

10. New Business

[A.](#) Natural Systems Design Consultant Agreement - Second Amendment

11. Old Business

12. Ordinances & Resolution

13. Next Workshop

14. Adjournment



CITY COUNCIL WORKSHOP MEETING

Monday, July 22, 2024 at 6:00 PM

City Hall

MINUTES

1. Call to Order

Mayor Pro Tem Fairley called the meeting to order at 6:05 PM

2. Roll Call

PRESENT

- Mayor Pro Tem Timothy Fairley
- Council Member Lynda Osborn
- Council Member William Thomas
- Council Member David White

ABSENT

- Council Member Gordon Cook

Motion made by Council Member Thomas to excuse Council Member Cook, Seconded by Council Member White. Voting Yea: Mayor Pro Tem Fairley, Council Member Osborn, Council Member Thomas, Council Member White

Staff present - City Administrator, Jessica Griess, Chief Schrimpscher, City Clerk, Dana Parker

3. Approval of Agenda

Motion made by Council Member White to approve the agenda, Seconded by Council Member Thomas. Voting Yea: Mayor Pro Tem Fairley, Council Member Osborn, Council Member Thomas, Council Member White

4. Presentations

5. Discussion

A. E-Bikes

Chief Schrimpscher updated the council on E Bikes, Mopeds and Scooters. He asked the council members if they wanted any changes and would be discussing it at the council meeting.

B. Reducing Speed Limits

Chief Schrimpscher discussed with the council members on reducing the speed limit on Algona Blvd and reducing the speed limit on residential streets without sidewalks.

6. Audience Participation

The City Council encourages public participation during meetings of the City Council and welcomes your comments. This time is set-aside for you to speak to the City Council on any issue. The Council ordinarily takes non-agenda matters under advisement before taking action. You are also invited to comment on action items as they are considered during the meeting. Individual speakers will be limited to three (3) minutes each in addressing the City Council. When addressing the Council, please speak clearly and audibly and state your name and address for the record.

Chris Gomez 527 Main Street - We have a lot of speeders going up and down Main street at all hours of the day.

7. Adjournment

Mayor Pro Tem Tim Fairley adjourned the meeting at 6:24 PM

ATTEST:

Dana Parker – City Clerk

Tim Fairley – Mayor Pro Tem



CITY COUNCIL REGULAR MEETING

Monday, July 22, 2024 at 7:00 PM

City Hall

MINUTES

1. Call to Order

Mayor Pro Tem Fairley called the meeting to order at 7:00

2. Flag Salute

3. Roll Call

PRESENT

- Council Member Timothy Fairley
- Council Member Lynda Osborn
- Council Member William Thomas
- Council Member David White

ABSENT

- Mayor Troy Linnell
- Council Member Gordon Cook

Motion made by Council Member Fairley to excuse Council Member Cook, Seconded by Council Member Thomas. Voting Yea: Council Member Fairley, Council Member Osborn, Council Member Thomas, Council Member White

Staff present: City Administrator, Jessica Griess, Chief Schrimpscher, City Clerk, Dana Parker, City Attorney Zach Lell

4. Presentation

A. 2024 Algona Comprehensive Plan Update

Mayor Pro Tem Tim Fairley opened the public hearing at 7:01 PM. Cyrus Osborn updated the council on the Comprehensive Plan. Mayor Pro Tem Fairley closed the public hearing at 7:10

5. Approval of Agenda

Motion made by Council Member Osborn to approve the agenda, Seconded by Council Member White. Voting Yea: Council Member Fairley, Council Member Osborn, Council Member Thomas, Council Member White

6. Consent Agenda

A. Minutes

Motion made by Council Member Thomas, Seconded by Council Member Osborn.
Voting Yea: Council Member Fairley, Council Member Osborn, Council Member Thomas, Council Member White

B. Audit of Reports

1. Claims #1271 - #1296 = \$152,811.44

July 11 - July 22, 2024

2. Payroll # - # = \$ 88,587.04

July 19, 2024

VOID #

7. Reports

Council Member White - None

Council Member Osborn - None

Council Member Thomas - None

Council Member Fairly - I went with the Mayor, Chief Schrimpscher and Council Member White to the Cherry Park sub division. The meeting went well and was very informative.

Chief Schrimpscher - I wanted to inform you that due to personal reasons, Specialist Anderson has resigned from the department. We appreciate Specialist Anderson's contributions and wish him well in his future endeavors. We have welcomes a new member, Ashley Nash to the A-Team. Ashley has been hires as a long-term temporary employee for the position of Specialist. She has been quick to learn and has brought a significant amount of positivity and enthusiasm to the team. The two officers that are currently in field training are progressing well. Officer Hardnett successfully passed his phase two board last week and has now entered phase three of his training with Cpl. Phan. Officer Mozafari passed his phase one board and has moved into phase two of field training with Officer Gerrard. Next week we will be implementing our quarterly shift rotation for the officers. National Night out is rapidly approaching and Cpl. Phan is coordinating the city's efforts for this event. The A-Team continues to focus on speed enforcement and education. We are actively involved in traffic control on West Valley Hwy. I have also been in contract with WSDOT and it appears that the 167 closure will commence soon.

City Administrator, Jessica Griess - Last week we had had our finance committee meeting and set the budget calendar. Our first budget retreat will be August 12 in place of the workshop. Public Works has been working on the HP improvement to work on the ditch. They have been working on their cecil and water certification last week and this week. Movie night was last Friday night. It was crowded and a success. Last week I

promoted Dean from temporary Public Works Supervisor to Permanent Public Works Supervisor.

8. Audience Participation

The City Council encourages public participation during meetings of the City Council and welcomes your comments. This time is set-aside for you to speak to the City Council on any issue. The Council ordinarily takes non-agenda matters under advisement before taking action. You are also invited to comment on action items as they are considered during the meeting. Individual speakers will be limited to three (3) minutes each in addressing the City Council. When addressing the Council, please speak clearly and audibly and state your name and address for the record.

9. Discussion

A. Ordinance 1236-24, 2024 Algona Comprehensive Plan Update

Motion made by Council Member Thomas to authorize the Comprehensive Plan be submitted to Commerce, Seconded by Council Member White. Voting Yea: Council Member Fairley, Council Member Osborn, Council Member Thomas, Council Member White

B. Ordinance 1237-24, New E-Bike Regulations Chapter

Chief Schrimpscher updated the council on Ordinance 1237-24 on the New E-Bike Regulations.

10. New Business

11. Old Business

12. Ordinances & Resolution

A. Resolution 1280-24, Annual Sidewalk In Lieu Fee

Motion made by Council Member Thomas to approve Resolution 1280-24, Seconded by Council Member Osborn. Voting Yea: Council Member Fairley, Council Member Osborn, Council Member Thomas, Council Member White

B. Resolution 1283-24, Awarding Bid for the Algona Wetland Preserve and Interpretative Trail Project

Motion made by Council Member Thomas to award the bid for the Algona Wetland Preserve and Interpretative Trail project to Hoffman Construction, Seconded by Council Member Osborn. Voting Yea: Council Member Fairley, Council Member Osborn, Council Member Thomas, Council Member White

13. Next Workshop

2025 Budget Retreat

14. Executive Session.

A. The City Council will hold an executive session for the purpose of discussing potential litigation with legal counsel (RCW 42.30.110(1)(i)).

The council member adjourned to hold the executive session for the purpose of discussing potential litigation with legal council (RCW 42.30.110(1)(i)) at 7:28 PM. They returned at 7:44 PM.

15. Adjournment

Mayor Pro Tem Tim Fairley adjourned the meeting at 7:44 PM

ATTEST:

Dana Parker – City Clerk

Tim Fairley – Mayor Pro Tem



CITY COUNCIL

AGENDA BILL # AB24-0135

**City of Algona
200 Washington Blvd.
Algona, WA 98001**

ITEM INFORMATION

SUBJECT: Ordinance 1237-24, New E-Bike Regulations Chapter	Agenda Date: August 12th, 2024		
	Department/Committee/Individual	Created	Reviewed
	Mayor		
	City Administrator		
	City Attorney	x	
	City Clerk		
	Finance Dept		
	PW/Utilities		
	Planning Dept		x
	Community Services		
Cost Impact:	Police Dept		x
Fund Source:	Finance Committee		
Timeline: 1st review – 7/22/24	Planning Commission		
2 nd review – 8/12/24	Civil Service Committee		
3 rd review –			

Staff Contact: Chief James Schrimpsher
Attachments: Ordinance 1237-24

SUMMARY STATEMENT:
 This ordinance presents a new Algona Municipal Code Chapter regulating the use of electric assisted bikes, mopeds and scooters in the city.

COMMITTEE REVIEW AND RECOMMENDATION:
RECOMMENDED ACTION:

RECORD OF COUNCIL ACTION

<i>Meeting Date:</i>	<i>Action:</i>	<i>Vote:</i>

CITY OF ALGONA, WASHINGTON

ORDINANCE NO. XXXX-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALGONA, WASHINGTON, AMENDING TITLE 10 AMC BY THE ADDITION OF A NEW CHAPTER 10.46 ELECTRIC-ASSISTED BICYCLES, MOPEDS AND SCOOTERS THERETO; ADOPTING LOCAL REGULATIONS GOVERNING THE OPERATION OF MOPEDS, MOTORIZED FOOT SCOOTERS, AND ELECTRIC-ASSISTED BICYCLES WITHIN THE CITY; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Algona is authorized by applicable state law, including without limitation RCW 46.61.710, to regulate the use of mopeds, motorized scooters, and electric-assisted bicycles; and

WHEREAS, the Algona City Council desires to adopt local regulations for such devices within the City as set forth in this ordinance; and

WHEREAS, the regulations adopted hereunder will serve the public interest by helping to ensure the safe and orderly use and enjoyment of streets, sidewalks, and shared use trails within the City;

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

Section 1. Amendment of Title 10 AMC—New Chapter 10.46 Adopted. Title 10 of the Algona Municipal Code is hereby amended by the addition of new Chapter 10.46 Electric-Assisted Bicycles, Mopeds and Scooters to provide in its entirety as contained in Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This ordinance or a summary thereof shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF THIS ____ DAY OF JULY 2024.

Troy Linnell, Mayor

ATTEST:

Dana Parker, City Clerk

APPROVED AS TO FORM:

J. Zachary Lell, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No.: XXXX-XX
Date of Publication:

Exhibit A

Chapter 10.46
ELECTRIC-ASSISTED BICYCLES, MOPEDS AND SCOOTERS

Sections:

- 10.46.010 Purpose.
- 10.46.020 Definitions.
- 10.46.030 City Streets and Sidewalks.
- 10.46.040 Shared Use Trails.
- 10.46.050 Parental Responsibility.
- 10.46.060 Violation—Penalty.
- 10.46.070 Authority preserved; conflicts.

10.46.010 Purpose.

The purpose and intent of this chapter is to establish local regulations governing the use of electric-assisted bicycles, mopeds, and motorized foot scooters on city streets, sidewalks, and shared use trails.

10.46.020 Definitions.

"City street," as defined in [RCW 46.04.120](#), means every public street located within the city limits of the City of Algona. For the purpose of this chapter, city streets include the shoulder of such streets and public alleys, but not sidewalks.

"Electric-assisted bicycle," "class 1 electric-assisted bicycle," "class 2 electric-assisted bicycle," and "class 3 electric-assisted bicycle" shall have the meanings set forth in [RCW 46.04.169](#) as now adopted or hereafter amended.

"Moped" is defined as set forth in [RCW 46.04.304](#), as now adopted or hereafter amended.

"Motorized foot scooter" is defined as set forth in [RCW 46.04.336](#), as now adopted or hereafter amended.

"Shared use trail" means a paved path, track, or right-of-way built for travel and recreation by pedestrians, bicycles, and other modes of transportation other than motor vehicles, but does not include a sidewalk or walkway constructed for the exclusive use of pedestrians. Without limitation of the foregoing, "shared use trail" specifically includes the Interurban Trail within the City of Algona.

"Sidewalk" means the area of the public right-of-way generally reserved for pedestrian use.

10.46.030 City Streets and Sidewalks.

- A. Operation of a moped on a sidewalk is unlawful.
- B. Operation of a motorized foot scooter on a sidewalk is unlawful unless there is no alternative for a motorized foot scooter to travel over a sidewalk as part of a bicycle or pedestrian path.

C. Operation of class 3 electric-assisted bicycles shall be limited to City streets. Without limitation of the foregoing, operation of a class 3 electric-assisted bicycle on a sidewalk is unlawful.

10.46.040 Shared Use Trails.

A. Operation of a moped or a class 3 electric-assisted bicycle on a shared use trail is unlawful.

B. Operation of class 1 and class 2 electric-assisted bicycles and motorized foot scooters on a shared use trail in accordance with this chapter is permitted.

C. A person who uses or travels in any manner on a shared use trail shall travel at a speed of fifteen miles per hour or less. In addition, a person shall not travel at a speed greater than what is reasonable and prudent under the conditions with regard to the actual and potential hazards then existing.

D. A person who uses or travels in any manner on a shared use trail shall exercise due care and caution to avoid colliding with or otherwise endangering any other trail user, and shall travel in a consistent and predictable manner. Trail users should be aware of the potential for travel conflicts between different uses of the trail.

10.46.050 Parental Responsibility.

A parent or guardian who has custody of any child or ward under the age of eighteen (18) shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter.

10.46.060 Violation—Penalty.

A. The city of Algona police department shall be responsible for enforcing the provisions of this chapter. Upon determining that a violation of this chapter has occurred, law enforcement officers may, at their discretion, issue a civil infraction in the amount of \$250 to any person, including a parent or guardian where applicable pursuant to AMC 14.46.050, violating any of the provisions of this chapter.

B. Any person who has violated the provisions of this chapter on at least two prior occasions shall be guilty of a misdemeanor for the third and any subsequent violation.

10.46.070 Authority preserved; conflicts.

The penalties and remedies set forth in this chapter are nonexclusive and are without prejudice to any and all other applicable penalties and remedies under state law and/or this code. If any provision of this chapter irreconcilably conflicts with any provision of the Algona Municipal Code, including without limitation any provision adopted by reference thereunder, the most restrictive provision shall govern to the extent permissible under state law.



CITY COUNCIL

AGENDA BILL # AB24-0136

**City of Algona
200 Washington Blvd.
Algona, WA 98001**

ITEM INFORMATION

SUBJECT: Ordinance 1238-24, Reducing Speed Limits	Agenda Date: August 12th, 2024		
	Department/Committee/Individual	Created	Reviewed
	Mayor		
	City Administrator		X
	City Attorney	X	
	City Clerk		
	Finance Dept		
	PW/Utilities		
	Planning Dept		
	Community Services		
Cost Impact:	Police Dept		X
Fund Source:	Finance Committee		
Timeline: 1st review – 8/12/24	Planning Commission		
2 nd review –	Civil Service Committee		
3 rd review –			

Staff Contact: Chief James Schrimpsher

Attachments: Ordinance 1238-24

SUMMARY STATEMENT:

This ordinance presents an amendment to Algona Municipal Code 10.40 reducing the speed limit on Algona Blvd from 35 MPH to 30 MPH and streets with no sidewalks from 25 MPH to 20 MPH.

COMMITTEE REVIEW AND RECOMMENDATION:

RECOMMENDED ACTION:

RECORD OF COUNCIL ACTION

<i>Meeting Date:</i>	<i>Action:</i>	<i>Vote:</i>

CITY OF ALGONA, WASHINGTON

ORDINANCE NO. 1238-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALGONA, WASHINGTON, AMENDING CHAPTER 10.40 AMC SPEED LIMITS; REDUCING THE SPEED LIMIT ON ALGONA BOULEVARD TO 30 MILES PER HOUR; REDUCING THE SPEED LIMIT ON RESIDENTIAL STREETS WITHOUT SIDEWALKS TO 20 MILES PER HOUR; REPEALING CHAPTER 10.20 AMC HAZARDOUS STREETS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City is authorized by applicable state law, including without limitation Title 46 RCW, to regulate local streets and to prescribe vehicular speed limits therefor; and

WHEREAS, in accordance with said authority, the City has established speed limits for City streets and has codified the same at Chapter 10.40 AMC; and

WHEREAS, based on recent engineering and traffic investigations and in consultation with the Manual on Uniform Traffic Control Devices as adopted by the State Department of Transportation, as applicable, City staff has recommended, and the City Council concurs, that the speed limit on Algona Boulevard should be reduced from 35 miles per hour to 30 miles per hour, and that the speed limit on all residential streets where no sidewalks are present should be reduced to 20 miles per hour; and

WHEREAS, the City Council finds and declares that the reduced speed limits established by this ordinance are reasonable and safe, and will serve the public interest by enhancing pedestrian and vehicular safety within the affected areas of the City; and

WHEREAS, the City Council also desires to repeal Chapter 10.20 AMC in order to remove the outdated and obsolete standards and procedures set forth therein;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ALGONA, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Findings. The above recitals are hereby adopted by reference as legislative findings in support of this ordinance.

Section 2. Amendment of AMC 10.40.020. Section 10.40.020 of the Algona Municipal Code is hereby amended to provide in its entirety as follows:

{JZL2344976.DOC;1/13150.000002/ }

{JZL4895-4619-8738;1/13150.000004/}

10.40.020 Increases and decreases on certain streets.

It is determined that the speed limits of twenty-five miles per hour permitted by this chapter, upon the following streets, are less and/or more than is necessary for the safe operation of vehicles thereon and it is declared that the speed limit shall be as set forth in this section on those streets or parts of streets designated in this section when signs are erected giving notice thereof:

- A. That portion of 1st Avenue lying east of the railroad tracks: thirty-five miles per hour;
- B. Ellingson Avenue: thirty-five miles per hour;
- C. Algona Boulevard: twenty ~~thirty~~-five miles per hour;
- D. Pacific Avenue: thirty-five miles per hour;
- E. Boundary Boulevard: thirty miles per hour;
- F. Seattle Boulevard: twenty miles per hour;
- G. Warde Street: fifteen miles per hour;
- H. Washington Boulevard: fifteen miles per hour;
- I. Chicago Boulevard: fifteen miles per hour;
- J. All east-west residential streets without an abutting sidewalk on at least one side: twenty miles per hour. For purposes of this subsection, “residential street” shall mean a non-arterial street within or abutting a residential zoning district under the city’s zoning code.

Section 3. Repealer. Chapter 10.20 of the Algona Municipal Code is hereby repealed in its entirety.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 5. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ___ DAY OF JULY 2024.

CITY OF ALGONA

Mayor Troy Linnell

ATTEST/AUTHENTICATED:

Dana Parker, City Clerk

Approved as to form:

J. Zachary Lell, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No.:
Date of Publication:



CITY COUNCIL

AGENDA BILL # AB24-0138

**City of Algona
200 Washington Blvd.
Algona, WA 98001**

ITEM INFORMATION

SUBJECT: Resolution 1284-24, Surplus Vector Truck	Agenda Date: August 12th, 2024		
	Department/Committee/Individual	Created	Reviewed
	Mayor		X
	City Administrator	X	X
	City Attorney		
	City Clerk		
	Finance Dept		
	PW/Utilities		
	Planning Dept		
	Community Services		
Police Dept			
Cost Impact:	Finance Committee		
Fund Source:	Planning Commission		
Timeline: 1st review – 8/12/24	Civil Service Committee		
2 nd review –			
3 rd review –			

Staff Contact: Jessica Griess, City Administrator
Attachments: Resolution 1284-24

SUMMARY STATEMENT:
 The time and money spent on making repairs to our 2005 Vector Truck, as well as the amount of time it is inoperable, is starting to have an impact on City operations. Looking at other solutions, staff has decided the best option is to utilize the funds from the current Vector Truck towards a new Vector Trailer. The trailer option will allow better mobility in the more narrow spots, it's operator friendly, and anyone will be able to bring it onsite.

COMMITTEE REVIEW AND RECOMMENDATION:
RECOMMENDED ACTION:

RECORD OF COUNCIL ACTION

<i>Meeting Date:</i>	<i>Action:</i>	<i>Vote:</i>

**CITY OF ALGONA
WASHINGTON
RESOLUTION NO. 1284-24**

**A RESOLUTION OF THE CITY OF ALGONA,
WASHINGTON, AUTHORIZING THE DISPOSAL OF
SURPLUS PROPERTY**

WHEREAS, the City has determined the items listed on Exhibit A are no longer necessary for City operations and are therefore surplus; and

WHEREAS, the City Council has authority to dispose of surplus property pursuant to RCW 35A.11.010; and

WHEREAS, the City Council desires to authorize the City Administrator or designee to dispose of surplus City property;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ALGONA, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Surplus Property. The City Council hereby declares the property listed on Exhibit "A" attached hereto as surplus to the needs of the City.

Section 2. Disposal Method. The surplus equipment identified in Exhibit A may be disposed of to the general public by means of direct sales, sealed bid, trade-in, auction, or other reasonable method of disposal as determined by the City Administrator or designee to be in the best interests of the City.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE _____ DAY OF _____ 2024.

CITY OF ALGONA

Troy Linnell, Mayor

ATTEST/AUTHENTICATED:

Dana Parker
City Clerk

Filed with the City Clerk:
Passed by the City Council:
Resolution No.:
Date Posted:

Exhibit "A"

Surplus List

Item Description	Serial # / VIN	Estimated Value
2005 Vactor Truck 2100 series		\$75,000



CITY COUNCIL

AGENDA BILL # AB24-0137

**City of Algona
200 Washington Blvd.
Algona, WA 98001**

ITEM INFORMATION

SUBJECT:	Agenda Date: August 12th, 2024		
Natural Systems Design Consultant Agreement - Second Amendment	Department/Committee/Individual	Created	Reviewed
	Mayor		X
	City Administrator		X
	City Attorney	X	
	City Clerk		
	Finance Dept		
	PW/Utilities		
	Planning Dept		
	Community Services		
	Police Dept		
Cost Impact:	Finance Committee		
Fund Source:	Planning Commission		
Timeline: 1 st review – 8/12/24	Civil Service Committee		
2 nd review –			
3 rd review –			

Staff Contact: Jessica Griess, City Administrator

Attachments: NSD Agreement Second Amendment

SUMMARY STATEMENT:

King County Parks is requiring additional cultural and archaeological assessments as part of the \$1 million Parks Grant funding we have been awarded. What has been completed does not meet their standards and staff, along with NSD, are expediting a subcontract with ICF to do additional assessments and may need ICF to be onsite to monitor specific areas of work. We are quickly approaching the groundbreaking and ask for Council to consider waiving the 3-touch rule to ensure the in-water work window isn't missed and there's no loss in funding.

COMMITTEE REVIEW AND RECOMMENDATION:

RECOMMENDED ACTION:

Make a motion to waive the three-touch rule and authorize the Mayor to execute the second Natural Systems Design Agreement Amendment.

RECORD OF COUNCIL ACTION

<i>Meeting Date:</i>	<i>Action:</i>	<i>Vote:</i>
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SECOND AMENDMENT TO CONSULTANT AGREEMENT

THIS SECOND AMENDMENT is made by and between the City of Algona (hereinafter referred to as “the City”), a Washington municipal corporation, and Natural Systems Design, Inc. (hereinafter referred to as “Consultant”), collectively the “Parties.”

WHEREAS, the Parties executed that certain Consultant Agreement effective October 24, 2023, for final design services related to the Algona Wetland Preserve project (“Agreement”); and

WHEREAS, effective April 19, 2024, the Parties subsequently executed a First Amendment to the Agreement, incorporating a new Scope of Work and Fee Schedule specific to construction oversight services for the construction and implementation phase of the Algona Wetland Preserve project, together with corresponding changes to the completion date and maximum amount payable under the Agreement (“First Amendment”); and

WHEREAS, the Parties desire to further amend the Agreement by incorporating a new Scope of Work and Fee Schedule specific to cultural resources support for the construction and implementation phase of the Algona Wetland Preserve project, together with a corresponding change to the maximum amount payable under the Agreement;

NOW, THEREFORE, IN CONSIDERATION OF the mutual promises, terms and conditions set forth in the Agreement and contained herein, the Parties hereby agree as follows:

Section 1. Amendment of Scope of Work and Fee Schedule. Attachment A to the Agreement (Scope of Work and Fee Schedule), as previously amended by the First Amendment, is hereby amended and supplemented by the addition of Attachment A-2 (Scope of Work and Fee Schedule—Cultural Resources Support) attached hereto and incorporated herein by this reference as if set forth in full.

Section 2. Amendment of Maximum Amount Payable. The Maximum Amount Payable set forth on Page 1 of the Agreement, as previously amended by the First Amendment, is hereby increased from \$134,449.24 to \$158,804.24.

Section 3. Subcontracting Authorization. Pursuant to Section 16 of the Agreement, the City hereby authorizes the Consultant to subcontract the work identified in Attachment A-2 to ICF Jones & Stokes, Inc.

Section 4. Effect of Addendum. This Second Addendum is in addition to the Agreement. Except as otherwise provided herein, the provisions of this Second Addendum modify, but do not supersede, the provisions of the Agreement. Except as otherwise provided herein, each provision of the Agreement shall continue in full force and effect as if this Second Addendum did not exist.

Except as otherwise provided herein, capitalized words and phrases shall have the meanings ascribed to them in the Agreement.

DATED this _____ day of _____, 2024.

CITY OF ALGONA

NATURAL DESIGN SYSTEMS, INC.

By: _____
Troy Linnell, Mayor

By: _____

ATTEST/AUTHENTICATED:

By: _____
Dana Parker, City Clerk

Attachment A-2

SCOPE OF WORK AND FEE SCHEDULE—CULTURAL RESOURCES SUPPORT



August 7, 2024

Torrey Luiting
Natural Systems Design
torrey@naturaldes.com

Subject: Cultural Resources Survey for The Algona Wetland Restoration Project, Algona, Washington.

Dear Torrey:

Thank you for inviting ICF Jones & Stokes, Inc. (“ICF”) to submit a scope of work for cultural resources support the Algona Wetland Restoration Project, Algona, Washington. (the Project). This proposal outlines our understanding of the Project, methodology, budget narrative, and schedule. The specific descriptions of the scope of work under each task are based on information available at the time of writing of this scope of work.

Scope of Work

The City of Algona proposes to develop an interpretive boardwalk trail and platform within a previously disturbed portion of City-owned wetland and restore the wetland with native plants. ICF conducted previous cultural resources clearance work in 2009 and 2022. However, the project footprint has since become more detailed and additional cultural resource clearance is being required as a result of review by the cultural resources reviewer for the City’s King County grant which is funding construction. The area of potential effects (APE) is located within an undeveloped plot of City-owned land on the southwest corner of Ellingson Road and Pacific Avenue in Algona, Washington. Specifically, the APE has a variety of proposed horizontal and vertical extents consisting of:

1. The area below the 500 foot (ft) [152 meter (m)] long boardwalk and the 1,728 square ft (526 square m) platform and stairway,
2. two irregular shaped areas slated for hand removal of vegetation and native planting measuring approximately 240 ft by 150 ft (~74 by 45 m) and 70 ft by 60 ft (21 by 18 m)
3. installation of four snags, pushed into the soil to a depth of approximately 152-213 cm (5-7 ft) below ground,
4. and a series of nine partially buried habitat log placements.

To assist Natural Systems Design in supporting The City of Algona’s obligations for archaeological survey under Executive Order (EO) 21-02 which requires state-funded projects to undergo cultural resources inventory, ICF shall provide a pedestrian and shovel probe field survey, tribal consultation letter, and an updated technical report. The scope also includes

archaeological monitoring during construction and a monitoring memo contingent on the results of the survey for consistency with the requests made by the cultural resources reviewer for the City's King County grant.

Task 1.0 Fieldwork

ICF will excavate shovel probes at 20-m intervals in all areas of ground disturbance, except in areas where previous surveys have reached the depth of planned ground disturbance. Shovel probes shall be excavated to 20 centimeters (cm) below the depth of planned ground disturbance. Shovel probes will be excavated to about 1 m, or as deep as possible, with 4-inch bucket auger below that. All excavated sediments shall be screened through ¼-inch mesh. Artifacts shall be recorded in the field (photographed - 2 or more sides as appropriate, basic attributes described) and placed in bags in the probe(s) in which they were found; detectable marking tape (or equivalent metal objects) shall be placed with the artifact bags. Probes shall be excavated to target depth even if the water table is encountered. If an obstruction is encountered above the target depth in any probe, a replacement probe shall be excavated within 2 m of that probe. During survey, if the archaeologists believe they have discovered a site, they shall consult with King County HPP about the nature and boundaries of the site before recording it.

Up to 59 Shovel/auger probes are proposed to cover the extent of the APE. The proposed construction activities have a variety of target depths. Shovel probes will be excavated to 1 meter, or as deep as possible. If the minimum target depths are not reached with shovel probes, an auger probed will be excavated within the shovel probe until the minimum target dept is reached. The proposed activities and minimum requisite depth of the APE are as follows:

1. The elevated boardwalk, platforms, and stairway will require Diamond Pier foundations, the 1.5" diameter metal piles of which, will be pushed into the soil to an anticipated maximum possible depth of 7 ft (213 cm). Each shovel probe will be continued with a bucket auger to a minimum depth of 233 cm. Based on the dimensions of these proposed features, up to 22 probes will be excavated, 8 probes along the boardwalk and 14 in a grid under the platform and stairs.
2. The two invasive vegetation removal and planting areas not previously surveyed will have a maximum possible ground disturbance of 25 cm. Each shovel probe will be excavated to a minimum depth of 45 cm. Based on the dimensions, up to 24 shovel probes will be excavated to cover both planting areas.
3. Four snags will be installed by pushing the trunk into the soil; no excavation is required. The maximum depth of ground disturbance is anticipated to be between 5 and 7 ft (152 – 213 cm). One shovel probe and bucket auger will be excavated to a minimum depth of 233 cm at each of the four snag locations.
4. Habitat log placements will be buried up to 3 ft (92 cm). Shovel and auger probes will be excavated at each of the nine locations to a minimum depth of 112 cm.

Deliverables: Results of the field survey will be incorporated into the Draft and Final revised Technical Report.

Task 2.0 Tribal Consultation Letter

Tribal outreach for this project was conducted in August 2023. However, King County has requested additional tribal outreach. Prior to Fieldwork, ICF will prepare one brief tribal consultation letter to be sent on behalf of the City of Algona. This letter will be sent electronically to the cultural resources staff at the Muckleshoot, Suquamish, and Puyallup Indian Tribes to inquire about concerns and information they may have about cultural resources in the project area.

Deliverables: Consultation Letter sent to tribes with Natural System Design staff copied.

Task 3.0 Technical Reporting and Records Management

Archaeologists shall update the previous ICF report that meets the Washington Department of Archaeology and Historic Preservation's (DAHP) reporting standards and addresses the King County Historic Preservation Program's (HPP) comments on the previously submitted ICF report, upload the report, and add the HPP as an Organization and Phil LeTourneau and Alicia Valentino as individuals (KC HPO affiliation) with Editor access in the project. The report shall update the sections necessary to address comments and the additional fieldwork and results, including any changes to the project description, the regulatory nexus, summary of the natural and cultural background of the project area, discussion of field methods and how they relate to project activities (e.g., depth of probes tied to planned depth of ground disturbance), USGS topographic map and an aerial photograph with shovel probe locations, and detailed stratigraphic information and GPS coordinates (NAD 1983 HARN State Plane Washington North FIPS 4601 Feet) for each probe location. The survey report shall rely on Kopperl et al.'s (2016) "Archaeology of King County, Washington: A Context Statement for Native American Archaeological Resources" and Boswell's (2017) "King County Historic Settlement Context 1850-1920" for relevant background information, although it is not anticipated that additional background information review will be required for the updated work. The report shall include an evaluation of any identified archaeological resources and recommendations for additional archaeological work as necessary. The archaeologists shall provide a shapefile of shovel probe and monitoring locations (NAD 1983 HARN State Plane Washington North FIPS 4601 Feet).

ICF will prepare a technical report summarizing the results of the field survey to meet the DAHP office's guidelines. A draft of the report will be submitted to the Natural Systems Design for comment in electronic format. ICF will make any necessary revisions to the draft report in response to the client's or agency's comments. Once finalized, ICF will submit an electronic final report for delivery to the lead agency. Once agency comments have been addressed, the report will be submitted to DAHP's state database.

ICF archaeologists conducted a literature review during the previous phase of the project in 2021. This review set out to identify any known cultural resources or surveys within the project area and within a 1-mile radius. The Washington Information System for Architectural and Archaeological Records Database (WISSARD) was the primary source to identify previously documented archaeological, ethnographic, and historic resources. The database includes completed cultural resources survey reports, properties listed in (or determined eligible for listing in) the National

Register of Historic Places, Washington Historic Register-listed properties, archaeological sites, cemeteries, and inventoried historic resources. Additionally, data from academic sources, geotechnical reports, geologic mapping, soil surveys, or any other relevant sources was incorporated. This review will be incorporated into the current Project.

Deliverables: Draft and Final Technical Report.

Task 4.0 Archaeological Monitoring

King County HPP guidance states that monitoring during construction will be necessary in areas that are inaccessible during survey or where excavation will exceed the reach of standard archaeological survey methods. If any of the probes are unable to reach minimum depth, monitoring will be implemented in those areas. This task will only be implemented as a contingency if probes do not reach the depths specified above. 50 hours of monitoring are included in this scope and would be billed on a Time and Materials, Not to Exceed basis.

Deliverables: The results of monitoring will be incorporated into the Draft and Final Monitoring Memorandum.

Task 5.0 Archaeological Monitoring Memorandum

A brief monitoring memorandum will be drafted following any needed monitoring efforts. The memorandum will summarize the monitoring areas, findings, and provide recommendations and conclusions.

Deliverables: Draft and Final Monitoring Memorandum.

Task 6.0 Project Management

ICF will submit monthly progress reports to accompany each invoice and monthly reporting. The project manager will perform routine project management activities, including contracting, budget management, file management and Quality Assurance/Quality Control (QA/QC).

Deliverables: ICF will submit monthly progress reports to accompany each invoice and monthly reporting.

Proposed Schedule

ICF appreciates the time sensitivity of the Project and work would begin immediately upon receipt of an executed contract. The work may need to be conducted in phases, depending on the forthcoming construction schedule. ICF will be responsive to the construction schedule and mobilize staff for fieldwork in as timely a manner as possible.

Work Order Price


The Project is broken into 6 tasks, referenced above, and budgeted to reflect the lowest cost possible. Task 1 is budgeted for 3 days total. Task 2 is budgeted for 2 hours. Task 3 would be completed primarily by a mid-level staff member with assistance from the project manager during a two-week timeframe. Task 4 and 5 will only be completed if needed. Task 6 is budgeted for 2 hours to be used throughout the project. The cost proposal for performing this work on a “Time and Materials” basis is \$24,355. A detailed cost breakdown is provided below. ICF proposes to invoice costs monthly.

Cultural Resources Survey for The Algona Wetland Restoration Project, Algona, Washington

Task	Consulting Staff					Subtotal	Labor Total	Direct Costs	Total Price
	Employee Name	Larsen Andrew	Trapp Kyle	Farias Jicel	Bolano Haley				
	Project Role	PM	Field Lead	Field	Field				
	Labor Classification	Sr Consult I	Env Tech I	Technician	Technician	Technician			
1.0 Fieldwork		30.0	0.0	30.0	30.0	30.0	\$13,050	\$13,050	\$13,050
2.0 Tribal Consultaion		2.0					\$360	\$360	\$360
3.0 Technical Report		10.0	30.0				\$4,950	\$4,950	\$4,950
4.0 Monitoring					50.0		\$4,250	\$4,250	\$4,250
5.0 Monitoring Memo			10.0				\$1,050	\$1,050	\$1,050
6.0 Project Management		2.0					\$360	\$360	\$360
Total hours	224.0	44.0	40.0	30.0	80.0	30.0			
Billing Rates		\$180.00	\$105.00	\$85.00	\$85.00	\$85.00			
Subtotal		\$7,920	\$4,200	\$2,550	\$6,800	\$2,550	\$24,020	\$24,020	
<u>Other Direct Costs</u>									
523.05 Travel, Auto, incld. Mileage at current IRS rate (.67/mile)									\$335
Direct expense subtotal									\$335.00
Total price									\$24,355.00

The proposed ICF Project Manager will be Andy Larsen. If you have any questions regarding this scope, please do not hesitate to contact him (970-903-3390 or andy.larsen@icf.com). ICF looks forward to negotiating mutually acceptable terms and conditions. ICF’s proposal is valid for 90 days from its submittal, at which time ICF reserves the right to revise the contents or extend the validity date, if needed. Please see qualifications and assumptions sections below.

Sincerely,


Trina L. Prince

Sr. Contracts Administrator

Assumptions

- ICF will excavate up to 59 shovel probes.
- ICF will complete the field survey within 3 days with a crew of 4.
- If shovel probes/augers cannot reach the minimum depth specified, monitoring will be required.
- Tribal consultation will include one letter send electronically to the Muckleshoot, Suquamish, and Puyallup Indian Tribes. Any response will be incorporated into the project but no meeting are included in this scope.
- Any archaeological sites discovered will require consultation with King County, and a contract modification will be needed.
- 50 hours of monitoring is included in this cost. Any additional monitoring needed will require a contract modification.
- ICF will be responsible for coordinating with a utility locate service prior to performing archaeological survey.
- ICF will administer the project, including providing quality control, invoicing, and coordination. ICF will ensure that systems are in place to conduct quality control and quality assurance on methods and deliverables for all tasks in the scope of work.
- One round of technical edits to the draft report is included in the cost estimate.
- No federal permitting is required for the project.
- The project is SEPA exempt due it's small size.