



**CITY OF RIDGEFIELD, WASHINGTON
CITY COUNCIL MEETING MINUTES
AUGUST 24, 2023**

Regular Meeting - 6:30 PM

I. STUDY SESSION - 5:30 P.M.

- 1. Introduction to the 2024 Budget process and Baseline Operating Budget - Kirk Johnson, Finance Director**

II. GENERAL SESSION CALL TO ORDER - 6:30 PM

- 1. Flag Salute**
- 2. Roll Call**

Present:

Mayor Jennifer Lindsay
Mayor Pro Tem Rob Aichele
Council Member Matt Cole
Council Member Lee Wells
Council Member Ron Onslow
Council Member Judy Chipman
Council Member Clyde Burkle

3. Late changes to the agenda

Yes, move the appointment of Parks Board member to II.4 section of the meeting agenda.

- 4. Appointment Confirmation of Parks Board Member, Position No. 7**

MOTION: MOVE TO CONFIRM MAYOR'S APPOINTMENT OF ALEX EARL TO PARKS BOARD, POSITION NO. 7.

RESULT: (UNANIMOUS)

MOVER: Council Member Clyde Burkle

SECONDER: Council Member Judy Chipman

AYES: Council Member Onslow, Council Member Burkle, Council Member Wells, Council Member Chipman, Council Member Cole, Mayor Pro Tem Aichele, Mayor Lindsay

III. LIFESAVING AWARD - CHIEF DORIOT

Officer Wattson and Officer Cutena received lifesaving awards.

IV. PUBLIC COMMENT

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Comments received during public testimony can be heard on the City's website under <https://ridgefieldwa.us/government/city-council-meeting-audio-files/>.

V. CONSENT AGENDA

MOTION TO APPROVE AS PRESENTED.

RESULT:	(UNANIMOUS)
MOVER:	Mayor Pro Tem Rob Aichele
SECONDER:	Council Member Ron Onslow
AYES:	Council Member Onslow, Council Member Burkle, Council Member Wells, Council Member Chipman, Council Member Cole, Mayor Pro Tem Aichele, Mayor Lindsay

1. **Approval of Claims And/Or Payroll**
2. **Approval of Minutes from the August 10, 2023 Meeting**

VI. PRESENTATION

1. **Salary Commission Update - Chair Shaun Ford**

VII. BUSINESS

1. **Second Reading of Ordinance No. 1407 - Lahti Property RMUO Removal - Claire Lust, Community Development Director**

The city received a zone change application for 5145 Pioneer Street. The proposal is to remove the Ridgefield Mixed Use Overlay (RMUO) zoning overlay that currently exists on the northern portion of the property (approximately 22 acres). The purpose of the proposal is to facilitate the development of a medical clinic on the northeastern portion of the property. This use is permitted outright in the Employment base zone, whereas under RMUO it would need to balance with other uses to meet the "required mix of uses" standards in RDC 18.235.060. To achieve their envisioned master development of the Lahti property, the applicant intends to subsequently go through a comprehensive plan amendment to re-designate the western portion of the site from Employment (E) to General Commercial (GC), however, the current proposal is for the RMUO removal only. This is because while zone change requests such as the RMUO removal can be processed at any time, comprehensive plan amendments such as a change from employment to commercial are only processed once per year in November/December, which would cause an untenable delay to the medical clinic project. City Council held a public hearing on the proposed RMUO removal on August 10, 2023. The applicant testified on behalf of the proposal.

MOTION: MOVED TO ADOPT ORDINANCE NO. 1407 AS PRESENTED.

RESULT:	(UNANIMOUS)
MOVER:	Council Member Ron Onslow
SECONDER:	Council Member Clyde Burkle
AYES:	Council Member Onslow, Council Member Burkle, Council Member Wells, Council

**2. Motion - Award of Construction Contract for the Royle Road project, S. 15th Street to S. 5th Way
- Chuck Green, Public Works Director**

The City of Ridgefield is in a multi-phased set of improvements along the Royle Road corridor between Hillhurst Road and Pioneer Street. Construction of the section between S. 19th Street and S. 15th Street, including a new roundabout at Royle Road and Wells Drive/S. 15th Street, was recently completed. This next phase of construction will improve Royle Road to two traffic lanes, a center turn lane or median, bike lanes, sidewalks, street lighting, a new water main, stormwater facilities and a joint utility trench to relocate and underground power and communications lines. It will match up with improvements completed in 2020-2021 of Royle from Pioneer Street to S. 5th Way that was a partnership between the City and developers of Pioneer Village and Discovery Ridge. Also included in this project are sidewalk and landscape improvements previously removed from the Royle Road roundabout project due to budget constraints. A Transportation Improvement Board grant was received for \$2,952,000 to help fund the project. The City is matching the TIB grant with Traffic Impact Fees and general funds. The improvements package was advertised for bid on June 30, 2023. A pre-bid meeting was held at the RACC for interested bidders to hear a presentation on the project and time to ask questions.

This was the first City project to include Supplemental Bidder Responsibility Criteria. There were three supplemental criteria. The two apparent lowest bidders were requested to provide responses to these criteria within two days of bid opening. The criteria were:

1. Contractor must be qualified to successfully perform similarly sized and scoped projects. They must have successfully completed three projects of at least \$3 million in construction cost, with a joint utility trench or relocation and staged construction to minimize road closures
2. For those project submitted for Criterion #1, contractors must demonstrate that the projects were completed on time and within the original budget. Change orders are to represent no more than 10% of the original cost or number of work days unless there were extenuating circumstance.
3. Contractor shall not have had any public works contract terminated for cause or defaults during the past five years.

Subsequent to the pre-bid meeting, the criteria were clarified to assist newer construction companies by allowing the contractor to include projects where a subcontractor performed work on a similar project, principal team members have previously served as a project manager, superintendent or other management-level position on the project while with a different contractor, or, if privately financed, provided that the project is similarly sized and scoped relative to the above criteria.

Bid opening occurred on August 1, 2023 with bids received from:

- Colf Construction for ~~\$4,798,112.28~~ (determined to be non-responsive)
- Western United Civil Group, LLC (WUCG) for \$4,945,434.17
- Tapani, Inc for \$4,949,687.03
- Advanced Excavating Specialists LLC (AES) for \$5,097,514.15
- Goodfellow Brothers for \$5,811,955.51
- Midway Underground for \$6,087,342.40.
- North Cascade Excavating (NCE) submitted a No-Bid.

The Engineer's estimate was \$5,213,155.

In reviewing the original bid submittals, it was determined that Colf Construction failed to submit their Subcontractor List pursuant to RCW 39.30.060 within one hour after the published bid submittal time, which was to include the “names of the subcontractors with whom the bidder, if awarded the contract, will subcontract for performance of the work of: HVAC (heating, ventilation, and air conditioning); plumbing as described in chapter 18.106 RCW; and electrical as described in chapter 19.28 RCW, or to name itself for the work”. The construction plans clearly included illumination, lighting, wiring and lighting circuits as defined by RCW 19.28. By not submitting this form with the bid or within an hour of the bid, the Colf Construction bid was determined to be out of compliance with the RCW and was thus determined to be non-responsive, and subsequently not considered. Colf Construction submitted a timely protest of this determination with reasons as to why the City should reconsider. After reviewing the protest and determining that the bid package including specifications and special provisions which did require the subcontractor list to be submitted, and the fact Colf did not submit this form as required, the protest was denied. The determination to declare the Colf Construction bid as non-responsive and void resulted in the WUCG bid to be the lowest responsive and responsible bidder. All required attachments and submittals were timely submitted as required in the Invitation to Bid and state statute. A review of their response to the Supplemental Bidder Responsibility Criteria determined it was acceptable by the City. Colf Construction obtained a Temporary Restraining Order on going to award until there was a Superior Court hearing on their request for a temporary injunction. At their August 10, 2023 meeting, Council moved action on this to August 24 to include the results of the court hearing to be included in any action. At a hearing on Friday, August 18 before the Honorable Derek J. Vanderwood, the court found in favor of the City and denied Colf's request for a temporary injunction. After careful and deliberate review of the bids and the conclusion of the Superior Court decision, City staff have determined Western United Civil Group, LLC of Yacolt, WA to be the lowest responsive and responsible bidder. Their bid price is \$4,945,434.17; an additional 5% construction contingency of \$250,000 is also recommended to be included in the council's action.

MOTION: MOVED TO AWARD THE CONTRACT FOR THE ROYLE ROAD, S 15TH STREET TO S 5TH WAY PROJECT TO WESTERN UNITED CIVIL GROUP, LLC FROM YACOLT IN AN AMOUNT NOT TO EXCEED \$4,945,434.17, WITH AN ADDITIONAL CONSTRUCTION CONTINGENCY OF \$250,000.

RESULT: (UNANIMOUS)

MOVER: Mayor Pro Tem Rob Aichele

SECONDER: Council Member Matt Cole

AYES: Council Member Onslow, Council Member Burkle, Council Member Wells, Council Member Chipman, Council Member Cole, Mayor Pro Tem Aichele, Mayor Lindsay

3. Motion - Selection of Vendor for Roundabout Grapes - Steve Stuart, City Manager

After multiple discussions between City Council and City staff from late 2014 to the present, City Council formally memorialized the purpose of grapes planted in the 56th and 65th roundabouts along SR501/Pioneer Street as follows: The Roundabout Grapes were planted as – and will continue to be – a reminder of and testament to the vibrant winemaking community in and around Ridgefield. The City Council also memorialized a process for determining the use of the roundabout grapes each year. The first step in that process is to research possible vendors who would be willing to work with the City on creating a product from the grapes which will remain as public property for non-pecuniary uses. In 2023, City staff reached out to winemakers around Clark County to determine interest in working with the City to store, process, and ultimately bottle wine from the marechal foch roundabout grapes. Direct outreach was also undertaken by Councilors, leading to contact and interest by 14 Acres Winery owner David Regan. If City Council chooses to proceed with selection of 14 Acres as the 2023 roundabout grapes vendor, City staff

will begin work with the vendor immediately to finalize a vendor agreement which will come before City Council.

MOTION: MOVED TO APPROVE 14 ACRES WINERY AS THE VENDOR FOR 2023 RIDGEFIELD ROUNDABOUT GRAPES AND TO MAKE A ROSE.

RESULT:	(UNANIMOUS)
MOVER:	Council Member Ron Onslow
SECONDER:	Council Member Clyde Burkle
AYES:	Council Member Onslow, Council Member Burkle, Council Member Wells, Council Member Chipman, Council Member Cole, Mayor Pro Tem Aichele, Mayor Lindsay

4. Resolution No. 630 - Oppose Closure of Larch Correctional Center - Steve Stuart, City Manager

Ridgefield City Council requesting the Washington State Department of Corrections to continue operations at the Larch Corrections Center.

MOTION: MOVED TO ADOPT RESOLUTION NO. 630 AS PRESENTED.

RESULT:	(UNANIMOUS)
MOVER:	Council Member Ron Onslow
SECONDER:	Council Member Clyde Burkle
AYES:	Council Member Onslow, Council Member Burkle, Council Member Wells, Council Member Chipman, Council Member Cole, Mayor Pro Tem Aichele, Mayor Lindsay

VIII. PUBLIC COMMENT

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IX. COUNCIL/PRESIDING OFFICER/STAFF REPORTS

1. Council

Council Member Cole - Attended a budget advisory committee meeting.

Council Member Chipman - Attended a ribbon cutting ceremony for tractor supply, farm to table event.

Council Member Wells - Attended numerous meetings, ribbon cutting for tractor supply.

Mayor Pro Tem Aichele - Attended numerous meetings, lions club meeting.

Council Member Burkle - Attended numerous meetings, CRWWD meeting, budget advisory committee meeting, green bag food update provided.

Council Member Onslow - Attended ribbon cutting for bigfoot mountain outfitters ribbon cutting, ribbon cutting for tractor supply, farm to table event, C-TRAN update.

2. Mayor

Attended numerous meetings, a City tour with Sen. Murray's legislative director.

- a. Executive Session - City Manager Performance Evaluation Pursuant to RCW 42.30.110(1)(G)

7:28PM: Mayor Lindsay announced that City Council will enter into Executive Session to discuss City

Manager performance evaluation pursuant to RCW 42.30.110(1)(g), returning to regular session at 8:00PM and action is anticipated.

Attendees: Mayor, City Council, and Deputy City Manager Lee Knottnerus. (legal counsel was not required to attend this session).

7:50PM: Deputy City Manager Lee Knottnerus announced that City Council would be returning to regular session at 8:30PM.

8:08PM: City Manager Steve Stuart entered the executive session, Deputy City Manager Lee Knottnerus exited the session.

8:30PM: Mayor Lindsay reconvened the meeting.

Noted: Pursuant to his employment agreement, City Council established goals and specific criteria for Steve Stuart to complete during April 1, 2022 to April 14, 2023 evaluation period. At the time that the goals were established, City Council and Steve Stuart understood that he may receive a merit-based bonus up to a maximum of \$12,500 if his performance exceeded the established goals.

MOTION: MOVED TO INCREASE THE CITY MANAGER'S ANNUAL SALARY BY 7% AND A BONUS OF \$12,500.

RESULT:	(UNANIMOUS)
MOVER:	Council Member Matt Cole
SECONDER:	Council Member Judy Chipman
AYES:	Council Member Onslow, Council Member Burkle, Council Member Wells, Council Member Chipman, Council Member Cole, Mayor Pro Tem Aichele, Mayor Lindsay

3. City Manager

X. ADJOURN

8:31PM



Julie Ferriss, City Clerk



Jennifer Lindsay, Mayor