



Mayor
Scott Korthuis

Council Members
Gary Bode
Ron De Valois
Gerald Kuiken
Nick H. Laninga
Brent Lenssen
Kyle Strengholt
Mark Wohlrab

City Council Agenda - Regular Meeting
City Hall Annex, 205 4th Street
September 16, 2019

Call to Order

Pledge of Allegiance

Roll Call

Oath of Office

Approval of Minutes

- [1.](#) Draft Regular Council Meeting Minutes- September 3, 2019
- [2.](#) Draft Special City Council Meeting - PW Committee Meeting with Quorum- September 4, 2019
- [3.](#) Special City Council Meeting Minutes September 5, 2019 - Draft

Items from the Audience

Scheduled

Unscheduled (20 Minutes)

Audience members may address the Council on any issue other than those scheduled for a public hearing or those on which the public hearing has been closed. Prior to commenting please state your name, address, and topic. Please keep comments under 4 minutes.

Consent Agenda

- [4.](#) Approval of Payroll and Claims
- [5.](#) Addendum to Lease for YMCA
- [6.](#) Request to Cancel Warrants #73295 and #73665

Public Hearing

Unfinished Business

New Business

- [7.](#) Request to Reject Bid for 3MG Reservoir Roof Recoating Project

Other Business

- [8.](#) Draft Parks Committee Minutes-August 20, 2019
- [9.](#) Calendar

Executive Session

Adjournment

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	September 16, 2019	
Name of Agenda Item:	Draft Council Minutes- Regular Meeting	
Section of Agenda:	Approval of Minutes	
Department:	Administration	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: N/A
		Legal Review: <input checked="" type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input type="checkbox"/> Review Not Required
Attachments:	Draft Council Minutes- Regular Meeting	
Summary Statement:	Draft Council Minutes- Regular Meeting	
Recommended Action:	For Council review.	

CITY OF LYNDEN



CITY COUNCIL MINUTES OF REGULAR MEETING

September 3, 2019

1. CALL TO ORDER

Mayor Korthuis called to order the September 3, 2019 regular session of the Lynden City Council at 7:00 p.m. at the Lynden City Hall Annex.

ROLL CALL

Members present: Mayor Scott Korthuis and Councilors Gary Bode, Ron De Valois, Jerry Kuiken, Brent Lenssen, Nick Laninga, Kyle Strengholt, and Mark Wohlrab.

Staff present: Fire Chief Mark Billmire, Parks Director Vern Meenderinck, Planning Director Heidi Gudde, Public Works Director Steve Banham, City Clerk Pam Brown, City Administrator Mike Martin, and City Attorney Bob Carmichael.

OATH OF OFFICE - None

APPROVAL OF MINUTES

Councilor Kuiken moved and Councilor Strengholt seconded to approve the regular council minutes of August 19, 2019 and the special council meeting held August 28, 2019 during the Community Development Committee meeting. Motion approved on a 7-0 vote.

ITEMS FROM THE AUDIENCE

Scheduled: None

Nonscheduled: None

2. CONSENT AGENDA

Approval of Payroll Disbursed – August 16-31, 2019

Paychex EFT	\$288,101.29
City of Lynden EFT	\$64,328.04
Warrant Liability	\$57,009.08
Subtotal	\$409,438.41
Paychex EFT Liability	\$6,381.58
Total EFT & Other Liabilities	\$415,819.99

CITY OF LYNDEN



CITY COUNCIL MINUTES OF REGULAR MEETING

Approval of Claims – September 4, 2019

Manual Warrants No.	73682	through	-		\$90.00
EFT Payment Pre-Pays					\$61,526.68
				Sub Total Pre-Pays	\$61,616.68
Voucher Warrants No.	73684	through	73708		\$57,420.95
EFT Payments					0.00
				Sub Total	\$57,402.95
				Total Accts. Payable	\$119,037.63

Contract with Whatcom County – Buildable Land Programs

The Buildable Lands program was introduced to the City Council in 2018. The State mandated program is one that examines achieved build-out densities and property availability. The report will also strive to account for the constraints of critical areas and market factors. The planning period in focus for the first report is 2016– 2036 with a specific look at achieved build-out data from 2016 to 2020. The final report is due June 2021.

The Planning Department has been working with Whatcom County and their consultant, Community Attributes, to develop methodology for creating the first Buildable Lands report for Whatcom County. State funding was made available for these efforts and was used toward staff time dedicated to the efforts.

The next phase of the project is also eligible for State funds. Similar to the first phase the County has drafted a contract which indicates the City of Lynden’s share and the timeline for the expenditures of these funds. A \$36,432.69 share will be dispersed in two separate allocations as described in Exhibit B of the scope of work. To have access to this funding, staff is requesting council review and approval of the contract.

Councilor Bode moved and Councilor De Valois seconded to approve the Consent Agenda. Motion approved on a 7-0 vote.

3. PUBLIC HEARING

Water System Plan Update – Service Area Map

City staff has worked with RH2 Engineering to finalize the update to the City’s Water System Plan (WSP). Staff has addressed comments from the various public agencies on our draft submittal, and now it’s time to resubmit the plan for final comments and approval. Whatcom County, as part of their review, requires that the City hold a meeting to hear any public comment on City changes to the service area map per the County’s Coordinated Water System Plan.



The map provides several minor clarifications to the service area. The most significant change is that the City is, at the request of the Department of Health, offering to serve water to adjoining water associations with nitrate contamination, should the City first obtain sufficient water rights. These associations are shown on the map as Potential Future Additions to the Retail Service Area (RSA).

Mayor Korthuis opened the Public Hearing at 7:020 p.m.

There were no comments.

Mayor Korthuis closed the Public Hearing at 7:02 p.m.

Councilor Bode moved and Councilor De Valois seconded to authorize the Mayor to submit the amended Water Service Area Map along with any public comments to Whatcom County per their Coordinated Water System Plan. Motion approved on 7-0 vote.

Ordinance No. 1591-Extension of the Pepin Creek Moratorium

The Pepin Creek moratorium has been in place since September of 2016. It was established in recognition of significant constraints associated with what is now known as the Pepin Creek Sub-area. The City has undertaken significant efforts to examine these constraints and develop solutions which would allow for growth in this area.

It has been determined that the significant infrastructure improvements associated with the creek re-alignment and the improvement of Benson and Double Ditch Roads must be undertaken in a phased approach. Given this approach, the engineering team and the Public Works department is developing a preferred scenario which is expected to be finalized in September. Subsequently, the financial mitigation study, which began in March, can then be completed as it must correspond closely with a specific plan for creek realignment and a corresponding transportation network. This is scheduled to be completed by the end of November 2019.

As these final elements are defined and executed, City staff recommends that the moratorium on construction and development within the Pepin Creek area be continued an additional 6 months from the current date of expiration of September 9, 2019. The moratorium may be lifted earlier as sub-area planning work is completed.

Mayor Korthuis opened the Public Hearing at 7:05 p.m.

Kathy Stanford spoke in opposition to Ordinance No.1591, extension of the Pepin Creek moratorium.

Mayor Korthuis closed the Public Hearing at 7:12 p.m.

Councilor Lenssen moved and Councilor Bode seconded to approve Ordinance 1591 extending, by six months, the existing moratorium of development on those properties



previously identified within the Pepin Creek Sub-area and authorize the Mayor's signature on the document. Motion approved on 7-0 vote.

4. UNFINISHED BUSINESS- None

5. NEW BUSINESS

Public Defender Interim Contract

The City of Lynden provides Public Defender services to individuals who are accused of a crime but who cannot afford an attorney. Our previous Public Defender is no longer able to provide those services. As a result, the City needs to hire an interim replacement while recruiting a permanent Public Defender.

Sharon Westergreen, a qualified attorney living in Everson, has agreed to provide Interim Public Defender services for the City until a permanent replacement can be identified. That search is expected to take 60 to 90 days. The cost and scope of the contract are generally comparable with of the cost and scope of the previous contract the City had with the previous Public Defender.

Councilor Lenssen moved and Councilor Kuiken seconded to approve the contract for interim Public Defender services. Motion approved on 7-0 vote

Ordinance No. 1592-Amending LMC 10.08.400-Parking and Loading

At the August 7th Public Works Committee meeting, Jim Frey, Lynden School District Superintendent, submitted a letter explaining that the District is repurposing the old middle school facilities to be used for early childhood classrooms and district offices. Part of the plan is to include a bus loop and parent drop off next to the school along Main Street. The school district would like to add 8 parallel parking spaces on Main Street. Currently parking is not allowed along the sidewalk next to the school as previously that would have created unsafe circumstances.

At their August 7th meeting, the Public Works Committee reviewed this request and directed staff to amend Section 10.08.100 of the Lynden Municipal Code to reflect this change and submit it to the full City Council for approval.

Councilor Bode moved and Councilor Wohlrab seconded that City Council approves Ordinance No. 1592 - Amendment to Chapter 10.08.100 Parking and Loading and authorize the Mayor's signature. Motion approved on 7-0 vote



CITY COUNCIL MINUTES OF REGULAR MEETING

Downtown Residential Parking Agreement – 610 Front Street

Property owners of 610 Front Street (the liquor store location), (represented as TWIGA NW & RAH) are developing plans for a significant renovation of the existing building. Parking requirements have been a concern as the renovation would add two additional floors and 6 residential units.

Properties located within the Historic Business District are exempt from providing onsite parking. However, when new floor area is created, LMC 19.51.160 states that residential units must provide a minimum of one parking stall per unit. While this is a 50% reduction in what is typically required for residential units, providing onsite parking at this location is a challenge as the building covers nearly the entire the lot.

The property owner is exploring other options including parking agreements with nearby property owners however opportunities are few and the solutions short-term in nature. Recognizing the value of residential development within the downtown core, City staff has worked with the property owners to develop the parking agreement.

The agreement would provide a parking easement for the necessary code required parking stalls. (In this case this equals 3 spaces as the property owner will be providing 3 alley-accessed garage spaces.) The value of the parking easement is outlined in the agreement. In addition, the parking agreement also proposes to offer as many as 6 annual parking passes at a rate set out by the agreement and subject to adjustment.

This issue has been discussed with both the Community Development Committee and the Public Works Committee. Subsequently, the City's legal counsel has created the parking agreement for the Council's consideration.

Councilor Bode moved and Councilor Lenssen seconded to approve the downtown residential parking agreement with TWIGA NW & RAH, the owners of 610 Front Street, and to approve the Mayor's signature on the document. Motion approved on 7-0 vote

Award Contract for Old Elevated Water Tank foundation and Soil Remediation

On May 30th staff solicited bids from seven qualified firms on the City's Small Works Roster for the "Old Elevated Water Tank Foundation and Soil Remediation Project." No bids were received. It was determined that the schedule and limited working days during this busy construction season might be the problem. So, bids were re-solicited on June 28th. Again, no bids were received. After consulting the City Attorney on next steps, negotiations were held with three interested bidders to determine appropriate amendments to the specifications. After making these changes and soliciting small works bids a third time two companies submitted bids - Strider Construction and DeKoster Excavating.

Reichhardt & Ebe Engineering reviewed the bids determined that Strider Construction Company, Inc. provided the lowest responsive and responsible bid in the amount of \$242,048.81, including tax. The



Public Works Committee reviewed the progress on this bid process at their June, July and August meetings; and were sent the bid tabulation prior to this meeting.

Councilor Bode moved and Councilor De Valois seconded that the city council award the contract for the Old Elevated Water Tank Foundation and Soil Remediation work to Strider Construction Company, Inc., in the amount of \$242,048.81, including sales tax and authorize the mayor to sign. Motion approved on 7-0 vote

Award Construction Contract to DeKoster Excavating, Inc. – 7th Street Rehabilitation Project

Bids for the 7th Street Rehabilitation Project were submitted on August 1, 2019. This project provides for the improvement of approximately 800 linear feet of 7th Street, between Judson Street and Grover Street. Improvements include roadway construction, curb, gutter, driveways; the installation of a storm drain system and water main improvements. Work also includes improvement of 250 feet of existing alley between 6th Street and 7th Street and the reconstruction and restriping of the public parking lot adjacent to 7th Street.

Reichhardt and Ebe Engineering reviewed the 8 bids submitted and determined that DeKoster Excavating, Inc. submitted the lowest responsive and responsible bid for Schedules A, B, C, D and E in the amount of \$1,722,450.83, including tax. This is below the engineer's estimate of \$1.8 million. This project is funded in part by a Transportation Improvement Board (TIB) Street Pavement Restoration Grant of \$750,000.

At their August 7th meeting, the Public Works Committee authorized staff to forward the final recommendation for this project directly to City Council if all the bid criteria were met and TIB gave their approval; which has now been received.

Councilor Bode moved and Councilor De Valois seconded that City Council awards the contract for the 7th Street Rehabilitation Project to DeKoster Excavating Inc. in the amount of \$1,722,450.83, including tax, and authorizes the Mayor to sign. Motion approved on 7-0 vote.

Ordinance No. 1589- Shoreline Master Program Update

Lynden adopted its first Shoreline Management Program (SMP) in 1975 after the requirement by the State Shoreline Management Act was passed in 1971. The Shoreline Management Act mandates that jurisdictions, including Lynden, regularly review and update their SMP in coordination with the State. Lynden is required to do so before June 30, 2020.

In 2014, City Council approved a draft SMP after a lengthy update process. The changes being proposed in this 2019 update are not substantive in that they do not significantly change the way that the 2014 Program regulates shoreline development. This proposed 2019 update is meant to fulfill the periodic review requirements, to finalize the comprehensive update to the Program and to continue to protect and manage appropriate use along the City's designated shorelines (Nooksack River and Fishtrap Creek).

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CITY COUNCIL MINUTES OF REGULAR MEETING

This update was recommended for approval by the City Planning Commission at a joint Dept of Ecology/City public hearing on July 25. It has received an Initial Determination of Consistency from the Dept of Ecology and has gone through Dept of Commerce review without comment. Public participation on the proposed update has included website updates, published notices, and an April 12, 2019 open house to which every owner within the Shoreline jurisdiction was invited to attend.

Councilor Lenssen moved and Councilor Strengholt seconded to approve Ordinance 1589 updating the City's Shoreline Master Program and authorizing the Mayor's signature on the Ordinance. Motion approved on 7-0 vote

Dumpster Easement Agreement- 610 Front Street

Property owners of 610 Front Street (the liquor store location), (represented as TWIGA NW & RAH) are developing plans for a significant renovation of the exiting building which would add two additional floors and 6 residential units.

Working with the Public Works Department, properties owners have developed a plan to utilize a portion of City property at the corner of 7th Street and Front Street on the day of garbage collection. Utilizing the City's property requires an easement to do so.

The City's legal counsel has created a dumpster easement agreement for the Council's consideration. This issue has been discussed with the Community Development Committee with minor changes.

Councilor Lenssen moved and Councilor Kuiken seconded to approve the dumpster easement agreement with TWIGA NW & RAH, the owners of 610 Front Street, as modified by the Community Development Committee and to approve the Mayor's signature on the document. Motion approved on 7-0 vote.

Restrictive Covenant Agreement – 610 Front Street

Property owners of 610 Front Street (the liquor store location) are developing plans for a significant renovation of the exiting building. The renovation would add two additional floors and 6 residential units.

Notably the western façade of this building is the location of a well-known mural sponsored by the Lion Club and the owners seek to preserve this mural. To facilitate the protection of the mural and the residential addition to the building, the property owners have requested the City to grant a 10-foot "no build easement" along the west property line of the adjacent City-owned parking lot in the form of a restrictive covenant.

The covenant would prevent construction of structures within 10 feet of eastern property line of the City's parking lot property located at the intersection of Front and 7th Street. The covenant would not prevent the City from continued use of the parking lot. The restriction would allow for more appealing architecture at 610 Front Street building by permitting windows on a property-line wall (which would

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CITY COUNCIL MINUTES OF REGULAR MEETING

otherwise be prohibited by fire code). And, the covenant would offer some protection of the existing mural.

This issue has been discussed with both the Community Development Committee and the Public Works Committee. Both committees agreed the mural preservation had value and noted that it would be unlikely that the City would sell or build on the parking lot property. They were therefore amenable to the covenant. As a result, the City's legal counsel has created a restrictive covenant document for the Council's consideration.

Councilor Bode moved and Councilor Kuiken seconded to approve the restrictive covenant affecting the City's parking lot property located at the intersection of Front and 7th Street and to authorize the Mayor's signature on the document. Motion approved on 7-0 vote.

Temporary Construction Easement – 610 Front Street

Property owners of 610 Front Street (the liquor store location) are developing plans for a significant renovation of the existing building. The renovation would add two additional floors and 6 residential units.

To facilitate the residential addition to the building, the property owners have requested that the City grant a temporary construction easement along their west property line which is adjacent City-owned parking lot on Front and 7th Street. The easement is temporary in nature and consistent with others the City has granted. The City's legal counsel has created a temporary construction easement for the Council's consideration.

Councilor Bode moved and Councilor Strengholt seconded to grant a temporary construction easement to the property owners of 610 Front Street for the proposed renovation of the existing building and authorize the Mayor's signature on the document. Motion approved on 7-0 vote.

6. OTHER BUSINESS

Council Committee Updates

Mayor Korthuis thanked Councilor Wohlrab for arranging and coordinating the Splash Fest event held on the Glenning Street property on September 2nd, Labor Day. Councilor Wohlrab stated that the event was a success because of the efforts of many, Vern Meenderinck the Park Director, Nancy Norris in the Parks Department, Chief Billmire and the Fire Department Crew.

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CITY COUNCIL MINUTES OF REGULAR MEETING



Councilor De Valois reporting for the Parks Committee meeting which involved the discussion of:

- Renovations/repairs to the YMCA building
- Berthusen restrooms will not happen this year
- Vandalism in city parks, discussion about possible camera placement and \$500 reward offer
- Fire hydrant spray day (Splash Fest) that occurred on Labor Day
- Bender Field restroom upgrade
- Rotary project at Bender Fields will soon begin
- Ordinance that outlines Parks hours

Councilor Lensen reporting for the Community Development Committee meeting which involved the discussion of:

- 610 Front Street
- Parking & travel trailers
- Trailer Park property on West Front Street
- Development fees
- Protection of agricultural lands

7. EXECUTIVE SESSION

Council did not hold an executive session.

8. ADJOURNMENT

The September 3, 2019 regular session of the Lynden City Council adjourned at 8:00 p.m.

Pamela D. Brown, MMC
City Clerk

Scott Korthuis
Mayor

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EXECUTIVE SUMMARY



Meeting Date:	September 16, 2019	
Name of Agenda Item:	Special City Council Meeting Minutes September 4, 2019 – Draft	
Section of Agenda:	Approval of Minutes	
Department:	Public Works	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
		Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
Attachments:	Special City Council Meeting Minutes September 4, 2019 – Draft	
Summary Statement:		
Recommended Action:	City Council Review	

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PUBLIC WORKS DEPARTMENT
360-354-3446



SPECIAL CITY COUNCIL MEETING MINUTES (Public Works Committee with Quorum)

4:15 PM September 4, 2019

City Hall 2nd Floor Large Conference Room

1. ROLL CALL

Members Present: Mayor Scott Korthuis; Councilors Gary Bode, Ron De Valois, Jerry Kuiken and Brent Lenssen

Staff Present: City Administrator Mike Martin; Public Works Director Steve Banham; Programs Manager Mark Sandal; and Sr. Admin. Assistant Heather Sytsma

Public Present: Gary Vis, Kathy Stanford

2. ACTION ITEMS

A. **Approve Minutes from August 7, 2019**

De Valois motioned to approve the minutes, and Kuiken seconded the motion.

Action

The minutes from August 7, 2019 were approved.

B. **Pepin Creek Intercept Ditch – Bids Due September 5th; Request to Forward Recommendation to Award Directly to City Council if Bids are Responsive/Reasonable and in Range of Engineer's Estimate**

The Committee discussed forwarding the bid award for the Pepin Creek Intercept Ditch project directly to City Council on October 7th if bids come in close to the engineer's estimate of \$250,000 to \$300,000 and contingent on WSDOT concurrence.

Action

The Public Works Committee concurred and recommended that staff forward the bids for the Pepin Creek Intercept Ditch project to the City Council meeting on October 7 if the bids submitted are responsive/reasonable, in the range of the engineer's estimate and contingent on WSDOT concurrence as it is federally funded.

C. **Request to Reject Single Bid for 3MG Tank Roof Coating and Re-bid Later for Spring**

Banham stated that staff solicited bids from the small works roster for re-coating the three-million-gallon tank at the Northwest Washington Fairgrounds. As only one (1) bid was received, the engineer, Northwest Corrosion Engineering, recommended rejecting the single bid received and waiting until this winter to solicit bids for the work to be

completed in the spring of 2020. This could present a more favorable bidding environment.

Action

The Public Works Committee concurred to recommend to City Council to reject the single bid received for the 3MG Tank Roof Coating and re-bid at a later date.

3. INFORMATION ITEMS

A. 2020 Budget Presentation

Banham presented the draft 2020 project placemat for the Committee’s review. He then reviewed the information with the Committee.

B. Septic to Sewer Fees Waived Report

Banham noted the high number of septic to sewer waivers in 2018 and noted that the Duffner Trailer Park (W. Front Street) is still pending as are others.

C. Follow Up to Stan Stuurmans Request – Bouma Estates

Banham presented the easement documentation that concurred with Stan Stuurmans’ understanding that the easement on the City property he would like to acquire is to remain as long as the property is used for agricultural purposes by the adjoining property (Bouman).

D. Projects:

1. Pepin Design Alternatives

Bode stated this meeting is not the time to discuss this large project and proposed a special Public Works Committee meeting for Wednesday, September 11th at 4:15. Kuiken stated he is out of town all next week. Banham stated this will also be discussed at both the Community Development and Finance committee meetings. The Committee supported holding a special Public Works Committee meeting on Wednesday, September 11th at 4:15 p.m.

The Committee discussed some design alternatives for this project. Banham noted that the Committee should bring any questions about the project to his attention prior to the meeting on September 11th so they can be answered in front of the attendees.

2. Old Water Treatment Plant Demolition

Sandal stated that this project is moving quickly. A road closure notice went out today. The intent is to detour large trucks up 5th Street. Bode expressed concern. Sandal said parking areas will be coned off to allow for large delivery trucks to enter and exit. Sandal stated that flaggers will be on site and a traffic control plan is in place.

3. Wastewater Treatment Plant Outfall

Banham stated that this project is going well. Bode asked if there has been sheet piling in the river. Banham stated yes, this was done about two weeks ago and the area is completely enclosed and has been excavated to the elevation of the pipe. The difficult news today was that subcontractor Granite Precast did not order the manhole that needs to be replaced. It should be delivered by mid-October and won’t affect the permitted work in the river.

4. Industrial Condensate – Riverview to Outfall

Banham stated that staff met with the Tops and Dan Noteboom. They did not have many concerns. One main concern expressed by the Tops was that the existing trees be impacted as little as possible. De Valois asked whether an eagle nest is still in the cottonwood tree. Sandal stated it is, but this is east of the project site.

Sandal noted that the City will need permits from Whatcom County to bore under the road near the truck repair and all property in the Hannegan Road and outfall area.

Lenssen asked when this project could be complete. Banham stated that work will be done within the fish window, so the outfall could be complete by July 2020.

5. Industrial Condensate – Darigold Stormwater to Fishtrap Creek

This project was discussed with #4.

6. Line Road Shoulder Widening

Banham stated that staff received three letters from concerned parents regarding the proposed Line Road Shoulder Widening project. They would like a curb, gutter, and sidewalk on this section of Line Road. The Planning Department also received two comments on the SEPA indicating that archeological sites are in the proximity requiring cultural resources assessment and monitoring. The assessment needs to be complete prior to any excavation.

Banham indicated that the project design is moving forward and the project will be constructed through the small works process..

7. West Front Street EDI Application – Meeting with Adjacent Property Owners

This was not discussed.

8. 7th Street Rehabilitation

Banham stated there are many different schedules included in the scope of this project beyond just 7th Street. This includes re-paving the alley between 6th and 7th Street near the post office and the 7th Street parking lot.

9. DOE Grant Agreement for Decant Facility at PW Shop

Banham stated that the decant facility at the Public Works shop will save the City on hauling sweeper waste, though Sandal noted the solids will still need to be hauled away once they have dried.

Banham noted that this is in the 2020 budget and staff is currently working on the grant agreement associated with this project.

10. Request for Professional Services (RFP) – Design of Fairgrounds Stormwater Facility

Banham stated that the City has received grants for both this project and next item #11 (Judson Street Downtown LID). Requests for Proposals will be advertised soon for the design phase of both projects. A construction grant for both will be applied for in September 2020.

11. RFP for Design of Judson Street Downtown Low Impact Demonstration

See discussion in item #10. Banham noted that the stormwater construction grant won't fund new asphalt, but it could fund pervious concrete. The City can potentially use Judson Street as a testing area to see if the pervious concrete is a sustainable option.

Included in the scope of this project are 10th, 9th, and 8th Streets between Front and Judson Street.

4. ITEMS ADDED:

A. Faith Community Church – Request for Hydrant

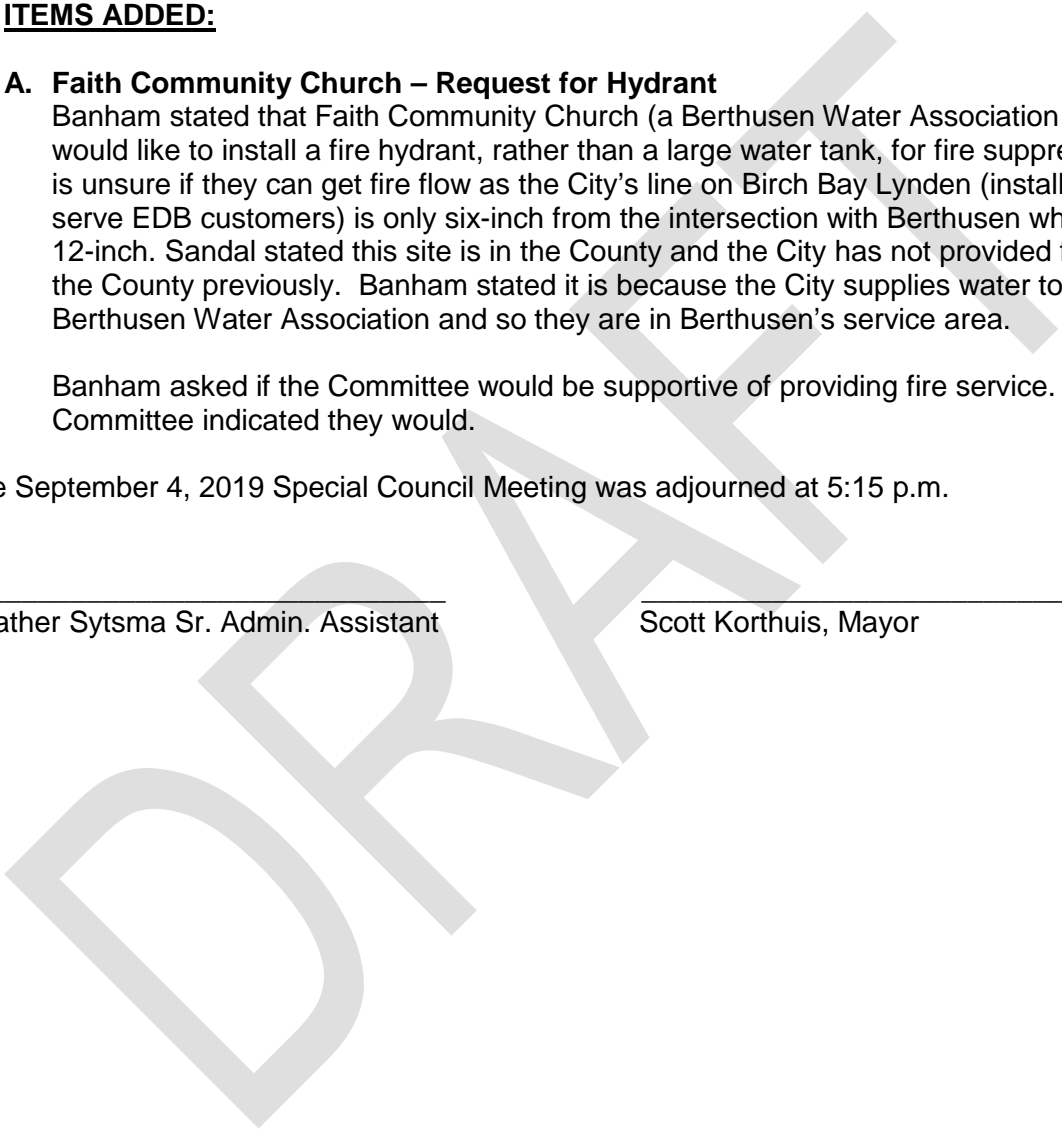
Banham stated that Faith Community Church (a Berthusen Water Association customer) would like to install a fire hydrant, rather than a large water tank, for fire suppression. He is unsure if they can get fire flow as the City's line on Birch Bay Lynden (installed to serve EDB customers) is only six-inch from the intersection with Berthusen where it is 12-inch. Sandal stated this site is in the County and the City has not provided fire flow in the County previously. Banham stated it is because the City supplies water to Berthusen Water Association and so they are in Berthusen's service area.

Banham asked if the Committee would be supportive of providing fire service. The Committee indicated they would.

The September 4, 2019 Special Council Meeting was adjourned at 5:15 p.m.

Heather Sytsma Sr. Admin. Assistant

Scott Korthuis, Mayor



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EXECUTIVE SUMMARY



Meeting Date:	September 16, 2019	
Name of Agenda Item:	Special City Council Meeting Minutes September 5, 2019 – Draft	
Section of Agenda:	Approval of Minutes	
Department:	Police Department	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input checked="" type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
		Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
Attachments:		
Special City Council Meeting Minutes September 5, 2019 – Draft		
Summary Statement:		
Recommended Action:		
For Council Review		

CITY OF LYNDEN



POLICE DEPARTMENT
Office of the Chief of Police
(360) 354 - 2828

PUBLIC SAFETY COMMITTEE MEETING MINUTES
SPECIAL COUNCIL MEETING
4:00 PM September 5, 2019
Police Department Training Room

COMMITTEE

1. ROLL CALL

Members present: Mayor Scott Korthuis and Councilors Brent Lenssen, Gary Bode, Mark Wohlrab and Gerald Kuiken

Staff present: Chief Mark Billmire, Chief Michael Knapp, Lieutenant Jeremy Bos, Lieutenant Russ Martin, City Administrator Mike Martin, Support Services Manager Holly Vega

2. ACTION ITEMS: None.

3. INFORMATION ITEMS:

A. Review of Chief Knapp's 3-year plan submitted to Mayor

The 3-year plan includes the promotion of a Lieutenant, Sergeant, 2 Corporals and an additional 2 officers. Chief Knapp indicated the vehicle fleet is in awful shape and expressed the need for 5 new vehicles; 2 patrol, 2 unmarked and 1 volunteer vehicle. Lt. Martin is researching the option of leasing vehicles as opposed to purchasing. The 3-year budget forecast also includes necessary operational equipment for the safety of our officers and citizens.

B. Update on the LEMAP process, early findings

Chief Knapp noted there was nothing of critical concern found; however, some housekeeping issues were addressed and will give the next chief good direction on how to bring the agency up to industry standards. The report will be available in approximately 6-7 weeks.

C. Update on equipment purchases, FD and PD

The new ambulance is on schedule with completion estimated at the end of October. Chief Billmire has requested a refurbished defibrillator and thermal imaging camera, 1 each for the next 2 years. Long term planning includes expanding the current facility, possibly building up a floor and adding additional bays.

D. Update on public defender contract, search for permanent hire

The City is currently soliciting for a new fulltime Public Defender.

E. 2020 major budget initiative requests by each department

Discussed in **A.** and **C.** above.

F. Lynden WATCH update

Membership of online followers is up 17%. Councilor Wohlrab has designed yard signs and window stickers. The next meeting is in October.

FIRE DEPARTMENT

1. **ACTION ITEMS:** None.

2. **INFORMATION ITEMS:**

A. Monthly report

Chief Billmire presented the monthly report for August. The Fair went well, resulting in a quiet year. Notably, a firefighter was sent to the hospital for heat exhaustion after fighting a nearby brush fire. The current gear is not designed for brush fires, which was a contributing factor. Personnel are looking into purchasing appropriate brush fire gear.

POLICE DEPARTMENT

1. **ACTION ITEMS:** None.

2. **INFORMATION ITEMS:**

A. Pine Street traffic revision request

Residents on Pine Street have requested a traffic revision at the cul-de-sac intersection off of Benson Road. Public Works designed a signage plan to address the concerns.

B. Monthly report

a. Vehicle prowls

Two suspects have been identified after a credit was stolen from a vehicle and subsequently used in Skagit County.

b. Burglary Depot Rd

Officer Harkleroad provided a recap of the residential burglary investigation, in which \$125,000 worth of gold coins and a firearm were stolen. Due to great attention to evidentiary details by the officers and detective, an arrest was made resulting in charges of burglary, theft, possession and trafficking stolen property, possession of firearm and controlled substance violations.

c. Suicide attempt

Officers were dispatched to a suicidal subject armed with a knife, threatening to harm himself and officers. A less lethal shotgun was deployed, but thankfully not needed and the subject was safely taken into protective custody. The newly purchased orange stock for the less lethal shotgun is clearly identifiable to other officers on scene.

C. Sergeant and Lieutenant promotional exams

The promotional exam for Lieutenant is scheduled for September 6, 2019.
The Sergeant promotional exam is in the process of being finalized.

Meeting adjourned 5:00 pm.

Next Meeting Date: October 3, 2019

DRAFT

CITY OF LYNDEN



EXECUTIVE SUMMARY

Meeting Date:	September 16, 2019	
Name of Agenda Item:	Approval of Payroll and Claims	
Section of Agenda:	Consent	
Department:	Finance	
Council Committee Review:	Legal Review:	
<input type="checkbox"/> Community Development <input type="checkbox"/> Public Safety <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Public Works <input type="checkbox"/> Parks <input type="checkbox"/> Other: _____	<input type="checkbox"/> Yes - Reviewed <input checked="" type="checkbox"/> No - Not Reviewed <input type="checkbox"/> Review Not Required	
Attachments:		
None		
Summary Statement:		
<p>RCW 42.24.180 sets forth the conditions for issuance of warrants or checks before Council approval. The auditing officer and the City officers designated to sign the warrants shall have an official duty for the faithful discharge of his or her duties.</p> <p>The City Council has adopted contracting, hiring, purchasing, and disbursing policies that implement effective internal controls; and shall provide for its review of the documentation supporting claims paid for its approval of all warrants issued in payment of claims and/or payroll at regularly scheduled public meetings within one month of issuance.</p> <p>The City Council shall require that if, upon review, it disapproves some claims and/or payroll, the auditing officer and the officer designated to sign the warrants or checks shall jointly cause the disapproved claims to be recognized as receivables and to pursue collection diligently until the amounts disapproved are collected or until the City Council is satisfied and approves the claims and/or payroll.</p> <p>The Finance Committee and/or full City Council may stipulate that certain kinds or amounts of claims and/or payroll should not be paid before the City Council has reviewed the supporting documents.</p>		
Recommended Action:		
Approve the payment of City Payroll and Claims.		

CITY OF LYNDEN



EXECUTIVE SUMMARY

Meeting Date:	September 16, 2019	
Name of Agenda Item:	Addendum to Lease for YMCA	
Section of Agenda:	Consent	
Department:	Parks	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input checked="" type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	Legal Review: <input checked="" type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input type="checkbox"/> Review Not Required	
Attachments:		
Addendum to Lease		
Summary Statement:		
<p>The YMCA lease dated Feb. 18, 1997 is automatically renewed each year unless a 120 day notice is given to terminate the lease.</p> <p>The YMCA agreed to pay \$50,000 as its share in the cost of resurfacing the pool, which has now been completed.</p> <p>In consideration of the mutual promises the parties have agreed to amend the lease to reimburse the YMCA a pro-rated amount of their share of the construction costs if the lease is terminated early. (Addendum attached).</p> <p>The addendum was reviewed by the Parks Committee at their meeting today.</p> <p>Request to forward the addendum to full council for approval.</p>		
Recommended Action:		
Motion to approve the lease addendum and authorize the Mayor's signature.		

**ADDENDUM TO
LEASE
of
RECREATIONAL FACILITY**

THIS ADDENDUM TO LEASE OF RECREATIONAL FACILITY (“Addendum”) is made this 16th day of September, 2019 by and between **the City of Lynden**, a municipal corporation (“Lessor”), and **the Whatcom Family YMCA**, a nonprofit corporation (“Lessee”).

WHEREAS, on February 18, 1997, Lessor and Lessee entered into the Lease of Recreational Facility (“Lease”), by which Lessee would rent the property located at 100 Drayton Street, Lynden, WA (“Premises”) from Lessor for one dollar (\$1.00) per year; and

WHEREAS, pursuant to Section 2 thereof, the Lease automatically renews annually unless one hundred twenty (120) days’ termination notice is provided by Lessor or Lessee prior to the end of the year, in which case the Lease terminates on December 31st of that year; and

WHEREAS, Lessor and Lessee agreed that the Lessee would pay to the Lessor the amount of Fifty Thousand Dollars (\$50,000.00) as its share in the cost of construction of the swimming pool resurfacing project (“Swimming Pool Project”); and

WHEREAS, the Swimming Pool Project has now been completed and the pool is again in use; and

WHEREAS, in further consideration of its payment to the Lessor, Lessee has requested the below addendum to the Lease; and

WHEREAS, payment in full from Lessee shall be due upon signing this Addendum; and

WHEREAS, the foregoing recitals are a material part of this Agreement;

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties agree that the Lease shall be amended as set forth in Sections 1 and 2 below, subject to Sections 3 and 4:

1. Section (3) of the Lease shall become two sections, with the existing text designated as Section (3)(a).
2. A new Section (3)(b) is added to the Lease to read as follows:

In the event Lessor terminates the Lease per Section 2 effective on or before the 31st day of December, 2024, Lessor shall reimburse Lessee a pro-rated amount of its payment made for the Swimming Pool Project, as follows:

Effective Date of Lease Termination:	Amount of Reimbursement:
December 31, 2020	\$40,000.00
December 31, 2021	\$30,000.00
December 31, 2022	\$20,000.00
December 31, 2023	\$10,000.00
December 31, 2024	\$0

3. All other terms of the Lease remain in full force and effect.

4. Lessee shall pay to the Lessor the sum of Fifty Thousand Dollars (\$50,000.00) as its agreed share of the cost of the Swimming Pool Project upon the signing of this Addendum.

IN WITNESS WHEREOF, the parties have executed this Addendum on the date above written.

City of Lynden

Whatcom Family YMCA

By: _____
Its: _____

By: _____
Its: _____

STATE OF WASHINGTON)
) §
COUNTY OF WHATCOM)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person is the _____ and acknowledged that s/he signed this instrument, freely and voluntarily, on behalf of the CITY OF LYNDEN for the uses and purposes mentioned in the instrument.

Dated this _____ day of _____, 2019.

Print Name: _____
NOTARY PUBLIC in and for the State of Washington.
My commission expires _____.

STATE OF WASHINGTON)
) §
COUNTY OF WHATCOM)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person is the _____ and acknowledged that s/he signed this instrument, freely and voluntarily, on behalf of WHATCOM FAMILY YMCA for the uses and purposes mentioned in the instrument.

Dated this _____ day of _____, 2019.

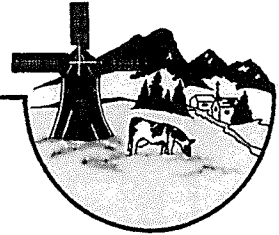
Print Name: _____
NOTARY PUBLIC in and for the State of Washington.
My commission expires _____.

CITY OF LYNDEN



EXECUTIVE SUMMARY

Meeting Date:	September 16, 2019	
Name of Agenda Item:	Request to Cancel Warrants #73295 and #73665	
Section of Agenda:	Consent	
Department:	Finance	
Council Committee Review:	<input type="checkbox"/> Community Development <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: Full Council
Legal Review:	<input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required	
Attachments:		
Resolution No. 1006 Copy of Warrant No. 73295 and No. 73665; supporting cancellation memos		
Summary Statement:		
<p>RCW 39.56.040 states that any registered or interest bearing warrants of any municipal corporation not presented within one year of the date of their call, or other warrants not presented within one year of their issue, shall be canceled by passage of a resolution of the governing body of the municipal corporation, and upon notice of the passage of such resolution the auditor of the municipal corporation and the treasurer of the municipal corporation shall transfer all records of such warrants so as to leave the funds as is such warrants had never been issued; and</p> <p>Warrant No. 73295 has not and will not be presented for payment and should be canceled. Warrant No. 73665 has not and will not be presented for payment and should be canceled.</p>		
<p>The City Council give consent approval of Resolution No. 1006 and authorize the Mayor's signature.</p>		



Memo

To: Linde Schreifels
From: Linda Handy ~~OK~~
Date: June 25, 2019
Re: VOID Claims Warrant #73295 *THROUGH COUNCIL*

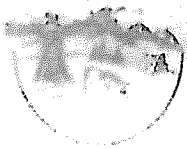
Please void warrant #73295 payable to Pierce Manufacturing, Inc. (v#4770) dated 6/19/19 in the amount of \$9.23. This invoice was paid to the wrong vendor. Invoice belongs to CHS NW (v#4700). A

Please void the warrant and original AP transaction 29183544. The warrant is being held in the Finance safe until the void process is complete.

The invoice will be re-entered for payment to v#4700.

Thank you,

LH



CITY OF LYNDEN

P.O. Box 650
Lynden, Washington 98264
(360) 354 2829

PEOPLES BANK
LYNDEN, WASHINGTON

98-442
1251

C

73295

CLAIMS WARRANT

28

DATE
06/19/2019

AMOUNT
\$9.23

PAY: ****Nine DOLLARS Twenty Three CENTS****

TO THE
ORDER
OF:

Pierce Manufacturing, Inc.
7751 Collections Center Drive
Chicago, IL 60693

COPY
[Handwritten Signature]
AUTHORIZED SIGNATURE

⑈073295⑈ ⑆125104425⑆5003⑈ 138004⑈

CITY OF LYNDEN • LYNDEN, WASHINGTON 98264

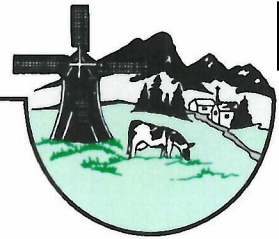
C

73295

PIER 4770 137 06/19/2019 00073295 9.23 1/1

REFERENCE NO.	YOUR INVOICE NUMBER	INVOICE DATE	AMOUNT PAID	DISCOUNT	NET AMOUNT
29183544	121076/13	06/04/2019	9.23	0.00	9.23

COPY



Memo

To: Anthony Burrows cc: Linde Schreifels
From: Linda Handy
Date: September 4, 2019
Re: VOID Claims Warrant #73665

• **TO BE VOIDED WITH CONSENT OF CITY COUNCIL**

Please void warrant #73665 payable to Hotstart Sales, LLC (v#4778) dated 8/20/19 in the amount of \$77.07. The vendor submitted invoice CD99423327 for WTP generator parts that was coded and approved by the PW department. An AP check was printed on 8/20/19. However, this invoice was pre-paid using a city credit card (Tami Adams). The vendor returned the check to us on 9/4/19.

Please void the warrant and original transaction # 29184816.

The warrant is being held in the Finance safe until the void request has gone through city council & the process is complete.

Thank you,

LH



CITY OF LYNDEN

P.O. Box 650
Lynden, Washington 98264
(360) 354-2829

PEOPLES BANK
LYNDEN, WASHINGTON

98-442
1251

C

73665

CLAIMS WARRANT 30

DATE
08/20/2019

AMOUNT
\$77.07

PAY: ****Seventy Seven DOLLARS Seven CENTS****

TO THE
ORDER
OF:

Hotstart Sales, LLC
PO Box 11245
Spokane, WA 99211-0245

VOID

Anthony Brunner
AUTHORIZED SIGNATURE

⑈073665⑈ ⑆125104425⑆5003⑈138004⑈

CITY OF LYNDEN • LYNDEN, WASHINGTON 98264

C

73665

REFERENCE NO.	YOUR INVOICE NUMBER	INVOICE DATE	AMOUNT PAID	DISCOUNT	NET AMOUNT
29184816	CD99423327	07/18/2019	77.07	0.00	77.07

16005

good morning.
I am sending this
check back to you
because this invoice
has already been paid.

Thank you
- AR

CITY OF LYNDEN



RESOLUTION NO. 1006

A RESOLUTION BY THE CITY OF LYNDEN, WASHINGTON
REQUESTING THE CANCELLATION OF WARRANT
NO. 73295 AND WARRANT NO. 73665

WHEREAS, RCW 39.56.040 states that any registered or interest bearing warrants of any municipal corporation not presented within one year of the date of their call, or other warrants not presented within one year of their issue, shall be canceled by passage of a resolution of the governing body of the municipal corporation, and upon notice of the passage of such resolution the auditor of the municipal corporation and the treasurer of the municipal corporation shall transfer all records of such warrants so as to leave the funds as is such warrants had never been issued; and

WHEREAS, it has been brought to the attention of the City Council that Warrant No. 73295 and Warrant No. 73665 has not and will not be presented for payment; and

WHEREAS, documentation has been provided that the payment due was paid on an invoice; and

NOW, THEREFORE, BE IT ORDAINED BY the City Council of the City of Lynden as follows:

Section A: That Warrant No. 73295, in the amount of \$9.23, issued June 19, 2019; and Warrant No. 73665, in the amount of \$77.07, issued August 20, 2019 be canceled.

Section B: If any section, subsection, sentence, clause or phrase of this resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this resolution. The Council hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact than any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, and if, for any reason, this resolution should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect

Section C: This resolution shall take effect and be in force from and after its passage by the Council and after its approval by the Mayor, if approved, otherwise, as provided by law and five (5) days after the date of its publication.

PASSED BY THE CITY COUNCIL BY AN AFFIRMATIVE VOTE, ____ IN FAVOR ____ AGAINST AND SIGNED BY THE MAYOR THIS ____ DAY OF _____, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

CITY OF LYNDEN



EXECUTIVE SUMMARY

Meeting Date:	September 16, 2019	
Name of Agenda Item:	Request to Reject Bid for 3MG Reservoir Roof Recoating Project	
Section of Agenda:	New Business	
Department:	Public Works	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required	
Attachments:		
1) Partner Industrial Bid 2) Northwest Corrosion Engineering Recommendation to Rebid		
Summary Statement:		
<p>Staff solicited bids from the three companies on the City’s small works roster in August to recoat the roof on the 3-million-gallon (MG) steel water reservoir located at the fairgrounds. In order to be considered a small works project, the job must be \$350,000 or under. The City received only one bid, from Partner Industrial in the amount of \$348,425.00, including tax.</p> <p>Northwest Corrosion Engineering (NCE) who assisted the City in preparing the specifications had provided cost estimates of between \$225,000 - \$250,000 and containment between \$75,000 and \$100,000.</p> <p>Upon reviewing the bid from Partner Industrial, NCE recommended rejecting the single bid received and waiting until this winter to once again solicit small works roster bids for the work to be completed in the spring of 2020. The engineer has confirmed that there would be no adverse consequences to delaying the work for another 6-8 months. This is also expected to present a more favorable bidding environment and recoating would be less subject to weather issues for a contractor. If approved, the City would roll over the 2019 funding from the Water Fund (401) for this project into the 2020 budget.</p>		
Recommended Action:		
That City Council approve the rejection of Partner Industrial’s Bid in the amount of \$348,425.00, including taxes, and direct staff to rebid the project for re-coating in 2020.		

August 22, 2019

Mr. Mike Kim
City of Lynden, Public Works Department
300 4th Street
Lynden, Washington 98264

RE: Cover Letter
Recoat Roof 3MG Water Tank at Northwest Washington Fairgrounds (114'Ø x 40' tall)
Project 2019-03

Dear Mr. Kim:

Please find attached the following documents for the sealed bid on the City of Lynden's Project #2019-03.

- Project Requirements and Scope of Work pages from bid information (pages 1-2)
- Bidder Identification (page 3)
- Statement of Bidder's Qualifications (page 4)*
- Subcontractor List (page 5)
- Non-Collusion Affidavit Certificate (page 6)
- Certification of Compliance with Wage Payment Statutes (page 7)
- Partner Industrial's pricing and clarifications proposal (pages 8-9)

*Note: On Statement of Bidder's Qualifications (page 4) that indicates we have been in business for 3 years, Partner Industrial made an asset purchase of Dunkin & Bush, Inc. maintaining their staff and contracts. Dunkin & Bush, Inc. had been in business for 70 years prior to that purchase.

If you should have any questions regarding the project or our proposal, please do not hesitate to contact me directly.

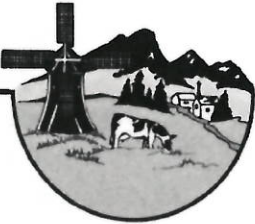
Sincerely,



Seth Jeretzky
Sr. Project Manager
360.393.7985

CITY OF LYNDEN

PUBLIC WORKS DEPARTMENT
Steve Banham, Public Works Director
(360) 354 - 3446



CITY OF LYNDEN
RECOAT ROOF 3MG WATER TANK AT NORTHWEST WASHINGTON FAIRGROUND
PROJECT 2019-03
GENERAL REQUIREMENTS, SPECIFICATIONS AND SCOPE OF WORK

LOCATION: The site is located at 1775 Front Street, Lynden

PROJECT REQUIREMENTS:

1. Project shall be completed per the Specifications included herein.
2. All work must be complete, all spent material properly disposed of, and site restored to the original or better condition to the satisfaction of the City.
3. Contractor is responsible for verifying all existing conditions prior to bidding. Please contact Mike Kim, Plants Superintendent at KimM@lyndenwa.org or (360) 354-0633 to make arrangements for a site visit.
4. Provide standard warranty for defective labor and material performance and coverage.
5. Applicant must be on City's Small Works Roster and all Small Works Roster Requirements must be met.

See www.lyndenwa.org/Departments/PublicWorks/SmallWorksRoster/ for application and guidelines and Certificate of Compliance of Wage Payment Statutes.

GENERAL REQUIREMENTS:

- A. Allowable Site Access: Hours: 7 AM to 7 PM, 5 days per week – Monday- Friday
- B. The job site to be left in a clean, orderly state.
- C. Contractor is responsible for protection and security of any equipment or materials stored on the job site.
- D. All environmental precautions must be taken.
- E. All State and Federal laws must be met.
- F. Prevailing Wages must be paid and documented. Contractor must submit, prior to any work, Intent to Pay Prevailing wages for prime and subcontractors.
- G. Certification of Compliance with Wage Payment Statutes Form must be submitted as part of the bid package.
- H. Unless exempt, in order to be considered a responsible bidder, every bidder must complete training on public works requirements and prevailing wages (a public works contractor must verify responsibility criteria for each first-tier sub-contractor, and a subcontractor of any tier that hires other subcontractors must verify responsibility criteria for each of its subcontractors. Verification shall include that each subcontractor, at the time of subcontract execution, meets the responsibility criteria listed in RCW 39.04.350(1)(g) and possesses an electrical contractor license, if required by chapter 19.28 RCW, or an elevator contractor license, if required by chapter 70.87 RCW. This

BIDDER IDENTIFICATION

The name of the Bidder submitting this proposal, the address and phone number to which all communications concerned with this proposal shall be made and the number which has been assigned indicating the Bidder is licensed to do business in the State of Washington are as follows:

Firm Name: Partner Industrial, LP

Address: 8901 Gaylord Drive, Ste. 230
Houston, TX 77024

Telephone: 832-360-1978

Contractor's License Number: CCPARTNIL825NN

The Firm submitting this proposal is a Sole Proprietorship
 Partnership
 Corporation

The names and titles of the principal officers of the corporation submitting this proposal, or of the partnership, or of all persons interested in this proposal as principals are as follows:

Doug Brittain, Senior Vice President
Name & Title


Signature

NOTE: Signatures of this proposal must be identified above. Failure to identify the Signatories will be cause for considering the proposal irregular and for subsequent rejection of the bid.

Subcontractor List

1 Subcontractor Name N/A
Work to be Performed _____

2 Subcontractor Name _____
Work to be Performed _____

3 Subcontractor Name _____
Work to be Performed _____

4 Subcontractor Name _____
Work to be Performed _____

5 Subcontractor Name _____
Work to be Performed _____

6 Subcontractor Name _____
Work to be Performed _____





CITY OF LYNDEN

Certification of Compliance with Wage Payment Statutes

The bidder hereby certifies that, within the three-year period immediately preceding the bid solicitation date 08/23/2019 that the bidder is not a "willful" violator, as defined in RCW 49.48.082, of any provision of chapters 49.46, 49.48, or 49.52 RCW, as determined by a final and binding citation and notice of assessment issued by the Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Partner Industrial, LP
Bidder


Signature of Authorized Official*

Doug Brittain
Printed Name

Senior Vice President
Title

8/16/2019
Date

Houston
City

Texas
State

Check One:

Individual Partnership Joint Venture Corporation

State of Incorporation, or if not a corporation, State where business entity was formed:

Texas

If a co-partnership, give firm name under which business is transacted:

N/A

**If a corporation, proposal must be executed in the corporate name by the president or vice-president (or any other corporate officer accompanied by evidence of authority to sign). If a co-partnership, proposal must be executed by a partner.*

August 22, 2019

Mr. Mike Kim
City of Lynden, Public Works Department
300 4th Street
Lynden, Washington 98264

RE: Recoat Roof 3MG Water Tank at Northwest Washington Fairgrounds (114'Ø x 40' tall)
Project 2019-03
Quote No.: 240-00126

Dear Mr. Kim:

We are pleased to offer the following lump sum proposal for the referenced project located at 1775 Front Street in Lynden, Washington. Our pricing is derived from the General Requirements, Specifications and Scope of Work bidding information provided electronically on 08/09/19 to complete the project per the instructions in these documents.

Clarifications / Assumptions:

- Prevailing wages are included in our proposal and the required reporting of.
- We have not included obtaining any permits to perform the work.
- We are assuming the water provided by the City of Lynden for our use (section 1.7.4) will meet the specified water quality standards referenced (section 3.5.5).
- City of Lynden will provide their generator number for waste stream if required.
- Upon contract award, we will provide our standard warranty for defective labor and our coating manufacturers standard warranty for defective materials.
- We have included providing a Performance Bond if we are the successful bidder and the project is awarded to our firm.
- We have planned to work a 4/10-day shift schedule, Monday – Thursday, with Friday as optional if needed, within the 7:00AM – 7:00PM time frame allowed.
- Any downtime/delays caused by others are not included within our proposal.

Pricing: \$348,425.00 (includes project taxes)

Mr. Mike Kim
August 22, 2019
Page Two

Project References:

1. Ms. Marilyn Lacasse
BP Cherry Point
360.526.3791
2. Mr. Russ Curley
Shell Puget Sound Refinery
360.708.2596
3. Mr. Keith Vanderbeek
Marathon Anacortes Refinery
360.293.9119

Thank you for the opportunity to present our proposal and please do not hesitate to contact me directly should you have any questions at all.

Sincerely,

Seth Jeretzky

Seth Jeretzky
Sr. Project Manager
360.393.7985

August 27, 2019



P.O. Box 905 Burlington, WA 98233
Phone: (360) 391-1041 Cell: (360) 391-0822

Mr. Steve Banham, P.E.
City of Lynden, Public Works Director
300 4th Street
Lynden, WA 98264

SUBJECT: City of Lynden 3 Million Gallon Reservoir Roof Recoating Project

Mr. Banham,

I have reviewed the single bid received from Partner Industrial for recoating the roof of the City of Lynden 3.0 MG Fairground tank. The final bid, including taxes, was \$348,425.00. The cap for this small works project was set at \$350,000.00 including taxes.

The engineers estimate for this work was approximately \$300,000 (\$225,000 for the removal and application of the coating and \$75,000 for erection and removal of provisions for secondary containment).

Given the bid results, I recommend that the project be shelved until next year when the climate may be more favorable for the City from a cost standpoint. Perhaps rebidding the work this fall/winter with the anticipation of completing the work in spring when more contractors may be available to bid the work with costs being more competitive. Allowing the coating to remain on the roof of the tank during the interim will not affect the work involved with recoating the roof, essentially the effort necessary to complete the work that would have been done this fall will not change if it is conducted next year.

Sincerely,
Northwest Corrosion Engineering

A handwritten signature in blue ink that reads "Jeremy A. Hailey".

Jeremy A. Hailey, P.E.

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	September 16, 2019	
Name of Agenda Item:	Parks Committee Minutes	
Section of Agenda:	Other Business	
Department:	Parks	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input checked="" type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required	
Attachments:	ES-Draft Parks Committee Minutes – August 20, 2019	
Summary Statement:	See next Page	
Recommended Action:	For Council Review	



PARKS COMMITTEE MINUTES

August 20, 2019

1. Roll Call:

Members Present: Ron De Valois, Mark Wohlrab, Nick Laninga

Staff Present: Mayor Korthuis, Mike Martin, Vern Meenderinck, Nancy Norris

Others Present: Riley Sweeney City of Ferndale Communication Officer

2. Action Items:

A. **Approval of minutes from July 15, 2019**

DeValois motioned to approve the minutes, Laninga seconded the motion.

Action: The minutes from July 15, 2019, were approved.

B. **What should be the path forward on YMCA repair/additions/rebuild**

What should our next steps be? Mayor Korthuis is in contact with the YMCA Board of Directors. DeValois will ask Public Works Committee to add the YMCA to their Committee Agenda.

C. **Berthusen Restrooms- Move budgeted funds from 2019 to 2020**

All the necessary permits will not be ready to start the construction of the new restrooms October 2019. The 2019 budgeted funds for the new restrooms at Berthusen Park will be moved to the 2020 budget.

D. **Million Smiles vandalism. Plans for actions/camera's/lighting???**

Riley Sweeney- Ferndale- Ideas etc.

Mr. Sweeny is the City of Ferndale's Communication Officer, he shared a few ideas to help curb the vandalism that has been occurring at the Parks especially at the Million Smiles playground. Mr. Sweeny suggested retelling the story of how the playground was built 15 years ago and get today's kids involved in a cleanup project to better the playground. Another suggestion is to build an art wall where anyone can paint on this wall.

Action: Parks Committee would like to see trail camera's put in place. Parks Committee recommends Vern speak with the Police Department to see if he has any recommendations as to where to locate the cameras and what the disciplinary action can be.

E. **Fire hydrant spray day-**

Mark was given the go ahead to organize a volunteer fire hydrant spray day at the Glenning St. property on Labor Day September 2, 2019.



3. Information items:

- A. **Bender Restrooms/ upgrades counter tops/sinks etc. and Paint the floors.** The Bender south end restrooms need some upgrades; this upgrade will be put on the winter project list.
- B. **Lynden Watch re: million smiles/\$500 reward by a citizen.**
To help deter vandalism, a community citizen put up a \$500 reward, hoping it would lead to an arrest.
- C. **2020 budget thoughts/ideas/additions?**
With the extension of the Trail, using a push blower to clean the miles of trails is not adequate and not very cost effective. Vern asked to remove the purchase of a new top dresser from the 2020 budget and purchase a sweeper attachment for the trails in its place.
- D. **Promo committee report on the Rec. District bond.**
The Promo Committee is up and going, they will be pounding the pavement and asking the community to support this bond here within the next few months.
- E. **Rotary project- Almost \$200,000 of the \$250,000 already raised.**
The community seems really excited about this new project and the donations keep coming in.

4. Items added

- A. **Tree Roots lifting the Jim Kaemingk Trail** – Public Works looking to see if they can repair the areas of concern by grinding the lifted blacktop.
- B. **The Development Status of the Heusinkveld Barn-** Until there is a Park plan for Benson Park no further development is planned for the barn.

Next meeting: September 16, 2019
Meeting Adjourned 5:05pm.

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	September 16, 2019	
Name of Agenda Item:	Calendar	
Section of Agenda:	Other Business	
Department:	Administration	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: N/A
Legal Review:	<input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required	
Attachments:	Outlook Calendar	
Summary Statement:	See next page.	
Recommended Action:	None	

September 9, 2019

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Monday

9:00 AM - 10:00 AM

Check-In Vern/Mike -- Mike's Office

September 10, 2019

Tuesday

8:30 AM - 9:30 AM

LT Meeting -- City Hall 1st Floor Large Conference Room

12:00 PM - 1:00 PM

Lunch & Learn (To Be Determined) -- Police Training Room

September 11, 2019

Wednesday

9:00 AM - 10:00 AM

Check-In Mark/Mike -- Mike's Office

4:15 PM - 6:00 PM

Public Works Committee Meeting -- City Hall 2nd Floor Large Conference Room

7:00 PM - 9:00 PM

Rec. District Meeting -- Annex South East Conference Room

September 12, 2019

Thursday

7:30 PM - 9:30 PM

Planning Commission Meeting -- Annex Council Chamber

September 13, 2019

Friday

10:00 AM - 11:00 AM

Check-In Steve/Mike -- Mike's Office

11:00 AM - 12:00 PM

Check-In Heidi/Mike -- Mike's Office

September 16, 2019

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Monday

3:00 PM - 4:00 PM

Finance Committee Meeting -- City Hall 1st Floor Large Conference Room
Visit WWW.LYNDENWA.ORG to view the agenda

4:00 PM - 5:00 PM

Parks Committee -- City Hall 1st Floor Large Conference Room

7:00 PM - 9:00 PM

Copy: Council Meeting -- Annex Council Chamber; Annex East Training Room; Annex North East Conference Room; Annex South East Conference Room

September 17, 2019

Tuesday

9:00 AM - 11:00 AM

Small Cities Caucus -- City Hall 1st Floor Large Conference Room

September 18, 2019

Wednesday

9:00 AM - 5:00 PM

Court -- Annex Council Chamber; Annex East Training Room; Annex North East Conference Room; Annex South East Conference Room

2:00 PM - 3:30 PM

Wellness Committee Meetings -- City Hall 1st Floor Large Conference Room
Please forward as needed.
Thanks.

Pam

4:00 PM - 6:00 PM

Community Development Committee Mtg -- City Hall 2nd Floor Large Conference Room

5:00 PM - 6:30 PM

Board of Adjustment Meeting -- Annex South East Conference Room

7:00 PM - 9:00 PM

Berthusen Advisory -- Annex South East Conference Room

7:00 PM - 8:30 PM

Board of Adjustment -- City Hall 2nd Floor Large Conference Room

September 19, 2019

Thursday

9:30 AM - 10:30 AM

Airport Board Meeting -- City Hall 1st Floor Large Conference Room

Location change due to scheduling conflict. The meeting will be held in the FIRST FLOOR conference room.

10:00 AM - 12:00 PM

County Fire Operations Committee Meeting -- Annex Council Chamber

September 20, 2019

Friday

8:30 AM - 9:30 AM

Check In-Mike/Anthony -- Mike's Office

September 23, 2019

Monday

9:00 AM - 10:00 AM

Copy: Check-In Vern/Mike -- Mike's Office