



AGENDA – Monday, May 20, 2019

6:30 p.m. Workshop

7:00 p.m. City Council Meeting

Long Beach City Hall
115 Bolstad Avenue West

6:30 WORKSHOP

WS 19-14 Project Updates– **TAB A**

7:00 p.m. CALL TO ORDER; PLEDGE OF ALLEGIANCE; AND ROLL CALL

Call to order Mayor Phillips, Council Member Linhart, Council Member McGuire,
And roll call Council Member Murry, Council Member Cline & Council Member Kemmer.

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 three 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.

CONSENT AGENDA – TAB B

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, May 6, 2019 City Council Meeting
- Payment Approval List for Warrant Resisters 58599-58634 & 85170-85216 for \$184,272.33

PROCLAMATION EMS WEEK– TAB C

BUSINESS

- **AB 19-32 – Public Hearing CDBG Funding Application – TAB D**
- **AB 19-33 – SUP 2019-03 Mixed Martial Arts Studio – TAB E**
- **AB 19-34 – Ordinance 968 Street Vacation 2019-01- TAB F**
- **AB 19-35 – Pacific County Department of Public Works Agreement to Reconstruct Idaho – TAB G**
- **AB 19-36 – Contract with Tapani, Inc for Construction of the Long Beach Biosolids Treatment Facility – TAB H**

DEPARTMENT HEAD ORAL REPORTS

CORRESPONDENCE AND WRITTEN REPORTS – TAB I

- **Wastewater Department Report for April 2019**
- **Report and Decision on CUP 2019-01**
- **Report and Decision on CUP 2019-02**
- **Police Chief's Report for April 2019**
- **Thank You Card**

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.
June 3, 2019, June 17, 2019 & July 1, 2019

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 Administrator at the meeting.

TAB - A



**CITY COUNCIL
WORKSHOP BILL**

WS 19-14

Meeting Date: May 20, 2019

AGENDA ITEM INFORMATION

***SUBJECT: City projects
progress updates.***

Originator:

Mayor

City Council

City Administrator

City Attorney

City Clerk

City Engineer

Community Development Director

Events Coordinator

Finance Director

Police Chief

Streets/Parks/Drainage Supervisor

DG

COST: Will be determined
once a choice is made

Water/Wastewater Supervisor

SUMMARY STATEMENT: This workshop is to update the council on progress being made with Code Enforcement, Bio-Solids project, Logging and the Police Station.

Workshops are public meetings with the purpose of allowing the City Council to discuss topics. No formal decisions are made at workshops. While almost every meeting when a majority of the city council is present is considered a public meeting, that doesn't necessitate the Council allowing public comment. If the Mayor and Council request more information or clarification they may seek input from the audience.

TAB - B

LONG BEACH CITY COUNCIL MEETING

May 6, 2019

6:30 COUNCIL WORKSHOP

C. McGuire, C. Kemmer, and C. Murry were present. C. Cline and C. Linhart were absent.

WS 19-12- CDBG Funding Application

- David Glasson, City Administrator, presented the workshop bill.
-Discuss project options to apply for CDBG money. Community Development Block Grant funding can be used to improve infrastructure for communities that qualify. The funding application must be submitted by June 5, 2019.
- **No decisions or motions were made at this time.**

WS 19-13- Discovery Trail Signage

- David Glasson, City Administrator, presented the workshop bill.
-The City is looking to update the Discovery Trail signage and is seeking the opinions of the Council.
- **No decisions or motions were made at this time.**
The Mayor adjourned the workshop at 6:59 p.m.

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

Mayor Phillips called the meeting to order; asked for the Pledge of Allegiance and roll call.

ROLL CALL

David Glasson, City Administrator, called roll with C. Kemmer, C. Murry and C. McGuire present. C. Linhart and C. Cline were absent.

PUBLIC COMMENT

Ned Bittner made a public comment.

CONSENT AGENDA

Minutes, April 15, 2019 City Council Meeting

Payment Approval List for Warrant Registers 58570-58598 & 85072-85165 for \$333,346.47

C. Kemmer made the motion to approve the Consent Agenda. C. McGuire seconded the motion; 3 Ayes; 2 Absent, motion passed.

NATIONAL SAFE BOATING WEEK

Mayor Phillips proclaimed May 18⁻²⁴, 2019 as National Safe Boating Week and the start of the year-round effort to promote safe boating.

PROCLAMATION 10TH ANNUAL MENTAL WELLNESS WALK

Mayor Phillips proclaimed May 2019 as Mental Health Month in the City of Long Beach.

BUSINESS

AB 19-24– Public Hearing for VAC 2019-01

Ariel Smith, Community Development Director, presented the Agenda Bill. The City has been approached by the homeowner that abuts a portion of the north side of the 4th Street NE right-of-way to vacate 12.5' x 50' that fronts his property.

C. McGuire made the motion to review the Staff Report, continue the hearing to the May 20th Council date where the Ordinance can be presented. C. Murry seconded the motion; 2 Ayes; 1 Abstain (C. Kemmer); 2 Absent, motion passed.

AB 19-25– Resolution 2019-03 Establishing a Fee for Use of the Charging Station

David Glasson, City Administrator, presented the Agenda Bill. This was discussed at a City Council workshop where the \$.25 per kilowatt hour charge would cover the costs of the city's contract with ChargePoint. This Resolution sets that fee.

C. Murry made the motion to adopt Resolution 2019-03 establishing a fee for the use of the City Electric Charging Station. C. Kemmer seconded the motion; 3 Ayes; 2 Absent, motion passed.

AB 19-26– PACCOM Interlocal Agreement

David Glasson, City Administrator, presented the Agenda Bill. This is the Interlocal Agreement to provide communications systems with 911 telephone service.

C. Murry made the motion to approve and authorize the Mayor to sign. C. McGuire seconded the motion; 3 Ayes; 2 Absent, motion passed.

AB 19-27– Ordinance 967 Amending the Sand Hauling Fees

David Glasson, City Administrator, presented the Agenda Bill. The fees have not been updated since 1997. City staff recognized that it was time to amend these fees and incorporate inflation.

C. Murry made the motion to approve and authorize the Mayor to sign. C. McGuire seconded the motion; 3 Ayes; 2 Absent, motion passed.

AB 19-28– ChargePoint Contract

David Glasson, City Administrator, presented the Agenda Bill. This was discussed at a City Council workshop where the Council analyzed the presented options. It is the most cost-effective to go with the 3-year term.

C. Murry made the motion to authorize the Mayor to execute the contract with ChargePoint for the City Electric Charging Station. C. Kemmer seconded the motion; 3 Ayes; 2 Absent, motion passed.

AB 19-29– Bolstad Restroom Contract

David Glasson, City Administrator, presented the Agenda Bill. This item has been discussed numerous times and the City Council decided to move forward with a prefabricated restroom as it was most cost-effective. CXT incorporated has a contract with the State of Washington Department of Enterprise Services which makes it so that we can choose them as a vendor and fulfill the procurement requirements.

C. Murry made the motion to authorize the Mayor to enter into a contract with CXT to construct and deliver the new Bolstad Restrooms. C. McGuire seconded the motion; 3 Ayes; 2 Absent, motion passed.

AB 19-30– Gray and Osborne Contract for Engineering Services Construction Biosolids Plant

David Glasson, City Administrator, presented the Agenda Bill. The agreement outlines the construction phase of this project, providing full construction management and inspection services.

C. McGuire made the motion to authorize Mayor Phillips to enter into an agreement with Gray & Osborne for Construction Management and Inspection Services for the Regional Biosolids Treatment Plant. C. McGuire seconded the motion; 3 Ayes; 2 Absent, motion passed.

AB 19-31– Resolution 2019-04 Amending and Personnel Policies

David Glasson, City Administrator, presented the Agenda Bill. Recommended changes have been included in the Personnel Policies. These changes include amendments to the sections “Working Hours” and to “Absenteeism and Tardiness.”

C. Kemmer made the motion to approve Resolution 2019-04 adopting the updated version of the City of Long Beach Personnel Policy, with the addition of a 1 year review. C. McGuire seconded the motion; 3 Ayes; 2 Absent, motion passed.

DEPARTMENT HEAD ORAL REPORTS

CORRESPONDENCE AND WRITTEN REPORTS

- Thank You Letter
- Report and Decision on CAO V 2019-01
- Sales Tax Collections
- Lodging Tax Collections
- Transportation Benefit District Collections
- Wastewater Department Report for April 2019

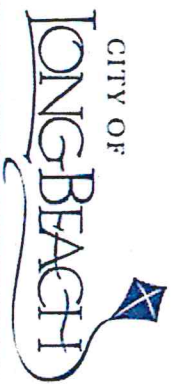
ADJOURNMENT

The Mayor adjourned the meeting at 7:37 p.m.

Mayor

ATTEST:

City Clerk



Warrant Register

Current Period: 2019 May End

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.

Council Member	Council Member	Council Member	Clerk/Treasurer
Number	Name	Print Date	Amount
58599	Bell, Helen S	5/3/2019	\$303.04
58600	Binton, Jacob	5/3/2019	\$1,700.48
58601	Booi, Kristopher A	5/3/2019	\$1,688.38
58602	Cline, Kevin M	5/3/2019	\$266.19
58603	Cox, Mallory E	5/3/2019	\$322.13
58604	Eastham, Miranda L	5/3/2019	\$1,273.35
58605	Gilbertson, Bradley K	5/3/2019	\$1,546.46
58606	Goulter, John R.	5/3/2019	\$1,679.97
58607	Huff, Timothy M.	5/3/2019	\$1,646.60
58608	Kaino, Kris	5/3/2019	\$1,012.96
58609	Kemmer, Hollie L	5/3/2019	\$266.19
58610	Kemmer, Larry L	5/3/2019	\$1,495.78
58611	Luehe, Paul J	5/3/2019	\$1,886.52
58612	McGuire, Tina M	5/3/2019	\$266.19
58613	Miller, Matt W	5/3/2019	\$1,518.97
58614	Mortenson, Tim	5/3/2019	\$2,040.73
58615	Murry, Del R	5/3/2019	\$266.19
58616	Padgett, Timothy J	5/3/2019	\$1,641.29
58617	Persell, Whitney J	5/3/2019	\$1,157.11
58618	Quitner, Jonathan H	5/3/2019	\$1,010.71
58619	Warner, Ralph D.	5/3/2019	\$692.27
58620	Williams, David L	5/3/2019	\$368.29
58621	Wood, Matthew T	5/3/2019	\$1,582.75
58622	Wright, Flint R	5/3/2019	\$2,807.07
58623	Zuern, Donald D.	5/3/2019	\$2,285.55
58624	AFLAC	5/3/2019	\$512.77
58625	Association of WA Cities	5/3/2019	\$32,119.94
58626	City of Long Beach - Fica	5/3/2019	\$13,414.34
58627	City of Long Beach - FWH	5/3/2019	\$8,294.02

Execution Time: 23 second(s)

Printed by CLB1\HelenB on 5/17/2019 2:10:43 PM
Register

Page 1 of 3

Number	Name	Print Date	Clearing Date	Amount
58628	Council Gift Fund	5/3/2019		\$60.00
58629	Dept of Labor & Industries	5/3/2019		\$2,156.14
58630	Dept of Retirement Systems Def Comp	5/3/2019		\$2,991.00
58631	Employment Security Dept	5/3/2019		\$223.20
58632	Massmutual Retirement Services	5/3/2019		\$675.00
58633	Teamsters Local #58	5/3/2019		\$178.50
58634	Dept of Retirement Systems	5/3/2019		\$15,131.78
85170	Meling, Casey	5/7/2019		\$111.80
85171	Measure-Tech, Inc.	5/15/2019		\$814.03
85172	Campbell, Matt	5/15/2019		\$115.00
85173	LaFontaine, Patrick	5/15/2019		\$115.00
85174	Mandrell, Errol	5/15/2019		\$115.00
85175	Wright, Travis	5/15/2019		\$461.26
85176	Active Enterprises, Inc.	5/17/2019		\$11.83
85177	Airgas USA LLC	5/17/2019		\$48.25
85178	Alisco-American Linen Div.	5/17/2019		\$103.92
85179	Association of Washington Cities	5/17/2019		\$400.00
85180	Basket Case Greenhouse	5/17/2019		\$461.66
85181	BMC WELDING	5/17/2019		\$760.78
85182	Boyce Equipment & Parts Co., Inc	5/17/2019		\$214.30
85183	BSK Associates	5/17/2019		\$230.00
85184	Cartomation, Inc	5/17/2019		\$500.00
85185	Chinook Observer	5/17/2019		\$327.50
85186	Creative Community Solutions, Inc.	5/17/2019		\$2,000.00
85187	Dennis Company	5/17/2019		\$1,081.37
85188	Department of Commerce	5/17/2019		\$49,343.40
85189	Dept of Ecology	5/17/2019		\$440.00
85190	Discovery Benefits, Inc.	5/17/2019		\$50.00
85191	Emerald Services, Inc.	5/17/2019		\$347.18
85192	Englund Marine Supply	5/17/2019		\$462.32
85193	Evergreen Septic Inc	5/17/2019		\$1,185.00
85194	Goff, Kenny	5/17/2019		\$29.16
85195	Hach Company	5/17/2019		\$685.14
85196	Hedges, Jan Lem	5/17/2019		\$506.72
85197	Iron Mountain	5/17/2019		\$305.75
85198	Loyalty Days	5/17/2019		\$60.00
85199	MANSFIELD ALARM CO, INC	5/17/2019		\$103.97
85200	Neofunds	5/17/2019		\$500.00
85201	Oman & Son Builders	5/17/2019		\$628.54
85202	PAPE MACHINERY	5/17/2019		\$1,489.76
85203	Peninsula Landscape Supply	5/17/2019		\$84.32
85204	Peninsula Saddle Club	5/17/2019		\$62.00
85205	Penoyar, William	5/17/2019		\$1,000.00
85206	SDS Municipal Consulting LLC	5/17/2019		\$1,800.00
85207	Sid's Iga	5/17/2019		\$20.63
85208	Snap-ON Tools	5/17/2019		\$62.81

Number	Name	Print Date	Clearing Date	Amount
85209	Solutions Yes	5/17/2019		\$289.72
85210	STAPLES BUSINESS CREDIT	5/17/2019		\$156.87
85211	SUNSET AUTO PARTS, INC	5/17/2019		\$1,643.09
85212	TireHub	5/17/2019		\$773.97
85213	Traffic Safety Supply Co.	5/17/2019		\$2,970.89
85214	U.S. Cellular	5/17/2019		\$65.42
85215	Wilcox & Flegel Oil Co.	5/17/2019		\$3,227.11
85216	World Kite Museum	5/17/2019		\$1,625.00
	Total		Check	\$184,272.33
	Grand Total			\$184,272.33

TAB - C

EMS Week Proclamation

To designate the Week of May 19th-25th 2019, as Emergency Medical Services Week

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now

THEREFORE, the city of Long Beach in the state of Washington in recognition of this event do hereby proclaim the week of May 19th-25th, as

EMERGENCY MEDICAL SERVICES WEEK

With the theme, Beyond the Call, I encourage the community to observe this week with appropriate programs, ceremonies and activities.

Name and Title of Official

TAB - D



**CITY COUNCIL
AGENDA BILL
AB 19-32**

Meeting Date: May 20, 2019

AGENDA ITEM INFORMATION

SUBJECT: Public Hearing – CDBG Funding Application	Originator:	
	Mayor	
	City Council	
	City Administrator	DG
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Events Coordinator	
	Finance Director	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
COST: \$1,131,740.42	Water/Wastewater Supervisor	

SUMMARY STATEMENT: This item was discussed at a City Council workshop on May 6th where the Council decided to move forward with application for the upsizing of the water main and paving of Washington Ave South, from Sid Snyder to the southernmost city limits.

RECOMMENDED ACTION: Authorize the Mayor to submit the application to Department of Commerce – CDBG for funding of Washington Ave S waterline replacement and street paving.

CITY OF LONG BEACH
WASHINGTON AVE S FULL DEPTH RECLAMATION PROJECT
CONCEPTUAL COST ESTIMATE
UPDATED: 05/15/2019
G & O #20195.47

DESCRIPTION: 8-INCH WATER MAIN, PULVERIZE FULL LENGTH & WIDTH, GRADE, MIX IN CTB PRIOR TO PLACING HMA INCLUDING 2-FT WIDENING

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNIT	PRICE	AMOUNT
1.	Unexpected Site Changes (S.P. 1-04.4)	1	MC	\$10,000.00	\$10,000.00
2.	SPCC Plan (1-07.15(1))	1	LS	\$1,000.00	\$1,000.00
3.	Mobilization, Cleanup and Demobilization (S.P. 1-09.7)	1	LS	\$75,000.00	\$75,000.00
4.	Project Temporary Traffic Control (S.P. 1-10.4)	1	LS	\$40,000.00	\$40,000.00
5.	Removal of Structure and Obstruction (S.P. 2-02.5)	1	LS	\$5,000.00	\$5,000.00
6.	Locate Existing Utilities	1	LS	\$9,000.00	\$9,000.00
7.	Erosion Control	1	LS	\$9,000.00	\$9,000.00
8.	Trench Safety Systems	1	LS	\$5,000.00	\$5,000.00
9.	8-inch PVC C900 Water Pipe, Including Fittings	2,500	LF	\$60.00	\$150,000.00
10.	Additional Pipe Fittings	1,100	LB	\$3.00	\$3,300.00
11.	8-inch Gate Valves	16	EA	\$1,500.00	\$24,000.00
12.	Fire Hydrants	9	EA	\$6,000.00	\$54,000.00
13.	Gravel Backfill	1,020	TN	\$15.00	\$15,300.00
14.	Foundation Gravel	110	TN	\$35.00	\$3,850.00
15.	Connections to Existing System	6	EA	\$3,500.00	\$21,000.00
16.	3/4" Service Connections, complete	50	EA	\$150.00	\$7,500.00
17.	Pulverize Existing Asphalt Roadway (S.P. 2-02.5)	6,500	SY	\$3.00	\$19,500.00
18.	Cement Treated Base (S.P. 2-06.5)	6,500	SY	\$12.00	\$78,000.00
19.	Cement for Cement Treated Base (S.P. 2-06.5)	300	TN	\$160.00	\$48,000.00
20.	Locate Existing Utilities (S.P. 2-09.5)	1	LS	\$2,000.00	\$2,000.00
21.	Crushed Surfacing Top Course (S.P. 4-04.5)	600	TN	\$40.00	\$24,000.00
22.	HMA Cl. 1/2" PG 64-22 (S.P. 5-04.5)	1,500	TN	\$100.00	\$150,000.00
23.	Job Mix Compliance Price Adjustment (S.P. 5-04.5)	1	CALC	\$0.00	\$0.00
24.	Compaction Price Adjustment (S.P. 5-04.5)	1	CALC	\$0.00	\$0.00
25.	Adjust Catch Basin (S.P. 7-05.5)	14	EA	\$500.00	\$7,000.00
26.	Adjust Manhole (S.P. 7-05.5)	6	EA	\$500.00	\$3,000.00
27.	Adjust Valve Box (S.P. 7-12.5)	8	EA	\$400.00	\$3,200.00
28.	Adjust Meter Box (S.P. 8-01.5)	16	EA	\$300.00	\$4,800.00
29.	Erosion / Water Pollution Control (S.P. 8-01.5)	1	LS	\$5,000.00	\$5,000.00
30.	Seeding, Fertilizing and Mulching (S.P. 8-01.5)	1,200	SY	\$3.00	\$3,600.00
31.	Topsoil, Type A (S.P. 8-02.5)	130	CY	\$80.00	\$10,400.00
32.	Mailbox Support Type 1 (S.P. 8-18.5)	8	EA	\$400.00	\$3,200.00
33.	Mailbox Support Type 2 (S.P. 8-18.5)	3	EA	\$400.00	\$1,200.00
34.	Permanent Signing (S.P. 8-21.5)	1	LS	\$2,000.00	\$2,000.00
35.	Channelization Improvements (8-22.5)	1	LS	\$6,000.00	\$6,000.00
Subtotal All Items					\$803,850.00
Sales Tax (8.3%)					\$66,720
SUBTOTAL:					\$870,570
Contingency (20%)					\$174,114
ESTIMATED CONSTRUCTION COST:					\$1,044,683
Administration: (5%):					\$52,234
Engineering (15%):					\$156,703
Construction Management (10%):					\$104,468
TOTAL ENGINEERING AND ADMINISTRATIVE COSTS (30%)					\$313,405
Total Estimated Project Cost:					\$1,358,088
Assumptions:					
Existing roadway width is approx. 20 feet, Widen 2-Ft for 11-ft lanes					
Pulverize existing surface into base and grade for roadway					
3-Ft Asphalt Aprons with 3-Ft CSTC Wedge					
4" HMA overlay over CTB Base					
1" CSTC Leveling Course					
City to be reimbursed by water and sewer utility purveyors for adjustments					
				Design Engineering	\$130,585.43
				Construction Engineering	\$130,585.43
TOTAL CONSTRUCTION COST:				TOTAL:	\$1,131,740.42

TAB - E



**CITY COUNCIL
AGENDA BILL
AB 19-33**

Meeting Date: May 20, 2019

AGENDA ITEM INFORMATION

SUBJECT: Case No. SUP 2019-03 Request by Ira Evansen for a Mixed Martial Arts Studio	Originator:	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	AS
	Finance Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
	Other:	
COST: N/A		

SUMMARY STATEMENT: Facts regarding the SUP request:

1. A request to house a mixed martial arts studio in a portion of the building located at 1401 Pacific Ave N;
2. This studio would also hold events roughly 4 times a year, these events would include MMA matches. The matches would go from 6-10pm and would be ticketed events;
3. The gym would have 24-hour access for all members;
4. The gym would host classes for all ages;
5. Parking requirements would be 1 per every 400 feet of gross floor area, the portion of the building that would be dedicated to this use is 2800 SF. Therefore, they would need 7 spaces, which they have.

Attached:

6. relevant portions of the city code; and
7. a draft letter permit including conditions for Council consideration.

This type of business is currently allowed in the same zone. As this applicant wishes to hold some events this use varied enough from the other establishments that Council review is required.

RECOMMENDED ACTION: Approve/Deny/Condition SUP 2019-03 allowing a mixed martial arts studio, event space at 1401 Pacific Ave N.

12-11-14: SPECIAL USE PERMIT: For events, uses, and other activities not specifically addressed by this title, an applicant may apply to the city council for a special use permit. The issuance of a special use permit is at the discretion of the city council. The city council may impose such conditions as are deemed necessary to mitigate impacts including, but not limited to, noise, lighting, traffic and hours of operation. A special use permit shall not be used to permanently permit a use that would otherwise be prohibited by the zone district in which the property is situated. A special use permit shall have an expiration date that is no more than one (1) year after the approval date. Upon application, the city council may grant a single extension of a special use permit.



Post Office Box 310
115 Bolstad Avenue West
Long Beach, WA 98631
Telephone: 360-642-4421
fax: 360-642-8841
planner@longbeachwa.gov

May 21, 2019

Ira Evansen
3535 Highway 101
Gearhart, Oregon 97138

**RE: Case No. SUP 2019-03, Special Use Permit
MMA Events at 1401 Pacific Ave N in the RC- Residential Commercial Zone**

Mr. Evansen,

At its regularly-scheduled May 20, 2019 meeting, the Long Beach City Council heard and **CONDITIONALLY APPROVED** your request to operate a mixed martial arts studio and event space located in a portion of building at 1401 Pacific Ave N.

The City's approval is subject to the following conditions, which are **mandatory requirements**. If you do not comply with these conditions, the City will rescind your approval and you will have to stop sales:

1. Designate at least 7 parking spaces to the presented use.
2. Respect and operate the events within the designated hours as presented on the application.
3. A city business license must be approved prior to operation.

Congratulations on your approval and thank you for your continued commitment to Long Beach. You have been a model itinerant vendor.

Sincerely,

Ariel Smith
Director, Community Development



APPLICATION FOR DEVELOPMENT APPROVAL

Return to Long Beach City Hall, 115 Bolstad Avenue West, PO Box 310, Long Beach, WA 98631

APPLICATION TYPE (circle those that apply)

Plat: short -- long ☐ Boundary Line Adjustment ☐ Variance: zoning -- shoreline -- critical areas ☐ Binding Site Plan ☐
Conditional Use ☐ Special Use ☒ Shoreline Substantial Development ☐ Other ☐

APPLICANT INFORMATION

Name INA EVANSEN Telephone 541-310-2649
Mailing Address 3535 Hiway 101 Fax _____
North Leavenworth, Long 97138 E-mail _____

PROPERTY OWNER INFORMATION (if different)

Name ROGER TAYLOR Telephone 503-780-3837
Mailing Address PO Box 01450 Fax _____
OLYMPIA PARK WA 98640 E-mail BAW AND Roger@G-MAIL.COM

PROPERTY INFORMATION

Site Address 1401 PACIFIC AVE Plat Name _____
Section _____ Township _____ Range _____ Lot _____ Block _____ Acres _____ Zoning _____
Lender ☐ Telephone _____
Current/Prior Use of Property _____

PROJECT INFORMATION

Architect/Designer _____ License/Cert _____ Telephone _____
Engineer _____ License _____ Telephone _____
Surveyor _____ License _____ Telephone _____

Design Review Required? ☐ Yes (separate application required) ☐ No

SEPA Checklist Required? ☐ Yes (must be submitted w/ application) ☐ No

Project Type (check or fill in all that apply)

☐ Single Family Residential # of lots _____

☐ Multi-Family Residential # of dwelling units _____

☒ Commercial type _____ building square feet 2-3,000 sq ft

☐ Other Non-Residential type _____ building square feet _____

Does the proposal create a new tax parcel or divide property ownership? ☐ Yes ☒ No

Is the subject property located within 200 feet of any surface water? ☐ Yes ☒ No

Does the proposal involve or require crossing or filling of any wetland, drainage system, or ditch? ☐ Yes ☒ No

Is the property located in an area subject to flooding? ☐ Yes ☒ No

Are there existing structures or infrastructure or utilities on the property? ☒ Yes ☐ No

Does the proposal require displacement, removal, or placement of materials in excess of 50 cubic yards? ☐ Yes ☒ No

Does the proposal change the existing land use classification of the subject property? ☐ Yes ☒ No

NOTE: The City of Long Beach assumes no responsibility to notify applicants of state or Federal permit requirements. If you believe your project may require a state or Federal permit, relay that information to the Long Beach Community Development Department.

ATTESTATION: I hereby certify that I prepared or directed preparation of this application, and that to the best of my knowledge the information provided is complete, accurate, and a true representation of the proposal. I understand the City of Long Beach relies on the representations made herein in determining whether this application may be approved, and that false, inaccurate (including missing) information may result in severe consequences, including and not limited to the removal at my expense of any site improvement constructed under this application. I further attest that I have legal authority to submit this application, and I agree to comply with any and all conditions of approval related to this development proposal.

APPLICANT SIGNATURE Ina Evansen

DATE 5-8-19

OWNER SIGNATURE Roger Taylor

DATE 5-8-19

Office Use Only Received by AS

Amount of fee paid _____

Date 5/9/2019

Project No. SUP 2019 -



SUP 2019-03
1401 Pacific Ave N
Roger Taylor /Ira Evansen
RC – Residential Commercial Zone

TAB — F



**CITY COUNCIL
AGENDA BILL**

AB 19-34

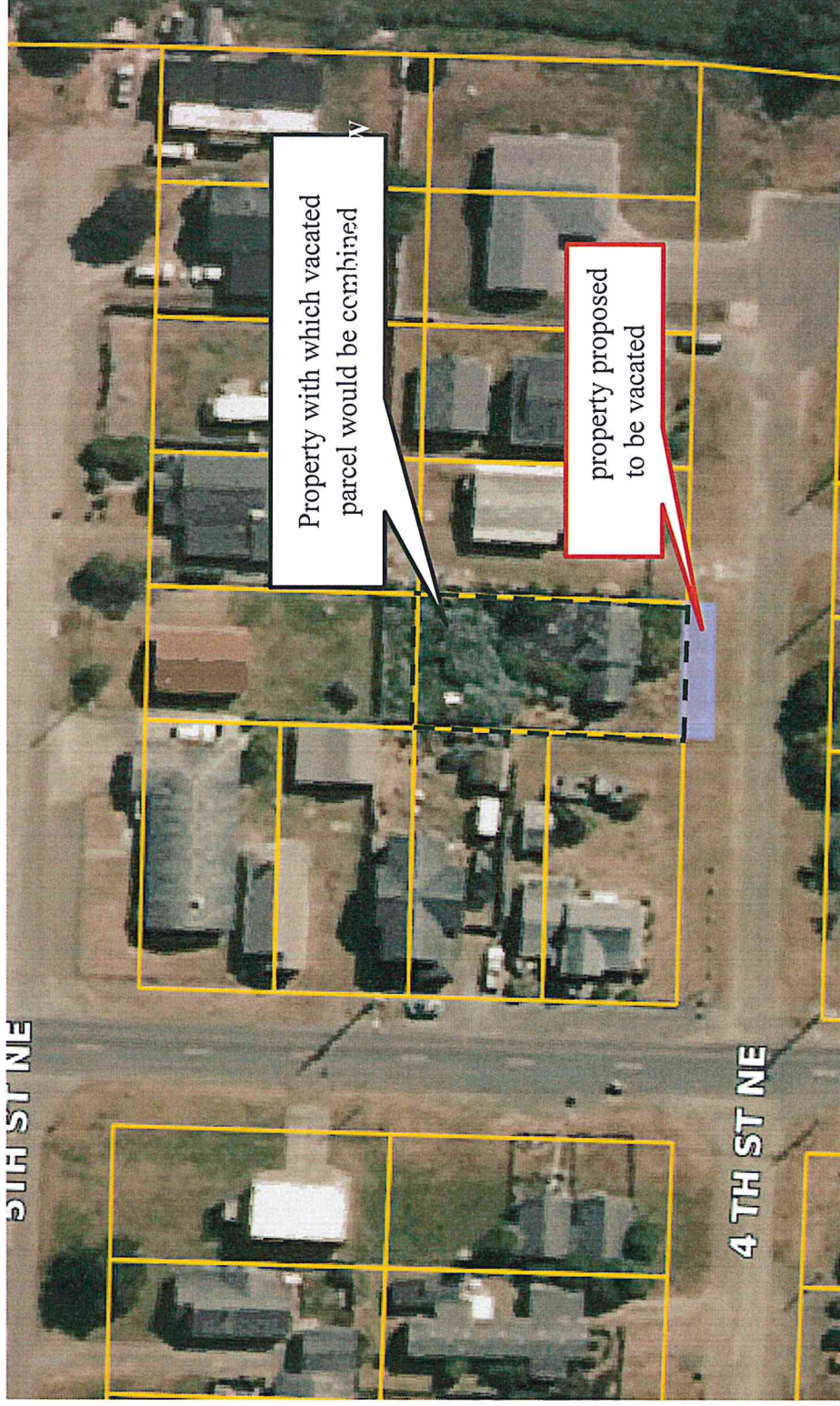
Meeting Date: May 20, 2019

AGENDA ITEM INFORMATION

SUBJECT: Ordinance No. 968 Case No VAC 2019-01 – Partial Vacation of 4th ST NE –	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	AS
	Finance Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
COST: NA	Other:	

SUMMARY STATEMENT: During the Council, meeting on May 6, staff introduced the staff report reviewing the petitioners request to vacate the northern portion of the 4th ST NE ROW. Mr. Belisle owns the property directly to the north of the ROW. The Council has discussed this topic during workshops and Council meetings. The proposed Ordinance vacates the 12.5' x 50' northern portion of 4th ST NE that abuts the Belisle property. The Council can decide to charge up to 50% of market value. Leslie Brophy at Pacific Realty assessed this property at roughly \$1,631.25. Therefore, 50% would be \$815.63. Please see attached Ordinance and map.

RECOMMENDED ACTION: Approve/Deny Ordinance No. 968 vacating the northern portion of 4th ST NE that abuts Mr. Belisle's property, granting the property to John Belisle for \$815.63.



Case No. VAC 2019-01; Location Map

John Belisle

Partially vacate 4th Street NE; combine with property to north

ORDINANCE No. 968

AN ORDINANCE OF THE CITY OF LONG BEACH, PACIFIC COUNTY, WASHINGTON, PROVIDING FOR THE VACATION OF A PORTION OF 4th STREET NORTHEAST RIGHT-OF-WAY, AND REPEALING ANY ORDINANCES IN CONFLICT.

WHEREAS, RCW 35.79 allows for the vacation of city streets; and,

WHEREAS, the City of Long Beach has been requested to vacate a section of right-of-way; and,

WHEREAS, the City of Long Beach Unified Development Ordinance provides for a process by which owners of any real property abutting upon any street or alley may petition the City Council to make vacation of the right-of-way; and,

WHEREAS, the City Council adopts the following Findings of Fact:

1. **Petition.** The City Council finds the petition comprises the following:
 - 1.1 A letter from petitioner Belisle received March 25, 2019.
 - 1.2 All other information contained in Case Files No. VAC 2019-01.
2. **Procedures.** The Council finds the following procedures were followed:
 - 2.1 On March 25, 2019 petition (Belisle) was received by the City.
 - 2.2 Soon after receipt of petitions, the Community Development Director consulted with City Department heads, Public Utility District No. 2 of Pacific County, and CenturyTel regarding this ROW. There were no conflicts reported.
 - 2.3 On April 15, 2019 the City Council approved Resolution 2019-02 setting the time and place for a public hearing on the matter.
 - 2.4 On or soon after April 16, 2019 the City posted notice of the hearing at the subject site, the Long Beach post office, the Long Beach police station, and Long Beach City Hall. The notice included a statement of the proposal and a description of the land proposed to be vacated. The notice also included instruction on how to submit comments on the proposal.
 - 2.5 On May 6, 2019 the Long Beach City Council opened and conducted a public hearing at or soon after 7 pm to take public comment on this matter. There were no comments made.
3. **Proposal.** The City Council finds the following regarding the proposed project:
 - 3.1 The petitioners request and City staff recommend that Council vacate approximately 12.5' by 50 feet of the north side of the ROW of 4th Street NE (approximately 625 square feet), with transfer of title to the petitioners and all

rights thereto.

- 3.2 The petitioners shall pay for all costs associated with this proposal, including and not limited to noticing fees and appraisal costs.
- 3.3 The petitioner shall pay the City a maximum of 50% of the appraised value of the subject property.

4. **Property characteristics.** The City Council finds the following regarding the subject property:

- 4.1 Northern twelve and a half feet (12.5') of the right-of-way of 4th Street Northeast, from the western property line of parcel no. 730110595005 to the easterly property corner approximately 50 feet; of Lot 5, in Block 59 of East Addition to Long Beach, according to the Plat thereof on file in the office of the Auditor in Volume D-1 of Plats, Page 45, of Pacific County, Washington
- 4.2 Characteristics of the property to which the vacated land would become part are as follows:
 - 4.2.1 One parcel that it 50' X 100'.
 - 4.2.2 The lot is developed is vacant with a proposed single-family residence.
 - 4.2.3 The parcel is located within the C flood zone.
 - 4.2.4 The parcel is essentially flat.
 - 4.2.5 The parcel has city utilities.

5. **Subject property land use and zoning.** The City Council finds the following regarding the land use and zoning of the property proposed for vacation:

- 5.1 The subject property is located adjacent to the R1 – Single-Family Residential zone pursuant to the City's zoning regulations.
- 5.2 The subject property is located adjacent to property designated R1—Single-Family on the future land use map of the Long Beach Comprehensive Plan.
- 5.3 The current land use of the subject property is vacant with a proposed single-family home.

6. **Surrounding property land use and zoning.** The City Council finds the following regarding the land use and zoning of surrounding property:

AREA	LAND USE PLAN	ZONING	EXISTING CONDITIONS
NORTH	Single-Family	R1	Residence
SOUTH	Single-Family	R1	Residence
EAST	Single-Family	R1	Residence
WEST	Single-Family	R1	Residence

7. **Services.** The City Council finds the following regarding services and utilities available to serve the proposed project:
 - 7.1 Water is available from the City of Long Beach.
 - 7.2 Sewer is available from the City of Long Beach.
 - 7.3 Transportation: Existing from 4th St NE
 - 7.4 Public Education is provided by the Ocean Beach School District.
 - 7.5 Electricity is available from Pacific County PUD No. 2.
 - 7.6 Solid Waste is available from Peninsula Sanitation, and service is already provided on Ocean Beach Blvd N.
 - 7.7 Police and Fire are provided by the City of Long Beach Police and City of Long Beach Fire Departments.
 - 7.8 Medical and Emergency Facilities are provided by the City of Long Beach EMS, Medix Ambulance Service, and Ocean Beach Hospital District No. 3.
8. **City Staff and PUD Input.** The City Council finds the following regarding staff and PUD input:
 - 8.1 City staff did not identify any conflicts regarding City services or utilities that cannot be rectified.
 - 8.2 The PUD did not identify any conflicts regarding PUD services or utilities that cannot be rectified.
 - 8.3 Contact with CenturyTel was made, and staff did not hear back. A locate indicated that this vacation would not impact their services.
9. **City's Comprehensive Plan.** The City Council finds the proposed project complies with the following relevant portion of the City's Comprehensive Plan:
 - 9.1 Land Use Goal 2-2.
10. **City's Unified Development Regulations.** The City Council finds the proposal complies with the following relevant portions of the City's Unified Development regulations:
 - 10.1 11-6C-1(A), (C): Petition by owner.
 - 10.2 11-6C-2: Setting date for hearing.
 - 10.3 11-6C-3: Notice of hearing.
 - 10.4 11-6C-4: Hearing; ordinance of vacation.
 - 10.5 11-6C-6: Title to vacated street or alley.

10.6 11-6C-7: Zoning of vacated street or alley.

WHEREAS, the City Council has adopted Resolution 2019-02 setting the time and place for the public hearing to determine the vacation request; and,

WHEREAS, the City has provided the required notification and publication of the public hearing; and,

WHEREAS, the subject portion of 4th Street Northeast has been part of a dedicated City right-of-way for a period of twenty-five years or more; and,

WHEREAS, the abutting property owner will pay the City of Long Beach up to ½ the fair market value as provided for in RCW 35.79.030 and the City's Unified Development Code at 11-6C-4(A): Payment of Fair Market Value;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LONG BEACH DO ORDAIN AS FOLLOWS:

Section 1. Right-of-Way Vacated

The following described right-of-way, northern twelve and a half feet (12.5') of the right-of-way of 4th Street Northeast, from the western property line of parcel no. 730110595005 to the easterly property corner approximately 50 feet; of Lot 5, in Block 59 of East Addition to Long Beach, according to the Plat thereof on file in the office of the Auditor in Volume D-1 of Plats, Page 45, of Pacific County, Washington is hereby vacated and ownership shall be transferred to the abutting property owner, John Belisle. The area to be vacated comprises approximately 625 square feet. The legal description for the vacated right-of-way is:

THAT PORTION OF FOURTH STREET OF EAST ADDITION TO LONG BEACH, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE AUDITOR IN VOLUME D-1 OF PLATS, PAGE 45, OF PACIFIC COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 5 IN BLOCK 59 OF SAID EAST ADDITION:

THENCE EAST 50.00 FEET ALONG THE SOUTH LINE OF LOT 5 TO THE SOUTHEAST CORNER OF SAID LOT 5;

THENCE SOUTH AND PERPENDICULAR TO SAID SOUTH LINE 12.50 FEET;

THENCE WEST AND PARALLEL TO SAID SOUTH LINE 50.00 FEET;

THENCE NORTH AND PERPENDICULAR TO SAID SOUTH LINE 12.50 FEET TO THE POINT OF BEGINNING

SUBJECT TO AND TOGETHER WITH EASEMENTS, RESTRICTIONS, RESERVATIONS AND ENCUMBRANCES OF RECORDS.

CONTAINING 625 SQUARE FEET, OR 0.014 ACRES, MORE OR LESS.

Section 2. Severability Clause.

If any provision of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 3. Repeal of conflicting ordinances

All existing Ordinances are hereby repealed insofar as they may be in conflict with this ordinance.

Section 4. Effective Date.

This Ordinance shall be in full force and effect five days from and after its passage, approval, and publication in the manner required by law only when the following conditions have been met:

1. The petitioner shall pay for all costs associated with this partial right-of-way vacation.
2. The petitioner shall cause to have a market-value appraisal made of the subject property at petitioner's expense or agree to a recent valuation of the property via a real estate professional.
3. The petitioner shall pay the City of Long Beach up to 50% of the market value of the subject property.

Passed this 20th day of May 2019.

AYES

NAYS

ABSENT

ABSTENTIONS

Jerry Phillips, Mayor

ATTEST:

Helen Bell, City Clerk

EXHIBIT "A"

DESCRIPTION
(PARCEL 1)

THAT PORTION OF FOURTH STREET OF EAST ADDITION TO LONG BEACH,
ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE AUDITOR IN
VOLUME D-1 OF PLATS, PAGE 45, OF PACIFIC COUNTY, WASHINGTON, DESCRIBED
AS FOLLOWS:

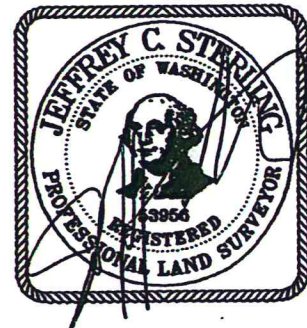
BEGINNING AT THE SOUTHWEST CORNER OF LOT 5 IN BLOCK 59 OF SAID EAST
ADDITION:
THENCE EAST 50.00 FEET ALONG THE SOUTH LINE OF LOT 5 TO THE SOUTHEAST
CORNER OF SAID LOT 5;
THENCE SOUTH AND PERPENDICULAR TO SAID SOUTH LINE 12.50 FEET;
THENCE WEST AND PARALLEL TO SAID SOUTH LINE 50.00 FEET;
THENCE NORTH AND PERPENDICULAR TO SAID SOUTH LINE 12.50 FEET TO THE
POINT OF BEGINNING.

SUBJECT TO AND TOGETHER WITH EASEMENTS, RESTRICTIONS, RESERVATIONS AND
ENCUMBRANCES OF RECORD.

CONTAINING 625 SQUARE FEET, OR 0.014 ACRES, MORE OR LESS.

PREPARED AT THE REQUEST OF:
CITY OF LONG BEACH
P.O. BOX 310
LONG BEACH, WA 98631
MAY 16, 2019


JEFFREY C. STERLING, P.L.S.
CERTIFICATE NUMBER 53956



191223\1223rov

STERLING SURVEYING

P.O. BOX 152
RAYMOND, WASHINGTON 98577
(360) 875-4016 Fax 875-4017

TAB — G



**CITY COUNCIL
AGENDA BILL**

AB 19-35

Meeting Date: May 20, 2019

AGENDA ITEM INFORMATION

SUBJECT: Pacific County Public Works Project – Idaho Work Order	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	DG
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Events Coordinator	
	Finance Director	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
COST: \$132,475		

SUMMARY STATEMENT: The City and Pacific County Department of Public Works have an existing agreement to work together on projects. This work order will authorize Pacific County DPW do all the preparation work and engineering for Idaho Avenue widening and paving. The paving contract will be bid on separately.

RECOMMENDED ACTION: Authorize the Mayor to sign the Reimbursement Agreement.

**PACIFIC COUNTY
DEPARTMENT OF PUBLIC WORKS**

PO Box 66, South Bend, WA 98586
(360) 875-9368 fax: (360) 875-9377

JOB ORDER/REIMBURSEMENT AGREEMENT

DESCRIPTIVE TITLE: City of Long Beach, Idaho Street reconstruction: Prepare existing roadway for 22 feet wide asphalt surface. (Asphalt surface will be by contractor)

LOCATION: Idaho Street

WORK DESCRIPTION: Pacific County will reconstruct Idaho Street including Shoulder Widening, Road Way Excavation, Placing Crushed Surfacing Top Course, Planning Bituminous Pavement, Asphalt patching, Traffic Control and Engineering. (see attached estimate)

ESTIMATED COST: estimated ten days work with labor, equipment and materials the estimated cost to be performed is \$132,475.00.

BILLING INFORMATION: Project billing or reimbursement for services by this agreement is approved or guaranteed by the authorizing signing agent.

Agency Name: City of Long Beach

Address: P.O. Box 310
115 Bolstad Avenue W Long Beach, WA 98631

Telephone: 306-642-4421

Fax: 360-642-8841

Authorizing Agent: _____
Signature

Date: _____

RESERVED FOR PACIFIC COUNTY ACCOUNTING

Job Order Prepared by: _____ Date: _____

Job Order Approved by: _____ Date: _____

Region: _____ Road No.: _____ Job Number: _____

Functions Expected: _____

Comments: _____

Job Order Established by: _____ Date: _____

Engineer's Estimate Idaho Street, Long Beach 2019

No.	Standard Item	Item	Unit	Quantity	Unit Cost	Total
1		Mobilization	L.S.	1	5,000.00	5,000.00
2		shoulder excavation @ 8" depth	C.Y.	500	50.00	25,000.00
3		road way excavation @ 12 " depth	C.Y.	270	50.00	13,500.00
4		Crushed Surfacing Top Course	Ton	1280	40.00	51,200.00
5		Planing Bituminous Pavement	S.Y.	355	5.00	1,775.00
6		HMA CL 1/2" PG 64-22 Patching for roadway ex.	Ton	110	100.00	11,000.00
7		Traffic Control Labor	L.S.	1	15,000.00	15,000.00
8		Engineering design and construction inspection	L.S.	1	10,000.00	10,000.00
					TOTAL	132,475.00

Prepared By: _____

Checked By: _____

Idaho Street 2170 LF: Existing conditions 700 LF @ 18.5 ft wide and 1470 LF @ 16 ft wide

TAB — H



**CITY COUNCIL
AGENDA BILL
AB 19-36**

Meeting Date: May 20, 2019

AGENDA ITEM INFORMATION

SUBJECT: Regional Biosolids Treatment Plant Construction Contract	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	DG
	City Attorney	
	City Clerk/Treasurer	
	City Engineer	
	Community Development Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
COST: N/A	Other:	

SUMMARY STATEMENT: The bid for the Biosolids Treatment Facility were received on April 9th at 2pm, Tapani, Inc was the lowest bidder and recommended contractor. On April 15, 2019 the Council awarded the bid to Tapani, Inc giving the City Engineer time to present a contract and gather required documentation from the contractor. All required materials have since been received and reviewed.

RECOMMENDED ACTION: *Authorize the Mayor to enter into an agreement with Tapani, Inc for the construction of the Regional Biosolids Treatment Plant.*



April 16, 2019

Mr. Shane Tapani
Tapani, Inc.
1904 SE Sixth Place
Battle Ground, Washington 98604

SUBJECT: TRANSMITTAL OF CONTRACT, REGIONAL BIOSOLIDS
TREATMENT FACILITY
CITY OF LONG BEACH, PACIFIC COUNTY, WASHINGTON
G&O #18522.00

Dear Mr. Tapani:

This letter is to advise you that on April 15, 2019, the City of Long Beach officially awarded the construction contract for the Regional Biosolids Treatment Facility to Tapani, Inc.

Attached are the following contract documents for your execution:


1. The Agreement, pages A-2 and A-3. The Contractor must initial Article 6.
2. The Performance Bond, page B-1.
3. The Public Works Payment Bond, page B-2.

Your attention to General Conditions Section 3.03.5(4) "Public Liability and Property Damage Insurance" is specifically required. These insurance policies shall include as additional insured the City of Long Beach and Gray & Osborne, Inc. In accordance with the Contract Provisions, furnish copies of all required insurance certificates along with the signed Contracts within 10 calendar days of receiving this letter.

Please return four original signed Agreements, Performance Bonds, Public Works Payment Bonds, and insurance documents to Gray & Osborne, Inc., 1130 Rainier Avenue South, Suite 300, Seattle, Washington 98144. Gray & Osborne will review, bind the documents into the Contract Provisions, and forward the documents to the City for additional review by the City's Attorney and signature by the City. The City will date the contract forms on the date of its contract signature and two signed Contracts will be returned to you. A "Notice to Proceed" will be issued after the City has executed the Contract.

Sincerely,

GRAY & OSBORNE, INC.


Nancy Lockett, P.E.

NEL/hh
Encl.

cc: Mr. David Glasson, City Administrator, City of Long Beach

1130 Rainier Avenue S., Suite 300 Seattle, Washington 98144 (206) 284-0860 Fax (206) 283-3206

AGREEMENT

THIS AGREEMENT is entered into by and between the **CITY OF LONG BEACH** (hereinafter called the Owner) and **TAPANI, INC.** (hereinafter called the Contractor).

The Owner and the Contractor agree as follows:

ARTICLE 1. WORK.

Construction of the Regional Biosolids Treatment Facility including a new pre-engineered metal wood chip storage building, new auger-cast pile supported solids handling building, new in-vessel concrete composting structure, new pre-engineered metal curing and handling building, new pre-engineered metal finished compost storage building, installation of a dewatering screw press and conveyor (procured by Owner), installation of the in-vessel composting equipment (procured by Owner), electrical, yard piping, paving and ancillary site work.

ARTICLE 2. CONTRACT TIME.

The Contractor shall substantially complete the Work required by the Contract within **180** working days (the Substantial Completion Date) and physically complete the Work within **210** working days (the Physical Completion Date).

ARTICLE 3. LIQUIDATED DAMAGES.

The Owner and the Contractor recognize that time is of the essence and that the Owner will suffer financial loss if the Work is not completed within the time, plus any extensions thereof, allowed in accordance with the Contract. They also recognize the inconvenience, expense, and difficulties involved in a legal proceeding to prove the actual loss suffered by the Owner if the Work is not completed within the time allowed in the Contract. Accordingly, the Owner and the Contractor agree that as liquidated damages for delay, and not as a penalty, the Contractor shall pay the Owner **\$1,000.00** per day for each working day beyond the Substantial Completion Date that the Contractor achieves substantial completion of the Work and **\$500.00** for each working day beyond the Physical Completion Date that the Contractor achieves physical completion of the Work.

ARTICLE 4. CONTRACT PRICE.

The Owner shall pay the Contractor the amount(s) set forth in the Proposal (in United States dollars) for completion of the Work in accordance with the Contract.

ARTICLE 5. CONTRACT.

The Contract, which comprises the entire agreement between the Owner and the Contractor concerning the Work, consists of the following:

- This Agreement;
- The Contractor's Proposal including the bid, bid schedule(s), information required of bidder, Proposal bond, and all required certificates and affidavits;
- The Performance Bond and the Public Works Payment Bond;
- The Contract Provisions, including 2018 WSDOT Standard Specification as referenced;
- The Plans (or drawings) consisting of **96** sheets, as listed in the index on sheet **G-1** of the Plans;
- Addenda numbers **1 THROUGH 5**, inclusive; and
- Change Orders issued after the effective date of this Agreement.

There are no Contract Documents other than those listed in this Article 5. The Contract may be amended only in writing by Change Order as provided in the Contract.

ARTICLE 6. MISCELLANEOUS.

For purpose of defending any work place injury claims by employees of the Contractor and Subcontractors, the Contractor waives any immunity granted under the State Industrial Insurance Law, RCW Title 51. This waiver has been specifically negotiated between the parties and is hereby acknowledged by the Contractor.
SY (Contractor's initials)

The Contractor shall not assign any rights under or interests in the Contract, including but not limited to rights to payment, without the prior written consent of the Owner. Unless specifically stated in a written consent to an assignment, no assignment will release or discharge the Contractor-assignor from any duty or responsibility under the Contract.

The Contract is binding upon the Owner and the Contractor, and their respective partners, successors, assigns and legal representatives.

AGREEMENT – Continued

IN WITNESS WHEREOF, Owner and Contractor have caused this Agreement to be executed the day and year indicated below.

CITY OF LONG BEACH

TAPANI, INC.

License No. TAPANI*883OE

By _____

By Shane Tapani

Date _____

Title Shane Tapani, Vice President

Attest Kevin Tapani

Name and Address for giving notices (print)

Tapani, Inc.

1904 SE 6th Place

Battle Ground, WA 98604

TAB — I

City of Long Beach Activities Report

April 2019

Water Dept.

Call Outs - 1 (Shut Off.)

Meetings - 9 (2) Staff / G&O Comp Plan / Evergreen Rural Water / (2) Contractors / Planner / (2) Pacific County / DOT Hwy Project.

Safety Meetings - 1 (Blood borne Pathogen Awareness.)

Plant Management - Paperwork / Time Cards / Monthly DOH Report / Monthly DMR's. / Monthly Report / Bills / Log Book / Called Locates / Reviewing ROW Permits / Flushing Narrative.

Customer Service - 2

Locates - 19

Emergency Locates - 0

Re-reads - 9

Install New Meters - 2

Meter Reinstall - 0

New Service Investigations - 4

Valve Investigation - 2

New Service Prep - 2

Valve Can Raising - 2

Meter Removal - 0

Meter Repairs - 4

Hydrant Maint. - 2 (11th st sw , 6th st nw)

Shut Off's - 1

Emergency Shut Offs - 1

Turn On's - 0

Res. Checking - 2

Res. Maint. - 0

Leak Repairs - 0

Leak Investigations - 1

Equipment Cleanup - 3

System Samples - Weekly entire system.

Samples to Lab - 2

Training - All Crew (Blood borne Pathogen Awareness.)

Don Z Hydrant Repairs Class. (In – house)

Tim H

Tye C

Treatment Plant Numbers - 13,929,000 Gallons. (Approx, 464,300 Gal. / Day)

Other Activities –

Reading Meters. (Seaview.)

Hydrant Flushing Water System.

Valve Inventory List.

Installing New Entrance Sign.

Faxed Road Repair Contract.

Removed Large Cargo Net Off Beach.

Graveled Road Cuts.

Replacing Remote Read Meters.

Town Cleanup. (Trash)

Water Comp Plan Review.

Ordered New WTP Air Compressor.

Shred Day Prep.

Cleaning South Yard for Contractor.

Clam Festival Set Up / Tear Down.

BEFORE THE HEARING EXAMINER FOR THE CITY OF LONG BEACH

In the Matter of the Application of)
Andrew & Virginia Peterson)
For a Conditional Use Permit)
Approval for a Single-Family)
Residence in the C-1 Zone)
Located at 2405 Pacific Ave N)

FILE NO: CUP 2019-1

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND DECISION

DECISION

The Conditional Use Permit Application is **APPROVED**, subject to conditions.

INTRODUCTION

The Conditional Use Permit application of **Andrew & Virginia Peterson**, owners, to allow the construction of a single-family residence located in the **C1-** Commercial District Zone came before Jan LeM. Hedges, Hearings Examiner, on April 26th, 2019 at 1:06 p.m. . Mrs. Ariel Smith, Community Development Director, presented the Department of Community Development Staff Report

The Hearing Examiner explained the hearing procedure, after which City staff made an opening presentation concerning the Variance. Testifying under oath were:

Ariel Smith, Community Development Director, CITY

The following exhibits were offered and admitted:

EXHIBIT	DESCRIPTION	SUBMITTED BY	DATE ADMITTED	COMMENTS
1	Application for Conditional Use	Andrew & Virginia Peterson	03/29/2019	Complete
2	Determination of Completeness	CITY	04/04/2019	Complete
3	Staff Report	CITY	04/11/2019	Complete
4	Notice of Public Meeting	CITY	04/05/2019	Complete

The hearing adjourned at 1:12 p.m.

From the foregoing, the Examiner makes the following:

FINDINGS OF FACT

1. Applicants, **Andrew & Virginia Peterson**, owners, seek Conditional Use approval to allow residential development in the **C-1 Commercial District** zone.
2. This parcel is located along the west side of 2405 Pacific Avenue North.
3. The proposed site is in the **C-1 Commercial District zone** where single family homes are allowed by conditional use.
4. The proposed use would not create disruption within the neighborhood as most of it is already residential.
5. **Public** street(s), water and utilities are available to serve the site.
6. This Application was **timely submitted**, was received and met the CITY completeness requirements as required in CITY Ordinance 15.08.070 B. and RCW 36.70.B.070.
7. Any Conclusion of Law deemed to be a Finding of Fact is adopted as such. From these Findings of Fact, the Examiner makes the following:

CONCLUSIONS OF LAW

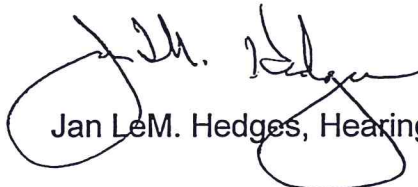
1. The Hearing Examiner has jurisdiction over the persons and the subject matter of the proceeding.
2. The requirements of the CITY **Zoning Ordinance** have been met; the proposed residential use is permitted use.
3. The standards and guidelines of the CITY **Comprehensive Plan** have been met.
4. The applicant has sought the appropriate conditional application.
5. Any finding herein which may be deemed a conclusion is hereby adopted as such.

DECISION

The application of Conditional Use by **Andrew & Virginia Peterson**, owners, to allow residential development is **APPROVED**, subject to the following conditions:

1. Any further development, expansion or change of use of the property shall require the approval of the City of Long Beach.
2. Failure to comply with conditions of this permit may result in the permit being rescinded and possibly the Applicant being cited and fined under Long Beach City Code.
3. Prior to any construction, the applicant must apply for design review through the Department of Community Development.

Done this 30th, day of April, 2019


Jan LeM. Hedges, Hearing Examiner

NOTICE OF RIGHT TO APPEAL

RIGHT TO APPEAL –TIME LIMIT

Any person aggrieved by the decision of the hearing examiner shall have the right to appeal the decision to the City Council. The appeal shall be in writing and delivered to City Hall within ten calendar days of the hearing examiners decision. The appeal must contain a statement identifying the decision being appealed, the name and address of the appellant and the appellants standing, the specific reason(s) why the appellant asserts the decision is in error and the desired outcome or changes to the decision. Upon filing an appeal, the appellant must pay a fee of \$400.00. No new evidence will be accepted by the City Council. The appeal is limited to the record presented to the hearing examiner. [Ordinance No 656, Section 4]

TRANSCRIPT OF HEARING – PAYMENT OF COST

An appeal of the Hearing Examiner's decision requires the preparation of a transcript of the hearing before the Hearing Examiner. Therefore, a payment of ten dollars (\$10.00) for each hearing tape must accompany the request for appeal. The appeal fee is \$400.00. All costs are payable to the City of Long Beach, Washington.

BEFORE THE HEARING EXAMINER FOR THE CITY OF LONG BEACH

In the Matter of the Application of)

Carl Gillespie)

For a Conditional Use Permit)

Approval of an Auto Repair Shop)

in the RC- Residential)

Commercial Zone)

Located at 1401 Pacific Ave N)

FILE NO: CUP 2019-2

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND DECISION

DECISION

The Conditional Use Permit Application is **APPROVED**, subject to conditions.

INTRODUCTION

The Conditional Use Permit application of **Carl Gillespie** to allow the use of an auto repair shop in the northernmost bay of a 1200 ^{sqft} building came before Jan LeM. Hedges, Hearings Examiner, on April 26th, 2019 at 2:06 p.m. . Mrs. Ariel Smith, Community Development Director, presented the Department of Community Development Staff Report

The Hearing Examiner explained the hearing procedure, after which City staff made an opening presentation concerning the Variance. Testifying under oath were:

Ariel Smith, Community Development Director, CITY

The following exhibits were offered and admitted:

EXHIBIT	DESCRIPTION	SUBMITTED BY	DATE ADMITTED	COMMENTS
1	Application for Conditional Use	Carl Gillespie	04/02/2019	Complete
2	Determination of Completeness	CITY	04/05/2019	Complete
3	Staff Report	CITY	04/26/2019	Complete
4	Notice of Public Meeting	CITY	04/05/2019	Complete

The hearing adjourned at 2:30 p.m.

From the foregoing, the Examiner makes the following:

FINDINGS OF FACT

1. Applicant, **Carl Gillespie**, seeks Conditional Use approval to allow the use of an auto repair shop in the northernmost bay of a 1200 ^{sqft} building. This parcel is located along the west side of 2405 Pacific Avenue North.
2. The proposed site is in the **RC Residential Commercial zone**
3. **District** where auto repair shops are allowed as conditional uses.
4. **City Code Section 12-6C-3** authorizes auto repair shops as a conditional use.
5. **Public** street(s), water and utilities are available to serve the site.
6. This Application was **timely submitted**, was received and met the CITY completeness requirements as required in CITY Ordinance 15.08.070 B. and RCW 36.70.B.070.
7. Any Conclusion of Law deemed to be a Finding of Fact is adopted as such. From these Findings of Fact, the Examiner makes the following:

CONCLUSIONS OF LAW

1. The Hearing Examiner has jurisdiction over the persons and the subject matter of the proceeding.
2. The requirements of the CITY **Zoning Ordinance** have been met; the proposed use is permitted use.
3. The standards and guidelines of the CITY **Comprehensive Plan** have been met.
4. The applicant has sought the appropriate conditional application.
5. Any finding herein which may be deemed a conclusion is hereby adopted as such.

DECISION

The application of Conditional Use Permit by **Carl Gillespie**, to allow auto repair shop in the northernmost bay is **APPROVED**, subject to the following conditions:

1. Any further development, expansion beyond ten percent (10%) or change of use of the property shall require the approval of the City of Long Beach.
2. The applicant shall comply with all appropriate conditions of any other similar conditioned City approval.
3. The property must be well maintained, junk vehicles, car parts or any other items related to the this permitted use must remain indoors.
4. The applicant shall comply with the City Ordinance Chapter 5 **Noise Control**, 5.5.-4 Nuisance Noise Disturbance.
5. Failure to comply with conditions of this permit may result in the permit being rescinded and possibly the Applicant being cited and fined under Long Beach City Code.

Done this 30th, day of April, 2019

A handwritten signature in black ink, appearing to read "Jan LeM. Hedges", with a large, stylized loop at the end.

Jan LeM. Hedges, Hearing Examiner

NOTICE OF RIGHT TO APPEAL

RIGHT TO APPEAL –TIME LIMIT

Any person aggrieved by the decision of the hearing examiner shall have the right to appeal the decision to the City Council. The appeal shall be in writing and delivered to City Hall within ten calendar days of the hearing examiners decision. The appeal must contain a statement identifying the decision being appealed, the name and address of the appellant and the appellants standing, the specific reason(s) why the appellant asserts the decision is in error and the desired outcome or changes to the decision. Upon filing an appeal, the appellant must pay a fee of \$400.00. No new evidence will be accepted by the City Council. The appeal is limited to the record presented to the hearing examiner. [Ordinance No 656, Section 4]

TRANSCRIPT OF HEARING – PAYMENT OF COST

An appeal of the Hearing Examiner's decision requires the preparation of a transcript of the hearing before the Hearing Examiner. Therefore, a payment of ten dollars (\$10.00) for each hearing tape must accompany the request for appeal. The appeal fee is \$400.00. All costs are payable to the City of Long Beach, Washington.

Long Beach Police

P.O. Box 795
Long Beach, WA 98631

lbpdchief@centurytel.net

Phone 360-642-2911
Fax 360-642-5273

05-01-19

Page 1 of 2

To: Mayor Phillips and Long Beach City Council

From: Chief Flint R. Wright

Ref.: Monthly Report for April 2019

During the month of April the Long Beach Police Department handled the following cases and calls:

Long Beach

462 Total Incidents

Aid Call Assists: 3

Alarms: 7

Animal Complaints: 5

Assaults: 6

Assists: 50

(Includes 13 PCSO, 1 WSP And 0 Other Agency Assists Outside City Boundaries)

Burglaries: 1

Disturbance: 12

Drug Inv.: 3

Fire Call Assists: 3

Follow Up: 96

Found/Lost Property: 7

Harassment: 7

Malicious Mischief: 6

MIP – Alcohol: 0

MIP – Tobacco: 0

Missing Persons: 1

Prowler: 2

Runaway: 1

Security Checks: 151

Suspicious: 24

Thefts: 8

Traffic Accidents: 5

Traffic Complaints: 13

Traffic Tickets: 4

Traffic Warnings: 21

Trespass: 9

Warrant Contacts: 2

Welfare Checks: 15

Ilwaco (Includes 16 Calls At Port)

249 Total Incidents

Aid Call Assists: 0

Alarms: 3

Animal Complaints: 2

Assaults: 4

Assists: 24

Burglaries: 0

Disturbance: 9

Drug Inv.: 0

Fire Call Assists: 2

Follow Up: 71

Found/Lost Property: 3

Harassment: 1

Malicious Mischief: 0

MIP – Alcohol: 0

MIP – Tobacco: 0

Missing Persons: 0

Prowler: 1

Runaway: 0

Security Checks: 88

Suspicious: 6

Thefts: 2

Traffic Accidents: 5

Traffic Complaints: 5

Traffic Tickets: 2

Traffic Warnings: 19

Trespass: 0

Warrant Contacts: 0

Welfare Checks: 2

Monthly Report Continued:

Page 2 of 2

On April 1st I assisted the Pacific County Sheriff's Department with their testing process for deputy and patrol sergeant. I helped on their oral board.

Officer Jeff Cutting attended training on April 16th-18th. The course title was "Criminal Interdiction". Some of the topics covered included combating the opioid epidemic, spotting deceptive behavior, recognizing indicators of criminal activity and dealing with different ways criminals conceal drugs.

On the 22nd I attended a "behavioral health crises collaboration" meeting at Ocean Beach Hospital. Many different organizations were represented. Some of the topics covered included inpatient bed search coverage for persons detained and improving communication between all parties.

I met with Pacific County 911 Director Tim Martindale on April 24th. We met to discuss radio issues.

On April 26th I helped teach another Mental Health First Aid class. This class was for participants of area block watches.

The Ilwaco Black Lake Fishing Derby was on the 27th. I took down a radar speed sign on the 25th to help slow down cars and we also did extra patrols in the area.

Also, on the 27th the department participated in a prescription drug take back event at Ocean Beach Hospital. 51.8 pounds of prescription drugs were collected for destruction.

On the 29th the department had firearms range training. We trained with our shotguns and patrol rifles.



Flint R. Wright
Chief of Police

Parks - Streets - Storm Water April Monthly Report

Monthly

Safety Meetings

Bi-Monthly

Staff Meetings

Fridays

Street Sweeping

Backpack blowing of sidewalks and brick parks

Boardwalk and dune trail maintenance

Thursdays

Mowing the mini parks and ball fields

Daily

Restroom maintenance

Garbage maintenance

Festivals / Events /set up and tear down

Clam Festival

Baseball softball

Training

1. Pressure washing sidewalks and planters
2. Painting curbs and parking stalls
3. Cold patch pot hole maintenance
4. Put up new wind screens on the beach pavillion
5. Painted fire hall parking lot
6. Fertilized Stanley field Culbertson field and all the mini parks
7. Fall mowing shoulders

8. Swept off the entire discovery trail
9. Pressure washed beach pavillion
10. Boardwalk lighting maintenance
11. Sidewalk maintenance weed eating and spraying
12. Painted all the parking stalls in the down town corredor

.

.

.

.

.

Mayer, Council & Staff

Thank You

Thank You so much for your
part in helping with the annual
Loyalty Day Parade.

Without your assistance, this
community wide event would
not take place.