City Council
Agenda
January 29, 2024
6:00 PM

CITY ADMINISTRATOR
ROBERT OMANS

CITY CLERK
DEBBIE LEE

CITY TREASURER
ROBIN NEWCOMB

PUBLIC WORKS

POLICE CHIEF
RICH ALBO

FIRE CHIEF
ED MILLS

PLANNER

119 W FIRST STREET
CLE ELUM, WA 9922

MAYOR
MATTHEW LUNDH

MAYOR PRO TEM
STEVEN HARPER

CITY COUNCIL
JOHN GLONDO
BETH WILLIAMS
JERRED WEIS
KEN RATLIFF
STEVEN COOK
AUDREY MALEK

CITY ATTORNEY
ALEXANDRA KENYON

Join Virtually with Zoom: https://zoom.us/j/7573184018?pwd=dERndjBJVC9GdVQ1d2ISRExwZFhXZz09
Meeting ID: 757 318 4018 Passcode: 98922

Join by Phone: 1-(253)215-8782, Meeting ID: 757 318 4018, Passcode:98922

DISCLAIMER: The City does not guarantee that virtual or telephonic access to the City Council meeting will be available and the City does not warrant audio quality. Attendees are encouraged to attend in-person.

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1. **Call to Order, Pledge of Allegiance, and Roll Call**
   a. January 29, 2024, Sign In Sheet
2. **Public Comment - Limited To 5 Minutes**
3. **Approval of Meeting Agenda**
4. **New Business**
   a. Emergency Sewer Repair - Per RCW 39.04.280(2)(b) Waiving the Competitive Bidding Requirement for an Emergency Repair/Replacement of a Sewer Line

      Written Finding of the Emergency

      Final Invoice from Ascent
5. **Closed Session to discuss collective bargaining pursuant to RCW 42.30.140(4)(a)**
6. **Adjournment by Motion**

City of Cle Elum Special/Closed Session Council Meeting

January 29, 2024 6:00 p.m.

If you wish to address the Mayor and Council, please sign in below

Please sign in:

Name	Address PLEASE PROVIDE EMAIL ADDRESS IF YOU WANT COUNCIL'S RECOMMENDATION MAILED TO YOU

CITY OF CLE ELUM

(Written Finding of the Existence of an Emergency Situation)

AGENDA DATE:	January 29, 2024
ACTION REQUESTED:	Approval from City Council Declaring the Existence of an Emergency Situation, thus Waiving the Competitive Bid Requirement.

BACKGROUND:

There is a short section of sewer line *(approximately 70-feet)* located in the alley between Pennsylvania Avenue and Harris Avenue, south of First Street *(behind the Keg Cellar)*. This section of sewer line is notorious for blockage and is on the public works list to jet every week. On Tuesday, January 23rd public works responded to a typical sewer blockage at that location and attempted to unplug it with their vac truck. After several attempts at the blockage and the exposure of many large rocks and pieces of clay pipe, it was determined that the sewer line had collapsed. Public works immediately contacted City Hall administration and after a short deliberation the mayor declared that an emergency situation exists, to hire a contractor to perform the repair as soon as possible, and to waive the competitive bid requirements.

Ascent Excavation was hired, and they completed the repairs by Thursday.

RECOMMENDATION: Approval from City Council Declaring the Existence of an Emergency Situation, thus Waiving the Competitive Bid Requirement.

ATTACHMENTS:
RCW 39.04.280
Ascent Excavation Contract / Estimate

RCW 39.04.280 Competitive bidding requirements—Exemptions. This section provides uniform exemptions to competitive bidding requirements utilized by municipalities when awarding contracts for public works and contracts for purchases. The statutes governing a specific type of municipality may also include other exemptions from competitive bidding requirements. The purpose of this section is to supplement and not to limit the current powers of any municipality to provide exemptions from competitive bidding requirements.

(1) Competitive bidding requirements may be waived by the governing body of the municipality for:

(a) Purchases that are clearly and legitimately limited to a single source of supply;

(b) Purchases involving special facilities or market conditions;

(c) Purchases in the event of an emergency;

(d) Purchases of insurance or bonds; and

(e) Public works in the event of an emergency.

(2)(a) The waiver of competitive bidding requirements under subsection (1) of this section may be by resolution or by the terms of written policies adopted by the municipality, at the option of the governing body of the municipality. If the governing body elects to waive competitive bidding requirements by the terms of written policies adopted by the municipality, immediately after the award of any contract, the contract and the factual basis for the exception must be recorded and open to public inspection.

If a resolution is adopted by a governing body to waive competitive bidding requirements under (b) of this subsection, the resolution must recite the factual basis for the exception. This subsection (2)(a) does not apply in the event of an emergency.

(b) If an emergency exists, the person or persons designated by the governing body of the municipality to act in the event of an emergency may declare an emergency situation exists, waive competitive bidding requirements, and award all necessary contracts on behalf of the municipality to address the emergency situation. If a contract is awarded without competitive bidding due to an emergency, a written finding of the existence of an emergency must be made by the governing body or its designee and duly entered of record no later than two weeks following the award of the contract.

(3) For purposes of this section "emergency" means unforeseen circumstances beyond the control of the municipality that either: (a) Present a real, immediate threat to the proper performance of essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken. [1998 c 278 § 1.]

Ascent Excavation

106 N. Peoh Ave.
Cle Elum WA 98922
Contact: Benji Martin
Phone: 509-961-2293
Email: Benjimartin.ascent@gmail.com

Quote To: City of Cle Elum
Phone:
Email:

Job Name: Emergency Sewer Repair

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1	Mob. from and back to the 2nd street project.	1.00	EA	1,086.82	1,086.82
2	Furnish and Install 70' 6" of Sewer line.	1.00	EA	9,974.48	9,974.48
3	Furnish and Install 4" Sewer Side Services	1.00	EA	4,766.68	4,766.68

GRAND TOTAL **$15,827.98**

NOTES:

Other than listed above the following are excluded:
Permits,taxes,meters, fees,bonds, over excavation, hard rock excavation, unsuitable material handling or disposal, hazardous or contaminated materials handling or disposal, soil additives or treatment to existing soils, import or export of materials, soils testing, retaining walls, cold weather protection, vapor barrier, erosion control
NOTES:
This is a rough estimate. This work will be completed and paid for under time and materials.

ok

106 N Peoh Ave P.O. Box 153
Cle Elum, WA 98922
Office: (509) 852-7695
Cell: (509) 674-8211
Email: vinceglondo.ascent@gmail.com

Emergency Sewer Repair

1/26/2024

Sewer				
Force Account Sheet 1174 (1/24/24)	1	Day	$12,405.62	$12,405.62
Force Account Sheet 1175 (1/25/24)	1	Day	$8,372.50	$8,372.50
Force Account Sheet 1226 (1/26/24)	1	Day	$448.04	$448.04
Swer total				**$21,226.16**
Sales Tax			**8.10%**	**$1,719.32**
GRAND TOTAL				**$22,945.48**

REPORT OF FORCE ACCOUNT WORKED

Ascent Excavation

1174

Contractor City of Cle Elum

Address

Job No. Emergency Sewer Repair

City Cle Elum State WA Date 98922 1/24/24

PROJECT NUMBER	PROJECT TITLE
	Emergency Sewer Repair

DESCRIPTION OF WORK Remove & Replace Clay Sewer Pipe Due to Colapse Between 1st & Rail Road Ave 100 Block W 1st Behind Keg Cellar.

TIME WORKED RECORD

	ITEM NO.	CODE	WORKMAN and/or EQUIPMENT WORKING	OCCUPATION OF WORKMAN OR EQUIP. SIZE	CODE	CODE	HOURS WORKED REG	O.T.	RATE	AMOUNT
1			Kyle Nicholson	Foreman			6	2	95.33/142.99	$857.96
2			Terry Nicholson	OPR			10	1	91.19/136.78	$1,048.68
3			Chris King	OPR			5	1	91.19/136.78	$592.73
4			Gabe Smith	PL			10	1	86.40/129.60	$993.60
5			Joe Standish	LAB/Top Man			2	1	82.40/123.60	$288.40
6			Nicholis Bardoc	OPR			2	1	91.19/136.78	$319.16
7			Seth Grove	LAB			8		62.92/	$503.36
8			Komatsu 270	Loader			5	1	86.42	$518.52
9			CAT 313	Excavator (Main)			10	1	116.53	$1,281.83
10			Kubota KX 57	Excavator (B/F)			2	1	62.49	$187.47
11			2015 Dodge	Crew Truck			8		48.01	$384.08
12			Benji Martin	PM			3		98.60/	$295.80
13			Gravel	5/8 minus Pipe Bedding			51.11	tons	14.00	$715.54
14			Sewer Main Parts	Ferncos, pipe, couplers			1 LS			$1,860.52
15										
16				Sub-Total						$9,847.65
17										
18										
19										
20										
21										
22				MARK-UP						
23				LABOR			31%	$1,518.90	4,899.69	$6,418.59
24				MATERIAL/EQUIP			21%	$1,039.07	4,947.96	$5,987.03
25				SUBCONTRACTOR						
					TOTALS					$12,405.62

REMARKS

Fix Broken Sewer Line Behind Keg Cellar

Fiber, GAS, water, and abandoned Service all in Trench For Sewer

X

Inspector

Kyle Nicholson

Contractor's Representatives

X

(SIGNATURE)

X

(PRINT NAME)

REPORT OF FORCE ACCOUNT WORKED

Ascent Excavation

1175

Contractor City of Cle Elum

Address ______ Job No. ______

City ______ State ______ Date 1/25/24

PROJECT NUMBER	PROJECT TITLE
	Emergency Sewer Repair

DESCRIPTION OF WORK Fix Collapsed Sewer Line Behind Keg Cellar Towards 1st Street - Remove Exist MH.

TIME WORKED RECORD

	ITEM NO.	CODE	WORKMAN and/or EQUIPMENT WORKING	OCCUPATION OF WORKMAN OR EQUIP. SIZE	CODE	CODE	HOURS WORKED REG	O.T.	RATE	AMOUNT
1			Kyle Nicholson	Foreman			5		95.33	$476.65
2			Terry Nicholson	Oper			10		91.19	$911.90
3			Chris King	Oper			5		91.19	$455.95
4			Gabe Smith	PL			10		86.40	$864.00
5			Nicholas Brandoc	Oper			10		91.19	$911.90
6			Komatsu 270	Loader			5		86.42	$432.10
7			Cat 313	Excavator/Main			10		116.53	$1,165.30
8			Kubota 57	Excavator/Backfill			10		62.49	$624.90
9			Engles Trucking	Dirt haul off			2.5		140.00	$350.00
10			Engles Trucking	Equipment Mob			3.5		140.00	$490.00
11										
12										
13				Sub-Total						6,682.70
14										
15										
16										
17										
18										
19										
20										
21										
22				MARK-UP						
23				LABOR			31%	$1,122.32	3,620.40	$4742.72
24				MATERIAL/EQUIP			21%	$466.68	2,222.30	$2,688.98
25				SUBCONTRACTOR			12%	$100.80	840.00	$940.80
				TOTALS						$8,372.50

REMARKS

Fix Broken Sewer Behind Keg Cellar Tie In Keg Cellar Remove Old Man Hole Confine Around GAS Suspend 2" GAS For Dig Install Clean out Hook up Services to Hope Source, Keg Cellar, Cavalinis, Blue Diamond, Trail water

X Inspector

Kyle [signature]

Contractor's Representatives

X (SIGNATURE)

X (PRINT NAME)

REPORT OF FORCE ACCOUNT WORKED

Ascent Excavation

1226

Contractor City of Cle Elum

Address

Job No. Emergency Sewer Repair

City State Date 98922 1/26/24

PROJECT NUMBER	PROJECT TITLE
	Emergency Sewer Repair

DESCRIPTION OF WORK

Clean up Job site / Remove old pipe and garbage.

TIME WORKED RECORD

	ITEM NO.	CODE	WORKMAN and/or EQUIPMENT WORKING	OCCUPATION OF WORKMAN OR EQUIP. SIZE	CODE	CODE	HOURS WORKED REG	O.T.	RATE	AMOUNT
1			Seth Grove	Operator			2		91.19	$182.38
2			Komatsu Loader	270			2		86.42	$172.84
3										
4										
5				Sub-Total						$355.22
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										
21										
22				MARK-UP						
23				LABOR			31%	$56.53	182.38	$238.91
24				MATERIAL/EQUIP			21%	$36.29	172.84	$209.13
25				SUBCONTRACTOR						
				TOTALS						$448.04

REMARKS

X
Inspector

Contractor's Representatives
X
(SIGNATURE)
X
(PRINT NAME)

ELLENSBURG CEMENT PRODUCTS, INC.
P.O. BOX 938
ELLENSBURG, WA 98926
(509) 933-7050

*** INVOICE ***

Customer No. 46155
Invoice Date 1/25/2024
Invoice Number 352808 Page 1
Job Id CLE ELUM 2ND ST
Credit Terms Net 30, Disc by 10th

ASCENT FOUNDATION & MORE, LLC
PO BOX 132
CLE ELUM WA 98922

Date	Ticket	Qty	Description	Price	Amount
./25/24	737924	25.53 TN	5/8-0"	10.00	255.30
./25/24	737924	25.53 TN	DEL TRUCK/PUP OR SUPER	4.00	102.12
./25/24	737929	25.04 TN	5/8-0"	10.00	250.40
./25/24	737929	25.04 TN	DEL TRUCK/PUP OR SUPER	4.00	100.16
./25/24	737930	24.93 TN	5/8-0"	10.00	249.30
./25/24	737930	24.93 TN	DEL TRUCK/PUP OR SUPER	4.00	99.72
./25/24	738315	25.07 TN	5/8-0"	10.00	250.70
./25/24	738315	25.07 TN	DEL TRUCK/PUP OR SUPER	4.00	100.28
./25/24	738355	24.84 TN	5/8-0"	10.00	248.40
./25/24	738355	24.84 TN	DEL TRUCK/PUP OR SUPER	4.00	99.36
./25/24	738360	25.48 TN	5/8-0"	10.00	254.80
./25/24	738360	25.48 TN	DEL TRUCK/PUP OR SUPER	4.00	101.92
./25/24	738361	25.12 TN	5/8-0"	10.00	251.20
./25/24	738361	25.12 TN	DEL TRUCK/PUP OR SUPER	4.00	100.48
./25/24	738362	24.75 TN	5/8-0"	10.00	247.50
./25/24	738362	24.75 TN	DEL TRUCK/PUP OR SUPER	4.00	99.00
./25/24	738394	25.46 TN	5/8-0"	10.00	254.60
./25/24	738394	25.46 TN	DEL TRUCK/PUP OR SUPER	4.00	101.84
./25/24	738395	25.55 TN	5/8-0"	10.00	255.50
./25/24	738395	25.55 TN	DEL TRUCK/PUP OR SUPER	4.00	102.20
./25/24	738396	25.21 TN	5/8-0"	10.00	252.10
./25/24	738396	25.21 TN	DEL TRUCK/PUP OR SUPER	4.00	100.84

CONTINUED

ELLENSBURG CEMENT PRODUCTS, INC.
P.O. BOX 938
ELLENSBURG, WA 98926
(509) 933-7050

*** INVOICE ***

Customer No. 46155
Invoice Date 1/25/2024
Invoice Number 352808 Page 2
Job Id CLE ELUM 2ND ST
Credit Terms Net 30, Disc by 10th

ASCENT FOUNDATION & MORE, LLC
PO BOX 132
CLE ELUM WA 98922

Date	Ticket	Qty	Description	Price	Amount
./25/24	738397	25.58 TN	5/8-0"	10.00	255.80
./25/24	738397	25.58 TN	DEL TRUCK/PUP OR SUPER	4.00	102.32

***** PRODUCT SUMMARY *****

PRODUCT	QUANTITY	U/M
5/8-0"	302.56	TN
DEL TRUCK/PUP OR SUPER	302.56	TN

THIS IS AN INVOICE - NOT A STATEMENT
$25.00 CHARGE FOR NSF CHECKS
A SERVICE CHARGE OF 18% PER YEAR WILL BE
ASSESSED ON ALL LATE ACCOUNTS

Sub-Total	4235.84
Sales Tax- WAR1	0.00
Invoice Total	4235.84

Consolidated Supply Co.

** INVOICE **

QUESTIONS ON THIS INVOICE
509-662-7128

INVOICE DATE	INVOICE NUMBER
01/24/24	S011747038.001

REMIT TO:
PO BOX 5788
PORTLAND, OR 97228

PAGE NO. 1

BILL TO:
ASCENT FOUNDATIONS & MORE LLC
PO BOX 132
CLE ELUM, WA 98922

SHIP TO:
ASCENT FOUNDATION 2ND ST WATER
1015 E. 2ND ST.
CLE ELUM, WA 98922

CUSTOMER NUMBER	CUSTOMER ORDER NUMBER	ORDERED BY	WHSE	SALESMAN	
399722	Kyle		20	LINKEN	Prc Br: 20

WRITER	SHIP VIA	DATE SHIPPED	ORDER DATE	
BROBRA	OT OUR TRUCK	01/24/24	01/23/24	Shp Br: 20

DESCRIPTION	QTY ORD	QTY SHIP	U/M	NET UNIT PRICE	NET AMOUNT
6"X14' "GREEN" SDR35 D3034 PVC SEWER PIPE W/ RINGS 53785	112'	112'	ft	6.564ft	735.17
6"X4" PVC SEWER GXGXG WYE W/GSKTS G3064 107-0064	5ea	5ea	ea	67.053EA	335.27
4" PVC SEWER SXG 45 W/ GSKT G404 122-0004	5ea	5ea	ea	17.253EA	86.27
4"X14' "GREEN" SDR35 D3034 PVC SEWER PIPE W/ RINGS	56'	56'	ft	2.846ft	159.38
FERNCO 1002-44 4"X4" CLAY X PVC-CI FLEX CPLG 5.25X4.38 102-44	5ea	5ea	ea	7.000EA	35.00
FERNCO 1002-64 6"X4" CLAY X PVC FLEX CPLG 7.38X4.38	3ea	3ea	ea	17.571ea	52.71
FERNCO 1002-66 6"X6" CLAY X PVC-CI FLEX CPLG 7.38X6.38 102-66	3ea	3ea	ea	14.971EA	44.91
DAYTON SUPERIOR 5 MINUTE RECRETE 67300 50# BLUE BAG *Special - Subject to Restock Fee*	5ea	5ea	ea	53.232ea	266.16
6"X4" PVC SEWER SXG ECCENTRIC INCREASER W/ GSKT G13064 110-0064ECC	2ea	2ea	ea	36.242EA	72.48

*** Continued on Next Page ***

01-24-2024 09:49:09 AM

Kyle

Kyle

Consolidated Supply Co.

** INVOICE **

QUESTIONS ON THIS INVOICE
509-662-7128

INVOICE DATE	INVOICE NUMBER
01/24/24	S011747038.001

REMIT TO:
PO BOX 5788
PORTLAND, OR 97228

PAGE NO. 2

BILL TO:
ASCENT FOUNDATIONS & MORE LLC
PO BOX 132
CLE ELUM, WA 98922

SHIP TO:
ASCENT FOUNDATION 2ND ST WATER
1015 E. 2ND ST.
CLE ELUM, WA 98922

CUSTOMER NUMBER	CUSTOMER ORDER NUMBER	ORDERED BY	WHSE	SALESMAN	
399722	Kyle		20	LINKEN	Prc Br: 20

WRITER	SHIP VIA	DATE SHIPPED	ORDER DATE	
BROBRA	OT OUR TRUCK	01/24/24	01/23/24	Shp Br: 20

DESCRIPTION	QTY ORD	QTY SHIP	U/M	NET UNIT PRICE	NET AMOUNT
6"X6" PVC SEWER GXGXG TEE W/ GSKTS G106 103-0066	1ea	1ea	ea	73.173EA	73.17

** Reprint ** Reprint ** Reprint ** Reprint **

01-24-2024 09:49:09 AM

Kyle

Kyle

Invoice is due by 02/29/24.

Subtotal	1860.52
Freight	0.00
Tax	0.00
Amount Due	1860.52

INVOICE

Engels Trucking LLC
Po box 773
Cle Elum, Wa 98922

engelstruckingllc@gmail.com
509-304-6075

Ascent Foundations & More

Bill to
Ascent Foundations & More
PO Box 132
Cle Elum
WA
98922

Ship to
Ascent Foundations & More
PO Box 132
Cle Elum
WA
98922

Invoice details
Invoice no.: 336
Invoice date: 01/26/2024
Due date: 01/26/2024

#	Date	Product or service	SKU	Qty	Rate	Amount
1.		**Dump Truck Hourly Rate** moved 313 ticket number 353		1.5	$140.00	$210.00
2.		**Dump Truck Hourly Rate** misc. on site work ticket number 355		2.5	$140.00	$350.00
3.		**Dump Truck Hourly Rate** moved 313 back to 2nd st		2	$140.00	$280.00

Total **$840.00**

Note to customer

City of cle elum broken sewer pipe repair next to fly shop.

ELLENSBURG CEMENT PRODUCTS, INC.
Middle State Hauling Co., Inc.
2121 Highway 97 • P.O. Box 938 • Ellensburg, WA 98926
(509) 933-7050
CONT. REG. # ELLENCP 255 DP • CONT. REG. # MIDDLSH 170 DD

G 738397

Redi-Mix Concrete • Sand & Gravel • Crushed Rock • Hauling

PAIGE CANYON   CLERF   EASTON   THOMAS   S.C.
CHARLTON   W. CLE ELUM   ELK HEIGHTS   THAYER

Purchase Order No.   Account Number   Date 1-25-23

Sold to: Asient
Address Cle elum
Delivered to: ZONE #

PAID OUT	CASH	CHARGE	ON ACCOUNT	CREDIT CARD	MATERIAL
					5/8

TIME WEIGHED	A.M. P.M.	MILEAGE, RETURN	
TIME RECEIVED	A.M. P.M.	MILEAGE, START	
TIME RETURNED	A.M. P.M.	TRIP MILES	
TRUCK NO.	133	GROSS	83320
DRIVER	Bijan	TARE	32160
REMARKS:		NET	51160

	25.58 Ton		
	Emergency Sewer Repair		
	22-4001		
	F/A 1174		
	TAX		
	TOTAL		

I HAVE READ AND UNDERSTAND ALL WARNINGS, PROPERTY DAMAGE RELEASE INFORMATION AND WARRANTY INFORMATION ON THE REVERSE SIDE OF THIS TICKET.
BY INITIALING I HAVE READ ALL WARNINGS AND INFORMATION STATED ABOVE: ____________

LOAD RECEIVED **X** ____________

CUSTOMER COPY

ELLENSBURG CEMENT PRODUCTS, INC.

Middle State Hauling Co., Inc.
2121 Highway 97 • P.O. Box 938 • Ellensburg, WA 98926
(509) 933-7050
CONT. REG. # ELLENCP 255 DP • CONT. REG. # MIDDLSH 170 DD

G 737924

Redi-Mix Concrete • Sand & Gravel • Crushed Rock • Hauling

PAIGE CANYON CLERF EASTON THOMAS S.C.
CHARLTON W. CLE ELUM ELK HEIGHTS THAYER

Purchase Order No. Account Number Date 1-25-24

Sold to: Ascent Foundation

Address 1015 2Nd ST

Delivered to: Cle Elum ZONE #

PAID OUT	CASH	CHARGE	ON ACCOUNT	CREDIT CARD	MATERIAL
			✓		5/8

TIME WEIGHED	A.M. P.M.	MILEAGE, RETURN	
TIME RECEIVED	A.M. P.M.	MILEAGE, START	
TIME RETURNED	A.M. P.M.	TRIP MILES	
TRUCK NO.	126	GROSS	83,160
DRIVER	Mike	TARE	32,100
REMARKS:		NET	51,060

25.53 tons
Emergency Sewer Repair
F 2-4001
F/A 1174

TAX

TOTAL

I HAVE READ AND UNDERSTAND ALL WARNINGS, PROPERTY DAMAGE RELEASE INFORMATION AND WARRANTY INFORMATION ON THE REVERSE SIDE OF THIS TICKET.
BY INITIALING I HAVE READ ALL WARNINGS AND INFORMATION STATED ABOVE: ____________

LOAD RECEIVED X ____________

CUSTOMER COPY