIEWED AT:

TO BE RETURNED TO COUNCIL:

No

ATTACHMENTS:

📎 **Poetry Month.doc**

EXPENDITURE REQUIRED:

BUDGETED:

APPROPRIATION REQUIRED:

SUMMARY STATEMENT

RECOMMENDED ACTION

PROCLAMATION

National Poetry Month April 2024

WHEREAS, National Poetry Month was created in 1996 by the Academy of American Poets; and

WHEREAS, Poetry is the artful expression of human thought and feeling; and

WHEREAS, The appreciation of poetry nourishes the human spirit; and

WHEREAS, The purpose of National Poetry month is to appreciate the legacy of poets, to encourage poetry reading, to help teachers introduce poetry into the classroom and to increase support of the publication of poetry books; and

WHEREAS, The Clark County Poet Laureate serves the community by cultivating the practice of writing, reading and appreciation of poetry; and

WHEREAS, Clark County Poets Laureate Susan Dingle, (2024-2027), Armin Tolentino (2021-2024), Gwendolyn Morgan (2018-2020) and Christopher Luna (2013-2017) continue to serve the community as ambassadors of literary culture through poetry;

NOW, THEREFORE, I, David Steube, Mayor of the City of Washougal, do hereby proclaim April 2024, as:

“National Poetry Month”

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of Washougal, Washington to be affixed this **25th** day of **March 2024**.

City of Washougal

David Steube, Mayor

BUSINESS OF THE CITY COUNCIL
City of Washougal, Washington

FOR AGENDA OF:

3/25/2024

SUBJECT:

Workshop Minutes of March 11, 2024

DEPT. OF ORIGIN:

Administration

REVIEWED AT:

TO BE RETURNED TO COUNCIL:

ATTACHMENTS:

📎 Workshop Minutes of 3.11.2024.pdf

EXPENDITURE REQUIRED:

BUDGETED:

APPROPRIATION REQUIRED:

SUMMARY STATEMENT

RECOMMENDED ACTION



**CITY OF WASHOUGAL
CITY COUNCIL WORKSHOP MEETING
MINUTES**

Monday, March 11, 2024

5:00 PM



MEETING INFORMATION

Please click the link below to join the webinar:
<https://us02web.zoom.us/j/84694150197>

VIDEO I. CALL TO ORDER

Mayor David Stuebe called the meeting to order at 5:00 pm.

II. ROLL CALL

Present: Mayor David Stuebe, and Councilmembers Michelle Wagner, David Fritz, Molly Coston, Julie Russell, Ernie Suggs, and Tia Robertson

Staff:

David Scott, City Manager
Robert Zeinemann, City Attorney
Trevor Evers, Director of Public Works
Daniel Layer, Finance Director/City Clerk
Wendi Steinbronn, Police Chief
Rose Jewell, Community Engagement Manager
Michelle Wright, Public Works Business Administrator

VIDEO III. PUBLIC COMMENTS

Brett Tarnett and Brenda Hatton spoke on the condition of Kerr Park.

IV. NEW BUSINESS

VIDEO A. Police: Annual Report 2023

Chief Wendi Steinbronn presented the following:

- Highlights
 - Body-worn cameras
 - Grant-funded Wellness Program
 - Strategic Plan
 - Community Engagement
- Challenges
 - Recruitment
 - Hiring
- Budget to actual breakdown
 - Salaries
 - Personnel Benefits
 - Intergovernmental Services
 - CRESA
 - Professional Services
- 2023 Budget % change

- Five Year Comparison - Calls for Service
- Average calls per patrol officer
- Assault report
- Crimes against person
- Crimes against property
- Crimes against society
- Five largest categories
- Crime Rates
- Response times
- Average response time by agency
- Animal Control calls for service
- Support services
- Body worn camera program
- Numbers of videos and retention periods
- Goals for 2024

VIDEO B. Public Works: Contractor Agreement with Stellar J. Corp. for Biosolids Handling Facilities

Trevor Evers presented the following:

- Background
- Existing Issues
- Project scope
- Site Plan
- Bidding process & overview
- Proposed construction budget & funding
- Next steps - items on this evening's consent agenda
- Council inquired about the city's ability to address Pendleton's discharge plant

VIDEO C. City Manager's Office: Amendment to Solid Waste Collection and Transfer Station Development and Operation Agreement with Waste Connections

David Scott presented the following:

- Background - agreement signed March 23, 2009
- 15 year term expiring March 2024
- Provision under the agreement
- Estimated revenue to the city
- Terms of extension
- Overage criteria
- Next Steps - on March 25th council agenda

VIDEO D. City Manager's Office: Council Rules of Procedure

David Scott reported on the following:

- Statute requires at least one public comment period at each council meeting
- Verbal comments are not required can be in written
- Scope of comments: council can limit public comments to items on the agenda

Robert, City Attorney, provided additional guidance.

Council conversation ensued regarding council's rules of procedure and instructed the city manager to bring amended rules for consideration at the March 25th meeting.

VIDEO V. PUBLIC COMMENTS

Joey Bailey commented on a variety of topics.

VI. REPORTS AND COMMUNICATIONS

A. CITY MANAGER

Deferred to council meeting.

B. MAYOR

Deferred to council meeting.

C. CITY COUNCIL

Deferred to council meeting.

VII. ADJOURNMENT

Meeting adjourned 6:43.

Mayor

City Clerk

BUSINESS OF THE CITY COUNCIL
City of Washougal, Washington

FOR AGENDA OF:

3/25/2024

SUBJECT:

Council Minutes of March 11, 2024

DEPT. OF ORIGIN:

Administration

REVIEWED AT:

TO BE RETURNED TO COUNCIL:

No

ATTACHMENTS:

📎 **Council Minutes 3.11.24**

EXPENDITURE REQUIRED:

BUDGETED:

APPROPRIATION REQUIRED:

SUMMARY STATEMENT

RECOMMENDED ACTION



**CITY OF WASHOUGAL
CITY COUNCIL REGULAR MEETING
MINUTES
Monday, March 11, 2024
7:00 PM**

MEETING INFORMATION

Please click the link below to join the webinar:
<https://us02web.zoom.us/j/88547226923>

I. INVOCATION - Lisa Meany

II. CALL TO ORDER

Mayor David Stuebe called the meeting to order at 7:03 pm.

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

Present: Mayor David Stuebe, and Councilmembers Michelle Wagner, David Fritz, Molly Coston, Julie Russell, Ernie Suggs, and Tia Robertson.

Staff:

David Scott, City Manager
Robert Zeinemann, City Attorney
Trevor Evers, Director of Public Works
Daniel Layer, Finance Director/City Clerk
Rose Jewell, Community Engagement Manager

V. AWARDS AND RECOGNITIONS

Mayor Stuebe presented the Mayor's Award to the following individuals who were present in Chambers:

- Scott Boothby
- Sheree Boothby
- Savannah Boothby
- Molly Nichols

Mayor Stuebe also presented the Mayor's Award to the following individuals who were not present:

- Jessica Beehner
- Doug McManamy
- Wade Bork
- Mary Andreotti
- Ellen Lancaster

VI. AMENDMENTS TO THE AGENDA

Councilmember Suggs moved that Council rules be suspended and to limit public comments to only one per meeting at the front of the meeting, and that the City Manager revise the rules to be presented for approval at the next meeting, seconded by **Councilmember**

Coston.

Discussion was requested but there was none.

Motion: To suspend Council rules and limit public comments to only one per meeting at the front of the meeting.

Ernie Suggs/Molly Coston Motion Passed.

VII. PUBLIC COMMENTS

None.

VIII. CONSENT AGENDA

The following items will be passed by a single motion to approve all listed actions and resolutions. There will be no discussion on these items unless requested by Council. If discussion is requested, the item will be moved from the Consent Agenda and considered separately - after the motion has been made and passed to approve the remaining items.

Unanimous consent to approve the consent agenda as read. Sugg / No objections.

A. Workshop Minutes of February 26, 2024

B. Council Minutes of February 26, 2024

C. Accounts Payable February 13-March 7, 2024 and January EFT - Totaling \$956,160.78

D. Payroll Claims of February 29, 2024, Totaling \$579,116.16

E. Emergency Utility Assistance

AGENDA BILL #08-2024

F. Authorize the City Manager to Sign: Contractor Agreement with Stellar J. Corp. for Biosolids Handling Facilities

AGENDA BILL #09-2024

IX. NEW BUSINESS

A. Board and Commission Appointment - Art Commission

Rose Jewell introduced applicant Sara Lunsford.

Discussion ensued.

Motion: Motion

Ernie Suggs/Molly Coston Motion Passed.

B. Board and Commission Appointment - Park and Cemetery Board of Commissioners

Rose Jewell introduced applicant Christopher Basanta.

Discussion ensued.

Motion: Motion

X. PUBLIC COMMENTS

Council Rules have been suspended and public comments have been limited to only one opportunity per meeting.

XI. REPORTS AND COMMUNICATIONS

A. CITY MANAGER

David Scott thanked our federal congressional delegation (**Representative Gluesenkamp Perez, Senator Cantwell, Senator Murray**) for their support of Washougal in obtaining a nearly \$960,000 federal appropriation for the Wastewater Treatment Plant.

B. MAYOR

Mayor Stuebe reported on:

- City Manager Scott and the Mayor will be in Washington DC next week
- Thanked Councilmember Fritz on bike friendly initiative
- Humane Society Fundraiser Program
- Chamber of Commerce Mixers

C. CITY COUNCIL

Councilmember Fritz reported on:

- CREDC meeting update of Comprehensive Plan Strategy
- Local Connections
- Chamber luncheon with Port of Camas-Washougal update
- Asaka restaurant
- Washougal Song Circle event at 54-40 Brewery

Councilmember Robertson reported on:

- Meeting with Repair Clark County to discuss restarting their program with volunteers to repair small appliances, electronics, and other items
- Senator Linda Wilson's retirement

Councilmember Wagner reported on:

- Upcoming Fire Joint Policy Advisory Committee (JPAC) meeting 3/20/2024
- Upcoming Parks Board meeting on 3/21/2024
- Question, what initiatives are you pursuing in Washington DC? City Manager Scott replied the 32nd Street underpass shortfall, 27th Street Shared Use Path construction costs, the new fire station EOC funding, and to show our gratitude towards our representatives for all they've done last year

Councilmember Coston reported on:

- Public Works Meeting last week
- Upcoming Community Engagement meeting
- JPAC meeting last week and next week
- Heading to Lynnwood for Health Workplace Summit on Tuesday
- East County Citizen's Alliance (ECCA) to discuss proclamations for Anti-Littering
- Hometown Heroes on 3/21/2024
- Washougal Youth Arts Month Display in TownCenter
- Conversation Tables morning session on 3/23/2024
- Asaka Restaurant

Councilmember Russell reported on:

- Ending Community Homelessness Organization (ECHO) Meeting tomorrow morning 3/12/2024
- TownCenter Open House on 3/12/2024
- Shout out to Camas-Washougal Community Chest, the Rotary, for issuing 34 grants this year

Councilmember Suggs reported on:

- Shout out about the Community Engagement meeting
- Multicultural meeting on 3/13/2024
- Towncenter open house
- Chamber Board meeting this week
- Port of Camas-Washougal meeting last week
- School District meeting tomorrow
- Will be on Zoom next meeting

XII. ADJOURNMENT

The meeting was adjourned at 7:31 pm.

Mayor

City Clerk

DRAFT

BUSINESS OF THE CITY COUNCIL
City of Washougal, Washington

FOR AGENDA OF:

3/25/2024

SUBJECT:

Payroll Claims of March 15, 2024, Totaling \$340,662.63

DEPT. OF ORIGIN:

Finance

REVIEWED AT:

TO BE RETURNED TO COUNCIL:

No

ATTACHMENTS:

📎 [PAYROLL CLAIMS VOUCHER 03.15.24.pdf](#)

EXPENDITURE REQUIRED:

BUDGETED:

APPROPRIATION REQUIRED:

SUMMARY STATEMENT

RECOMMENDED ACTION

CITY OF WASHOUGAL

PAYROLL CLAIMS VOUCHER APPROVAL

I HEREBY CERTIFY THAT THE SERVICES CHARGED ON THE VOUCHERS ATTACHED HAVE BEEN
FURNISHED TO THE BEST OF MY KNOWLEDGE. I FURTHER CERTIFY THE CLAIMS BELOW TO BE VALID AND CORRECT.

FINANCE _____

WE THE UNDERSIGNED COUNCIL MEMBERS OF WASHOUGAL, WASHINGTON DO HEREBY CERTIFY THAT THE
EMPLOYEE CHECKS #NA and EMPLOYEE VOUCHERS # 31744 to 31815
ARE APPROVED FOR PAYMENT IN THE AMOUNT OF \$340,662.63 ON THE 15TH DAY OF MARCH.

FINANCE COMMITTEE _____

FINANCE COMMITTEE _____

FINANCE COMMITTEE _____

BUSINESS OF THE CITY COUNCIL
City of Washougal, Washington

FOR AGENDA OF:

3/25/2024

SUBJECT:

Accounts Payable of March 14, 2024 - Totaling \$478,922.82

DEPT. OF ORIGIN:

Finance

REVIEWED AT:

TO BE RETURNED TO COUNCIL:

No

ATTACHMENTS:

📎 [AP_CK_RUN_03-14-24_88401-88442.pdf](#)

EXPENDITURE REQUIRED:

BUDGETED:

APPROPRIATION REQUIRED:

SUMMARY STATEMENT

RECOMMENDED ACTION



Washougal, WA

Check Register

Packet: APPKT01753 - AG031424

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-Accounts Payable						
1529	ACCURATE ELECTRIC UNLIMITED, IN	03/15/2024	Regular	0.00	7,011.27	88401
2964	ARBORSCAPE, LTD, INC	03/15/2024	Regular	0.00	11,587.80	88402
1767	BLAIRCO INC.	03/15/2024	Regular	0.00	766.71	88403
1470	CH2MHILL	03/15/2024	Regular	0.00	305.42	88404
701	CITY OF VANCOUVER FINANCIAL SEI	03/15/2024	Regular	0.00	360.00	88405
1578	CITY OF WASHOUGAL	03/15/2024	Regular	0.00	3,230.65	88406
125	CLARK COUNTY TREASURER	03/15/2024	Regular	0.00	7,665.46	88407
809	CLARK PUBLIC UTILITIES	03/15/2024	Regular	0.00	24,720.82	88408
	Void	03/15/2024	Regular	0.00	0.00	88409
3867	Cleanpot Portable Toilets LLC	03/15/2024	Regular	0.00	700.00	88410
4090	Clidro Concepts LLC	03/15/2024	Regular	0.00	800.00	88411
263	COLF CONSTRUCTION	03/15/2024	Regular	0.00	234,886.62	88412
3523	Covalent Architecture, LLC	03/15/2024	Regular	0.00	44,155.00	88413
1773	DAVID SCOTT	03/15/2024	Regular	0.00	142.86	88414
4101	David Stuebe	03/15/2024	Regular	0.00	364.81	88415
795	DEPT OF RETIREMENT SYSTEMS	03/15/2024	Regular	0.00	255.22	88416
4000	DIVERSIFIED CONSTRUCTION AND C	03/15/2024	Regular	0.00	2,431.46	88417
619	DS SERVICES OF AMERICA, INC.	03/15/2024	Regular	0.00	17.89	88418
4209	GENUINE PARTS COMPANY	03/15/2024	Regular	0.00	949.76	88419
3713	Graphic Information System	03/15/2024	Regular	0.00	4,457.93	88420
4199	HOUSING AUTHORITY OF THE CITY (03/15/2024	Regular	0.00	2,460.50	88421
4213	Hydrevo LLC	03/15/2024	Regular	0.00	2,822.50	88422
3737	Jubitz Corporation	03/15/2024	Regular	0.00	2,339.49	88423
454	L.N. CURTIS & SONS	03/15/2024	Regular	0.00	143.81	88424
1795	LANGUAGE LINE SERVICES	03/15/2024	Regular	0.00	19.40	88425
1657	LLOYD HALVERSON	03/15/2024	Regular	0.00	2,803.01	88426
765	ONE CALL CONCEPTS, INC.	03/15/2024	Regular	0.00	86.58	88427
2102	OTAK	03/15/2024	Regular	0.00	10,856.50	88428
2285	PEACEHEALTH LABORATORIES	03/15/2024	Regular	0.00	420.00	88429
1453	PRESTIGE ELECTRIC LLC	03/15/2024	Regular	0.00	1,135.41	88430
1051	RAILROAD MANAGEMENT CO 111 L	03/15/2024	Regular	0.00	379.14	88431
1696	RICK BUCKNER ADVANCED POLYGR/	03/15/2024	Regular	0.00	700.00	88432
4073	Robertson Fick Engineering PC	03/15/2024	Regular	0.00	106,601.43	88433
189	SAFEWAY INC.	03/15/2024	Regular	0.00	68.59	88434
3782	Solutions Yes, LLC	03/15/2024	Regular	0.00	18.30	88435
4215	Tia Robertson	03/15/2024	Regular	0.00	59.52	88436
679	TRIANGLE RESOURCES INC	03/15/2024	Regular	0.00	1,255.00	88437
	Void	03/15/2024	Regular	0.00	0.00	88438
704	VANCOUVER GRANITE WORKS INC	03/15/2024	Regular	0.00	358.06	88439
2864	WA STATE OFFICE OF MINORITY & v	03/15/2024	Regular	0.00	925.60	88440
786	WASHOUGAL HARDWARE	03/15/2024	Regular	0.00	432.83	88441
785	WASHOUGAL LUMBER CO.	03/15/2024	Regular	0.00	33.17	88442

Check Register

Packet: APPKT01753-AG031424

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4203	Waste Connections of Washington, I	03/15/2024	Regular	0.00	194.30	88443

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	49	41	0.00	478,922.82
Manual Checks	0	0	0.00	0.00
Voided Checks	0	2	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	49	43	0.00	478,922.82

Fund Summary

Fund	Name	Period	Amount
999	POOLED CASH - OPERATING	3/2024	478,922.82
			<u>478,922.82</u>

Agenda Bill #10-2024
BUSINESS OF THE CITY COUNCIL
City of Washougal, Washington

FOR AGENDA OF:

3/25/2024

SUBJECT:

Amendment to City of Washougal Waste Connections Agreement

DEPT. OF ORIGIN:

Administration

REVIEWED AT:

Workshop of March 11, 2024

TO BE RETURNED TO COUNCIL:

No

ATTACHMENTS:

📎 **Amendment to City of Washougal Waste Connections Agreement 3.25.24.pdf**

EXPENDITURE REQUIRED:

None

BUDGETED:

N/A

APPROPRIATION REQUIRED:

N/A

SUMMARY STATEMENT

The current Solid Waste Collection and Transfer Station Development and Operation Agreement dated March 23, 2009, expires this month and needs to be extended. The attached agreement amends and extends the current agreement as follows (other provisions in the existing agreement remain):

- Term through July 31, 2023, with up to two 5-year renewals by mutual agreement
- Acknowledges the completion of the Washougal Transfer Station
- Waste Connections responsible to complete any and all capital improvements, repairs, and maintenance identified in the Clark County Regional Solid Waste System Study Phase 2 Report: Regional Systems Facility Plan, and as a result of inspections performed by Parametrix on behalf of Clark County
- The monthly payment to the City = \$30,000 per month
- Additional payments for tonnage exceeding threshold is suspended through February 202
- Required negotiation for amendments to additional payment amount for annual

tonnage more than 50,000 tons (or as otherwise agreed)

RECOMMENDED ACTION

1. Authorize the City Manager to sign the First Amendment to Solid Waste Collection and Transfer Station Development and Operation Agreement with Waste Connections.

**FIRST AMENDMENT TO SOLID WASTE COLLECTION AND TRANSFER STATION
DEVELOPMENT AND OPERATION AGREEMENT**

This First Amendment ("First Amendment") to Solid Waste Collection and Transfer Station Development and Operation Agreement is entered into this ____ day of _____ 2024, by and between the City of Washougal (the "City") and Waste Connections of Washington, Inc. (the "Contractor"). City and Contractor may be referred to herein collectively as the "Parties".

WHEREAS, the Parties entered into that certain Solid Waste Collection and Transfer Station Development and Operation Agreement on or about March 23, 2009 (the "Agreement"); and

WHEREAS, the Parties desire to amend the Agreement to address provisions relating to the term of the Agreement, the rates stated therein and such other amendments as set forth more particularly herein;

NOW, THEREFORE, in consideration of the mutual promises herein, the Parties, intending to be legally bound, hereby agree as follows:

1. Term. Section 4 of the Agreement is hereby deleted in its entirety and replaced with the following:

4. Agreement Term. The term of this Agreement shall be extended and continue until midnight (12:00 a.m.) July 31, 2033, with the option of renewing said term upon the mutual Agreement of the parties for successive periods of five (5) years, not to exceed two (2), five (5) year renewals.

2. Indemnification, Hold Harmless Clause. Section 5 of the Agreement shall be deleted in its entirety and replaced with the following:

5. Indemnification, Hold Harmless Clause. The Contractor agrees and guarantees to hold harmless, defend and indemnify the City, its officers, agents and employees or any of them, from any and all suits and all claims, actions, liability, losses, costs, expenses, and damages of any nature whatsoever, which may arise or may be brought against the City arising out of the performance of this Agreement by the Contractor to the extent arising from the Contractor's acts of negligence or willful misconduct. The Contractor shall defend the same at its sole cost and expense; provided that the City retains the right to participate in such suit if any principal or governmental or public laws is involved. If a final judgment is rendered against the City, and its officers, agents, and employees, or any of them, the Contractor shall satisfy the same.

3. Breach of Contract. The following shall be added to the end of the existing Section 8 of the Agreement:

If the City shall be in breach of any provision of this Agreement, Contractor may suspend its performance hereunder until such breach has been cured or terminate this Agreement; provided, however, that no termination of this Agreement by Contractor shall be effective until Contractor has given written notice of such breach to the City and the City has failed to cure such breach within thirty (30) days after its receipt of such notice. Upon any such failure to cure, Contractor may terminate this Agreement by giving the City written notice of such termination, which shall become effective upon receipt of such notice.

4. Transfer Station Development Complete. The Parties acknowledge that as of the date of this First Amendment, development of the Transfer Station has been completed and the obligations of the Parties concerning development of the Transfer Station have been satisfied.

5. Condition and Care of Transfer Facility. A new section 16.5 shall be adopted into the Agreement as follows:

16.5 Improvements, Repairs and Maintenance Identified by Study: In addition to routine maintenance and ordinary wear and tear, Contractor is solely responsible for the obligation and cost to complete any and all capital improvements, repairs, and maintenance identified in the Clark County Regional Solid Waste System Study Phase 2 Report: Regional Systems Facility Plan, and as a result of inspections performed by Parametrix on behalf of Clark County.

6. Transfer Station Payment to the City. Section 20 of the Agreement is hereby deleted in its entirety and replaced with the following:

20. Transfer Station Payment to City. Contractor will pay the City thirty thousand and 00/100 dollars (\$30,000.00) per month during the term in which Contractor has exclusive right to operate, beginning the first day of the next month following the effective date of this First Amendment.

7. Additional Payment to City. Section 21 of the Agreement is hereby deleted in its entirety and replaced with the following:

21. Additional Payment to City: Beginning on the effective date of this Amendment and through February 2027, the additional payment to the City pursuant to Section 21 of the Agreement is suspended. No later than January 4, 2027, the Parties shall commence negotiations to amend the provisions of Section

21 of the Agreement regarding additional payments to the City based on whether the total annual delivered tonnage exceeds 50,000 tons, or other such tonnage or provisions as agreed by the Parties.

8. Monitoring and Reporting Tonnage. Section 45 of the Agreement is hereby deleted in its entirety and replaced with the following:

45. Reporting:

(a) Cooperation and Reports: Contractor may be required by the City to bring in or submit to audit and inspection at any reasonable time (by duly authorized City employees) such other field or accounting reports and financial records as may reasonably be necessary for proper municipal supervision of this Agreement, even though they may not be specifically mentioned herein. All information so obtained shall be confidential and shall not be released by the City, unless subject to disclosure under applicable public disclosure laws, or unless expressly authorized in writing by the Contractor or unless in statistical form which identifies no persons.

By the 10th day of each month, the Contractor shall submit to the Director of Finance a report as to all services performed in the previous month under this Agreement, including all special services, and whenever any new services or any change in type or extent of service has occurred during such previous month, same shall be specified in such report. Accounting records of the Contractor related to this Agreement shall utilize the Generally Accepted Accounting Principals (GAAP) or a similar type approved by the City Finance Director.

(b) Monitoring and Reporting Tonnage: By February 1 of each year, Contractor will provide detailed reports of the tonnage delivered to the Transfer Station for the previous calendar year.

All incoming loads of Solid Waste to the Transfer Station must be weighed. Scale logs and monthly summaries and any other documentation as may be reasonably required by the City shall be attached as support for calculation of the total payment to City. The City reserves the right to require 24-hour video surveillance of the scales.

9. Settlement Payment to City. A new section 21.5 shall be adopted into the Agreement as follows:

21.5 Settlement Payment to City: The Parties entered into an agreement entitled Settlement of Claims and Mutual Release Agreement, dated October 6, 2023, wherein Contractor agreed to pay the City Six Hundred Eighty Four Thousand Two

Hundred and Twenty Dollars (\$684,224). The Parties acknowledge this has been paid in full.

10. Successors and Assigns Bound. In the event that ownership of the Transfer Station is transferred during the term of this Agreement, the City's successors and assigns shall be bound by the Agreement for the remainder of the term of the Agreement.

11. City Manager to Supervise Contract. The first paragraph of Section 37 of the Agreement shall be deleted in its entirety and replaced with the following:

The performance by the Contractor under this Agreement shall be under the general direction of the Mayor of the City or their designate.

12. Ratification; Full Force and Effect. All terms and provisions of the Agreement not amended hereby, either expressly or by necessary implication, shall remain in full force and effect.

13. Conflicting Provisions. In the event of any conflict between the original terms of the Agreement and this First Amendment, the terms of this First Amendment shall prevail.

14. Authorization. Each party executing this First Amendment represents and warrants that it is duly authorized to cause this First Amendment to be executed and delivered.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as of the _____ day of _____, 2024.

CITY OF WASHOUGAL

WASTE CONNECTIONS OF
WASHINGTON, INC.

David Scott
City Manager

By: _____
Name: _____
Title: _____

ATTEST:

Daniel Layer, City Clerk

APPROVED AS TO FORM:

Robert Zeineman, City Attorney

Agenda Bill #11-2024
BUSINESS OF THE CITY COUNCIL
City of Washougal, Washington

FOR AGENDA OF:

3/25/2024

SUBJECT:

Support of Community Project Funding

DEPT. OF ORIGIN:

Administration

REVIEWED AT:

March 25, 2004 Workshop

TO BE RETURNED TO COUNCIL:

No

ATTACHMENTS:

📎 **Resolution in Support of Community Projects March 25 2024.docx**

EXPENDITURE REQUIRED:

None

BUDGETED:

NA

APPROPRIATION REQUIRED:

No

SUMMARY STATEMENT

The United States Congress is considering providing funding for “Community Projects” in the FY25 Appropriations process. The City has identified important priority projects to advance as funding requests in this process. These priorities include the highest priority Washougal 32nd Street Underpass, and the Washougal S 27th Street Shared Use Path and the Washougal Emergency Operations Center.

The attached resolution allows the Council to formally convey to Senator Patty Murray, Senator Maria Cantwell and Congresswoman Marie Gluesenkamp Perez its strong support for these priority projects within our community and need for Community Project funds.

RECOMMENDED ACTION

1. Pass and post the resolution in the usual manner.

RESOLUTION NO. 1237

**A RESOLUTION OF THE WASHOUGAL CITY COUNCIL IN SUPPORT OF
COMMUNITY PROJECT FUNDING**

WHEREAS, Washougal has important priority projects to advance the community’s economic growth, community revitalization, public safety and equitable development goals, and

WHEREAS, these priorities include the highest priority Washougal 32nd Street Underpass, and the Washougal South 27th Street Shared Use Path and the Washougal Emergency Operations Center, and

WHEREAS, the United States Congress is considering the provision of funding for “Community Projects” in the FY25 Appropriations process, and

WHEREAS, we wish to convey to Senator Patty Murray, Senator Maria Cantwell and Congresswoman Marie Gluesenkamp Perez our strong support for these priority projects within our community and need for Community Project funds.

NOW THEREFORE, BE IT RESOLVED that the City Council confirms these projects to be priorities for Washougal as catalytic drivers of development and growth that will have lasting impact on our community for years to come.

FURTHER, BE IT RESOLVED that we support an effort to seek resources in federal Congressionally Directed Spending and Community Project Funding and authorize our City Manager to submit funding requests on behalf of the City of Washougal.

PASSED by the Council of the City of Washougal at regular meeting on the **25th** day of **March 2024**.

City of Washougal, Washington

Mayor

ATTEST:

Finance Director / City Clerk

APPROVED AS TO FORM:

City Attorney

Agenda Bill #12-2024
BUSINESS OF THE CITY COUNCIL
City of Washougal, Washington

FOR AGENDA OF:

3/25/2024

SUBJECT:

Resolution amending Council Rules of Procedure regarding Public Comments

DEPT. OF ORIGIN:

Administration

REVIEWED AT:

March 11, 2024 Worksession

TO BE RETURNED TO COUNCIL:

No

ATTACHMENTS:

- ▢ Resolution amending Council Rules of Procedure re Public Comments 3 25 2024.docx
- ▢ Resolution amending Council Rules of Procedure re Public Comments Exhibit A .pdf

EXPENDITURE REQUIRED:

None

BUDGETED:

No

APPROPRIATION REQUIRED:

No

SUMMARY STATEMENT

Citizens are welcome at all Council meetings and worksessions and are encouraged to attend and participate prior to the deliberations of the Council. The Council's Rules of Procedure provide for the opportunity for two public comments items on the agendas for meetings and worksessions. The rules are intended to strike the appropriate balance between promoting an orderly system of holding a public meeting and giving every person an opportunity to be heard. To strike this balance, the attached resolution amends the Rules of Procedure to provide for one public comment item on the agendas for meetings and worksessions.

RECOMMENDED ACTION

1. Pass and post the resolution in the usual manner.

Resolution No. 1236

A RESOLUTION of the City Council of the City of Washougal amending the Council Rules of Procedure regarding Public Comments.

WHEREAS, citizens are welcome at all Council meetings and worksessions and are encouraged to attend and participate prior to the deliberations of the Council;

AND WHEREAS the Council's Rules of Procedure provide for the opportunity for two public comments items on the agendas for meetings and worksessions;

AND WHEREAS the rules are intended to strike the appropriate balance between promoting an orderly system of holding a public meeting and giving every person an opportunity to be heard;

AND WHEREAS the Council finds that to strike this balance there should be one public comment item on the agendas for meetings and worksessions;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF WASHOUGAL, WASHINGTON as follows:

Section I

That the Council Rules of Procedure are hereby amended to provide for one public comment item on the agendas for meetings and worksessions. A copy of the amended sections of the Council Rules of Procedure is attached hereto, marked as Exhibit "A" and by this reference incorporated herein.

Section II

That the amended Council Rules of Procedure be effective upon adoption.

Section III

If any section, sentence, clause or phrase of this resolution should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this resolution.

PASSED by the Council of the City of Washougal on the **25th** day of **March, 2024**.

City of Washougal, Washington

Mayor, David Stuebe

ATTEST:

Finance Director/City Clerk

APPROVED AS TO FORM:

City Attorney

Exhibit A

2.4 Workshops: The Council shall meet informally in workshops (open to the public) twice a month on the second and fourth Mondays of the month to review forthcoming programs of the city, receive progress reports on current programs or projects, receive other similar information from city department heads or conduct procedures workshops, provided that all discussions and conclusions thereon shall be informal and do not constitute official actions of the Council. No specific order of agenda is prescribed for the informal workshops except that opportunity for public comments shall be provided ~~after Roll call at the start of the session both prior to and after Council discussion~~. Workshops shall start at 5:00 p.m. and adjourn at 6:30 pm. In November and December, the Council shall meet additionally in workshop on the first, second and third Monday at 5:00 pm. When the third November workshop falls on the Monday of Thanksgiving week, the workshop shall be held on the fourth Monday in November. When a workshop falls on a holiday, the workshop shall be held on the next succeeding day at 5:00 p.m. Workshops will be held in the City Hall Council chambers unless otherwise posted. Workshops held by the Council are “special meetings” of the Council and the notice required by RCW 42.30.080 must be provided.

4.1 Order of Business: The order of business for all regular meetings shall be transacted as follows unless the Council, by a majority vote of the members present, suspends the rules and changes the order:

- (1) Invocation
- (2) Call to Order
- (3) Pledge of Allegiance
- (4) Roll Call
- (5) Amendments to the Agenda
- (6) Correspondence/Proclamations
- (7) Public Comments (see Appendix A-Tips for Talking with the Council)
- (8) Consent Agenda
- (9) Other Business (Public Hearings, Old Business, New Business)
- ~~(10) Public Comments (see Appendix A-Tips for Talking with the Council)~~
- ~~(11)~~ Report and Communications
 - A. City Manager
 - B. Mayor
 - C. City Council
- ~~(12)~~ Executive Session (as needed)
- ~~(13)~~ Adjournment

7. Duties and Privileges of Citizens

7.1 Meeting Participation: Citizens are welcome at all Council meetings and are encouraged to attend and participate prior to the deliberations of the Council. Recognition of a speaker by the Chair is a prerequisite and necessary for an orderly and effective meeting, be the speaker a citizen, Councilmember, or staff member. Further, it will be expected that all speakers will deliver their comments in a courteous and efficient manner ~~and will speak only to the specific subject under consideration~~. Anyone making out-of-order comments or acting in an unruly manner shall be subject to removal from the meeting.

7.2 Under agenda item “Public Comments” citizens may address any City item they wish to discuss with the Council. They shall first obtain recognition by the Chair, state their name, address, and subject of their comments. The Chair shall then allow the comments, subject to a three (3) minute limitation per speaker or other limitations as the Chair or Council may deem necessary. Following such comments, if action is required or has been requested, the Chair may place the matter on the current agenda or a future agenda or refer the matter to staff or a Council committee for action or investigation and report at a future meeting.

Manner of Addressing the Council – Time Limit: Each person addressing the Council shall step up to the podium, give his/her name and ~~address-indicate whether they reside within Washougal City limits~~ in an audible tone of voice for the record and, unless further time is granted by the Council, shall limit his/her remarks to three (3) minutes. Agenda item “Public Comments” shall be limited to a total of thirty (30) minutes unless additional time or less time is agreed upon by the Council (dependent upon the length of the Council agenda). All remarks shall be addressed to the Council as a body and not to any member thereof. No person, other than the Chair, members of the Council, and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Council. No questions shall be asked of the Councilmembers or staff except through the Chair. (See Appendix A for Tips for Talking with the Council.) ~~The Council will then determine the disposition of the issue (information only, place on present agenda, workshop, a future agenda, assign to staff, assign to Council Committee, or do not consider).~~

7.3 Personal and Slanderous Remarks: Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the Council may be requested to leave the meeting and may be barred from further audience before the Council during that Council meeting by the Chair or Presiding Officer.

7.4 Written Communications: Interested parties, or their authorized representatives, may address the Council by written communication in regard to any matter concerning the city’s business or over which the Council had control at any time. The written communication may be submitted by direct mail, electronic mail or by addressing the communication to the City Clerk who will distribute copies to the Councilmembers. The communication will be entered into the record without the necessity for reading as long as sufficient copies are distributed to members of the Council.

7.5 Comments in Violation of the Appearance of Fairness Doctrine: The Chair or Attorney may rule out of order any comments made with respect to a quasi-judicial matter pending before the Council or its boards or commissions. Such comments should be made only at the hearing on a specific matter. If a hearing has been set, persons whose comments are ruled out of order will be notified of the time and place when they can appear at the public hearing on the matter and present their comments.

7.6 “Out of Order” Comments: Any person whose comments have been ruled out of order by the Chair shall immediately cease and refrain from further improper comments. The refusal of an individual to desist from inappropriate, slanderous, or otherwise disruptive remarks after being ruled out of order by the Chair may subject the individual to removal from the Council Chambers.

These rules are intended to promote an orderly system of holding a public meeting and to give every person an opportunity to be heard.

Appendix A

Public Participation: Tips for Talking with the Council

Public Comments

The following guidelines are intended to promote an orderly system of holding a public meeting and to give every person an opportunity to be heard.

- ☐ The City Council welcomes participation in all public meetings. Arrangements for a sign language interpreter, hearing assistance, and other assistance can be made by calling the City at (360) 835-8501.
- ☐ When you feel strongly about a public issue or local concern, the Council encourages you to share your information and thoughts with them. If you are unable to attend a meeting or would rather not give testimony at the meeting, you are encouraged to send/fax a letter or e-mail that would be made a part of the official record. Mail your letter to the City Council c/o City Clerk at 1701 C Street Washougal, WA 98671. The fax number is (360) 835-8808. E-mails may be sent to cityclerks@ci.washougal.wa.us or cityclerk@cityofwashougal.us.
- ☐ To speak during the Council meeting under Public Comments, prior to the meeting you are encouraged to complete a Comment Card, which will be located at the table at the entrance to Council Chambers. You do not have to sign up in advance, however, you will be asked to speak from the podium and priority will be given to speakers that have completed a Comment Card. Please state your name, address, and topic for the record and indicate whether you reside within Washougal City limits. You may speak on any City item and/or concern not scheduled for a public hearing.
- ☐ If you want to speak on the topic at a public hearing scheduled for that evening, you must comment during the public hearing portion of the meeting. You need not sign up in advance; however, priority will be given to speakers that have completed a Comment Card.
- ☐ When you speak with the Council, step up to the podium and identify yourself by stating your name, address, and topic and indicate whether you reside within Washougal City limits. Be sure to speak into the microphone clearly and address your comments to the Mayor.
- ☐ During the Public Comment portion of the Council meeting, your individual comments are limited to three minutes and the total time for all public comments is limited to 30 minutes. These are guidelines to help Councilmembers hear as many different viewpoints as possible in the limited time available. If you are speaking for a group, you must tell the Council how the group developed the position you are presenting.
- ☐ If previous speakers have already made the comments you wish to make, feel free simply to identify yourself and indicate your agreement with what has already been said.