



Agenda/Regular City Council Meeting

May 27, 2008 - 6:00 P.M.

City Council Chambers

- A. Call to order - Pledge of Allegiance
- B. Roll Call - Excused Absences
- C. Minutes of the Regular City Council Meeting of May 13, 2008
- D. Claims/Vouchers: Voucher Amount \$402,187.22, Payroll Amount \$0
- E. Claims for Damages
 - Heather Harmon = \$169.69
- F. Small Contracts (Less than \$10,000)
 - Community Health Education Resources - Babysitting Classes = 85% of fees collected
 - North Country Electric - City Hall Electrical Work = Not to exceed \$2,200
- G. Information Items
 - Tyler Kullman Badge Pinning
 - Spokane County Conservation District Update
 - Fifty Acre Park Update
- H. Appointments - None
- I. Citizen Comments: Open to Public (two minute limit)
- J. Action Items
 - Public Hearings
 - 1. 08-093 - Ordinance U-83 - Alki Street Public Hearing
 - Resolutions
 - 2. 08-085 - Resolution D-476 - Cheney WWTP Expansion Project Consultant Agreement - Design Services Supplement
 - 3. 08-086 - Resolution D-477 - Cheney WWTP Expansion Project Consultant Agreement - Construction Services Supplement
 - 4. 08-089 - Resolution D-480 - Contract Change Orders Policy
 - 5. 08-094 - Resolution D-484 - Well Eight Construction Project - Contract Award
 - 6. 08-095 - Resolution D-485 - Cheney Research and Industrial Park - Council Initiated Business Park Zoning Code Amendment
 - 7. 08-096 - Resolution D-486 - Cheney Research and Industrial Park - Council Initiated Business Park Zoning Map Amendment
 - 8. 08-097 - Resolution D-487 - Acceptance of Contract with Conner Excavating

Ordinances

9. 08-098 – Ordinance U-84 – 2008 Budget Amendment

Other Business

10. 08-099 – Professional Service Agreement with Thomas G. Richardson

K. Council Reports

L. Staff Reports

M. Mayor's Report

N. Executive Session as per RCW 42.30.110 – None

O. Adjournment

**Mission Statement
City of Cheney**

The Mission of the City of Cheney is to responsibly provide its citizens desirable services while promoting and optimizing the finest quality of life.

Vision Statement

“Known for its family centered environment, dedicated to life-long learning, with widespread community involvement and devoted to sound economic development.”

“You can never solve a problem on the level on which it was created.” Albert Einstein

08-093 - Ordinance U-83 - Alki Street Public Hearing

The City Council passed Resolution D-468 to set a hearing for May 27, 2008 regarding the application submitted by Steve Emtman to partially vacate approximately 1700 feet of Alki Street bordering his property between Cheney-Plaza Road and Cheney-Spangle Road in order to accommodate the second phase of the Terra Vista Development. Mr. Emtman proposes vacating 30 to 40 feet of the 80 foot wide Alki Street right-of-way beginning at the corner of Cheney-Plaza Road extending to approximately 1700 feet north toward Cheney-Spangle Road. In exchange for the vacation, Mr. Emtman proposes a partial realignment of Alki Street extending approximately 1100 feet from Cheney-Plaza Road north toward Cheney-Spangle Road which would be accomplished by dedicating right-of-way to the City within the second phase of the Terra Vista development. The realigned section of Alki Street would be paved and would connect to the existing Alki Street extending to Cheney-Spangle Road which would also be paved to provide access between Cheney-Plaza Road and Cheney-Spangle Road. Under a separate action, Mr. Emtman also wishes to close a portion of Alki Street to provide a buffer between the Union Pacific Railroad tracks and the second phase of the Terra Vista development. Ordinance U-83 specifies the terms for the vacation should the City Council choose to approve the requested vacation action.

08-085 - Resolution D-476 - Cheney WWTP Expansion Project Consultant Agreement - Design Services Supplement

While preparing the plans and specifications for the expansion of the wastewater treatment plant there was a need to perform additional electrical and telemetry design engineering work which was not included in the original scope of design engineering services and therefore constitutes additional work. Resolution D-476 will authorize the mayor to sign a supplement to the original agreement with Esvelt Environmental Engineering for the additional design engineering work.

08-086 - Resolution D-477 - Cheney WWTP Expansion Project Consultant Agreement - Construction Services Supplement

The design phase of the project has now been completed and we are scheduled to open bids for the construction phase of the project on June 3. Our current agreement with Esvelt Environmental Engineering is for design services so we would like to amend the agreement to now add construction engineering services for the construction timeframe of up to 365 calendar days. Resolution D-477 will authorize the mayor to sign a supplement to the original agreement with Esvelt Environmental Engineering for construction engineering services.

08-089 - Resolution D-480 - Contract Change Orders Policy

Passage of Resolution D-480 will result in the formal adoption of a written policy for processing change orders for projects performed under the administrative authority of the Public Works Department. The attached policy formally adopts the practices currently being followed by the Public Works Department but also adds the City Administrator as a signatory for change orders that are in excess of \$50,000 but within the contingency appropriation (Administrative reserve) authorized by the City Council. The policy also established a formalized approach for addressing the issue of contingency funding.

08-094 - Resolution D-484 - Well Eight Construction Project - Contract Award

The Reports of Examination (ROE) issued by the Department of Ecology authorizing the city to proceed with well eight have now been finalized after undergoing a 30 day comment period on the draft ROEs. The final ROEs were posted on May 22 and if no appeals are filed within the 30 day comment period for the final ROEs then the city can formally proceed with well eight. We went out to bid to drill well eight and did so by notifying the contractor that this project would be conditionally awarded pending completion of a 60 day comment period for the ROEs (draft and final). We chose to go out to bid ahead of the completion of the comment period so that we would be ready to proceed with the project provided there are no appeals. We received one bid which was from Blue Star Enterprises in the amount of \$242,000 (plus applicable tax). This bid was \$70,000 below the engineer's estimate and Blue Star appears to be well qualified based on their past well

drilling experience. Passage of Resolution D-484 will result in a conditional award of the Well Eight Construction Project to Blue Star Enterprises. The award will be finalized if no appeals are filed against the final ROEs for this project.

08-095 - Resolution D-485 - Cheney Research and Industrial Park - Council Initiated Business Park Zoning Code Amendment

During our discussions with the K&L Gates legal firm it was suggested that through zoning we could look to encumber the properties sold by the city and AE Cheney Land, LLC with the obligation to develop the properties in a manner consistent with the objectives of the Cheney Research and industrial Park and in so doing comply with all applicable Economic Development Administration (EDA) requirements. To that end, we are proposing to amend the current business park zone code section under Chapter 21.34 by adding a provision stating that any properties benefiting from public infrastructure financed with local, state, or federal funding shall comply with all applicable funding requirements. We have also amended this code section to better define the types of businesses that would be located within a business park zone. Through passage of Resolution D-485 the Council will initiate and refer to the Planning Commission an amendment to the zoning code pursuant to CMC 21.56.030 which would take effect through the eventual passage for Ordinance U-76. The Planning Commission will conduct a public hearing after which the Planning Commission will make their recommendation to the City Council for action on August 12.

08-096 - Resolution D-486 - Cheney Research and Industrial Park - Council Initiated Business Park Zoning Map Amendment

Concurrent with the initiation of an amendment to the zoning code, we are also asking the City Council to initiate an amendment to the zoning map for the purpose of rezoning the site of the Cheney Research and Industrial Park from light industrial to a business park zone which would be subject to the provisions of the proposed business park code amendment that would be in effect through the passage of Ordinance U-76 which the City Council referred to the Planning Commission. Through the passage of Resolution D-486 the council will initiate and refer to the Planning Commission an amendment to the zoning map pursuant to CMC 21.56.030. The Planning Commission will make their recommendation to the City Council for action on August 12.

08-097 - Resolution D-487 - Acceptance of Contract with Conner Excavating

Cheney Light Department sent out Request for Quotations, and Conner Excavating has submitted the lowest quote for secondary ditch and boring services.

08-098 - Ordinance U-84 - 2008 Budget Amendment

Budget amendment includes: Court drug testing supplies, Fire Department Radios (grant funded), Police Capital Matching funds for grants, Information Technology server equipment upgrade and software, and the Industrial Park Infrastructure amendment (City, EDA, and Private funding)

08-099 - Professional Services Agreement with Thomas G. Richardson

Tom Richardson will retire from the City of Cheney on May 30 after 28 years of service. He takes with him a lot of knowledge and information. This agreement would allow the City to consult with Tom on an as needed basis to work on specific projects or items during the transition to a new director.