



## AGENDA – Monday, November 21, 2016

**6:00 p.m. City Council Workshop**

**7:00 p.m. City Council Meeting**

Long Beach City Hall  
115 Bolstad Avenue West

### 6:00 p.m. COUNCIL WORKSHOP

- **WS 16-22- Budget Workshop – Lodging Tax & Capital Improvement Funds– 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 Caldwell,
And roll call	Council Member Murry, Council Member Hanson and 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, November 7, 2016 City Council Meeting
- Payment Approval List for Warrant Registers 56693-56726 & 80726-80776 for \$127,919.89

### BUSINESS

- **AB 16-58 – Resolution 2016-09 Capital Facilities Plan- PUBLIC HEARING – TAB C**
- **AB 16-59 – 2017 Property Tax Levy - PUBLIC HEARING – TAB D**
- **AB 16-60 – 2017 Preliminary Budget – PUBLIC HEARING – TAB E**
- **AB 16-61 – Long Beach Train Depot – Shoeboxes of Joy – TAB F**
- **AB 16-62 – Western Fireworks Contract – TAB G**

### DEPARTMENT HEAD ORAL REPORTS

### CORRESPONDENCE AND WRITTEN REPORTS – TAB H

- Brownfield Grant – Open House

### FUTURE CITY COUNCIL MEETING SCHEDULE

The Regular City Council meetings are held the 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month at 7:00 PM and may be preceded by a workshop.  
December 5, 2016, December 19, 2016 and January 3, 2016

### 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.

### CLOSED MEETING

Collective Bargaining Session RCW 42.30.140(4)(b)



**TAB - A**





**CITY COUNCIL  
WORKSHOP BILL**

**WS 16-22**

**Meeting Date: November 21, 2016**

**AGENDA ITEM INFORMATION**

<b>SUBJECT: Budget Workshop – LTAC &amp; Capital Improvements</b>	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	DG
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Events Coordinator	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
<b>COST: N/A</b>	Water/Wastewater Supervisor	

**SUMMARY STATEMENT:** Staff continues to work through the 2017 budget. The Water, Sewer, Stormwater, Streets, General fund including, Parks, Fire and Police have all been presented for review. This workshop will address Lodging Tax and the Capital Improvement fund. The final scheduled workshop will be November 28<sup>th</sup> at 4:00 to discuss any changes or suggestions and to finalize the version that will be presented to Council for adoption. Additional workshops can be scheduled as needed.



**TAB - B**





## LONG BEACH CITY COUNCIL MEETING

November 7, 2016

**6:30 p.m. COUNCIL WORKSHOP: WS 16-21- Infrastructure Assistance Coordinating Council Conference**

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

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

### **ROLL CALL**

David Glasson, City Administrator, called roll with C. Linhart, C. Caldwell, C. Hanson, C. Murry, and C. Kemmer all present.

### **PUBLIC COMMENT**

No public comments.

### **CONSENT AGENDA**

Minutes, October 17, 2016 City Council Meeting

Payment Approval List for Warrant Registers 56660-56683 & 80644-80725 for \$286,668.29

**C. Linhart made the motion to approve the Consent Agenda. C. Hanson seconded the motion. 5 Ayes, motion passed.**

### **BUSINESS**

AB 16-56      Resolution 2016-08 Shoreline Master Program Update – PUBLIC HEARING  
Ariel Smith, Community Development Director, presented the Agenda Bill. The city has been working on drafting the SMP since late 2014. During that time there have been 3 drafts submitted to DOE for review, the city is now prepared to make their final submission. Comments from DOE, the City Council, Planning Commission and the public have been incorporated into this draft. **C. Linhart made the motion to approve the resolution and submit the SMP to DOE for final review. C. Hanson seconded the motion. 5 Ayes, motion passed.**

AB 16-57      Design Review for Sid Snyder Townhomes  
Ariel Smith, Community Development Director, presented the Agenda Bill. Gayle Borchard, on behalf of Stephen Oman has submitted an application for the construction of a 9 single family units in 3 triplex townhomes located on the north side of Sid Snyder Drive between Washington Ave South and Oregon Avenue South. The property is located in R-3 zoning which is intended for multi-family dwellings. This decision must come from Council per 12-10-5© as there are more than 4 dwelling units proposed. **C. Linhart made the motion to approve the application with conditions; C. Hanson seconded the motion. 4 Ayes, 1 Nay (C. Murry), motion passed.**



## **DEPARTMENT HEAD ORAL REPORTS**

### **CORRESPONDENCE AND WRITTEN REPORTS**

- Long Beach Police Department- October 2016 Report
- Sales and Lodging Tax Collections
- Municipal Research News Update
- Wellspring Asset Builder Award
- 14<sup>th</sup> Street Drain Pipe Extension bids
- Letter of Support to the Wildlife Refuge for new Natural Resource Center

### **ADJOURNMENT**

The Mayor adjourned the meeting at 7:22 p.m.

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Mayor

ATTEST:

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City Clerk





## Warrant Register

Check Periods: 2016 - November - First

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	Clearing Date Amount
56693	Bell, Helen S	11/4/2016	\$292.94
56694	Binion, Jacob	11/4/2016	\$1,518.34
56695	Booi, Kristopher A	11/4/2016	\$1,349.93
56696	Campbell, Mathias A	11/4/2016	\$578.57
56697	Gilbertson, Bradley K	11/4/2016	\$1,432.55
56698	Goulter, John R.	11/4/2016	\$1,563.51
56699	Hanson, Natalie	11/4/2016	\$266.95
56700	Huff, Timothy M.	11/4/2016	\$1,499.19
56701	Kaino, Kris	11/4/2016	\$1,015.75
56702	Kemmer, Holli L	11/4/2016	\$266.95
56703	Linhart, Steven P	11/4/2016	\$266.95
56704	Luethe, Paul J	11/4/2016	\$1,509.92
56705	Mortenson, Tim	11/4/2016	\$1,946.63
56706	Murry, Del R	11/4/2016	\$266.95
56707	Padgett, Timothy J	11/4/2016	\$1,426.63
56708	Phillips, Gerald S	11/4/2016	\$436.65
56709	Quitner, Jonathan H	11/4/2016	\$958.30
56710	Russum, Richard	11/4/2016	\$1,286.55
56711	Simonson, Angela B	11/4/2016	\$580.12
56712	Warner, Ralph D.	11/4/2016	\$2,053.19
56713	Williams, David L	11/4/2016	\$184.60
56714	Wood, Matthew T	11/4/2016	\$949.33
56715	Wright, Flint R	11/4/2016	\$2,477.84
56716	Zuern, Donald D.	11/4/2016	\$2,055.10
56717	AFLAC	11/4/2016	\$469.35
56718	Association of WA Cities	11/4/2016	\$27,269.73
56719	City of Long Beach - Fica	11/4/2016	\$11,468.76
56720	City of Long Beach - FWH	11/4/2016	\$8,226.89
56721	Council Gift Fund	11/4/2016	\$60.00



Number	Name	Print Date	Clearing Date	Amount
56722	Dept of Labor & Industries	11/14/2016		\$1,977.19
56723	Dept of Retirement Systems	11/14/2016		\$12,012.07
56724	Dept of Retirement Systems Def Comp	11/14/2016		\$1,325.00
56725	Massnutral Retirement Services	11/14/2016		\$825.00
56726	Teamsters Local #58	11/14/2016		\$195.00
80726	Department of Health	11/17/2016		\$87.00
80727	Ostgaard, Loretta	11/18/2016		\$139.60
80728	Williams, David	11/18/2016		\$402.12
80729	Cutting, Jeff	11/18/2016		\$169.48
80730	Chinook Observer	11/15/2016		\$742.32
80731	Parker, Michael	11/16/2016		\$175.81
80732	Ellyson, Sue	11/16/2016		\$29.99
80733	Airgas USA LLC	11/18/2016		\$32.61
80734	AKS Engineering & Forestry	11/18/2016		\$559.76
80735	ALS ENVIRONMENTAL	11/18/2016		\$175.00
80736	Alisco-American Linen Div.	11/18/2016		\$125.88
80737	Astoria Janitor & Paper Supply	11/18/2016		\$226.86
80738	Astoria-Warrenton Area Chamber of Commerce	11/18/2016		\$186.00
80739	Berkadia Commercial Mortgage	11/18/2016		\$4,723.00
80740	BMC WELDING	11/18/2016		\$151.20
80741	BSK Associates	11/18/2016		\$625.75
80742	Calvert Technical Services	11/18/2016		\$1,733.40
80743	CenturyLink	11/18/2016		\$523.35
80744	Chevron & Texaco Business Card Services	11/18/2016		\$2,500.00
80745	Chinook Observer	11/18/2016		\$284.90
80746	Columbia Ford, Inc.	11/18/2016		\$167.87
80747	Consolidated Supply	11/18/2016		\$485.48
80748	Department of Health	11/18/2016		\$168.00
80749	Evergreen Septic Inc	11/18/2016		\$263.00
80750	Ferguson Enterprises, Inc #3007	11/18/2016		\$61.26
80751	Goelz, Doug	11/18/2016		\$3,849.16
80752	Goodyear Tire & Rubber Co.	11/18/2016		\$474.45
80753	Hach Company	11/18/2016		\$317.39
80754	Iron Mountain	11/18/2016		\$115.70
80755	K & L Supply, Inc.	11/18/2016		\$814.36
80756	Lawson Products, Inc.	11/18/2016		\$304.82
80757	Mrs. Stevens' ABC's	11/18/2016		\$100.00
80758	Neofunds By Neopost	11/18/2016		\$500.00
80759	Pacific Art & Office Supply	11/18/2016		\$61.57
80760	Pacific County Fire District #1	11/18/2016		\$171.18
80761	Pacific County Sheriff's	11/18/2016		\$410.00
80762	PAPE MACHINERY	11/18/2016		\$282.04
80763	Pocket Press Inc.	11/18/2016		\$179.80
80764	Pollardwater	11/18/2016		\$337.60
80765	Porter Foster Rorick LLP	11/18/2016		\$2,900.00





Number	Name	Print Date	Clearing Date	Amount
80766	Public Utility District 2	11/18/2016		\$1,939.31
80767	Solutions Yes	11/18/2016		\$167.22
80768	Standard Insurance Co.	11/18/2016		\$2,022.04
80769	State Auditor's Office	11/18/2016		\$325.85
80770	Tangly Cottage Garden	11/18/2016		\$459.00
80771	U. S. Cellular	11/18/2016		\$160.15
80772	Verizon Wireless	11/18/2016		\$320.08
80773	Visa	11/18/2016		\$3,926.82
80774	Wadsworth Electric	11/18/2016		\$1,241.60
80775	Western Display Fireworks	11/18/2016		\$1,500.00
80776	World Kite Museum	11/18/2016		\$287.68
	<b>Total</b>		<b>Check</b>	<b>\$127,919.89</b>
	<b>Grand Total</b>			<b>\$127,919.89</b>



**TAB - C**





**CITY COUNCIL  
AGENDA BILL  
AB 16-58**

**Meeting Date: November 21, 2016**

**AGENDA ITEM INFORMATION**

<b>SUBJECT:</b> Resolution 2016-09 approving the 2017-2022 Capital Facilities Plan for the City of Long Beach	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	AS
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
<b>COST:</b>	Water/Wastewater Supervisor	
	Other: Tourism & Events Coordinator	
<b>SUMMARY STATEMENT:</b> City staff, along with the Mayor have put together a 5-year plan outlining infrastructure needs. This plan covers the estimated potential cost, the year in which it should be replaced and the possible funding source. This plan serves as a guideline for upcoming projects.		
<b>RECOMMENDED ACTION:</b> To approve resolution 2016-09 establishing a Capital Facilities Plan for the city.		



**RESOLUTION NO. 2016-09**

**A RESOLUTION OF THE CITY OF LONG BEACH, WASHINGTON, ADOPTING THE SIX-YEAR CAPITAL FACILITIES PLAN FOR THE PERIOD 2017 through 2022**

**WHEREAS**, capital facilities plans are helpful in planning for capital expenditures and for the construction of public facilities; and

**WHEREAS**, capital facilities plans aid cities in developing the needed financing for capital expenditures and the construction of public facilities, and in the application for grants and loans from state and federal programs; and

**WHEREAS**, it is the intention of the City Council to revise the Six-Year Capital Facilities Plan on an annual basis and ensure it agrees with other related plans; and

**WHEREAS**, the City Council did hold a public hearing on the review of the 2017–2022 Capital Facilities Plan on the 21st day of November, 2016; and

**WHEREAS**, all comments to the 2017–2022 Capital Facilities Plan for capital expenditures and construction of public facilities within its jurisdictional boundaries were considered.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LONG BEACH, WASHINGTON, DOES RESOLVE AS FOLLOWS:**

The City Council of the City of Long Beach, Washington, approves and adopts the revised and extended Six-Year Capital Facilities Plan for the ensuing six calendar years for the period 2017 through 2022 referenced as Exhibit A and to be updated annually.

**Effective Date.** This resolution, being an exercise of power specifically delegated to the city legislative body, is not subject to referendum and shall take effect five (5) days after passage by the City Council.

**PASSED BY THE CITY COUNCIL OF THE CITY OF LONG BEACH, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 21<sup>ST</sup> DAY OF NOVEMBER, 2016.**

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

ABSENT \_\_\_\_\_

\_\_\_\_\_  
Jerry Phillips, Mayor

ATTEST:

\_\_\_\_\_  
Helen Bell, City Clerk





**A RESOLUTION OF THE CITY OF LONG BEACH, WASHINGTON, ADOPTING THE  
SIX-YEAR CAPITAL FACILITIES PLAN FOR THE PERIOD 2017 through 2022**

**EXHIBIT A**

<b>PROJECT/ITEM</b>	<b>COST</b>	<b>FUNDING YEAR</b>	<b>SOURCE FOR FUNDS</b>
<b>PARKS</b>			
<b>Rebuild Boardwalk</b>	<b>\$ 500,000</b>		<b>RCO / Lodging Taxes</b>
<b>Bolstad Restrooms</b>	<b>\$ 125,000</b>		<b>Lodging Taxes</b>
<b>Skate Park</b>	<b>\$ 400,000</b>		<b>Private Funding</b>
<b>STREETS</b>			
<b>So Wash from Sid Synder to City Limits (Asphalt/Sidewalks/Storm Drainage)</b>	<b>\$ 400,000</b>	<b>2018</b>	<b>Transportation Improvement Board, Property Taxes, Stormwater</b>
<b>No Blvd from 16th to 26th (Asphalt/Sidewalks/Storm Drainage)</b>	<b>\$ 400,000</b>	<b>2020</b>	<b>Transportation Improvement Board, Property Taxes, Stormwater</b>
<b>Post Office Oregon (Asphalt/Sidewalks/Storm Drainage)</b>	<b>\$ 60,000</b>	<b>2022</b>	<b>Transportation Improvement Board, Property Taxes, Stormwater</b>
<b>60 New Light poles</b>	<b>\$ 180,000</b>	<b>2020</b>	<b>Property Taxes, Capital Improvements</b>
<b>STORMWATER</b>			
<b>3rd Street water backup Generator</b>	<b>\$ 80,000</b>	<b>2019</b>	<b>Stormwater, TIB</b>
<b>3rd Street Water Pump Upgrade</b>	<b>\$ 60,000</b>	<b>2018</b>	<b>Stormwater, TIB</b>
<b>12th Street Water Pump Upgrade</b>	<b>\$ 60,000</b>	<b>2017</b>	<b>Stormwater, TIB</b>
<b>WASTEWATER</b>			
<b>Sludge Site (Site Logging/ Stump Removal/ New Fencing/ Gate at Site)</b>	<b>\$ 58,000</b>	<b>2017</b>	<b>City funds</b>



<b>Comprehensive Plan</b>	<b>\$ 100,000</b>	<b>2017</b>	<b>City funds</b>
<b>Collection System</b>			
<b>Lift Station Plumbing upgrades to 5 Stations</b>	<b>\$ 40,000</b>	<b>2018-2021</b>	<b>City funds</b>
<b>Manhole Lining</b>	<b>\$ 30,000</b>	<b>2017</b>	<b>City funds</b>
<b>Wastewater Plant</b>			
<b>Paving of Plant Yard</b>	<b>\$ 120,000</b>	<b>2020</b>	<b>Water, Sewer, Streets, Storm, General Fund</b>
<b>Bio Solids Sludge Handling Operation</b>	<b>\$1,000,000</b>	<b>2017</b>	<b>DOE/PWTF Low interest loans / City funds</b>
<b>WATER</b>			
<b>Distribution System</b>			
<b>Seaview System Upgrade</b>	<b>\$2,500,000</b>		<b>DOE/PWTF Low interest loans / City funds</b>
<b>No Long Beach System Upgrade</b>	<b>\$ 500,000</b>		<b>DOE/PWTF Low interest loans / City funds</b>
<b>Remote Read Meters (Long Beach/Seaview)</b>	<b>\$1,000,000</b>		<b>DOE/PWTF Low interest loans / City funds</b>



4

TAB - D





**CITY COUNCIL  
AGENDA BILL**

**AB 16 - 59**

**Meeting Date: November 21, 2016**

**AGENDA ITEM INFORMATION**

<b>SUBJECT: Setting Property Tax Rate for 2017 collections</b>	<b>Originator:</b>	
	Mayor	
	City Council	
	City Administrator	DG
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
<b>COST: N/A - Revenue</b>	Water/Wastewater Supervisor	
	Other:	
<b>SUMMARY STATEMENT:</b> The preliminary budget has been prepared with a 1.0% increase in property taxes, plus any new construction, banked amount and annexations. The amount of increase for 2017 is \$12,008 over the collections for 2016.		
<b>RECOMMENDED ACTION:</b> Approve resolution 2016-10 setting property tax rates.		





## **RESOLUTION 2016-10**

### **A RESOLUTION OF THE CITY OF LONG BEACH, WASHINGTON, SETTING THE 2017 PROPERTY TAX LEVY FOR COLLECTION IN 2017.**

**WHEREAS**, the City of Long Beach has met and considered its budget for the calendar year 2017; and

**WHEREAS**, the cities actual levy amount from the previous year was \$587,000; and,

**WHEREAS**, the population of the city is less than 10,000; and now, therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LONG BEACH, WASHINGTON**, that an increase in the regular property tax levy is hereby authorized for the levy to be collected in the 2017 tax year. The dollar amount of the increase over the actual levy amount from the previous year shall be \$12,008.00 which is a percentage increase of 2.0457% from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, any increase in the value of state assessed property, any annexations that have occurred and refunds made.

This would bring the city up to the highest available due to banked capacity last year.

**Passed** this 21<sup>st</sup> day of November, 2016.

Ayes \_\_\_\_ Nays \_\_\_\_ Absent \_\_\_\_

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MAYOR

ATTEST:

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City Clerk



## Levy Certification

In accordance with RCW 84.52.020, I, David Glasson, City Administrator for the City of Long Beach, do hereby certify to the Pacific County legislative authority that the Council of the City of Long Beach requests that the following levy amounts be collected in 2017 as provided in the city's budget, which will be adopted following a public hearing held on December 5, 2016.

Regular Levy : \$603,470.

Refund Levy: \$18,556.14

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City Administrator

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Date



Dear Taxing District:

Attached is your district's 2017 Preliminary Levy Limit (101%) Calculation. This is an estimate of your Highest Lawful Levy, New Construction and Assessed Value at this time. Utility values may not be received until November. This estimate gives you a good basis to use in your budget process.

Also enclosed is an example LEVY CERTIFICATION & RESOLUTION. The RESOLUTION sets your % of increase over last year, excluding the additional amounts from new construction, utilities and annexations. The LEVY CERTIFICATION is the total dollar amount you want to levy including these additional amounts and should match what is on your budget. If you use a different amount on your budget, it could possibly limit you to a lesser amount.

The example levy certification and resolution reflect what it would be if your district chooses to levy the Highest Lawful Levy. If your district chooses to levy a lesser amount, you'd need to recalculate the dollar amount and percentage on the example resolution. To calculate the percentage, divide what the district wants to levy by last year's actual levy (your actual levy is shown on the resolution already; don't use a different figure unless you confirm with us.) In addition to the percentage you also have to state the dollar amount of the increase. If you are using your own ordinance or resolution make sure you have both the percentage of increase and the dollar amount. If you'd like help with this or verification prior to your budget meeting, please don't hesitate to call *Becky Nissell @ 875-9300 Ext. 2210 or 642-9300 Ext. 2210.*

Blank Resolution and Levy Certification Forms are enclosed for your use, but an electronic fill-in format can be found at [www.dor.wa.gov](http://www.dor.wa.gov). We encourage the districts to use these available forms because they have all the necessary information and language. To find online, use the form number in the bottom left hand corner of the form or by name using "Levy Certification" and "Ordinance/Resolution".



# ESTIMATE

TAX YEAR: 2017  
LEVY LIMIT CALCULATION  
TAXING DISTRICT: CITY OF LONG BEACH  
(ANNEXED TO A LIBRARY)

A.	HIGHEST LAWFUL LEVY SINCE 1985	(2016)	593,077
	TIMES LEVY LIMIT - 101%	(+) 5930	= 599,008 1%
B.	VALUE OF THIS YEAR NEW CONSTRUCTION		1,295,200
	TIMES PREVIOUS YEARS LEVY RATE	2.286906 (+)	2,962 New Const
C.	CURRENT YEARS UTILITY VALUE		3,170,346
	LESS PREVIOUS YEARS UTILITY VALUE		3,170,346
	INCREASE IN UTILITY VALUE		0
	TIMES PREVIOUS YEARS LEVY RATE	2.286906 (+) 1500	0 Est Utilities
D.	A+B+C LEVY LIMITATION		601,970
			<u>603,470</u>
E.	ASSESSED VALUE ORIGINAL DISTRICT		0
	LEVY RATE ORIGINAL DISTRICT		0.000000
	ASSESSED VALUE ANNEXED AREA		0
F.	LEVY LIMITATION FOR ANNEXATION		0
G.	LEVY LIMITATION WITH ANNEXATION (D+F)		0
H.	AMOUNT REFUNDED OR TO BE REFUNDED		
I.	TOTAL LEVY CONTROLLED BY LEVY LIMITATION		601,970
J.	AMOUNT REQUESTED BY TAXING DISTRICT		
K.	LESSER OF ITEMS I & J		601,970

## TO CALCULATE LEVY RATE

LEVY	.....	601,970
AV	preliminary value →	258,505,579
RATE	.....	2.328653

Banked  
Capacity

ESTIMATE



**Ordinance / Resolution No. \_\_\_\_\_**  
**RCW 84.55.120**

**WHEREAS**, the \_\_\_\_\_ of \_\_\_\_\_ has met and considered  
(Governing body of the taxing district) (Name of the taxing district)  
its budget for the calendar year 2017; and,

*Example*

**WHEREAS**, the districts actual levy amount from the previous year was \$ 587,000.00; and,  
(Previous year's levy amount)

**WHEREAS**, the population of this district is ☐ more than or ☐ less than 10,000; and now, therefore,  
(Check one)

**BE IT RESOLVED** by the governing body of the taxing district that an increase in the regular property tax levy  
is hereby authorized for the levy to be collected in the 2017 tax year.  
(Year of collection)

The dollar amount of the increase over the actual levy amount from the previous year shall be \$ 12,008.00  
which is a percentage increase of 2.0457 % from the previous year. This increase is exclusive of  
(Percentage increase)

additional revenue resulting from new construction, improvements to property, newly constructed wind turbines,  
any increase in the value of state assessed property, any annexations that have occurred and refunds made.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_,

*This would bring dist up to highest available  
due to Banked Capacity last year  
(not inc. New Const & Utilities)  
which get added in on Levy Cert + Budget*

**If additional signatures are necessary, please attach additional page.**

This form or its equivalent must be submitted to your county assessor prior to their calculation of the property tax levies. A certified budget/levy request, separate from this form is to be filed with the County Legislative Authority no later than November 30<sup>th</sup>. As required by RCW 84.52.020, that filing certifies the total amount to be levied by the regular property tax levy. The Department of Revenue provides the "Levy Certification" form (REV 64 0100) for this purpose. The form can be found at: <http://dor.wa.gov/docs/forms/PropTx/Forms/LevyCertf.doc>.

To ask about the availability of this publication in an alternate format for the visually impaired, please call (360) 705-6715. Teletype (TTY) users, please call (360) 705-6718. For tax assistance, call (360) 534-1400.

ESTIMATE

## Levy Certification

**ESTIMATE**

Submit this document to the county legislative authority on or before November 30 of the year preceding the year in which the levy amounts are to be collected and forward a copy to the assessor.

*Example*

In accordance with RCW 84.52.020, I, \_\_\_\_\_,  
(Name)

\_\_\_\_\_, for \_\_\_\_\_, do hereby certify to  
(Title) (District Name)

the \_\_\_\_\_ County legislative authority that the \_\_\_\_\_  
(Name of County) (Commissioners, Council, Board, etc.)

of said district requests that the following levy amounts be collected in 2017 as provided in the district's  
(Year of Collection)

budget, which was adopted following a public hearing held on \_\_\_\_\_:  
(Date of Public Hearing)

Regular Levy: \$603,500.00  
(State the **total** dollar amount to be levied)

Excess Levy: \_\_\_\_\_  
(State the **total** dollar amount to be levied)

Refund Levy: \_\_\_\_\_  
(State the **total** dollar amount to be levied)

*Should match Budget and  
inc addtl amounts from  
New Const & Utilities*

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

10.12

TAB - E





**CITY COUNCIL  
AGENDA BILL  
AB 16 - 60**

**Meeting Date: November 21, 2016**

AGENDA ITEM INFORMATION		
<b>SUBJECT: 2017 Preliminary Budget Public Hearing</b>	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	DG
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
<b>COST:</b>	Water/Wastewater Supervisor	
	Other:	
<b>SUMMARY STATEMENT:</b> The city is required to have a public hearing regarding the preliminary budget. Anyone from the public is welcome to comment.		
<b>RECOMMENDED ACTION:</b> <i>Open the public hearing and allow the public to comment on the 2017 preliminary budget.</i>		





TAB F





**CITY COUNCIL  
AGENDA BILL**

**AB 16 - 61**

**Meeting Date: November 21<sup>st</sup>, 2016**

**AGENDA ITEM INFORMATION**

***SUBJECT: Use of the  
Long Beach Train Depot***

***Originator:***

Mayor  
City Council-Steven Linhart  
City Administrator  
City Attorney  
City Clerk  
City Engineer  
Community Development Director  
Finance Director  
Fire Chief  
Police Chief  
Streets/Parks/Drainage Supervisor

***COST:***

Water/Wastewater Supervisor  
Tourism & Events Coordinator

RM

***SUMMARY STATEMENT:*** Last year the Long Beach City Council chose to allow the Shoeboxes of Joy organizers to use the Long Beach Train Depot free of charge due to the large community service that they offer through this program. The Shoeboxes of Joy Committee would like to use the Train Depot November 21<sup>st</sup> – December 23<sup>rd</sup>, 2016 free of charge in hopes of being able to continue this much-needed community service. Over 3,000 individuals were provided service in 2015.

***RECOMMENDED ACTION:*** Approve request for Shoeboxes of Joy to use Train Depot free of Charge.



TAB 6





**CITY COUNCIL  
AGENDA BILL**

**AB 16-62**

**Meeting Date: November 21, 2016**

**AGENDA ITEM INFORMATION**

<b>SUBJECT: Fireworks contract for 2017</b>	<b>Originator:</b>	
	Mayor	
	City Council	
	City Administrator	DG
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Tourism and Events Coordinator	
<b>COST: \$18,000</b>	Water/Wastewater Supervisor	
	Other:	
<b>SUMMARY STATEMENT:</b> 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. Western Display Fireworks can offer a discount and provide more fireworks for the same amount of money if we agree to provide the show prior to them ordering the supplies to make them.		
<b>RECOMMENDED ACTION:</b> <i>Approve and authorize the Mayor to sign.</i>		





FIREWORKS DISPLAY PROPOSAL PRESENTED BY

WESTERN DISPLAY FIREWORKS LTD



City of Long Beach  
Long Beach 4<sup>th</sup> of July  
July 4, 2017



p.o. box 932 • canby oregon • 97013  
office 503.656.1999 • fax 503.656.6628  
info@westerndisplay.com



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## Fireworks Display Proposal Summary

City of Long Beach

Long Beach 4th of July

July 4, 2017

Your display proposal includes the following services to be provided by Western Display Fireworks, Ltd:

- Provide display liability insurance with sponsors and property owners listed as additional insured
  - \$5,000,000 (per occurrence) general liability
- Prepare the Washington State Display permit application to be approved by the local fire authority
- Provide transportation by a properly licensed vehicle and a CDL hazmat driver for all pyrotechnics to the temporary storage area (city shops)
- Provide transportation of equipment to and from the display site
- Provide \$5,000,000 commercial auto insurance to cover transportation
- Supply all necessary labor to conduct the display including a state certified pyrotechnician, assistant and crew covered under worker's compensation insurance
- Supply all pyrotechnics as listed on the attached detailed proposal
  - Complimentary products have been included in your display for signing the 2016-2018 Multi-Year Contract Addendum. These items include (8) spectacular 24-100 count multi-shot boxes.
- Provide all necessary mortars and firing equipment required to pre-load and fire the display



p.o. box 932 • canby • oregon 97013 • office 503.656.1999 • fax 503.656.6628 • [info@westerndisplay.com](mailto:info@westerndisplay.com)



# WESTERN DISPLAY FIREWORKS LTD

## SHOW SCRIPT

Long Beach, City of  
PO Box 310  
Long Beach, WA 98631

Event Date: 7/4/2017  
Proposal #: 17-5411  
Show Name: Long Beach 4th of July

Quantity	Description
----------	-------------

- |   |   |
|---|---|
| 1 | SHOW OPENER   |
| 1 | 2.5" (30 Shot) Fanned Silver Palm Tree / Purple Strobe / Green Crackling Flower w/Silver Tail |
| 1 | 3" (10) Titanium Salutes w/Glitter Tail   |
| 1 | 4" (5) Blue w/Purple & Green Sun & Palm Core w/Tail   |
| 3 | 5" Green Crackling Willow Flower w/ Green Strobe Pistil                                       |
| 1 | MAIN SHOW   |
| 1 | FOUR INCH SHELLS  |
| 2 | 4" (36) Sunny Assortment Package V25  |
|   | 4" Yellow Peony (2ea)   |
|   | 4" Red to Blue Peony w/ Tail (2ea)  |
|   | 4" Blue to Silver Peony (2ea)   |
|   | 4" Purple Dahlia (2ea)  |
|   | 4" Lemon Dahlia (2ea)   |
|   | 4" Orange Dahlia w/Silver Tail (2ea)  |
|   | 4" Red Coconut (2ea)  |
|   | 4" Yellow Chrysanthemum (2ea)   |
|   | 4" Blue Chrysanthemum (2ea)   |
|   | 4" Green Chrysanthemum (2ea)  |
|   | 4" Purple Chrysanthemum (2ea)   |
|   | 4" Blue Willow (2ea)  |
|   | 4" Orange to Green Bees (2ea)   |
|   | 4" Red to Silver Bees (2ea)   |
|   | 4" Purple Coconut (2ea)   |
|   | 4" Gold to Silver Diamond (2ea)   |
|   | 4" Orange Bee (2ea)   |
|   | 4" Red Bee (2ea)  |
| 1 | 4" (36) Sunny Meteor Assortment Package   |
|   | 4" Red & Green Peony w/Silver Tail (2ea)  |
|   | 4" Half Red & Half Blue Chrysanthemum (2ea)   |
|   | 4" Red to Blue Peony w/Strobe Pistil (2ea)  |
|   | 4" Christmas Dahlia (assorted dahlia) w/Silver Tail (2ea)                                     |
|   | 4" Lemon & Purple Dahlia (2ea)  |
|   | 4" Glitter Coconut (2ea)  |
|   | 4" Red & Blue Peony to White Strobe w/Tail (2ea)  |
|   | 4" Red & Spangle (2ea)  |
|   | 4" Red & Green Dahlia Ring w/Tail (2ea)   |
|   | 4" Variegated Color w/Tail (2ea)  |
|   | 4" Crackling Willow Flower w/Strobe Pistil (2ea)  |
|   | 4" Green & Purple & Gold Strobe (2ea)   |
|   | 4" Silver Brocade w/Green Strobe Pistil w/Tail (2ea)  |
|   | 4" Super Gold Brocade to Red w/Tail (2ea)   |
|   | 4" White Strobe Flitter & Blue w/Tail (2ea)   |
|   | 4" Green Strobe Glitter & Blue w/Glitter Tail (2ea)   |
|   | 4" Orange to Popping Flower w/Silver Tail (2ea)   |
|   | 4" Charcoal Crackling Chrysanthemum & Red w/Tail (2ea)  |

# WESTERN DISPLAY FIREWORKS LTD

## SHOW SCRIPT

Proposal #: 17-5411

### Quantity Description

- 
- |   |  |
|---|--|
| 1 | <p>4" (36) Sunny Assortment Package B 2016</p> <p>4" Variegated Peony w/Silver Tail (2ea)</p> <p>4" Blue to Silver Strobe (2ea)</p> <p>4" Purple Dahlia (2ea)</p> <p>4" Green &amp; Purple Dahlia w/Tail (2ea)</p> <p>4" Red &amp; Green Palm (2ea)</p> <p>4" Red Chrysanthemum w/Silver Palm w/Tail (2ea)</p> <p>4" Glitter Silver to Red Chrysanthemum (2ea)</p> <p>4" Silver Palm Ring w/Red &amp; Green Tip (2ea)</p> <p>4" Red to Blue Peony w/Silver Palm Core w/Tail (2ea)</p> <p>4" Variegated Color w/Tail (2ea)</p> <p>4" Red Tip w/Crackling Tail w/Tail (2ea)</p> <p>4" Green Strobe Willow &amp; Purple w/Tail (2ea)</p> <p>4" Purple Glitter to Silver Strobe w/Tail (2ea)</p> <p>4" Blue to Twinkling Kamuro w/Tail (2ea)</p> <p>4" Red Glitter w/Big Silver Palm w/Tail (2ea)</p> <p>4" Red &amp; Blue &amp; Spangle w/Tail (2ea)</p> <p>4" Purple to Popping Flower (2ea)</p> <p>4" Gold Strobe to Green w/ Silver tail (2ea)</p> |
| 1 | <p>4" (36) Sunny Assortment Package C 2016</p> <p>4" Sky Blue Peony w/ Tail (2ea)</p> <p>4" Red Glitter w/Tail (2ea)</p> <p>4" Red to Silver Strobe w/Silver Tail (2ea)</p> <p>4" Purple Saturn w/Glitter Silver to Red Circle (2ea)</p> <p>4" Christmas Dahlia (assorted dahlia) w/Silver Tail (2ea)</p> <p>4" Blue to Purple Palm w/ Red Tail (2ea)</p> <p>4" Golden Wave to Blue Chrysanthemum (2ea)</p> <p>4" Yellow Wave to Crackling Spider w/ Silver Tail (2ea)</p> <p>4" Orange Glitter Tail w/Tail (2ea)</p> <p>4" Variegated Color w/Tail (2ea)</p> <p>4" Red to Popping Flower (2ea)</p> <p>4" Green to Gold Strobe w/ Silver Tail (2ea)</p> <p>4" Yellow to Green Strobe w/Tail (2ea)</p> <p>4" Purple Tail Peony w/ Silver Tail (2ea)</p> <p>4" Purple Tail Peony w/ Silver Tail (2ea)</p> <p>4" Purple to Gold Brocade w/Tail (2ea)</p> <p>4" Green to Popping Flower (2ea)</p> <p>4" Silver to Popping Flower (2ea)</p>             |



# WESTERN DISPLAY FIREWORKS LTD

## SHOW SCRIPT

Proposal #: 17-5411

### Quantity Description

---

- 1 4" (36) Vulcan Misc Assortment 2013
  - 4" Half Twilight Glitter to Blue Half Twilight Glitter to Red Peony w/ Silver Tail (2ea)
  - 4" Blue & White Strobe Pistil & 2 Brocade Rings w/ Gold Tail (2ea)
  - 4" Blue to Red w/ Red to White Strobe Pistil & Midnight Snow Double Ring (2ea)
  - 4" Purple to Crackling Rain w/ Green to Crackling Rain Pistil and Crackling Tail (2ea)
  - 4" Twilight Glitter to Sapphire Blue Chrysanthemum w/ Ruby Red Pistil (2ea)
  - 4" Twilight Glitter to Cardinal Purple Chrysanthemum w/ Pearly White Pistil (2ea)
  - 4" Gold Willow Crown w/ Gold Tail (2ea)
  - 4" Typhoon Palm w/Crackling Tail (2ea)
  - 4" Green Glitter Palm w/ Gold Tail & Orange Pistil (2ea)
  - 4" Silver Flying Go Getters (2ea)
  - 4" Crossed Silver Ring w/ Crackling Rain Pistil and Crackling Tail (2ea)
  - 4" Stacked Color Bands w/ Whistle Tail (2ea)
  - 4" White Strobe Crisscross w/ Whistle Tail (2ea)
  - 4" Golden Rain Crossette w/ Gold Tail (2ea)
  - 4" Sunflower: Yellow Cascade Ring w/ Purple Pistil (2ea)
  - 4" Stained Glass (2ea)
  - 4" Starfish Twinkling Silver w/ Silver Tail (2ea)
  - 4" Purple Gold Plume (2ea)
- 3 4" Green Chrysanthemum
- 3 4" Purple Chrysanthemum
- 3 4" Variegated Chrysanthemum
- 3 4" Artillery Titanium
- 3 4" Pink & Glitter Palm Core
- 3 4" Red Chrysanthemum w/ Silver Palm w/ Tail
- 3 4" Glitter Coconut
- 3 4" Red & Blue & White w/Strobe Trail
- 3 4" Brocade Crown w/Variegated Pistil
- 3 4" Purple Crossette
- 2 4" Variegated Colors to Crackling Flower
- 2 4" Red Strobe
- 2 4" White w/Purple-Green Sun & Palm Core
- 2 4" Silver Crackling Palm w/Crackling Tail
- 2 4" White Twinkling Chrysanthemum
- 2 4" Red Crossette
- 2 4" Gold Strobe to Crackling Flower
- 2 4" Blue Peony w/ Silver Palm w/ Tail
- 2 4" Gold Glitter Strobe Chrysanthemum w/White Strobe & Tail
- 2 4" Purple Weeping Willow w/White Scatter
- 2 4" Gold Tiger Tail w/Blue Willow
- 2 4" Twice Crackling Rain
- 2 4" Half Aqua to Crackling Rain/Half Orange to Crackling Rain
- 2 4" Twilight Glitter w/ Red Pistil
- 2 4" Brocade w/ Orange Pistil (Long Duration)
- 2 4" Pixie Dust Willow w/Red Pistil (Long Duration)
- 1 FIVE INCH SHELLS

# WESTERN DISPLAY FIREWORKS LTD

## SHOW SCRIPT

Proposal #: 17-5411

### Quantity Description

- 2 5" (18) Sunny Assortment Package V25
  - 5" Red Peony
  - 5" Yellow Peony
  - 5" Orange Peony
  - 5" Blue Glitter
  - 5" Variegated Glitter
  - 5" Green Dahlia
  - 5" Purple Dahlia
  - 5" Red Crossette
  - 5" Orange Crossette
  - 5" White Chrysanthemum
  - 5" Purple to Super Gold Flitter
  - 5" Glitter Silver to Yellow Chrysanthemum
  - 5" Silver Wave to Blue Chrysanthemum
  - 5" Blue Chrysanthemum to Crackling Flower w/ Red Pistil
  - 5" Red to Popping Flower
  - 5" Green to Popping Flower
  - 5" Blue to Red Chrysanthemum
  - 5" 4 Color Change Chrysanthemum
- 1 5" (18) Vulcan 2016 Stock Assortment VS5-AST
  - 5" Cardinal Purple Peony
  - 5" Orange Peony
  - 5" Sapphire Blue Peony
  - 5" Sapphire Blue Peony
  - 5" Crystal Cascade (Yellow) to Grasshopper Green Peony
  - 5" Twilight Glitter to Sapphire Blue Peony
  - 5" Ruby Red to White Strobe Peony
  - 5" Red to Crackling Rain & Crackling Rain Pistil w/ Crackling Tail
  - 5" Twilight Glitter w/ Blue Pistil
  - 5" Twilight Glitter w/ Multicolor Pistil
  - 5" Cardinal Purple to Grasshopper Green Chrysanthemum
  - 5" Pixie Dust Willow to Multicolor w/ white Strobe Pistil
  - 5" Willow to Multicolor
  - 5" Orange to Yellow Go Getters
  - 5" Red to Silver Go Getters
  - 5" White Strobe
  - 5" Weeping Gold to Green
  - 5" Ruby Red to Brocade w/ Red to Crackling Rain Pistil
- 2 5" Red Chrysanthemum w/ Silver Palm w/ Tail
- 2 5" Green Chrysanthemum
- 2 5" Red Chrysanthemum
- 2 5" Variegated Chrysanthemum
- 2 5" Double Pistil Half Color Chrysanthemum
- 2 5" Variegated Colors to Crackling Flower
- 2 5" Brocade to White Strobe



# WESTERN DISPLAY FIREWORKS LTD

## SHOW SCRIPT

Proposal #: 17-5411

### Quantity Description

- 
- 2 5" Silver Bees & Purple Bees & Blue Moving Stars
  - 2 5" Blue Peony w/ Silver Palm w/ Tail
  - 2 5" White Strobe Waterfall
  - 2 5" Red Strobe
  - 2 5" Bright Gold Twinkling Chrysanthemum w/ Blue Pistil
  - 2 5" Tourbillion w/Report & Gold Rain Comet
  - 2 5" Golden Whirl w/Report & Twilight Glitter
  - 2 5" Half Purple to Crackling Rain/Half Green to Crackling Rain
  - 2 5" Twilight Glitter w/ Red Pistil
  - 2 5" Purple Go Getters
  - 2 5" Sweeper Ring Purple (Purple to Gold Wave)
  - 2 5" Multi Color to Brocade (Long Duration)
  - 2 5" Pixie Dust Willow w/ Aqua Pistil (Long Duration)
  - 1 MID SHOW VOLLEY
  - 1 2.5" (30 Shot) Fanned Long Golden Tail & Golden Rain Bombard (Long Duration)
  - 1 2.5" (30 Shot) Fanned Fuchsia Magic Peony / Turquoise Peony / Silver Palm Tree w/Silver Tail
  - 1 2.5" (25 Shot) Fanned Three Color Kamuro w/ Gold Tail
  - 1 3" (25 Shot) Gold to Popping Flower / Blue to Popping Flower / Green Strobe Flitter w/Gold Tail
  - 1 3" (25 Shot) Fanned Assorted Bowtie..Assorted Colors of Red, Green, Purple, Yellow, Blue Ring + Gold Wave..Bowties w/ Twice Crackling Rain
  - 1 3" (24 Shot) Fanned Turquoise Peony / Orange Shiny Peony / Silver Palm w/Tourbillion Tail
  - 5 4" Variegated Crossette
  - 5 4" Half Yellow to Crackling Rain/Half Purple to Crackling Rain
  - 1 5" (3) Variegated Tip w/Silver Strobe Willow w/Gold Tail
  - 3 5" Multi Color Chrysanthemum w/ Whistle Tail
  - 1 GRAND FINALE 1
  - 2 3" (24 Shot) Fanned Red & Blue Magic Peony / Silver Palm Tree w/Tail
  - 1 GRAND FINALE 2
  - 1 2.5" (30 Shot) Fanned Red & Blue Magic Peony / Silver Palm Tree w/Tail
  - 2 3" (25 Shot) Red Tip w/Silver Strobe Willow / Blue & Glitter Silver / Silver Coconut w/Red & Blue Tip w/Silver Tails
  - 1 GRAND FINALE 3
  - 3 3" (10) Red to Crackling Willow / White Strobe Flitter & Blue w/Silver Tail
  - 2 4" (5) Red & Blue & White Strobe Trail / Artillery Titanium w/Silver Tail
  - 2 5" (3) Blue to Silver Diamond w/Red Strobe Pistil w/Silver Tail
  - 1 MISC SUPPLIES
  - 10 20 Minute Fusee w/ Handle
  - 30 Match Fuse for Packing - By the Foot
  - 8 Earplugs
  - 8 Safety Glasses
  - 2 Foil - Small
  - 2 1" x 60yd Masking Tape - Roll
  - 2 Rubber Bands (Bag of 350)

## DISPLAY AGREEMENT AND PURCHASE ORDER

**THIS AGREEMENT** ("Agreement") is entered into on this \_\_\_\_ day of \_\_\_\_\_, 2016 by and between Western Display Fireworks, Ltd., an Oregon corporation, whose address is set forth above, ("Western") and City of Long Beach, whose address is PO Box 311, Long Beach, WA 98361 ("Sponsor"). Western and Sponsor are sometimes individually referred to as a "Party" and collectively as the "Parties."

In consideration of the mutual terms and conditions set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. **Proposal.** Western agrees to supply, and Sponsor agrees to pay for, a fireworks display on the following designated date(s) and location: July 4, 2017 from the beach between Bolstad & Syd Snyder Dr, Long Beach, WA 98361, as detailed in Proposal #17-5411, which is attached hereto and incorporated herein by this reference, (the "Display") in accordance with the program approved by both Parties.
2. **Price and Payment Terms.** Total price of EIGHTEEN THOUSAND DOLLARS AND NO/100 (\$18,000.00) is to be paid as follows: 25% of the total price, \$4,500.00 is due by MAY 1, 2017; the remaining balance of the price, \$13,500.00, is due in full on or before July 14, 2017. Interest will accrue at 1½% per month (an annual percentage rate of 18% per annum) on all unpaid amounts from the date on which the payment was due.
3. **Western Duties.** As part of the total price Western agrees to the following:
  - a. To supply all shells and other pyrotechnics listed on the Proposal;
  - b. Mortars, firing equipment and all other required materials necessary to perform its services hereunder;
  - c. Proper delivery, set-up, firing and presentation by pyrotechnic operator and crew covered under workers compensation insurance;
  - d. To remove all equipment and spent pyrotechnic devices and clean up debris from the immediate Display site. Sponsor acknowledges that additional debris may remain in the fallout zone after Western's responsibilities of Display site cleanup have been completed; and
  - e. To comply with all local and federal guidelines and obtain any necessary permits to perform the Display, unless otherwise notes in Sponsor duties.
4. **Sponsor Duties.**
  - a. Sponsor shall comply with all duties as detailed under the Compliance with Laws/Sponsor Responsibilities portion of this Agreement;
  - b. Sponsor to provide at least 3 monitors for security and crowd control during show setup, execution and cleanup; and
  - c. Sponsor to provide back hoe and operator to dig trenches as directed by the pyrotechnician.
5. **Insurance.** Western agrees to provide, at its expense, commercial general liability insurance coverage in an amount not less than \$5,000,000. If requested in writing, Western shall provide Sponsor with a certificate of insurance within two weeks of the Display. All entities/individuals listed on the certificate of insurance will be deemed as additional insured pursuant to this Agreement.



- 
6. **Indemnification.** Western agrees to indemnify, defend, and hold harmless the Sponsor, its agents and employees, and those entities/individuals listed on the certificate of insurance, from and against all claims, costs, judgments, damages and expenses, including reasonable attorney fees that directly arise from the performance of the fireworks to the extent that such are occasioned by an act or omission of Western, its agents and employees. Sponsor agrees to indemnify, defend, and hold harmless Western, its agents and employees from and against all claims, costs, judgments, damages and expenses, including reasonable attorney fees that arise from the performance of the fireworks to the extent that such are occasioned by any act or omission of Sponsor, its agents and employees. Each Party agrees to give the other Party prompt notice of any claims. Neither Party shall be responsible for consequential damages.
7. **Compliance with Laws.**
- a. Sponsor Responsibilities: In accordance with NFPA 1123 Outdoor Display of Fireworks 2010 Edition (National Fire Protection Association) 4-1.1.1, Sponsor has consulted with the Authority Having Jurisdiction to determine the level of fire protection required to provide adequate fire protection for the Display and Western agrees that such consultation was accomplished and the level of fire protection is adequate for the size of show this Agreement outlines. It is further agreed that in accordance with NFPA 1123 4-1.2, Sponsor shall provide an adequate number of monitors whose sole duty shall be the enforcement of crowd control located around the Display area during the Display and until the discharge site has been inspected by Western's pyrotechnic operator after the Display.
  - b. Western's Responsibilities: Western shall secure and maintain any and all licenses, permits or certificates that may be required by any regulatory body having jurisdiction over the materials or performance of the services herein contemplated unless otherwise noted above in Sponsor duties. Western shall exercise full and complete authority over its personnel, shall comply with all workmen's compensation, employer's liability and other federal, state, county and municipal laws, ordinances, rules and regulations required of an employer performing such services, and shall make all reports and remit all withholdings or other deductions from the compensation paid its personnel as may be required by any federal, state, county or municipal law, ordinance, rule or regulation. Western is responsible to insure that all materials and services supplied under this Agreement comply with all laws, rules and regulations of the State and the federal government relating thereto.
8. **Cancellation/Rescheduling by Sponsor.** If the Display is cancelled by the Sponsor after receipt of this signed Agreement but prior to departure from Western's facility, Sponsor agrees to pay 25% of the total price (\$4,500.00) for restocking and costs incurred. If the Display is cancelled by the Sponsor after departure from Western's facility, Sponsor agrees to pay 50% of the total price (\$9,000.00). If the Display is cancelled by the Sponsor after the physical show setup is complete, Sponsor agrees to pay 100% of the total price (\$18,000.00). If the Sponsor elects to reschedule the Display for an alternate mutually agreeable date, Western agrees to facilitate this rescheduling and Sponsor agrees to reimburse Western for new permit and other additional costs associated with this change.
9. **Safety / Weather Forced Cancellation.** Western agrees that it shall be the responsibility of the pyrotechnic operator in charge, acting on Western's behalf or the Authority Having Jurisdiction, to cancel or delay the Display if in the operator's judgment circumstances beyond the control of either

Party pose an extraordinary risk to the health and safety of any persons or property within the vicinity of the Display.

If the product has been damaged as an attempt to execute the Display and cannot be safely reused, 100% of the price is due and Western has no further obligation under this Agreement. If the product is intact and reusable, Western agrees to store the product and execute the Display on a mutually agreeable future date. Sponsor agrees to reimburse Western for reasonable costs associated with the rescheduling of the event.

10. **Force Majeure.** Sponsor assumes the risks of weather, strike, civil unrest, terrorism, military action, governmental action, and any other causes beyond the control of Western which may prevent the Display from being safely performed on the scheduled date, which may cause the cancellation of the event for which Sponsor has purchased the Display, or which may affect or damage such portion of the Display as must be replaced and exposed a necessary time before the Display.
11. **Product Performance.** Sponsor recognizes and acknowledges that due to 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.
12. **Limitation on Damages.** In the event that Sponsor claims that Western has breached this Agreement or was negligent in performing its duties hereunder, Sponsor shall not be entitled to claim or recover monetary damages from Western beyond the amount that Sponsor has paid Western under this Agreement and shall not be entitled to a claim for or recover of consequential damages from Western, including, but not limited to, damages for lost income, business, or profits. Additionally, Western's liability for matters covered by the insurance set forth herein shall be limited to the limits of said insurance.
13. **Time.** Time is of the essence in this agreement. The Parties expressly recognize that in the performance of their respective obligations, each Party is relying on timely performance by the other Party and will schedule operations and incur obligations to third parties in reliance upon timely performances by the other Party and may sustain substantial losses by reason of any failure of timely performance.
14. **Independent Contractor/No Joint Venture.** The Parties agree that Western is an independent contractor, and is not an agent or employee of Sponsor for any purpose. It is further agreed that Western's employees shall be, and remain, the employees of Western and not of Sponsor. Nothing in this Agreement or the actions of Western or Sponsor shall be construed as forming a partnership or joint venture between Sponsor and Western.
15. **Attorney Fees.** In the event that either Party to this Agreement shall enforce any of the provisions hereof by any action at law or in equity, the unsuccessful Party to such litigation agrees to pay to the prevailing Party all costs and expenses, including reasonable attorney fees, incurred therein by the prevailing Party.
16. **Jurisdiction.** This Agreement shall be governed in all respects, whether as to validity, construction, capacity, performance or otherwise, by the laws of the State of Oregon applicable to contracts.

17. **Severability.** In the event a court of competent jurisdiction determines that any provision of this Agreement is in violation of any statute, law, rule, regulation, ordinance or public policy, then the provisions of this Agreement that violate such statute, law, rule, regulation, ordinance or public policy shall be stricken or modified to the extent that such provision no longer violates such statute, law, rule, regulation, ordinance or public policy. All provisions of this Agreement that do not violate any statute, law, rule, regulation, ordinance or public policy shall continue in full force and effect for all purposes. Furthermore, any court order striking or modifying any provision of this Agreement shall modify or strike the provision in as limited a manner as possible to give as much effect as possible to the intentions of the Parties to this Agreement.
18. **Survival.** The terms of paragraphs 5, 6, 12, 15, and 16 shall survive the cancellation or termination of this Agreement.
19. **Entire Agreement.** This Agreement sets forth the entire agreement and understanding between the Parties hereto respecting the matters within its scope and may be modified only in writing signed by both of the Parties hereto.

The pricing and product offered in the Proposal shall remain firm if this Agreement is mutually executed by both Parties on or before December 2, 2016.

**Sponsor**

**Western Display Fireworks, Ltd.**

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

By: Heather J. Gobet  
Its: President  
Date: \_\_\_\_\_



TAB H



## **Invitation to Participate in the Pacific County Site Reuse and Revitalization Program Community-Wide Kick-Off Meeting**

Pacific County, in conjunction with the Port of Willapa Harbor, Port of Ilwaco, Port of Chinook and the Cities, is currently preparing an application for up to \$600,000 in brownfield grant funding for the reuse and revitalization of properties throughout Pacific County. The grant application will be submitted to the United States Environmental Protection Agency (U.S. EPA) in December 2016, and funding will be awarded during the spring of 2017. The County and its partners are soliciting Tribes, community-based organizations, and the general public for support and involvement in the grant application process and the development of a sustainable site revitalization program.

A revitalization opportunity site is defined broadly by the U.S. EPA as "abandoned, idled or under-used property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant." The U.S. EPA grants support five general types of activities – all of which are relevant to our revitalization initiatives:

- Conducting a community-wide inventory of potential sites;
- Identifying priority opportunity sites and conducting assessment activities;
- Conducting cleanup and reuse planning;
- Community outreach; and
- Planning for revitalization of priority areas or corridors.

Additional sources of State or Federal funding will be sought for cleanup work. The goal of the U.S. EPA program is to turn underutilized sites from community blight to community benefit, restoring them to safe, viable properties that contribute to the economic wellbeing of the community.

Two public meetings have been scheduled to gather community input. The meeting in "north county" will be held from 11-12 on Wednesday, November 30<sup>th</sup> in Room 110 at the Grays Harbor College-Riverview Education Center. The "south county" meeting is scheduled from 2-3 on Wednesday, November 30<sup>th</sup> at the Ilwaco Community Center located at 158 1<sup>st</sup> Avenue in Ilwaco. The purpose of these meetings is to provide basic information on the site reuse and revitalization program, explain the grant application process, solicit community support and initiate a discussion of priority reuse and revitalization opportunities throughout the county. Typical properties that are eligible for use of this funding include (but are not limited to):

- |   |  |
|---|--|
| • Former gas stations   | • Methamphetamine labs                                 |
| • Former dry cleaners   | • Former industrial sites                              |
| • Former automotive repair shops                              | • Old manufacturing plants                             |
| • Old dumps or landfills                                      | • Old foundry companies                                |
| • Old salvage yards   | • Former paper products manufacturing                  |
| • Any type of buildings with asbestos and/or lead-based paint | • Former battery manufacturing or recycling facilities |

We look forward to your participation! We would appreciate if you could let us know if you, or your representative plan to attend the meeting.

For more information, please contact:

Kathy Spoor, CAO  
360 875-9334  
kspoor@co.pacific.wa.us

