



TOWN OF LA CONNER

NOTICE OF AND CALL FOR A SPECIAL MEETING OF THE LA CONNER TOWN COUNCIL

MAYOR

RAMON HAYES

COUNCIL

ANNE TAYLOR

IVAN CARLSON

RICK DOLE

MARYLEE CHAMBERLAIN

MARY WOHLEB

ADMINISTRATOR

SCOTT THOMAS

FINANCE DIRECTOR

MARIA DEGOEDE

PLANNING DIRECTOR

MICHAEL DAVOLIO

PUBLIC WORKS DIRECTOR

BRIAN LEASE

DEPUTY CLERK

ANDREA MOORE

PLANNING ASSIST.

DANIELLE FREIBERGER

ATTORNEY

SCOTT THOMAS

SEWER TREATMENT PLANT

KELLY WYNN

LAW ENFORCEMENT

SGT. BEAU MONTGOMERY

FIRE CHIEF

AARON REINSTR

DATE: Tuesday, June 7, 2022

TIME: 6:00 p.m.

PLACE: Upper Maple Center & by Zoom (Information provided below)

The undersigned Mayor of the Town of La Conner is hereby calling for and providing notice of a special meeting in accordance with RCW 42.30.080.

AGENDA

The purpose of this meeting is for:

- Public Comment
- Agreement with DEA for Engineering Services
- Public Works – Birch Equip. Generator Quote
- Intern Assignment
- Resolution – Recognition of Juneteenth
- Resolution – MOU – Teamsters
- Revision of Personnel Policy No. 412 - Juneteenth
- Letter from Student Citizen to Mayor Hayes
- Cancellation of the June 14, 2022, Council Meeting & Approval of the Finance Committee to approve and sign Payroll and Claims
- Executive Session – Real Estate Acquisition

Ramon Hayes, Mayor

This notice will be posted at Town Hall on June 3, 2022 and on the Town website.

Distribution:

Councilmembers: Anne Taylor
Ivan Carlson
Rick Dole
MaryLee Chamberlain
Mary Wohleb

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WWW.TOWNOFLACONNER.ORG

Join Zoom Meeting – This meeting will be recorded

<https://us02web.zoom.us/j/89765512678?pwd=L0kwdFpaNXNQdmFTZk0zcXpYc2RJdz09>

Meeting ID: 897 6551 2678

Passcode: c36SgM

One tap mobile

Phone Number: 1-253-215-8782

Meeting ID: 897 6551 2678

Passcode: 575248

Find your local number: <https://us02web.zoom.us/j/89765512678>

Special Meeting Items

- 1) **Agreement with DEA for Engineering Services**
- 2) **Public Works – Birch Equipment Generator Quote**
- 3) **Intern Assignment – No Insert**
- 4) **Resolution – Recognition of Juneteenth**
- 5) **Resolution – MOU – Teamsters**
- 6) **Revision of Personnel Policy No. 412 - Juneteenth**
- 7) **Letter from Student Citizen to Mayor Hayes – No Insert – Mayor Hayes will Read Letter**
- 8) **Cancellation of the June 14, 2022 Council Meeting – No Insert**
- 9) **Executive Session – Real Estate Acquisition – No Insert**

Agreement with DEA for Engineering Services

AUTHORIZATION FOR SERVICES



TO: Evan Henke
David Evans and Associates, Inc.
2106 Pacific Avenue, Suite 400
Tacoma, WA 98424

DATE: May 16, 2022

PROJECT NO.: 2220418.20

PROJECT NAME: Moore Clark Building Assessment

EMAIL: Evan.Henke@deainc.com

SUBJECT: Authorization for Engineering Services

SERVICES PROVIDED:

Civil Engineering Structural Engineering Land Use Planning Landscape Architecture Land Surveying

DESCRIPTION OF WORK:

Thank you for the opportunity to submit this proposal for structural engineering services for the Moore Clark Building Assessment project. Our understanding of the desired scope of services is based on phone conversations with Evan Henke of David Evans and Associates (DEA) and review of several photographs of the existing building.

Our scope of services is listed below and includes performing a site visit to the Moore Clark Building located along the waterfront in La Conner, Washington, near the apparent intersection of 1st Street and Caledonia Street, to visually assess the structural integrity of the existing building. The building is approximately 140 feet by 112 feet in plan and 58 feet tall, and has been vacant for approximately 30 years. The building is wood-framed and appears to be in poor condition, based on photographs provided by Town of La Conner via DEA. The purpose of our assessment is to evaluate whether the existing building in its current condition would be considered a dangerous building, as defined and evaluated in accordance with structural related content from Section 302 of the Uniform Code for the Abatement of Dangerous Buildings, 1997 edition.

Structural Building Assessment

1. Coordinate with Town of La Conner and DEA as required for site visit access and any available existing building drawings.
2. Review any available existing building drawings provided by Town of La Conner.
3. Review Uniform Code for the Abatement of Dangerous Buildings, 1997 edition, for the purpose of assessing whether the existing Moore Clark Building should be considered a dangerous building, as defined within this document.
4. Visit the site to observe, verify, and/or supplement information noted on the existing drawings. This work is limited to review of structural members and connections that are easily visible and accessible. Included is taking limited measurements of typical structural framing members to assist in the evaluation described in Item 5 below. This scope of work allows 6 hours for a senior licensed structural engineer and assisting junior engineer to visit the site, including travel time.
5. Perform a cursory structural evaluation of limited structural framing members to evaluate structural related dangerous building criteria, as listed in Sections 3 through 11 and 14 of Section 302 of the Uniform Code for the Abatement of Dangerous Buildings, 1997 edition. Included are limited wind and gravity (dead + snow) tributary load calculations to evaluate typical structural members observed to be distressed or considered to be overloaded.
6. Prepare a structural memo describing the condition of the existing structural framing systems and lateral force resisting systems based on our visual assessment. The structural memo will identify any major deficiencies and/or deterioration that is observed, as well as comment on the overall soundness of the building, including findings related to specific criteria from Section 302 of the Uniform Code for the Abatement of Dangerous Buildings, 1997 edition.



- 7. Answer questions from the Town of La Conner attorney or Public Works Director related to findings presented in memo.

Optional Services

Expert Witness Testimony

Expert witness testimony, including any required depositions, review of legal document responses, etc., will be billed on a time and expense basis at a rate two times our standard hourly rates, as presented below. Note we expect to bill for this time whether called or deposed by plaintiff (Town of La Conner) or defendant, as it relates to documentation prepared by AHBL for the client.

	<u>Standard Rate</u>	<u>Expert Witness Rate</u>
Principal	\$225/hour	\$450/hour
Project Manager	\$170/hour	\$340/hour
Project Engineer	\$140/hour	\$280/hour

Billing Summary

<u>Items</u>	<u>Description</u>	<u>Amount</u>
Items 1-7	Structural Building Assessment	\$7,500

Optional Services

Expert Witness Testimony	T&E
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You may not want us to provide some of the services listed above. We can discuss these services and the number of hours with you and make adjustments, as necessary.

Some of the tasks listed are influenced by factors outside of our control. Therefore, based on our experience, we have estimated the number of hours required to complete these tasks. During the course of the project, if it is determined that more hours are required to complete any of these tasks, due to circumstances beyond our control, we will notify you immediately. We will not perform additional work until we have your written authorization.

Exclusions

This proposal does not include fees associated with agency reviews, submittals, or permits, nor does it include any work associated with the following services:

- a) Professional services of subconsultants, e.g., geotechnical, material testing, and other specialists, if required by the review agency.
- b) Evaluation of mechanical, electrical, or fire/life-safety systems.
- c) Detailed structural and or seismic evaluation analysis of lateral force resisting system of existing building.
- d) Preparation of repair recommendations and/or opinion of probable construction costs related to deficiencies identified.



Although we do assist the owner during the construction process, this proposal is for design services only and in no way implies we are construction managers.

If you find this proposal acceptable, please sign this Authorization for Services or send us your standard authorization for subconsultant services for our review. Our receipt of the signed contract will be our notification to proceed.

AGREEMENT:

1. Client authorizes the above-specified services and agrees to pay for these services in the amount stated above within 30 days of receiving each invoice. If payment is not received by AHBL within sixty (60) calendar days of the date of the invoice, the Client shall pay an additional charge of one-and-one-half percent of the PAST DUE amount per month. The Client shall make an initial payment of **zero** and **no** hundredths dollars (**\$0.00**) upon execution of this Agreement. This payment shall be applied against the final invoice.
2. Client agrees to limit the liability of AHBL to Client arising from professional acts, errors, or omissions of AHBL and for liability arising out of or relating to this Agreement, such that the total aggregate liability of AHBL, including attorneys' fees awarded pursuant to this Agreement, shall not exceed Fifty Thousand U.S. Dollars (\$50,000) or the total compensation paid by Client to AHBL for the services rendered under this Agreement, whichever is greater.
3. If the services include surveying of utilities, the Client understands and agrees that the existence and location of any underground utilities are derived from a combination of utility locator service markings and as-built and/or utility design drawings provided by others. AHBL does not represent or guarantee that all underground utilities that may exist within the site have been shown or have been shown accurately.
4. If the services include preparation of construction documents and/or performance of periodic observations of construction, the Client agrees that AHBL shall have no responsibility for construction means, methods, techniques, sequences, or procedures or for construction jobsite safety, and the Client agrees that AHBL shall not be liable for the failure of any contractor to construct in accordance with the construction documents.
5. AHBL's services are intended solely for the benefit of the Client and are not intended to create any rights or benefits for any other person or entity. Use by any other person or entity or on any other project shall be at the user's sole risk and without liability on the part of AHBL or the professional whose stamp and signature appear on the documents.
6. Unless stated otherwise, AHBL's receipt of a signed copy of this Authorization for Services shall constitute its notice to proceed with performance. If AHBL has not received a signed copy of this Authorization for Services within fifteen (15) days of the date stated at the top of the form, the proposal to perform the services shall be deemed withdrawn.

Client Purchase Order No: _____

Client Name: _____

Signature: _____

Date: _____

Printed Name/Title: _____

AHBL Project Mgr. Signature: Kenneth P. Leland

Date: 5/16/2022

AHBL Proj. Mgr. Printed Name: Kenneth P. Leland, PE, SE

TACOMA

2215 North 30th Street, Suite 300
Tacoma, WA 98403-3350
253.383.2422

SEATTLE

1200 6th Avenue, Suite 1620
Seattle, WA 98101-3117
206.267.2425

SPOKANE

827 West First Avenue, Suite 220
Spokane, WA 99201-3904
509.252.5019

TRI-CITIES

5804 Road 90, Suite H
Pasco, WA 99301-8551
509.380.5883

KPL/lsk

c: Andrea Sauter, Accounting – AHBL

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Public Works – Birch Equipment Generator Quote



PO Box 30918, Bellingham WA 98228-2918
 Phone (360) 734-5744 Fax (360) 734-6873

No. Q22 - 11,163

EQUIPMENT QUOTE

Company Name: Town of Laconner
 Point of Contact: Brian
 Address: PO Box 400
 LaConner, WA 98257

Date: 05/04/2022
 Phone: 360-466-3933
 Fax: 360-466-5309
 Cell: 360-630-9461
 Email:

Quote remains good until: 06/01/2022

DESCRIPTION		PRICE
Type of Equipment: Generator, 70kva, Diesel W/Trailer	Model: CPG70	\$51376.00
Birch Equipment No.: 01003950	S/N: TBD	
Model Year: 2022	Hours: Factory	
Features: Factory Camlock Option Included		
Comments: Estimated Ship Date From Factory: End Of May		
Terms: Cash or Certified Check at time of delivery		
		Freight: \$0.00 Sub Total: \$51376.00 8.80% Tax: \$4521.09 Total Due: \$55897.09
Quote By: JM Quote Delivered By: Daniel Arneson		
CUSTOMER COPY		

Resolution – Recognition of Juneteenth

Town of La Conner



RESOLUTION NO. _____

A RESOLUTION ACKNOWLEDGING THE HISTORY OF JUNETEENTH AND DECLARING JUNETEENTH A HOLIDAY IN THE TOWN OF LA CONNER

WHEREAS, slavery was a deeply embedded American institution and is the antithesis to the nation's ideals of freedom; and;

WHEREAS, in 1776, when this fledgling nation declared independence from British tyranny, all its colonized citizens hoped for freedom; and,

WHEREAS, it would be more than eighty years later when President Abraham Lincoln first read the Emancipation Proclamation to the enslaved people at the Hampton Plantation; and,

WHEREAS, on the eve of January 1, 1863, commonly called Freedom's Eve, the first Watch Night services took place; and,

WHEREAS, on Watch Night, enslaved and free Black people gathered in churches and private homes across the country awaiting news that the Emancipation Proclamation had taken effect; and,

WHEREAS, at the stroke of midnight, prayers were answered as all enslaved people in Confederate states were declared legally free; and,

WHEREAS, not everyone in Confederate territory would immediately be free even though the Emancipation Proclamation was made effective in 1863, and it could not be implemented in places still under Confederate control; and,

WHEREAS, in the westernmost Confederate state of Texas, enslaved people would not be free until June 19, 1865 when some 2,000 Union troops arrived in Galveston Bay, Texas; and,

WHEREAS, the union army announced that the more than 250,000 enslaved Black people in the state were free by executive decree, and this day came to be known as "Juneteenth" by the newly freed people in Texas; and,

WHEREAS, Juneteenth marks our country's second Independence Day and is truly the day where all Americans could declare freedom; and,

WHEREAS, on Thursday, June 17, 2021, President Joe Biden signed legislation declaring Juneteenth a national holiday; and,

WHEREAS, the historical legacy of Juneteenth shows the value of continuing to fight for a free, inclusive and humane society;

NOW THEREFORE BE IT RESOLVED, the La Conner Town Council recognizes and celebrates Juneteenth.

BE IT FURTHER RESOLVED, that the La Conner Town Council declares Juneteenth a holiday in the Town of La Conner and encourages all resident to celebrate our nation's second Independence Day.

Approved by vote of the La Conner Town Council this _____ day of June, 2022.

TOWN OF LA CONNER, WASHINGTON

Ramon Hayes, Mayor

Approved as to form:

Scott Thomas, Town Attorney

ATTEST:

Maria DeGoede, Finance Director

Resolution – MOU – Teamsters

Town of La Conner



RESOLUTION NO. ____

A RESOLUTION OF THE TOWN OF LA CONNER ADOPTING A MEMORANDUM OF UNDERSTANDING WITH THE TEAMSTERS LOCAL NO. 231

Whereas, The Town Council has revised the holidays celebrated in the Town of La Conner by recognizing Juneteenth; and

Whereas, the Town Council desires to adopt an amendment to the Collective Bargaining Agreement between the Town of La Conner and the Teamsters Local No. 231 to reflect the Juneteenth holiday.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Town Council hereby adopts the Memorandum of Understanding between the Town of La Conner and the Teamsters Local No. 231, as reflected in the attached MOU, and authorizes the Mayor to execute the same.

Approved by vote of the La Conner Town Council this _____ day of June, 2022.

Ramon Hayes, Mayor

ATTEST:

Maria DeGoede, Town Clerk

Approved as to form:

Scott Thomas, Town Attorney

MEMORANDUM OF UNDERSTANDING (MOU)
By and Between
TOWN OF LA CONNER, WASHINGTON
And
TEAMSTERS LOCAL UNION NO. 231
(Representing the Public Works Employees)

THIS MEMORANDUM OF UNDERSTANDING (“MOU”), effective June 1, 2022, is entered into by and between the Town of La Conner (the “Town”) and the Teamsters Local Union No. 231 (the “Union”).

WHEREAS, the Town and the Union are parties to a collective bargaining agreement (“CBA”) in effect from January 1, 2020, through December 31, 2023; and

WHEREAS, the federal and state governments have both recognized June 19 (Juneteenth) as a holiday, the Town of La Conner, on _____ also recognized June 19 (Juneteenth) as a holiday; and

WHEREAS, in recognition of the above information, in 2022 and 2023 Juneteenth will be observed in accordance with all existing rules and agreements related to paid holidays and shall be construed to be a paid holiday. this MOU will amend Article 17.1 of the collective bargaining agreement to add Juneteenth to the list of recognized holidays.

This MOU is non-precedent setting. The parties understand that bargaining for the successor to the 2020-2022 collective bargaining agreement may include negotiations over how to incorporate on-going inclusion of this holiday.

TEAMSTERS LOCAL UNION 231

TOWN OF LA CONNER, WASHINGTON

Richard Ewing, Secretary Treasurer

Mayor

Date

Date

Revision of Personnel Policy No. 412 - Juneteenth

Town of La Conner



RESOLUTION NO. ____

A RESOLUTION OF THE TOWN OF LA CONNER REVISING TOWN PERSONNEL POLICIES

Whereas, The Town Council has revised the holidays celebrated in the Town of La Conner by recognizing Juneteenth; and

Whereas, the Town Council desires to amend Town Personnel Policy No. 412 to reflect the Juneteenth holiday.

**NOW THEREFORE, THE TOWN COUNCIL OF THE TOWN OF LA CONNER
DOES HEREBY AMEND THE LA CONNER PERSONNEL POLICY AS FOLLOWS:**

Section 1: La Conner Personnel Policy Section III (A) of Policy No. 412 of the is hereby revised, with the amended section to read as set forth in Attachment "A."

Section 2: This policy shall take effect upon adoption by the La Conner Town Council.

Approved by vote of the La Conner Town Council this _____ day of June, 2022.

Ramon Hayes, Mayor

ATTEST:

Maria DeGoede, Town Clerk

Approved as to form:

Scott Thomas, Town Attorney

ATTACHMENT "A"

A. The following days are recognized as employer-paid holidays:

Holiday	Day Observed
New Year's Day	January 1
Martin Luther King Day	Third Monday in January
President's Day	Third Monday of February
Memorial Day	Last Monday of May
<u>Juneteenth</u>	<u>June 19th</u>
Independence Day	July 4
Labor Day	First Monday of September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday of November
Day after Thanksgiving	Day immediately following Thanksgiving
Christmas Day	December 25
Two Floating Holidays	Employee Choice (upon approval of their immediate supervisor).