



**CITY COUNCIL REGULAR MEETING MINUTES**  
**Monday, August 05, 2013 at 7:00 p.m.**  
**Camas City Hall, 616 NE 4<sup>th</sup> Avenue**

**I. CALL TO ORDER**

Mayor Scott Higgins called the meeting to order at 7 p.m.

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

Present: Greg Anderson, Don Chaney, Linda Dietzman, Tim Hazen, Steve Hogan, Melissa Smith, and Shannon Turk

Staff: Phil Bourquin, Kristin Berquist, Jennifer Gorsuch, Roger Knapp, Cathy Huber Nickerson, Mitch Lackey, Eric Levison and Nina Regor

Press: Heather Acheson, Camas Washougal Post Record

**IV. PUBLIC COMMENTS**

There were no comments from the public.

**V. CONSENT AGENDA**

- A.** Approve the minutes of the July 15, 2013, Camas City Council Meeting and the workshop minutes of July 15, 2013

[City Council Meeting Minutes of July 15, 2013](#) 

[City Council Workshop Minutes of July 15, 2013](#) 

- B.** Approve claim checks numbered 117872 – 118058 in the amount of \$1,238,285.07.

- C.** Authorize the Mayor to sign the Community Development Block Grant (CDBG) Contract Modification No. 2 for Project P-874A Louis Bloch Park Restroom Improvements. Clark County asked the City of Camas to approve and execute Modification No. 2 for the existing CDBG Grant Agreement. Modification No. 2 extends the CDBG Grant Agreement through October 31, 2013. This project is budgeted and fully funded by a CDBG Grant. (submitted by James Hodges, Project Manager)

## [Community Development Block Grant Agreement Modification No. 2](#)

- D.** Authorize the Mayor to sign a Professional Services Contract with Gray & Osborne, Inc., for Project WS-714 24" Sanitary Sewer Transmission Main. This item was previously discussed at the July 15, 2013, Council Workshop. Staff requires a limited amount of engineering services from Gray & Osborne for design and modeling of the proposed 24" STEP Sewer Main. Services include flow modeling; odor and corrosion control; connection to the existing Wastewater Treatment Plant (WWTP) Headworks facility; an Operations and Maintenance (O&M) Manual update and a third party design review of the plans. Gray & Osborne proposes to perform this work for an amount not to exceed \$29,267.00. This project is budgeted and funded by a \$3,740,000 Public Works Trust Fund Loan. (submitted by James Hodges, Project Manager)

## [Professional Service Contract with Gray & Osborne](#)

- E.** Authorize the Mayor to sign the Public Works Trust Fund (PWTF) Pre-Construction Loan Amendment A for Loan #PR13-951-108 for Project S-566 Friberg/Goodwin Street Improvements. The PWTF Loan was previously approved at the June 3, 2013, Council Meeting. The Loan Agreement was executed by Mayor Higgins, and sent to the Department of Commerce for processing. On June 28, 2013, Staff received a request from the Department of Commerce asking the City to process Amendment A for the subject loan. It was further stated that the original loan termination date as shown on the agreement was incorrect and needed to be changed. Amendment A makes this correction, in conformance with the request made by the Department of Commerce. (submitted by James Hodges, Project Manager)

## [Public Works Trust Fund Loan Amendment A](#)

- F.** Ratify the Purchase and Sale Agreement for acquisition of a parcel from the Friends of the Community Center. On April 1, 2013, Council authorized the Mayor to sign a CDBG Grant Agreement that will provide \$30,000 towards the purchase of a parcel of property located at 717 SE Polk Street, west of the Camas Community Center. City Attorney Roger Knapp has prepared the Purchase and Sale Agreement described herein. Under direction by Roger Knapp, the property seller, Nan Henriksen, (President of the Friends of the Community Center) and Mayor Scott Higgins have signed the purchase and sale agreement. However, the agreement remains "non-binding" until ratification by the Camas City Council, page 5, paragraph 22. Staff submits the attached purchase and sale agreement for consideration and ratification by the City Council. Upon ratification, staff will proceed with completion of the property acquisition as described herein. (submitted by James Hodges, Project Manager)

## [Purchase and Sale Agreement](#)

- G.** Authorize Change Order No. 2 for Project S-545 NW 38th Avenue/SE 20th Street Extension Street Improvements, Phase 1 to Tapani, Inc., in the amount of \$23,113.77, including tax. This change order provides for a credit to the City for a storm pipe change; a waiver of Washington State Department of Transportation

(WSDOT) compaction requirements for gravel backfill based on the City's Geotechnical Engineer's recommendation; and approval of payment for water and sewer services taps requested by City staff. This change order amount is covered by the 2013 Water and Sewer Budget (submitted by Anita Ashton, Project Engineer)

[Change Order No. 2 for Project S-545](#) 

- H. Authorize Pay Estimate No. 6 for Project WS-713 Wastewater Treatment Facility (WWTF) Improvements, Phase 2B to Contractors Northwest, Inc., in the amount of \$522,090.60. The pay estimate is for work completed through July 15, 2013. The project is budgeted and fully funded. (submitted by James Hodges, Project Manager)

[Pay Estimate No. 6 for Project WS-713](#) 

- I. Authorize Pay Estimate No. 3 for Project WS-720A 2013 STEP/STEF Pumping to AAA Septic Service in the amount of \$5,407.72. The pay estimate is for work completed through June 30, 2013. The project is budgeted and fully funded. (submitted by James Hodges, Project Manager)

[Pay Estimate No. 3 for Project WS-720A](#) 

- J. Authorize Pay Estimate No. 1 for Project P-862 Lacamas Lake Lodge Building Improvements to JWC LLC General Contractor in the amount of \$131,079.30 for the work period ending on July 26, 2013. This project is funded by a state loan. (submitted by James Hodges, Project Manager)

[Pay Estimate No. 1 for Project P-862](#) 

- K. Authorize the first and final Pay Estimate No. 1 for Project S-576A 2013 Asphalt Repairs to Michael Green Construction, Inc., in the amount of \$21,873.15. The City is withholding 5% retainage. Accept project as complete. (submitted by Eric Levison, Public Works Director)

[Pay Estimate No. 1 for Project S-576A](#) 

- L. Authorize Pay Estimate No. 1 (final) for Project S-576B 2013 Slurry Seal to Blackline, Inc., in the amount of \$134,368.86. The City is withholding 5% retainage on this project. Accept project as complete. (submitted by Eric Levison, Public Works Director)

[Pay Estimate No. 1 for Project S-576B](#) 

**It was moved by Melissa Smith, seconded by Linda Dietzman to approve the Consent Agenda. The motion carried unanimously.**

NOTE: Any item on the Consent Agenda may be removed from the Consent Agenda for general discussion or action.

## VI. NON-AGENDA ITEMS

### A. Staff

There were no comments from staff.

### B. Council

There were no comments from Council.

## VII. MAYOR

### A. Announcements

Mayor did not have any announcements.

A Boy Scout from Troop 565 was in attendance.

## VIII. COMMUNITY DEVELOPMENT

### A. [Hearing to Consider an Appeal filed by Roy and Lisa Archilla of a Civil Regulatory Order](#)

Details: Appeal of a Civil Regulatory Order regarding the alterations to City owned open space/critical area through the construction of a water feature and other improvements. The appeal requests rescission of the order due to extraordinary circumstances and the purported diminishment of property value in complying with the Civil Regulatory Order. Alternately, the appellant proposes purchasing the affected 275 square foot of area impacted by the construction of the water feature/patio from the City, and the City allowing the 570 square feet of lawn and landscaping to remain as is. Staff recommends that the \$500 fine assessed under the Civil Regulatory Order be suspended, provided that the appellant construct a fence along the rear property line of Lot 61 of the Lakeridge Subdivision and subject to removal of those improvements constructed by the appellant, namely the water feature and patio, no later than September 15, 2013.

Department/Presenter: Phil Bourquin, Community Development Director

[Civil Regulatory Order](#) 

[Appeal of Civil Regulatory Order](#) 

[Maps and Photos](#) 

[Background Correspondence](#) 

Bourquin gave further background of the order.

Mayor asked if any Council members had a conflict of interest or any ex-parte contacts that would prohibit them from participating in the public hearing process.

There were no relevant conflicts of interest or ex-parte contacts voiced by the Council members.

Mayor opened the Civil Regulatory Hearing at 7:08 p.m.

The appellants, Lisa and Roy Archilla, 807 NW 35<sup>th</sup> Circle, Camas, WA, testified concerning their property and asked Council to look for a resolution. Roy Archilla read a letter written by the Archilla's neighbor, Dr. Dover.

The letter read by Ray Archilla, Exhibit 1, was submitted August 15, 2013. It is an attachment to the agenda.

The meeting recessed at 7:26 p.m. for a closed session for an estimated fifteen minutes to deliberate the appellant's requests. Mayor added an additional ten minutes to the deliberation time.

After deliberation with the City Attorney, the City Administrator and the Community Development Director, the Council meeting was reconvened at 7:50 p.m. The Mayor stated that it was Council's determination to direct staff to work with the appellant to amend the plat, in compliance with City processes, to accommodate the water feature and hardscape. The cost and fees to amend the plat, including the purchase of City property, and returning the landscaped area (non-hardscape) back to its natural state is the responsibility of the appellant. The record will be left open until the plat has been amended and the landscaped area has been returned to its natural state, the hearing and the record will be closed upon Council's discretion.

**It was moved by Greg Anderson, seconded by Linda Dietzman to approve the Mayor's statement as Council's direction regarding the determination of the Council in the Archilla's Civil Regulatory Order. The motion carried unanimously.**

**B.** [Bonneville Power Administration \(BPA\) - License Permission to Enter Property](#)

Details: BPA requested the City of Camas to approve a license that grants BPA permission to enter City of Camas property to assess topographical features, structures, plants and animals, and any other cultural or natural resources that could be impacted by the proposed project.

Department/Presenter: Phil Bourquin, Community Development Director

[License Permission to Enter Property](#) 

[Background Documents from Bonneville Power Administration](#) 

**It was moved by Shannon Turk, seconded by Greg Anderson to authorize the signing of the License which grants BPA permission to enter certain properties owned by the City of Camas with the conditions discussed and outlined by Community Development Director Phil Bourquin and Public**

**Works Director Eric Levison during the discussion of August 5, 2013. The motion carried with Steve Hogan voting no.**

**IX. ADJOURNMENT**

The meeting adjourned at 8:05 p.m. Council went into a closed session to discuss labor negotiations. No action will be taken.

**X. CLOSED SESSION**

**A. Labor Negotiations**

NOTE: The City of Camas welcomes and encourages the participation of all of its citizens in the public meeting process. A special effort will be made to ensure that a person with special needs has the opportunity to participate. For more information, please call 360.834.6864.

**Quick Preview of Agenda and Supporting Documents - Posted on July 31, 2013**

[Council Agenda with Supporting Documents](#) 

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Mayor

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City Clerk