



AGENDA
Long Beach City Council Meeting
Regular City Council March 3, 2014 at 7:00 p.m.
Long Beach City Hall - Council Chambers
115 Bolstad Avenue West

7:00 PM CALL TO ORDER; PLEDGE OF ALLEGIANCE; AND ROLL CALL

Call to order	Mayor Andrew, Council Member Linhart, Council Member Hanson,
And roll call	Council Member Perez, Council Member Murry, and Council Member Phillips

CONSENT AGENDA - TAB - A

All matters, which are listed within the consent section of the agenda, have been distributed to each member of the Long Beach City Council for reading and study. Items listed are considered routine by the Council and will be enacted with one motion unless a Council Member specifically requests it to be removed from the Consent Agenda to be considered separately. Staff recommends approval of the following items:

- Minutes, February 18, 2014 Regular City Council meeting.
- Payment Approval List for Warrant Registers 53913 - 53952 & 75872 – 75848 for \$183,178.70

BUSINESS

- **AB 14-18 4th of July Fireworks Contract 2014 – TAB B**
- **AB 14-19 Visitor's Bureau contract 2014 – TAB C**
- **AB 14-20 9th Street Northeast partial street vacation – PUBLIC HEARING – TAB D**

ORAL REPORTS

- | | | | | |
|---|---------------------|--------------|---------------------------|-------------------------|
| • | City Council | Mayor | City Administrator | Department Heads |
|---|---------------------|--------------|---------------------------|-------------------------|

CORRESPONDENCE AND WRITTEN REPORTS – TAB – E

- **Sales & Lodging tax reports for February 2014**
- **Drinking fountain and foot wash station at Sid Snyder Restroom**
- **Correspondence – 2014 AWC Board of Directors Recruitment**
- **Correspondence – Loyalty Days 2014 table sponsorship**
- **Correspondence – Clam Festival request**
- **Business License – Dr. Roof, Inc. – 1819 Pacific Avenue S.**
- **Business License – Milguard Manufacturing – Outside City Limits**

FUTURE CITY COUNCIL MEETING SCHEDULE

The Regular City Council meetings are held the 1st and 3rd Monday of each month at 7:00 PM and may be preceded by a workshop usually commencing at 6:00 PM.

March 17, 2014 – 7:00 pm- City Council Meeting
April 7, 2014 – 7:00 pm – City Council Meeting

PUBLIC COMMENT

At this time, the Mayor will call for any comments from the public on any subject whether or not it is on the agenda for any item(s) the public may wish to bring forward and discuss. Preference will be given to those who must travel. **Please limit your comments to five minutes. The City Council does not take any action or make any decisions during public comment.** To request Council action during the Business portion of a Council meeting, contact the City Administrator at least one week in advance of a meeting.

ADJOURNMENT

American with Disabilities Act Notice: The City Council Meeting room is accessible to persons with disabilities. If you need assistance, contact the City Clerk at (360) 642-4421 or advise City Clerk at the meeting.

TAB - A

LONG BEACH CITY COUNCIL MEETING

FEBRUARY 18, 2014

CALL TO ORDER

Mayor Andrew called the meeting to order and asked for the Pledge of Allegiance.

ROLL CALL

Gene Miles, City Administrator, called roll with C. Phillips, C. Murry, C. Perez, C. Linhart and Mayor Andrew present. C. Hanson was absent.

CONSENT AGENDA

Minutes, February 3, 2014 Regular City Council meeting

Payment Approval List for Warrants Registers 53866-53912 & 75705-75781 for \$185,383.01

C. Linhart made the motion to approve the consent agenda with C. Phillips seconding the motion. 4 Ayes 0 Nays 1 Absent (C. Hanson), motion passed.

BUSINESS

AB 14-11 City Engineer Contract Revised

Ed Hodges, Curran-McLeod, Inc. explained the issue over standard hourly rate schedule and meals and lodging at cost. **C. Phillips made the motion to approve the agenda bill with C. Linhart seconding the motion. 4 Ayes 0 Nays 1 Absent (C. Hanson), motion passed.**

AB 14-13 Street Lamp Purchase and Rebate Program

David Glasson, Finance Director, presented the agenda bill stating the city participated in a program to install energy efficient lighting in street lamps downtown. Mike Kitzman, Streets Supervisor, would like to install the remaining lights and has been working with the PUD and their vendor to complete the process. **C. Linhart made the motion to approve the agenda bill with C. Phillips seconding the motion. 4 Ayes 0 Nays 1 Absent (C. Hanson), motion passed.**

AB 14-14 Master Contract Usage Agreement with State of Washington

David Glasson, Finance Director, explained the city often takes advantage of the state purchasing agreements with vendors of the State of Washington and the agreement allows the city to continue that practice. **C. Linhart made the motion to approve the agenda bill with C. Perez seconding the motion. 4 Ayes 0 Nays 1 Absent (C. Hanson), motion passed.**

AB 14-15 Engineering Services Agreement with Curran-McLeod, Inc. for Wastewater NPDES Permit Study

Ed Hodges, Curran-McLeod, Inc. explained the city of Long Beach entered into an agreement with the Washington Department of Ecology to do a study of wastewater effluent discharging into Tinker Lake. Ed Hodges explained he has been working with the city, the State of Washington and the City Attorney to provide all of the information the State needs for the city to continue the present program and be issued a new NPDES Permit. Page 2 of the contract was missing when presented in the council packets. **C.**

Phillips made the motion to approve the agenda bill when page 2 of the contract is provided and the city attorney approves the contract. C. Linhart seconded the motion. 4 Ayes 0 Nays 1 Absent (C. Hanson), motion passed.

AB 14-16 Contract for Boarding Prisoners

The city of Long Beach houses prisoners with the county jail and this is the renewal for that contract. **C. Linhart made the motion to approve the agenda bill with C. Phillips seconding the motion. 4 Ayes 0 Nays 1 Absent (C. Hanson), motion passed.**

AB 14-17 Surplus Exercise Equipment

David Glasson, Finance Director, explained the Wellness Committee wishes to declare exercise equipment not being used as surplus. **C. Linhart made the motion to approve the agenda bill with the second made by C. Murry. 4 Ayes 0 Nays 1 Absent (C. Hanson), motion passed.**

ORAL REPORTS

C. Phillips, C. Murry, C. Perez, C. Linhart, Mayor Andrew, Gene Miles, City Administrator, David Glasson, Finance Director, Chief Long Beach Volunteer Fire Department and Gayle Borchard, Community Development Director presented oral reports.

CORRESPONDENCE AND WRITTEN REPORTS

Correspondence – Police Report for January

Correspondence – Important Points on Marijuana Land Use in Long Beach current status

Business License – Michael Clarence Mitchell; 205 Bolstad Ave W #303

Business License – Metropcs California, LLC; Bellevue, WA

PUBLIC COMMENT

A young man (name not audible) was seeking information and permission to organize a 3K race on April 12, 2014 for his senior project.

ADJOURNMENT

Motion to adjourn at 7:50 p.m. was made by C. Linhart and seconded by C. Perez. 4 Ayes 0 Nays 1 Absent (C. Hanson), motion passed.

Mayor

ATTEST:

City Clerk



Warrant Register

Check Periods: 2014 - February - Second

I, THE UNDERSIGNED DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST THE CITY OF LONG BEACH, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.

Number	Name	Print Date	Clearing Date	Amount
53913	Bell, Helen S	2/20/2014		\$900.02
53914	Binion, Jacob	2/20/2014		\$1,455.92
53915	Bledsoe, Linda	2/20/2014		\$866.37
53916	Bonney, Matthew T	2/20/2014		\$990.80
53917	Booi, Kristopher A	2/20/2014		\$934.87
53918	Borchard, Gayle	2/20/2014		\$1,965.94
53919	Cutting, Jeffrey G.	2/20/2014		\$1,833.97
53920	Fitzgerald, Rick E.	2/20/2014		\$1,400.75
53921	Gilbertson, Bradley K	2/20/2014		\$1,505.36
53922	Glasson, David R.	2/20/2014		\$2,492.95
53923	Payroll Vendor	2/20/2014		Void
53924	Gray, Karen	2/20/2014		\$715.49
53925	Huff, Timothy M.	2/20/2014		\$1,466.56
53926	Kirby, Gary E	2/20/2014		\$821.87
53927	Kitzman, Michael	2/20/2014		\$2,099.53
53928	Luethe, Paul J	2/20/2014		\$1,372.08
53929	Meling, Casey K	2/20/2014		\$1,575.87
53930	Miles, Eugene S	2/20/2014		\$2,530.43
53931	Mortenson, Tim	2/20/2014		\$1,788.69
53932	Myers, Ragan S.	2/20/2014		\$1,430.31
53933	Nawn, Rodney J.	2/20/2014		\$1,427.26
53934	Ostgaard, Loretta G	2/20/2014		\$1,392.65
53935	Padgett, Timothy J	2/20/2014		\$1,531.61
53936	Parker, Michael T	2/20/2014		\$1,741.25
53937	Ross, Steven J	2/20/2014		\$1,531.36
53938	Russum, Richard	2/20/2014		\$1,360.91
53939	Scott, Mark G	2/20/2014		\$1,088.92
53940	Warner, Ralph D.	2/20/2014		\$1,836.58
53941	Wright, Flint R	2/20/2014		\$2,368.07

Number	Name	Print Date	Clearing Date	Amount
53942	Zuern, Donald D.	2/20/2014		\$2,033.07
53943	Goulter, John R.	2/20/2014		\$1,575.72
53944	AFLAC	2/20/2014		\$219.63
53945	Association of WA Cities	2/20/2014		\$18,575.49
53946	City of Long Beach - Fica	2/20/2014		\$10,005.88
53947	City of Long Beach - FWH	2/20/2014		\$8,429.48
53948	Dept of Labor & Industries	2/20/2014		\$1,838.53
53949	Dept of Retirement Systems	2/20/2014		\$9,216.03
53950	Dept of Retirement Systems Def Comp	2/20/2014		\$1,083.00
53951	Massmutual Retirement Services	2/20/2014		\$325.00
53952	Teamsters Local #58	2/20/2014		\$181.00
75782	Tangly Cottage Garden	2/19/2014		\$512.05
75783	Duke, Amanda	2/19/2014		\$25.80
75784	Wadsworth Electric	2/19/2014		\$3,356.65
75785	Sweet Celebrations	2/19/2014		\$60.00
75786	Kulbel, Jim	2/24/2014		\$1,337.35
75787	Borchard, Gayle	2/24/2014		\$273.43
75788	Standard Insurance Co.	2/24/2014		\$2,641.36
75789	Jewell, Kyle	2/25/2014		\$50.00
75790	Williams, David	2/25/2014		\$155.00
75791	Hoover, Branden	2/25/2014		\$12.50
75792	Oman, Steve	2/25/2014		\$12.50
75793	Lopez, Daniel	2/25/2014		\$175.00
75794	Aiken, James	2/25/2014		\$50.00
75795	Bardonski, Cory	2/25/2014		\$37.50
75796	Yasunaka, Derek	2/25/2014		\$12.50
75797	At&t Mobility	2/25/2014		\$52.41
75798	Standard Insurance Co.	2/25/2014		\$1,358.79
75799	CenturyLink	2/25/2014		\$1,772.16
75800	Cashmere Valley Bank	2/25/2014		\$4,854.56
75801	Pacific County Auditor	2/25/2014		\$72.00
75802	WABO	2/26/2014		\$95.00
75803	Abeco Office Systems	2/28/2014		\$198.00
75804	Astoria Janitor & Paper Supply	2/28/2014		\$956.59
75805	Backflow Management Inc	2/28/2014		\$1,500.00
75806	BMC WELDING	2/28/2014		\$727.65
75807	Cascade Columbia Distribution CO	2/28/2014		\$5,616.97
75808	Ced - Consolidated	2/28/2014		\$25.87
75809	CHERRINGTON ENTERPRISES INC	2/28/2014		\$5,078.71
75810	City of Long Beach	2/28/2014		\$75.00
75811	Cottage Bakery	2/28/2014		\$78.90
75812	Davis, Lynn	2/28/2014		\$1,481.07
75813	Day Wireless Systems	2/28/2014		\$1,453.68
75814	Dennis Company	2/28/2014		\$590.20
75815	Department of Revenue	2/28/2014		\$110.88
75816	Englund Marine Supply	2/28/2014		\$1,088.16

Number	Name	Print Date	Clearing Date	Amount
75817	Esti, Inc	2/28/2014		\$1,724.80
75818	Evergreen Septic Service	2/28/2014		\$1,045.66
75819	Fire Extinguisher Svc	2/28/2014		\$1,469.63
75820	Ford Electric	2/28/2014		\$898.55
75821	Galls, LLC	2/28/2014		\$153.00
75822	Glacken and Associates	2/28/2014		\$275.00
75823	Hach Company	2/28/2014		\$288.76
75824	K & L Supply, Inc.	2/28/2014		\$1,730.82
75825	KING COUNTY FINANCE	2/28/2014		\$150.00
75826	L.N. Curtis & Sons	2/28/2014		\$466.58
75827	Lawson Products, Inc.	2/28/2014		\$405.00
75828	LEEDWAY, LLC	2/28/2014		\$54.87
75829	Most Dependable Fountains	2/28/2014		\$2,680.00
75830	Myers, Ragan	2/28/2014		\$128.53
75831	North Coast Truck Parts	2/28/2014		\$285.00
75832	NTA Services, INC	2/28/2014		\$682.00
75833	Ocean Beach Medical Clinic	2/28/2014		\$199.00
75834	Pacific County Auditor	2/28/2014		\$11,262.55
75835	Public Utility District 2	2/28/2014		\$10,822.41
75836	Purchase Power	2/28/2014		\$1,500.00
75837	Radio Shack	2/28/2014		\$107.78
75838	Robwen, Inc.	2/28/2014		\$219.22
75839	Snap ON Tools	2/28/2014		\$1,023.03
75840	South District Court	2/28/2014		\$1,166.67
75841	South Pacific County Technical	2/28/2014		\$5,000.00
75842	State Auditor's Office	2/28/2014		\$601.92
75843	SUNSET AUTO PARTS, INC	2/28/2014		\$291.90
75844	Unum Life Insurance	2/28/2014		\$45.60
75845	Visa	2/28/2014		\$2,349.96
75846	Wilcox & Flegel Oil Co.	2/28/2014		\$1,577.09
75847	World Kite Museum	2/28/2014		\$2,000.00
75848	Zoll Medical Corp	2/28/2014		\$765.91
	Total		Check	\$183,178.70
	Grand Total			\$183,178.70

TAB - B



**CITY COUNCIL
AGENDA BILL
AB 14-18**

Meeting Date: March 3, 2014

AGENDA ITEM INFORMATION		
SUBJECT: Fireworks contract for 2014	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Finance Director	David Glasson
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
COST: \$18,000	Water/Wastewater Supervisor	
	Other:	
SUMMARY STATEMENT: Staff believes the city has had excellent service and a great show in the past and feels the city should move forward with this purchase.		
RECOMMENDED ACTION: <i>Approve and authorize the Mayor to sign.</i>		

FIREWORKS DISPLAY PROPOSAL PRESENTED BY

WESTERN DISPLAY FIREWORKS LTD



City of Long Beach
Long Beach 4th of July
July 4, 2014



P.O. Box 32 • Camas, Oregon • 97013
office 503.656.1999 • fax 503.656.6628
info@westerndisplay.com



WESTERN DISPLAY FIREWORKS

Proposal for:

City of Long Beach
 Box 310
 Long Beach, WA 98631

Date of Event	7/4/2014	Show #	14-4448
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Ordered	U/M	Description
***** SHOW OPENER		
1	Multi-Shot Box	2.5" (25 Shot) Fanned Tourbillion Night: Red Diamond Screamer Mine, Golden Whirl w/ Report Mine, White Strobe Bombard Mine, Silver Tail Thunder Mine, Multi-Color Peony w/ Silver Tail
1	Set of	3" (10) Red to Crackling Willow / White Strobe Flitter & Blue w/Silver Tail
1	Set of	4" (5) Blue Strobe w/Glitter Palm Core & Tail
1	Set of	5" over 5" (3) Red Strobe Brocade / Purple to Blue Popping Flower
***** MAIN SHOW		
***** 4" SHELLS		
20	ea	4" Assorted Shells
2	ea	4" Purple to Silver Twirl
2	ea	4" Typhoon Palm w/Crackling Tail
2	ea	4" Brocade w/Blue Pistil (Long Duration)
2	ea	4" Pixie Dust Willow w/Red Pistil (Long Duration)
2	ea	4" Weeping Gold (Long Duration)
2	ea	4" Pixie Dust Willow w/Aqua Pistil (Long Duration)
2	ea	4" Brocade w/ Red Pistil (Long Duration)
1	Asst Case	4" (36) Vulcan Assortment Package A
2	ea	4" Green to Silver Twirl
2	ea	4" Blue & Silver Dragon w/ Silver Tail
2	ea	4" Blue to Crackling Rain w/Orange Pistil
2	ea	4" Half Blue to Brocade / Half Red to Brocade
2	ea	4" Silver Glitter Chrysanthemum To Multicolor
2	ea	4" Ruby Red, Sapphire Blue & Pearly White Chrysanthemum
2	ea	4" Yellow Crystal Cascade Grasshopper Green Pistil
2	ea	4" Gold Glitter w/Cardinal Purple Pistil

Subtotal

Sales Tax (7.8%)

TOTAL

CONFIDENTIAL – TRADE SECRET



WESTERN DISPLAY FIREWORKS

Proposal for:

City of Long Beach
 Box 310
 Long Beach, WA 98631

Date of Event	7/4/2014	Show #	14-4448
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Ordered	U/M	Description
2	ea	4" Blue to Crackling Chrysanthemum w/ Grasshopper Green Crackling Pistil and Crackling Tail
2	ea	4" Ruby Red to Crackling Chrysanthemum to Sapphire Blue Pistil w/ Crackling Tail
2	ea	4" Variegated Falling Leaves
2	ea	4" Midnight Snow w/ Blue Pistil & Silver Tail
2	ea	4" Green Peacock Plume w/ Silver Tail
2	ea	4" Multi Color Dahlia w/ Silver Tail
2	ea	4" Purple Peony w/ Time Rain Pistil
2	ea	4" Silver Strobe Willow to White Strobe
2	ea	4" Purple Stained Glass w/ Gold Tail
2	ea	4" Red Stained Glass w/ Crackling Rain Pistil & Crackling Tail
1	Asst Case	4" (36) Vulcan Assortment Package B
2	ea	4" Blue & White Strobe Pistil & 2 Brocade Rings w/ Gold Tail
2	ea	4" Purple Go Getters
2	ea	4" Tri-Color Double Layer Ring
2	ea	4" Red, White & Blue Criss Cross w/ Whistle Tail
2	ea	4" Crackling Crossette w/ Crackling Tail
2	ea	4" Silver Cascade Crossette
2	ea	4" Butterfly White Glitter to Green + 2 Red Stars
2	ea	4" Starfish Twinkling Silver w/ Silver Tail
2	ea	4" Starfish Fantasy Gold w/ Gold Tail
2	ea	4" Green Flying Go Getters
2	ea	4" Blue to Red Double Ring w/ Silver Palm Pistil & Silver Tail
2	ea	4" Crossed Silver Ring w/ Crackling Rain Pistil and Crackling Tail
2	ea	4" Stacked Color Bands w/ Whistle Tail
2	ea	4" Smiley Face Red, Blue & White
2	ea	4" Cut Glass 5 Arms w/ Gold Tail
2	ea	4" Tulip: Midnight Snow Ring / Purple Pistil
2	ea	4" Butterfly Midnight Snow to Red + 2 Green Stars
2	ea	4" Bowtie with Red Ring
1	Asst Case	4" (36) Vulcan Assortment Package C

Subtotal

Sales Tax (7.8%)

TOTAL

CONFIDENTIAL – TRADE SECRET



WESTERN DISPLAY FIREWORKS

Proposal for:

City of Long Beach
 Box 310
 Long Beach, WA 98631

Date of Event	7/4/2014	Show #	14-4448
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Ordered	U/M	Description
2	ea	4" Purple to Silver Whirl
2	ea	4" Red to Blue Crackling Peony
2	ea	4" Green to Red Crackling Peony
2	ea	4" Cluster of Silver Bees & Crackling
2	ea	4" Atomic Ring
2	ea	4" Bees w/ Report
2	ea	4" Green Strobe (Lightning)
2	ea	4" Crazy Scream
2	ea	4" Hummers
2	ea	4" Triple Crackling Rain
2	ea	4" Blue to Crackling Chrysanthemum w/ Grasshopper Green to Crackling Pistil
2	ea	4" Silver Flying Go Getters
2	ea	4" Red Flying Go Getters
2	ea	4" Purple & Titanium Salute
2	ea	4" Bowtie w/ Whistle Tail
2	ea	4" Whistles w/ Red Heading
2	ea	4" Whistles w/ Green Heading
2	ea	4" Whistles w/ Blue Heading
1	Asst Case	4" (36) Sunny Meteor Assortment Package
2	ea	4" Red & Green Peony w/Silver Tail
2	ea	4" Red & Twinkling Kamuro Ring w/Green Tail
2	ea	4" Brocade to Red w/Red Tail
2	ea	4" White Strobe Flitter & Blue w/Silver Tail
2	ea	4" Red & Blue Peony to White Strobe w/Silver Tail
2	ea	4" Charcoal Crackling Chrysanthemum & Red Pistil w/Red Tail
2	ea	4" Red Glitter w/Silver Palm Pistil & Silver Tail
2	ea	4" Orange to Popping Flower w/Silver Tail
2	ea	4" Green Strobe Glitter & Blue w/Glitter Tail
2	ea	4" Crackling Willow Flower w/Strobe Pistil & Glitter Tail
2	ea	4" Christmas Dahlia (assorted dahlia) w/Silver Tail
2	ea	4" Lemon & Purple Dahlia w/Silver Tail

Subtotal

Sales Tax (7.8%)

TOTAL

CONFIDENTIAL – TRADE SECRET



WESTERN DISPLAY FIREWORKS

Proposal for:

City of Long Beach
 Box 310
 Long Beach, WA 98631

Date of Event	7/4/2014	Show #	14-4448
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Ordered	U/M	Description
2	ea	4" Red, Green Dahlia Ring w/Red Tail
2	ea	4" Green, Purple & Gold Strobe w/ Gold Tail
2	ea	4" Green to Crackling Willow Flower
2	ea	4" Half Red & Half Blue Chrysanthemum
2	ea	4" Red to Blue Peony w/ Strobe Pistil
2	ea	4" Silver Strobe Willow & Red
1	Asst Case	4" (36) Sunny Poseidon Assortment Package
2	ea	4" Blue Peony to Silver Strobe w/Silver Tail
2	ea	4" Purple Peony to Popping Flower w/Silver Tail
2	ea	4" Red to Blue Peony w/Silver Palm Core w/Silver Tail
2	ea	4" Red Shiny Crackling Dahlia w/Red Tail
2	ea	4" Lemon Peony w/Silver Tail
2	ea	4" Blue & Twinkling Kamuro w/Silver Tail
2	ea	4" Red, Blue & Spangle w/Silver Tail
2	ea	4" Red, White & Blue Glitter w/Silver Tail
2	ea	4" Gold Strobe to Variegated w/Silver Tail
2	ea	4" Green & Purple Shiny Dahlia w/Silver Tail
2	ea	4" Red Chrysanthemum w/Silver Palm & Red Tail
2	ea	4" Yellow & Blue Peony w/Silver Tail
2	ea	4" Green Strobe Willow & Purple w/Gold Tail
2	ea	4" Half Red & Half Blue Peony to White Strobe w/Silver Tail
2	ea	4" Gold & Purple Peony w/Silver Tail
2	ea	4" Golden Wave to Green Chrysanthemum w/Red Pistil & Silver Tail
2	ea	4" Red, Green Palm w/Silver Tail
2	ea	4" Variegated Peony w/Silver Tail
1	Asst Case	4" (36) Sunny Galileo Assortment Package
2	ea	4" Red Glitter Tail Peony w/ Red Tail
2	ea	4" Green Popping Flower w/Green Tail
2	ea	4" Orange to Silver Diamond Rain w/ Silver Tail
2	ea	4" Red to Silver Strobe w/Silver Tail
2	ea	4" Blue & Purple Peony w/Silver Tail

Subtotal

Sales Tax (7.8%)

TOTAL

CONFIDENTIAL – TRADE SECRET



WESTERN DISPLAY FIREWORKS

Proposal for:

City of Long Beach
 Box 310
 Long Beach, WA 98631

Date of Event	7/4/2014	Show #	14-4448
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Ordered	U/M	Description
2	ea	4" Lemon to Blue w/Red Palm Core & Silver Tail
2	ea	4" Blue to Purple Palm w/Red Tail
2	ea	4" Gold Spider w/ Popping Flower Pistil & Silver Tail
2	ea	4" Green to Gold Strobe w/Silver Tail
2	ea	4" Yellow Wave to Crackling Spider w/Silver Tail
2	ea	4" Gold Spider to Red & Blue w/Red Tail
2	ea	4" Yellow to Green Strobe w/Tail
2	ea	4" Red to Silver Diamond & Blue w/Red Tail
2	ea	4" Orange & Blue Mag Dahlia w/Tail
2	ea	4" Spangle Chrysanthemum to Green w/ Silver Tail
2	ea	4" Purple Tail Peony w/ Silver Tail
2	ea	4" Purple to Kamuro White Twinkling
2	ea	4" Sky Blue Peony
1	Asst Case	4" (36) Vulcan Assortment 2013
2	ea	4" Blue to Red w/ Red to White Strobe Pistil & Midnight Snow Double Ring
2	ea	4" Purple to Crackling Rain w/ Green to Crackling Rain Pistil and Crackling Tail
2	ea	4" Half Twilight Glitter to Blue Half Twilight Glitter to Red Peony w/ Silver Tail
2	ea	4" Twilight Glitter to Cardinal Purple Chrysanthemum w/ Pearly White Pistil
2	ea	4" Gold Willow Crown w/ Gold Tail
2	ea	4" Green Glitter Palm w/ Gold Tail & Orange Pistil
2	ea	4" Typhoon Palm w/Crackling Tail
2	ea	4" Silver Flying Go Getters
2	ea	4" Stained Glass
2	ea	4" Golden Rain Crossette w/ Gold Tail
2	ea	4" Sunflower: Yellow Cascade Ring w/ Purple Pistil
2	ea	4" Starfish Twinkling Silver w/ Silver Tail
2	ea	4" Stacked Color Bands w/ Whistle Tail
2	ea	4" Twilight Glitter to Sapphire Blue Chrysanthemum w/ Ruby Red Pistil
2	ea	4" Crossed Silver Ring w/ Crackling Rain Pistil and Crackling Tail
2	ea	4" Blue & White Strobe Pistil & 2 Brocade Rings w/ Gold Tail
2	ea	4" White Strobe Crisscross w/ Whistle Tail
2	ea	4" Purple Gold Plume

Subtotal

Sales Tax (7.8%)

TOTAL

CONFIDENTIAL – TRADE SECRET



WESTERN DISPLAY FIREWORKS

Proposal for:

City of Long Beach
 Box 310
 Long Beach, WA 98631

Date of Event	7/4/2014	Show #	14-4448
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Ordered	U/M	Description
***** 5" SHELLS		
5	ea	5" Assorted Shells
1	ea	5" Thousand Yellow-Green Cascade-Silver Kamuro
1	ea	5" Silver Go Getters
1	ea	5" Green Go Getters
1	ea	5" Red Go Getters
1	ea	5" Tourbillion & Green & Red Thousand Flowers
1	ea	5" Half Purple to Crackling Rain/Half Green to Crackling Rain
1	ea	5" Purple Palm Tree w/ White Strobe Pistil and Big Gold Tail
1	ea	5" Butterfly Midnight Snow, Red & Green
1	ea	5" Orange Palm Tree w/ White Strobe Pistil and Big Gold Tail
1	ea	5" Silver Kamuro w/ Purple Flowers (Long Duration)
1	ea	5" Half Aqua to Crackling Rain/Half Orange to Crackling Rain
1	ea	5" Silver Kamuro w/ Green Flower (Long Duration)
1	ea	5" Purple Stained Glass w/Silver Tail
1	ea	5" Sweeper Inward
1	ea	5" Thousand Flowers - Butterfly
1	ea	5" Sweeper Middle Out
1	ea	5" Typhoon Palm w/Crackling Tail
1	ea	5" Pixie Dust Willow w/Purple Pistil (Long Duration)
1	ea	5" Stained Glass Brocade
1	ea	5" Variegated Falling Leaves
1	ea	5" Green Sweeper Shell w/Pistil
1	Asst Case	5" (18) Vulcan Assortment Package 2013
1	ea	5" Green to Silver Twirl w/ Silver Tail
1	ea	5" Multi-Color Peony w/ White Strobe Pistil
1	ea	5" Twilight Glitter w/ Purple Pistil and Twilight Glitter Tail
1	ea	5" Red to Crackling Rain & Crackling Rain Pistil w/ Crackling Tail
1	ea	5" Purple to Crackling Rain w/ Green to Crackling Rain Pistil
1	ea	5" Cluster of Golden Bees w/ Gold Tail
1	ea	5" Stacked Color Bands w/ Whistle Tail

Subtotal

Sales Tax (7.8%)

TOTAL

CONFIDENTIAL – TRADE SECRET



WESTERN DISPLAY FIREWORKS

Proposal for:

City of Long Beach
 Box 310
 Long Beach, WA 98631

Date of Event	7/4/2014	Show #	14-4448
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Ordered	U/M	Description
1	ea	5" Blue & Silver Dragon
1	ea	5" Crystal Cascade (Yellow) to Grasshopper Green Peony
1	ea	5" Crystal Cascade (Silver) to Ruby Red Peony
1	ea	5" Silver Strobe Willow w/ Twice Crackling Rain Pistil and Crackling Tail
1	ea	5" Variegated Falling Leaves
1	ea	5" Thousand Flowers (Silver Palm) w/ Silver Tail
1	ea	5" Thousand Flowers Butterfly
1	ea	5" Midnight Snow Double Ring w/ Red Pistil and Silver Tail
1	ea	5" Butterfly w/ Silver Tail
1	ea	5" Sunflower: Yellow Cascade Ring w/ Purple Pistil
1	ea	5" Purple to Silver Twirl w/ Whistle Tail
1	Asst Case	5" (18) Sunny Heritage Assortment Package
2	ea	5" Red Peony w/Blue to Popping Pistil & Tail
2	ea	5" Blue to Silver Peony w/Red Tail
2	ea	5" Red to White & Blue Glitter w/Tail
2	ea	5" Red to Silver Diamond w/Tail
2	ea	5" Red, Blue Peony to White Strobe w/Tail
2	ea	5" Red, Blue to White Mag Dahlia
2	ea	5" Red & Blue to Twinkling Kamuro Crown w/Tail
2	ea	5" Blue to Strobe w/Popping Flower Pistil
2	ea	5" Blue Chrysanthemum w/Palm Tree
1	Asst Case	5" (18) Sunny Assortment Package EH
1	ea	5" Purple to Green Strobe Willow w/ Silver Tail
1	ea	5" Red Gamboge to Silver Strobe w/ Red Strobe & Silver Tail
1	ea	5" Lemon & Purple to White Strobe w/Silver Tail
1	ea	5" Green & Purple & Spangle w/ Silver Tail
1	ea	5" Red Tip w/ Crackling Tail
1	ea	5" Glitter Silver to White Strobe Pistil w/ Silver Tail
1	ea	5" Blue to Red Strobe w/ Gold Tail
1	ea	5" Rainbow (Assorted Dahlia w/Crackling Pistil) w/Silver Tail
1	ea	5" Gold Strobe to Purple w/Blue Pistil & Gold Flitter Tail

Subtotal

Sales Tax (7.8%)

TOTAL

CONFIDENTIAL – TRADE SECRET



WESTERN DISPLAY FIREWORKS

Proposal for:

City of Long Beach
 Box 310
 Long Beach, WA 98631

Date of Event	7/4/2014	Show #	14-4448
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Ordered	U/M	Description
1	ea	5" Purple to Popping Flower Octopus w/Silver Tail
1	ea	5" Silver to Red Strobe w/ Silver Tail
1	ea	5" Gold Spider to Variegated w/Gold Tail
1	ea	5" Red to Silver Strobe w/ Silver Tail
1	ea	5" Blue to Lemon Tail w/Glitter Tail
1	ea	5" Blue to Purple Tail w/Silver Tail
1	ea	5" Aqua Peony & Gold Spider w/Silver Tail
1	ea	5" Variegated Color w/Silver Tail
1	ea	5" Gold Strobe to Crackling Flower Octopus & Purple w/Glitter Tail
1	Asst Case	5" (18) Vulcan Assortment Package A
1	ea	5" Lemon & Purple Peony w/ Crackling Tail
1	ea	5" Red to Crackling Rain & Crackling Rain Pistil w/ Crackling Tail
1	ea	5" Aqua Peony w/ Ruby Red Pistil w/ Silver Tail
1	ea	5" Orange Peony w/ Grasshopper Green Pistil w/ Whistle Tail
1	ea	5" Gold Wave Chrysanthemum to Blue to Silver Twirl w/ Gold Tail
1	ea	5" Blue to Crackling Chrysanthemum w/ Grasshopper Green Pistil
1	ea	5" Red Falling Leaves
1	ea	5" Crackling Crossette w/ Crackling Tail
1	ea	5" Twilight Glitter to Red w/ Blue to Crackling Rain Pistil
1	ea	5" Cardinal Purple to Grasshopper Green Chrysanthemum & Yellow Cascade Pistil w/ Silver Tail
1	ea	5" Silver Strobe Willow to White Strobe
1	ea	5" Thousand Flowers Multi Color Star w/ Whistle Tail
1	ea	5" Palm Tree w/ Silver Tail & Red Pistil
1	ea	5" Green Flying Go Getters
1	ea	5" Brocade Double Ring w/ Blue & White Strobe Pistil
1	ea	5" Cut Glass 7 Arms (Purple Pistil to Green Tips Gold Arms)
1	ea	5" Bowtie w/ Whistle Tail
1	ea	5" Red Sweeper Shell
1	Asst Case	5" (18) Shogun Assortment Package A
1	ea	5" Pink Peony

Subtotal

Sales Tax (7.8%)

TOTAL

CONFIDENTIAL – TRADE SECRET



WESTERN DISPLAY FIREWORKS

Proposal for:

City of Long Beach
 Box 310
 Long Beach, WA 98631

Date of Event	7/4/2014	Show #	14-4448
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Ordered	U/M	Description
1	ea	5" Multi Color Go Getters
1	ea	5" Orange Peony
2	ea	5" Brocade to Color
1	ea	5" Glitter Chrysanthemum
1	ea	5" Green Spider
1	ea	5" Gold Wave Silver to Red
1	ea	5" Gold Willow to Purple
1	ea	5" Gold Silk Willow
1	ea	5" Silver Glitter
1	ea	5" Red Go Getters w/White Glitter Pistil
1	ea	5" Red & Purple Dahlia
1	ea	5" Green Dahlia
2	ea	5" Blue Peony w/Red Pistil
1	ea	5" Octopus Chrysanthemum
1	ea	5" Red, White & Blue Criss Cross
***** MID SHOW VOLLEY SELECTIONS		
1	Multi-Shot Box	2.5" (36 Shot) Variegated Peony w/ Tail
1	Multi-Shot Box	2.5" (25 Shot) Color Tourbillion: Tourbillion to Red Falling Leaves, Tourbillion to White Strobe Stars, Tourbillion to Green Falling Leaves, Tourbillion to Timed Rain Stars (2 Rows)
1	Multi-Shot Box	2.5" (30 Shot) Fanned Dragon Eggs w/Green & Blue & Palm Core w/Tail
1	Multi-Shot Box	2.5" (36 Shot) Blue w/Palm Core / Green w/Palm Core w/Silver Tails
1	Multi-Shot Box	2.5" (36 Shot) Variegated Magic Peony / Kamuro to White Twinkling / Titanium Salute
1	Multi-Shot Box	3" (25 Shot) Assorted Shells
1	Set of	4" (5) Blue Strobe w/Glitter Palm Core & Tail
1	Set of	5" over 5" (3) Red Strobe Brocade / Purple to Blue Popping Flower
***** GRANDE FINALE - STAGE 1		
1	Multi-Shot Box	2.5" (36 Shot) Red, White & Blue
1	Multi-Shot Box	3" (24 Shot) Fanned Red & Spangle / Blue & Spangle / Spangle & Strobes/Tail

Subtotal

Sales Tax (7.8%)

TOTAL

CONFIDENTIAL – TRADE SECRET



WESTERN DISPLAY FIREWORKS

Proposal for:

City of Long Beach
 Box 310
 Long Beach, WA 98631

Date of Event	7/4/2014	Show #	14-4448
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Ordered	U/M	Description
***** GRANDE FINALE - STAGE 2		
1	Multi-Shot Box	2.5" (36 Shot) Blue Magic Peony / Blue Crackling Flower w/Tourbillion Tails
1	Multi-Shot Box	2.5" (36 Shot) Red Shiny Peony / Red to Crackling Flower w/Tourbillion Tails
1	Multi-Shot Box	3" (24 Shot) Fanned Glitter Coconut w/Glitter Tail
***** GRANDE FINALE - STAGE 3		
1	Multi-Shot Box	2.5" (36 Shot) Red Magic Peony / Blue Crackling Flower / Titanium Salute w/Tails
2	Multi-Shot Box	3" (25 Shot) Red Glitter to White Strobe / Blue Popping Flower / Titanium Salute w/Silver Tail
***** GRANDE FINALE - STAGE 4		
3	Set of	3" (10) Silver Coconut w/Red & Blue Tip - Titanium Salute w/Glitter Tail
3	Set of	4" (5) Red Glitter w/Big Silver Palm w/Red Tail
2	Set of	5" (3) Blue to Popping Flower w/Red Pistil & Red Tail
***** MISCELLANEOUS SUPPLIES		
10	ea	20 Minute Fusee w/ Handle
1	ea	65' Match Fuse - By the Bundle (Vulcan)

Subtotal	\$16,697.59
Sales Tax (7.8%)	\$1,302.41
TOTAL	\$18,000.00

CONFIDENTIAL – TRADE SECRET

CONTRACT AND PURCHASE ORDER

THIS AGREEMENT between WESTERN DISPLAY FIREWORKS, LTD and the undersigned here and after shall be referred to as WESTERN and the CITY OF LONG BEACH here and after shall be referred to as the SPONSOR.

WESTERN agrees to supply fireworks and pyrotechnic operators for the sum of: EIGHTEEN THOUSAND DOLLARS AND NO/100 (\$18,000.00) on the following designated date(s) and location: JULY 4, 2014 AT LONG BEACH, WASHINGTON.

TOTAL CONTRACT PRICE FOR PROPOSAL *** 14-4448 *** INCLUDES: Merchandise as described, use of company owned mortars and equipment, delivery, Washington state sales tax, firing by local licensed pyrotechnician and crew covered under worker's compensation insurance, \$5,000,000 display liability insurance.

- CITY TO PROVIDE BACK HOE, DIG TRENCHES AND PROVIDE AT LEAST THREE (3) MONITORS FOR SECURITY AND CROWD CONTROL FOR SHOW
- SPONSOR TO PROVIDE TWO ROOMS FOR CREW THE NIGHT OF THE EVENT

WESTERN'S RESPONSIBILITIES: WESTERN agrees that it shall be the responsibility of the pyrotechnic operator in charge, acting on behalf of the party of the first part, to cancel or delay said display if in his/her judgment circumstances beyond the control of either parties poses an extraordinary risk to the health and safety of any persons or property within the vicinity of the display.

SPONSOR'S RESPONSIBILITIES: SPONSOR agrees to perform their requirements in accordance with NFPA 1123 OUTDOOR DISPLAY OF FIREWORKS 2014 Edition (National Fire Protection Association) 8.1 General Requirements. The sponsor of the display shall make provisions for fire protection for the display. 8.1.1 The sponsor shall consult with the AHJ and the operator to determine the level of fire protection required. 8.1.2 The following shall apply to crowd control: (1) Monitors whose sole duty is the enforcement of crowd control shall be located around the display site and at other locations as determined by the sponsor. (2) The AHJ and the operator shall approve the provisions for crowd control. 8.1.2.1 Monitors shall be positioned around the display site to prevent spectators or any other unauthorized persons from entering the discharge site. 8.1.2.2 Where required by the AHJ, approved delineators or barriers shall be used to aid in crowd control. 8.1.2.3 Portions of the display site, other than the discharge site(s), shall be permitted to be open to the public prior to the display as long as the provisions of 4.2.2.2 are maintained. 8.1.2.4 Unescorted public access to the discharge site shall not be permitted where pyrotechnic materials are present during the period before the display. 8.1.2.5 The discharge site shall be restricted throughout the display and until the discharge site has been inspected after the display.

TERMS: TOTAL CONTRACT PRICE OF EIGHTEEN THOUSAND DOLLARS AND NO/100 (\$18,000.00) IS TO BE PAID AS FOLLOWS: 25% OF THE TOTAL CONTRACT (\$4,500.00) IS DUE BY JUNE 14, 2014; THE REMAINING BALANCE OF (\$13,500.00) IS DUE IN FULL ON OR BEFORE JULY 14, 2014. IF THE DISPLAY IS CANCELLED PRIOR TO DEPARTURE FROM OUR FACILITY AND CANNOT BE FIRED DUE TO CONDITIONS OR REASONS BEYOND THE CONTROL OF WESTERN, THE SPONSOR AGREES TO PAY 50% OF THE TOTAL CONTRACT PRICE (\$9,000.00) FOR COSTS INCURRED. IF THE PHYSICAL SETUP OF THE SHOW IS COMPLETED AND THE SHOW MUST BE CANCELLED DUE TO CONDITIONS OR REASONS BEYOND THE CONTROL OF WESTERN, THE SPONSOR AGREES TO PAY 100% OF THE CONTRACT PRICE (\$18,000.00) FOR COSTS INCURRED. SPONSOR UNDERSTANDS THAT THE ELEMENTS OF THE PROPOSAL ASSOCIATED WITH THIS CONTRACT WERE CALCULATED BASED ON COSTS AND FEES AS OF THE DATE THE PROPOSAL WAS GENERATED. IN THE EVENT THESE ITEMS INCREASE PRIOR TO THE DATE OF THE DISPLAY WESTERN RESERVES THE RIGHT TO ADJUST THE PRODUCT CONTAINED IN THE DISPLAY TO ACCOUNT FOR THE INCREASE. SPONSOR RECOGNIZES THAT BECAUSE OF THE NATURE OF FIREWORKS, AN INDUSTRY ACCEPTED LEVEL OF 3% OF THE PRODUCT USED IN ANY DISPLAY MAY NOT FUNCTION AS DESIGNED AND THIS LEVEL OF NONPERFORMANCE IS ACCEPTABLE AS FULL PERFORMANCE.

INTEREST at 1 1/2% per month (AN ANNUAL PERCENTAGE RATE OF EIGHTEEN PER CENT PER ANNUM APR 18%) will be charged on all accounts 30 days past due, and buyer agrees to pay the same. Buyer also agrees to reimburse WESTERN DISPLAY FIREWORKS, LTD for its attorney fees incurred in collection if this account is delinquent.

CONTRACT VALID WHEN SIGNED BY SPONSOR REPRESENTATIVE

Sponsor Representative (print)

Sponsor Representative Signature

For: _____ (Organization)

Date _____



Western Display Fireworks, Ltd.
Robert L. Gobet, President
Judith A. Gobet, Vice President

Date 1/10/14

TAB - C



**CITY COUNCIL
AGENDA BILL
AB 14-19**

Meeting Date: March 3, 2014

AGENDA ITEM INFORMATION

SUBJECT: VB Contract	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	GM
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Finance Director	DG
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	COST: \$175,000 Budgeted for 2014	Water/Wastewater Supervisor
	Other:	

SUMMARY STATEMENT: This is basically the same as the contract we agreed upon last year, updated to include 2014 budgeted items.

RECOMMENDED ACTION: Approve and authorize the Mayor to sign

TOURISM SERVICE CONTRACT

Lodging Tax Contract: Long Beach Peninsula Visitors Bureau

THIS AGREEMENT is made by and between the Long Beach Peninsula Visitors Bureau, P.O. Box 562 Seaview, WA 98644 (“the ORGANIZATION”), and the City of Long Beach (“the CITY”), a political subdivision and municipal corporation of the state of Washington.

WHEREAS, Chapter 67.28 RCW provides authority for legislative bodies of municipalities to impose excise taxes on the sale of or charge made for the furnishing of lodging that is subject to tax under Chapter 82.08 RCW; and

WHEREAS, RCW 67.28.1815 in part states that: “All revenue from taxes imposed under said Chapter shall be credited to a special fund in the treasury of the municipality imposing such tax and used solely for the purpose of paying all or any part of the cost of tourism promotion, acquisition of tourism-related facilities, or operation of tourism-related facilities...” and

WHEREAS, the CITY Lodging Tax revenues have been credited to the Tourism Development Fund (No. 103) in the treasury of the CITY; and

WHEREAS, the ORGANIZATION applied through the CITY Lodging Tax Marketing Committee (“the COMMITTEE”) for financial assistance from CITY Lodging Tax proceeds (“the Proposal); and

WHEREAS, the COMMITTEE facilitated these efforts by (a) coordinating the funding availability, (b) evaluating submitted application packets, and (c) advancing the financing award recommendations to the CITY, including the Proposal from the ORGANIZATION; and

WHEREAS, the CITY has determined that the activity herein described promotes the general welfare, health and safety of the citizens of the CITY, and is in the best interests of the CITY in regard to the promotion of tourism, the CITY intends to disperse CITY Lodging Tax proceeds to the ORGANIZATION to assist with its Proposal, and hereby enters into this Agreement; now, therefore,

WITNESSETH, that in consideration of the premises and mutual benefits and covenants herein contained, it is agreed by and between the parties hereto as follows:

1. **FUNDING**: One Hundred Seventy Five Thousand Dollars (\$175,000) have been pledged from the CITY Tourism Development Fund No. 103 in fiscal year 2014 to assist with **Tourism Promotion** within Pacific County. Said amount shall constitute the maximum reimbursement the ORGANIZATION is eligible to receive from the CITY under this Agreement.
2. **USE OF FUNDS**: The ORGANIZATION shall use these CITY funds for the express purpose of **Tourism Promotion** of Long Beach and Pacific County. **Tourism Promotion** is defined as activities and expenditures designed to increase tourism, including but not limited to advertising, publicizing, or otherwise distributing information for the purpose of attracting and welcoming tourists; developing strategies to expand tourism; providing information and/or services to inform and/or recruit prospective tourists; and funding marketing of special events and festivals designed to attract tourists. The specific services to be provided by the ORGANIZATION to the CITY under this Contract are described in Attachment A: Scope of Work.

3. **PAYMENT PROVISIONS:** Once this AGREEMENT is executed, the ORGANIZATION may submit claims vouchers to the CITY requesting reimbursement for eligible expenses and/or for eligible services as listed in Section 2. Use of Funds and Attachment A: Scope of Work up to the amount as specified in Section 1. Funding.

Each reimbursement claims voucher shall include the following certificate of authenticity with the dated signature of an authorized representative of the ORGANIZATION: *"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished and the services rendered as described herein, and that this claim is a just, due and unpaid obligation against the City of Long Beach Tourism Development Fund No. 103."*

The ORGANIZATION shall provide the CITY with a written "progress/status brief" regarding the Proposal with each reimbursement claims voucher.

Within twenty (20) days of receiving any such reimbursement claims voucher, the CITY shall remit to the ORGANIZATION a warrant for the approved reimbursement amount.

The final claims voucher shall be submitted to the CITY by the ORGANIZATION no later than Wednesday, January 2, 2015.

4. **EVALUATION AND MONITORING:** The ORGANIZATION agrees to maintain books, records and other documents and evidence, and to use accounting procedures and practices that sufficiently and properly support the complete performance of and the full compliance with this Agreement. The ORGANIZATION will retain these supporting books, records, documents and other materials for at least three (3) calendar years following the year in which the Agreement expires.

The CITY and/or the State Auditor and any of their representatives shall have full and complete access to these books, records and other documents and evidence retained by the ORGANIZATION respecting all matters covered in and under this Agreement, and shall have the right to examine such during normal business hours as often as the CITY and/or the State Auditor may deem necessary. Such representatives shall be permitted to audit, examine and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, and records of matters covered by this Agreement. These access and examination rights shall last for three calendar years following the year in which the Agreement expires.

The CITY intends without guarantee for its agents to use reasonable security procedures and protections to assure that related records and documents provided by the ORGANIZATION are not erroneously disclosed to third parties. The CITY will, however, disclose or make this material available to those authorized by/in the above paragraph or permitted under the provisions of Chapter 42.56 RCW without notice to the ORGANIZATION.

The ORGANIZATION shall cooperate with and freely participate in any other monitoring or evaluation activities pertinent to this Agreement that the CITY finds needing to be conducted.

5. **RECAPTURE PROVISION:** In the event the ORGANIZATION fails to expend these funds in accordance with state law and/or the provisions of this Agreement, the CITY reserves the right to recapture funds in an amount equivalent to the extent of noncompliance. Such right of recapture shall exist for a period of two (2) years following release of any report from an audit conducted by the CITY and/or the State Auditor's Office under the Section 4 (EVALUATION AND MONITORING) provisions or the 3-year records retention period required under Section 4 (EVALUATION AND MONITORING), whichever occurs later. Repayment by the ORGANIZATION of any funds recaptured under this provision shall occur within twenty (20) days of any demand. In the event the CITY is required to

institute legal proceedings to enforce this recapture provision, the CITY shall be entitled to its costs thereof, including reasonable attorney's fees.

6. **NONDISCRIMINATION**: The ORGANIZATION shall comply with all federal and state nondiscrimination laws, including, but not limited to chapter 49.60 RCW – Washington's Law Against Discrimination, and 42 U.S.C. 12101 et seq. – the Americans with Disabilities Act (ADA). In the event the ORGANIZATION fails or refuses to comply with any nondiscrimination law, regulation, or policy, this Agreement may be rescinded, canceled or terminated in whole or in part, and the ORGANIZATION may be declared by the CITY ineligible for further CITY Tourism Development Funds. The ORGANIZATION shall be given a reasonable time in which to cure any such noncompliance. Any dispute may be resolved in accordance with the "Disputes" procedures set forth herein.

7. **EMPLOYMENT RELATIONSHIPS**: The ORGANIZATION, its employees, volunteers or agents performing under this Agreement are not deemed to be employees of the CITY, nor volunteers or agents of the CITY in any manner whatsoever. No officer, employee, volunteer or agent of the ORGANIZATION will hold themselves out as, or claim to be, an officer, employee, volunteer or agent of the CITY by reason hereof, nor will they make any claim, demand or application to or for any right or privilege applicable to an officer, employee volunteer or agent of the CITY.

The parties agree that the CITY will not be responsible for the payment of any industrial insurance premiums or related claims or other benefits that may arise during the performance of services under this Agreement for any ORGANIZATION employee or volunteer, or for any consultant's, contractor's or subcontractor's employee(s) or agent(s) that has been retained by the ORGANIZATION.

8. **HOLD HARMLESS**: In accepting this Agreement, the ORGANIZATION, including its successors and assigns, does hereby covenant and agree to indemnify and protect and save harmless the CITY and its officers and employees from all claims, actions, or damages of every kind and description which may accrue to or be suffered by any person, partnership, corporation, or other entity of any kind that arise in whole or in part from intentional tort(s), or negligent act(s) or omission(s), or strict liability of the ORGANIZATION or its employees, agents, successors, or assigns. If the above sentence applies and any suit or action is brought against the CITY, its officers, its employees, or any combination thereof, the ORGANIZATION, including its successors or assigns, shall defend the suit or action at his or her or their sole cost and expense and shall fully satisfy any judgment that is rendered against the CITY, its officers, its employees, or any combination thereof.

9. **ENTIRE AGREEMENT/MODIFICATIONS**: This Agreement represents all the terms and conditions agreed to by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any parties hereto. The CITY and the ORGANIZATION may, from time to time, request changes in services being performed with these funds. Any such changes that are mutually agreed upon shall be incorporated herein by written amendment to this Agreement. For example, and without limitation, an amendment to this Agreement must be approved in writing by the CITY prior to the ORGANIZATION expending funds for the items covered within that amendment. Costs incurred in contravention of this Paragraph are the sole responsibility of the ORGANIZATION.

10. **AGREEMENT PERIOD**: The terms of this Agreement and the performance of the parties hereto shall commence, or be deemed to have commenced, the 1st day of January 2014 and will continue through the 31st day of December 2014, both dates inclusive, unless sooner terminated or extended as provided for herein.

11. **TERMINATION OF AGREEMENT:** If, through any cause, the ORGANIZATION shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or if the ORGANIZATION shall violate any of its covenants, agreements or stipulations, the CITY shall thereupon have the right to terminate this Agreement and withhold the remaining allocation if the default or violation is not corrected within ten (10) days of the CITY submitting written notice to the ORGANIZATION describing the default or violation.

Notwithstanding any contrary provisions of this Agreement, either party may terminate this Agreement by providing written notice of such termination and specifying the effective date thereof to the other party at least twenty (20) days prior to the revised termination date. Payment for all Proposal-related expenses incurred by the ORGANIZATION and not reimbursed or otherwise paid for by the CITY prior to the effective date of such revised termination shall be as the CITY reasonably determines.

The CITY may unilaterally terminate all or part of this Agreement, or reduce the Scope of Work and/or Funding without regard for "eligible" expenses being incurred and awaiting reimbursement if the Long Beach Tourism Development funds are reduced as a result of a reduction or loss of the lodging sales and use taxing authority or a substantial reduction in taxable jurisdiction or activity.

12. **SPECIAL PROVISION:** The failure of the CITY to insist upon the strict performance of any provision of this Agreement or to exercise any right based upon breach thereof or the acceptance of any performance during such breach shall not constitute a waiver of any right under this Agreement.

13. **SEVERABILITY:** In the event any provision or any portion thereof contained in this Agreement is held to be unconstitutional, invalid or unenforceable, then said provision(s) or portion(s) thereof shall be deemed severed and the remainder of this Agreement shall not be affected and shall remain in full force and effect. Furthermore, if such an event occurs, the parties agree to negotiate a modification to replace the unacceptable provision(s) as soon as possible.

14. **DISPUTE RESOLUTION:** Except as otherwise provided in this Agreement, when a bona fide dispute arises between the parties and it cannot be resolved through discussion and negotiation, either party may request a dispute hearing. The parties shall select a dispute resolution team to resolve the dispute by majority vote. The team shall consist of (a) a representative appointed by the CITY, (b) a representative appointed by the ORGANIZATION, and (c) a third party mutually agreed upon by the two (2) appointed representatives. The parties agree that this dispute process shall precede any action in a judicial or quasi-judicial tribunal.

15. **GOVERNING LAW AND VENUE:** This Agreement shall be construed and enforced in accordance with, and its validity and performance governed by, the laws of the state of Washington. The Superior Court of and for Pacific County, Washington shall be the venue for any suit between the parties arising out of this Agreement.

16. **NOTIFICATION:** Should the need arise during the term of this Agreement for either party to notify the other of a change in address or otherwise, the following contacts shall be used:

For the CITY:	City Administrator P.O. Box 310 Long Beach, WA 98631-0310 Telephone: 360-642-4421 Fax: 360-642-8841
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For the ORGANIZATION:	Executive Director
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ATTACHMENT A: SCOPE OF WORK

2014 Promotion of the Long Beach and Pacific County area and/or Events/Attractions in Pacific County to Potential Tourists:

<u>Activity:</u>	<u>Number of Unduplicated Contacts/Actions</u>	<u>Budget</u>
Print Ads	2014 Washington State Travel Planner	\$ 10,000
Print collateral	2014 Beach Vacation Planner (50,000 Produced/Printed)	\$ 10,000
WebSite	2014 Annual Maintenance and Development	\$ 20,000
Public Relations	2014 Public Relations	\$ 25,000
Marketing	Marketing projects and activities	\$ 20,000
In-Person Contacts	17,000 Contacts	\$ 30,000
Phone Contacts	7,000 Contacts	\$ 30,000
Printed Materials	150,000 pieces Discovery Trail Map	\$ 10,000

Sub Total: \$155,000

Special Projects:

Research & Dev.	Feasibility Study of Sports Venues	\$ 5,000
Television Advertising	KOMO "Washington Weekends" promo package	\$ 15,000

Sub Total: \$ 20,000

Grand Total: \$175,000

TAB - D

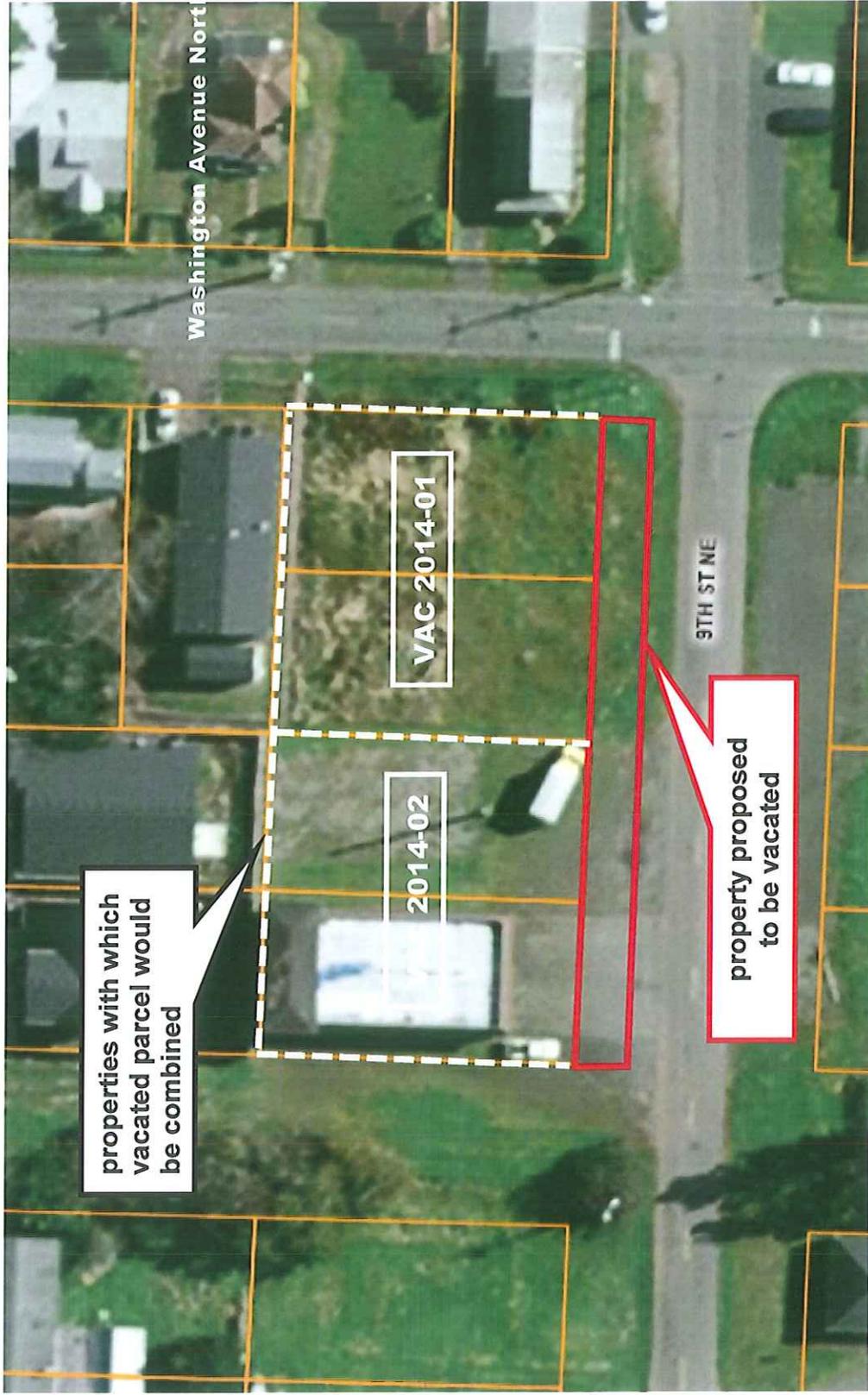


**CITY COUNCIL
AGENDA BILL
AB 14-20**

Meeting Date: March 3, 2014

AGENDA ITEM INFORMATION

SUBJECT: 9th Street Northeast partial street vacation – Public Hearing	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	GB
	Finance Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
	Other:	
COST: N/A		
SUMMARY STATEMENT: Public hearing to consider the partial vacation of 9 th Street Northeast.		
RECOMMENDED ACTION: Conduct a public hearing and continue the hearing until March 17 th .		



• *Not to scale

Cases No. VAC 2014-01 and VAC 2014-02; Location Map
Mary Kay Ramage; Dan Hickey for Kathleen Maxson
Partially vacate 9th Street NE; combine with properties to north

City of Long Beach
Notice of Public Hearing
To Consider Partial Vacation of 9th Street Northeast

VACATION OF A PORTION OF 9TH STREET NORTHEAST; CASES NO. VAC 2014-01 and VAC 2014-02. Notice is hereby given that Mary Kay Ramage and Kathleen Maxson filed petitions with the City of Long Beach on January 29 and 3, 2014, respectively, requesting the City vacate a portion of the right-of-way of 9th Street Northeast. The petition seeks vacation of up to the northern 12.5 feet of 9th Street Northeast from the west side of Washington Avenue North 200 feet westerly, encompassing an area of approximately 2,500 square feet in the R1 – Single Family Residential zone. **The subject property is located directly adjacent to and South of Block 33, Lots 1 through 4, Plat of Long Beach Tinker’s Third North Addition), NW ¼ of the NW ¼ of Section 16, Township 10 North, Range 11 West, Willamette Meridian, Pacific County, Washington.**

The Long Beach City Council passed Resolution 2014-01 fixing the time, date, and location of a Public Hearing on these petitions as **7:00 pm or soon thereafter on Monday, March 3, 2014 in the City Council Chambers at Long Beach City Hall, 115 Bolstad Street West, Long Beach WA 98631.**

Any person interested in this request may speak for or against the request at the public hearing or submit written comments prior to the public hearing. **Written comments should be addressed to: Gayle Borchard, Community Development Director, P.O. Box 310, Long Beach, WA 98631. Written comments must be received by the end of the public hearing.**

The Meeting Room is ADA accessible. For those planning to attend who have special accessibility requirements, please contact the City of Long Beach by phone, 360.642.4421 or at the address below at least ten (10) days in advance.

Responsible Official:
Position/Title:
Phone:
Address:

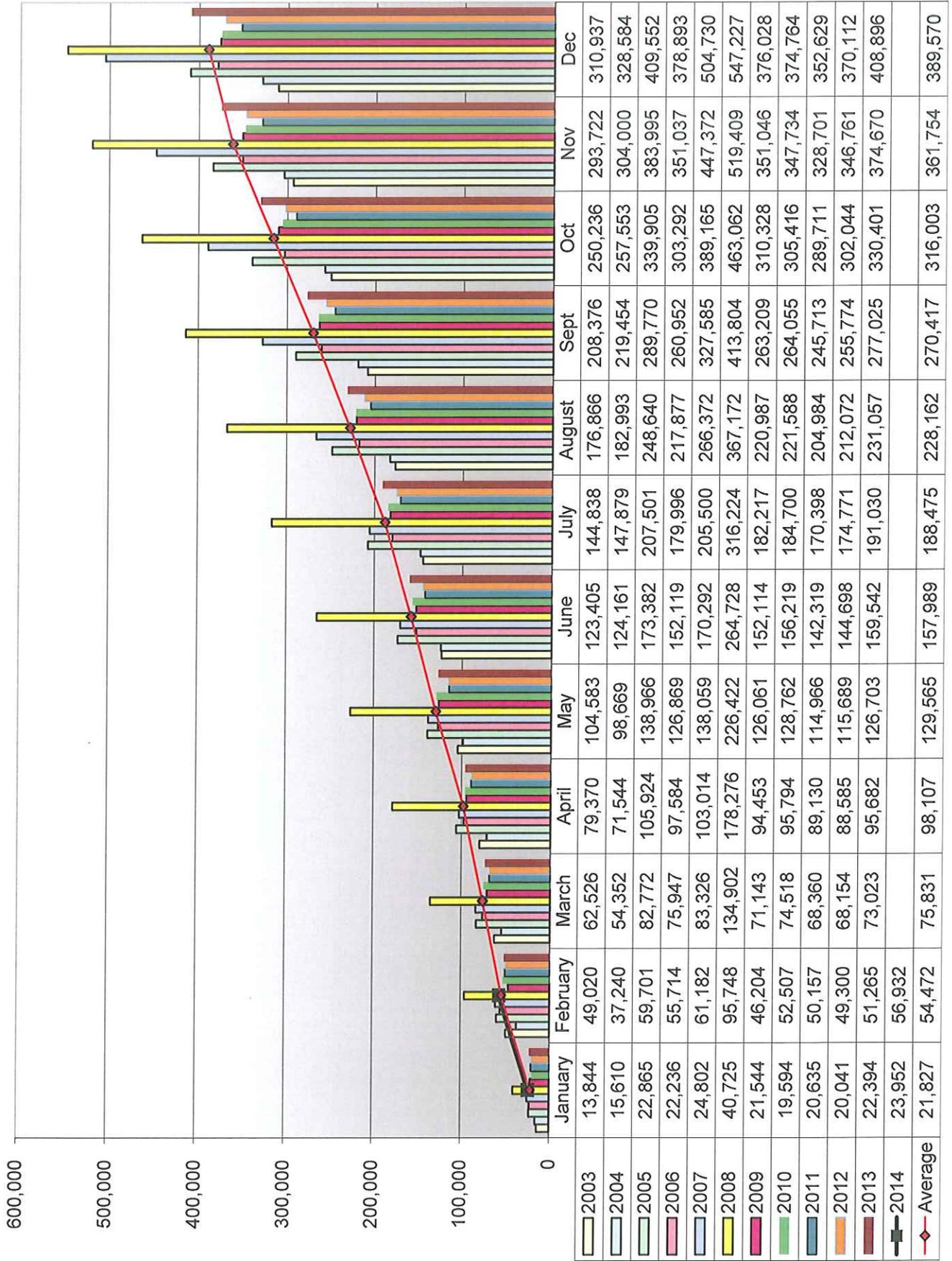
Gayle Borchard
Director, Community Development
(360) 642-4421
P.O. Box 310
Long Beach, WA 98631

Notice Date:

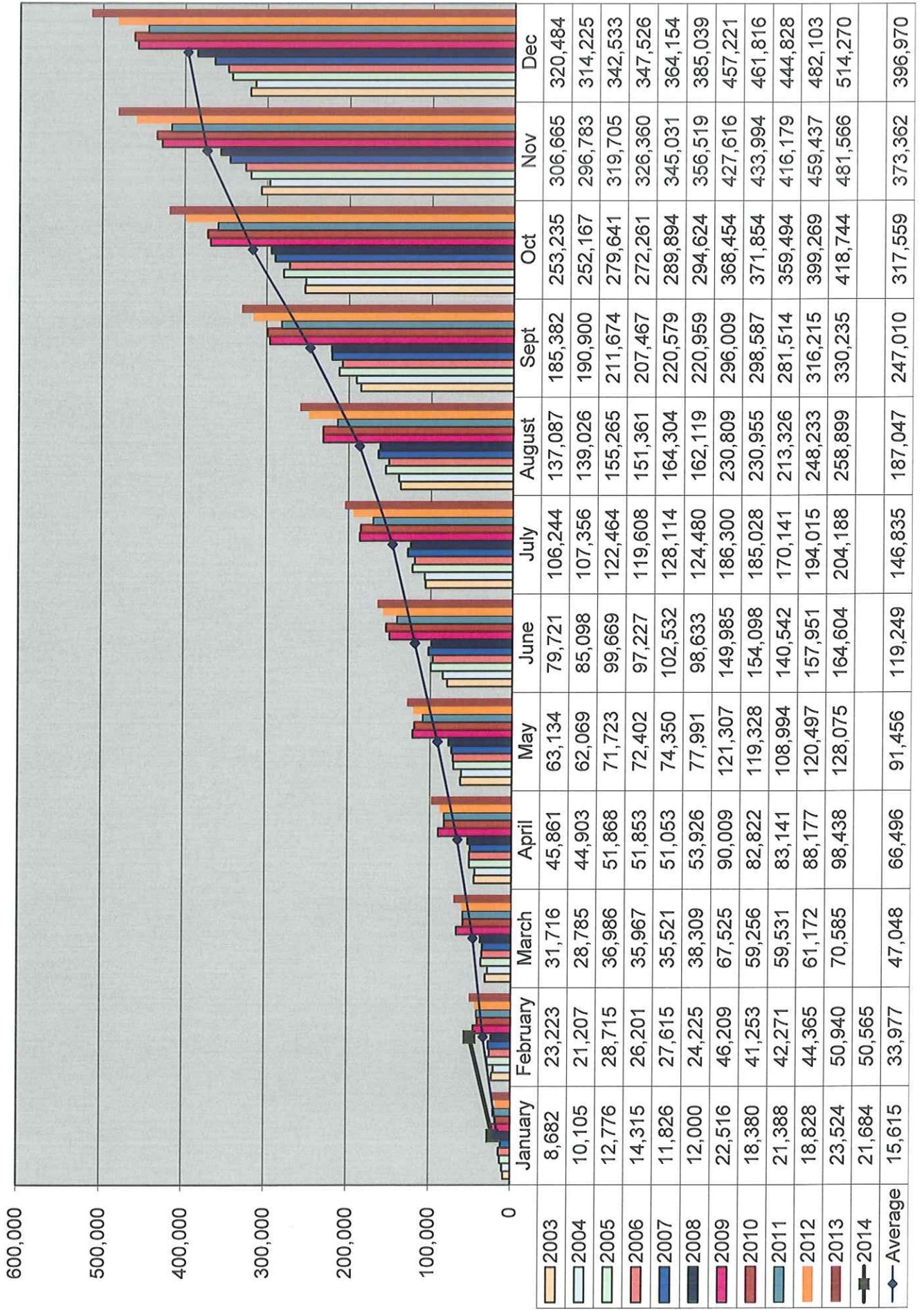
February 4, 2014

TAB - E

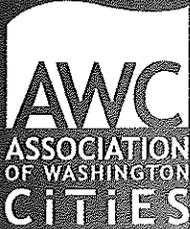
Sales Tax Collections



Lodging Tax Collections







Date: February 24, 2014
To: Mayor Bob Andrew, City of Long Beach
From: Don Gerend, AWC Board Nominating Committee Chair
Subject: 2014 AWC Board of Directors Recruitment

As the presiding Chair of the AWC's Nominating Committee, I have the distinct pleasure of calling for nominations to the 2014 Board of Directors.

Members of the AWC Board of Directors play a critical leadership role in the success of the Association. As a board member, you would provide guidance regarding legislative proposals as outlined in the Statement of Policy adopted by AWC member delegates. The board also reviews and adopts AWC's annual operating budget, establishes membership fees, and provides policy direction regarding other issues of concern.

The 2014 Nominating Committee is currently calling for applications for twelve AWC Board of Director positions that include District #12, and At-Large (Western) #1 and #2.

The Nominating Committee strongly encourages you to share this information with your city council.

If you or someone on your city council is interested in serving in this capacity, please complete and return the **Board of Directors application found here:** <http://www.awcnet.org/portals/0/documents/awc/BoardApp.pdf> **by 5 pm on Tuesday, April 1, 2014.** You may fax or email this form to the attention of Luann Hopkins, Association of Washington Cities, 1076 Franklin Street SE, Olympia, WA 98501; Fax: (360) 753-0149; or email to luannah@awcnet.org.

Cities represented in the open AWC Board District #12 position are:

Aberdeen	Forks	Oakville	Raymond
Bainbridge Island	Hoquiam	Ocean Shores	Sequim
Bremerton	Ilwaco	Port Angeles	Shelton
Cathlamet	Long Beach	Port Orchard	South Bend
Cosmopolis	McCleary	Port Townsend	Westport
Elma	Montesano	Poulsbo	

At-Large #1 represents cities west of the crest of the Cascade Mountain Range (pop. greater than 5,000)
At-Large #2 represents cities west of the crest of the Cascade Mountain Range (pop. less than 5,000)

Additional information at the AWC Board of Directors and a district map can be found on the AWC's website: www.awcnet.org.



P.O. Box 75
Long Beach, WA 98631

Long Beach Council members we look forward to your participation
Dear Potential; *during Loyalty Days*
Loyalty Days Banquet Table Sponsors,

The Loyalty Days Foundation is proud of our community's endeavor to maintain this patriotic event. In July 2014 the Board chose the theme for this year's, event which is **"From Sea to Shining"** commemorating the pride we have for the people serving our country.

The banquet will be held at the Elks Lodge in Long Beach, to ensure everyone great seating and participation. We will have live entertainment during the social hour which starts 5:15 P.M. to 6:30 P.M., directly followed by dinner and honors ceremony.

With supporters like you, this "Historically Rich Celebration of Patriotism" is a trademark for our region. We hope we will be able to count on your continued, support for this year's Honors Banquet scheduled for Saturday, May 3rd, 2014.

Tables are available for sponsorship at \$225.00, and will afford you the opportunity to seat (6) at your table, including yourselves. This will enable us to seat (2) invited volunteers/quests at each table throughout the room. Your hospitality with visiting quests and generosity shown by the financial support has been essential to the success of this event. We will have door prize drawings, as well as opportunities for financial contributions for the legacy of Loyalty Days Foundation.

Planning is the most important part of any successful event, so we look forward to hearing from you in the near future. With limited space, and our community's pride, we have seen sponsor tables purchased quickly. To reserve your table today, please contact Bob and Judi Andrew by email at bjandrew@centurytel.net, or fax your response to 642-8004. You may also reach us by phone at (642-4441 Days or 642-4218 Evenings).

Respectively Yours,

Bob & Judi Andrew
Bob and Judi Andrew
Loyalty Days Foundation

February 28, 2014

City of Long Beach
115 Bolstad Avenue West
Long Beach, WA 98631

To Whom It May Concern:

I am writing to you behalf of the **Long Beach Razor Clam Festival**. Initially when we proposed the event to the city, we had planned to keep the North Jetty Brewing & Lost Roo Beer Garden in the Dennis Company Parking lot. Since then, we have been able to establish the events at Veterans Field and realized that the best place for them would be in the heart of downtown Long Beach in Veterans Field. We believe that this would benefit the overall experience of the festival and would promote even more visitors to enjoy the festival and also encourage more spending in the downtown corridor.

The events currently scheduled for Veterans Field include:

- Live Music at Veterans Stage from 2-5 PM by the Resoelectrics
- Clam Fritter Cook-Off 3-5 PM, and will be hosted by Councilman Del Murry, and will feature "Celebrity Chef" Judges from Tom Douglas Restaurants out of Seattle.

We understand that this request is urgent and apologize for any inconvenience. We are asking you to please consider this change and allow alcohol to be served and consumed in a designated area of Veterans Field for a limited time on **Saturday, April 19, 2014.**

We understand that North Jetty Brewing has been invited to participate at the Friday Farmers Market by Gayle, and we believe that this event would be a great way to get them started at this venue. We also think that promoting a local brewery at this event will prove to be a great asset to our local economy and help the success of North Jetty Brewing and the Peninsula as a whole.

Thank you so much for your time and consideration. The Long Beach Razor Clam Festival is very grateful to the City of Long Beach and appreciates all of the continued support it provides.

Sincerely,



Robyn Schneider,
Long Beach Razor Clam Festival, Co-Chair.

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: Profit Corporation

Legal Entity Name : DR. ROOF, INC.

Firm Name : DR. SIDING

Location Phone/FAX: (360) 642-3841

Location Address : 1819 PACIFIC AVE S
LONG BEACH WA 98631 3899

In City Limits: Y

Product/Serv Desc: Services
Services CONSTRUCTION CONTRACTOR

Operator Comments: LANGUAGE ASSIST(Y/N): Y ENGLISH

Previous Business License: Y 201455

Conducting Business From Residence: N

Emergency Contact 1: L GLENN TRUSTY

Emergency Contact 2: HILLARY S TRUSTY

Email Address: roofdoc@pacifier.com

Additional Business Activities:

General/Specialty Contractor # DRROOI*990QT

Account Status: Pending Approval

UBI Number : 602 148 207 001 0001
Application ID : 2014 043 4266
Application Received Date: 02 12 2014

Fees : \$125.00
Expiration Date: 02 28 2015

Business Open Date: 02 24 2014

Mail Addr: PO BOX 187
SEAVIEW WA 98644 0187

Square Footage: 0 Applying as Non Profit Business: N
501(C) Received: -

Hazardous/Flammable Materials:
(503) 791-0319
(503) 791-0186

Contractor license number verified in the Contractor database. Expires: 11 30 2015

Zoning	CA GP	2/18/14	Fire	
Building			Police	
Finance			Planning	
Comments:				

Report: AGY064P2
710-LBL BLS020

State of Washington
Business Licensing Service
Agency Requirements Document (ARD)

Date: 02 07 2014
Page: 1

LONG BEACH GENERAL BUSINESS

New Application / Final * Prior RFI/RFP *

Business Structure: Profit Corporation

UBI Number : 278 041 846 001 0004

Legal Entity Name : MILGARD MANUFACTURING INCORPORATED

Application ID : 2013 302 0175

Application Received Date: 10 28 2013

Firm Name : MILGARD MANUFACTURING

Fees : \$125.00

Expiration Date: 10 31 2014

Location Phone/FAX: (253) 922-2030 (253) 922-0806

First Date of Business: 01 01 2013

Location Address : 1010 54TH AVE E
FIFE WA 98424 2731

Mail Addr: 1010 54TH AVE E

FIFE WA 98424 2731

In City Limits: N

Product/Serv Desc: Manufacturing
Manufacturing CUSTOM WINDOWS AND DOORS

Operator Comments:

Previous Business License:

Square Footage: 0

Applying as Non Profit Business: N
501(C) Received: N

Email Address: CAMBRIAALLEN@MILGARD.COM

Additional Business Activities:

Account Status: Pending Approval

Zoning	<i>M/L-90</i>	Fire	Date
Building		Police	Date
Finance		Planning	Date
Comments:			