

CITY OF SHELTON, WASHINGTON – CITY COMMISSION
Study Session Meeting Minutes – May 23, 2011
Shelton Civic Center – 2:00 P.M.

Presiding: Mayor Tarrant, Commissioner Byrne and Commissioner Pannell

Staff Present: Dave O’Leary, Cathy Beierle, Dave Eklund, Mike Michael, Jason Dose, Dennis McDonald, Daniel Patton and Lesleann Kangas

Mayor Tarrant announced a change to the agenda. Item #1 under the Consent Agenda will be moved to Item #2 under Old Business.

Commission Reports

- **Crime Reports** – Community Policing Officer Patton presented a power point on how citizens may check crime in their neighborhood. The program, crimereports.com, is available on the City of Shelton website. This report is updated daily at 9:30 a.m.

One or more Commissioners will attend the following activities this week:

- Senior Services Luncheon
- Community Action Council Meeting

Public Comment - None

Consent Agenda

1. Basin 5 Materials Testing Service – Mayes Testing Engineers, Inc. – Authorize the Mayor to sign when returned by contractor – Authorize the City Administrator to make necessary budget modifications

Commissioner Byrne moved to approve the consent agenda as amended; Commissioner Pannell seconded the motion. A vote was taken and the motion passed.

Old Business

1. Shelton Timberland Regional Library Board of Trustees Appointment – Eileen Oberg term to expire December 31, 2012 – Mayor Tarrant introduced Library Manager Patty Ayala Ross who introduced Ms. Oberg who has been a “Friend of the Library” for four years and is the secretary of the group. Ms. Oberg said it is very interesting to see the other side of what makes the library function. She said it is important to get people to realize what it takes to keep the library vital and active. Mayor Tarrant thanked Ms. Oberg for being a volunteer and applying to fill the vacated position by Ms. Brenda Hirschi.

Mayor Tarrant moved to appoint Eileen Oberg to finish the term vacated by Brenda Hirschi to the Shelton Timberland Regional Library Board, Commissioner Pannell seconded the motion. A vote was taken and the motion passed.

2. Streetlight Project Phase II – Mayor Tarrant said that he realizes a great deal of work has been put into the Streetlight Project to save money but philosophically he cannot accept the concept of turning off lights. Mayor Tarrant called for a motion on the Streetlight Project Phase II.

Commissioner Byrne moved to approve the Streetlight Project Phase II as presented last week; Commissioner Pannell seconded the motion. Mayor Tarrant opposed the motion, a vote was taken and the motion passed with a majority vote.

New Business

1. Master Shoreline Program Citizens’ Advisory Committee Establishment – Senior Planner Dose reported that the City of Shelton and Mason County are required to update their respective Shoreline Master Programs (SMP) by June 30, 2013. The State of Washington Department of Ecology (DOE) has awarded each jurisdiction separate grants to aid in

compliance with this state mandated requirement. In January, the City Commission approved a contract for planning services with ESA Adolfson for \$104,000 to aid staff in updating the SMP. The amount of the contract will be paid entirely by the grant from the DOE. In December 2010, Mason County and the City of Shelton issued a news release informing the public that both entities were looking to establish an eight to eleven member Joint Technical Advisory Committee (JTAC) to aid staff and the consultant in reviewing and evaluating information on waterbodies, geologic processes, hydrologic processes, and various habitats within shoreline areas. The JTAC has been established and is helping staff and ESA Adolfson greatly in the development of an Inventory and Characterization Report, which will provide a "snapshot" of existing conditions as well as opportunities and challenges relative to ecological functions and potential public access points. The report will also aid in the development of policy and regulatory portions of the SMP update. In order to facilitate a direct conduit to provide input for a wide range of interests and perspective to the SMP team, formation of a Citizens' Advisory Committee is needed. The City received seven letters of interest and is recommending the Commission approve the appointment of Katherine Price, Tom Davis, Tracey McGlothlin, Angela White, Brandon Palmer, Kellen Manke and David McEntee to the Citizens' Advisory Committee. SP Dose requested that the recommendation be placed on the consent agenda for May 31, 2011 for approval.

The Commission concurred to place the recommended Citizens' Advisory Committee members on the consent agenda for approval on May 3, 2011.

3. Shelton Wastewater Treatment Plant (WWTP) Rehabilitation Project – Department of Natural Resources Easement for WWTP Outfall – Regional Projects Manager McDonald said that as part of the Shelton Wastewater Treatment Plant (WWTP) upgrades and expansion, the contractor will be extending the effluent outfall an additional 96 feet into Hammersley Inlet and Oakland Bay. This is a design requirement to provide benefit to the local shellfish resources and enable the Department of Health to reduce the current harvesting 'closure area.' To make this extension, the City must revise their current Aquatic Lands Outfall Lease with the Washington State Department of Natural Resources (DNR). Instead of revising the City's Lease, DNR is converting all outfall Leases to Easements. There are no annual fees for this Easement, but there are associated fees which include a State administrative fee of \$1,220.00 and a potential recording fee of \$365.00. Staff will work with the Mason County Auditor and DNR to determine if a recording fee will be required. DNR is also requesting a \$500.00 security deposit. RPM McDonald requested to bring this back under Old Business for the meeting of May 31, 2011 to allow time to clear up the presented issues.

The Commission concurred to place the Department of Natural Resources Easement for the Wastewater Treatment Plant Outfall under Old Business for the meeting of May 31, 2011.

Administration Report

- CE Michael reported that the City has been dealing with the repercussions of a performance failure of the fine-screen supplied by Lakeside Industries, as part of the City of Shelton Water Reclamation Plant construction project whose general contractor is Pease and Sons Construction. Failure of this equipment to meet the performance requirements of the contract has caused damage to downstream system components. The membrane cassettes have experienced significant plate failure, on the order of 95 percent, due to large particulate material bypassing the screens. In January 2011, once cleaning and inspections had revealed the screen seal failure, the City withheld \$250,000 in retainage, which at the time was the estimated cost to the membrane plates within the treatment tanks. Lakeside and Pease corrected the screen performance issue within a reasonable period of time; however, repair of the associated damage to the downstream membrane filters have been slowed due to delivery time for the membrane plates. At this time, the work is on hold due to Ovivo's inability to ship any further replacement membrane plates without a formal purchase order or other form of payment guarantee. Repairs are now estimated to cost \$900,000 to \$1,000,000. The City does not have funds readily available to cover these repairs, and will incur significant hardship and damage if forced to do so. CE Michael presented a letter that was sent to Pease and Sons indicating that the City will, if necessary, pursue any and all legal remedies available to the City to enforce the provisions of our contract with Pease and Sons, including filing suit against Pease. CE Michael recommended the Commission approve to move forward using retainage money to order the first batch of 2000 membrane plates.

Commissioner Pannell moved to authorize the use of \$250,000 retainage from Pease and Sons to purchase plates from Ovivo for the replacement in the Satellite Treatment Plant and authorize the City Administrator to make necessary budget adjustments; Commissioner Byrne seconded the motion. A vote was taken and the motion passed.

Public Comment - None

Administrative Touches

- CE Michael – Move Street Sweeper briefing out a week on the Looking Ahead
- CA O’Leary – Mason Conservation District Interlocal Agreement/May 31, 2011 for action

Announcement of Next Meeting

Mayor Tarrant announced the next regular Commission meeting of Tuesday, May 31, 2011, at 2:00 p.m. due to the Memorial Day Holiday. There is a regularly scheduled Shelton Metropolitan Park District Board Meeting preceding the Commission meeting at 1:45 p.m.

Adjournment

As there was no further business the meeting was adjourned at 3:22 p.m.



Mayor Tarrant



City Clerk Look