



FILE

CITY COUNCIL 345 6th Street, Suite 600, Bremerton, WA 98337 ☐ Phone (360) 473-5280

AUGUST 12, 2009
CITY COUNCIL STUDY SESSION

5:00 PM – STUDY SESSION in COUNCIL CONFERENCE ROOM 603

The Study Session is open to the public but there will be no opportunities for input or participation; no action will be taken, and the content of these items is subject to change...

- A. **NO DISCUSSION PLANNED** - *The following items are budgeted items or have been reviewed by the appropriate Council Committee; and will be placed on the next Council Meeting Agenda for action...*
1. Appointment of Geoff Wentlandt to the Design Review Board – Andrea Spencer, Director of Community Development
 2. Purchase of one Street Sweeper from OWEN EQUIPMENT COMPANY of Portland, Oregon – Jim Orton, Fleet Manager; and Brad Gehring, Chair of the Public Works Committee
 3. Purchase of a Temporary Construction Easement from Raymond Gardner, Greg Hunt, and Joan Hunt for Pump Station SB-4 and Sewer Mains as part of the Gorst Sewerage Project – Phil Williams, Director of the Public Works & Utilities Department; and Brad Gehring, Chair of the Public Works Committee
- B. **FULL DISCUSSION ITEMS**
4. Authorize the City Attorney to hire an Assistant City Attorney I at Payband 13, Rate 6; and a Prosecutor I at Payband 7, Rate 2 – Roger Lubovich, City Attorney; and Ken Bagwell, Assistant City Attorney
 5. Proposed ordinance creating Bremerton Harborside Revitalization Area; and Repeal Ordinance 5052 – Gary Sexton, Redevelopment Projects Administrator; and Andy Parks, Finance Director
- C. **GENERAL COUNCIL BUSINESS**
1. Council Committee Chair Reports
 2. Other General Council Business (*as necessary and as time allows*)



DATE SUBMITTED: June 4, 2009

BILL # 09-

AGENDA BILL
CITY OF BREMERTON
CITY COUNCIL

SUBJECT: Appointment to the Design
Review Board

Committee Meeting Date: 8/12/09
COUNCIL MEETING Date: 8/19/09
Department: Executive
Presenter: MPT Cecil McConnell
Phone: 473-5266

SUMMARY: Lea Duffy has resigned from the Design Review Board. It is recommended that Geoff Wentlandt be appointed to fill the vacancy.

ATTACHMENTS: Application for appointment available in the Mayor's office.

FISCAL IMPACTS (Include Budgeted Amount): N/A

APPROVALS:

DEPARTMENT DIRECTOR: _____

CITY ATTORNEY: _____

FINANCE DIRECTOR: _____

MAYOR: Cecil McConnell

COMMITTEE CHAIR _____

COUNCIL PRESIDENT: _____

CONSENT AGENDA	<input type="checkbox"/>
GENERAL BUSINESS	<input type="checkbox"/>
PUBLIC HEARING	<input type="checkbox"/>

RECOMMENDED MOTION: Move to confirm the appointment of Geoff Wentlandt to the Design Review Board.

COUNCIL ACTION: Approve Deny Table Continue No Action

DATE SUBMITTED:

BILL # _____

AGENDA BILL
CITY OF BREMERTON
CITY COUNCIL

SUBJECT: Replacement of street sweeper

Committee Meeting Date: August 12, 2009

COUNCIL MEETING Date: August 19, 2009

Department: PW&U

Presenter: Jim Orton, Fleet Mgr

Phone: 5359

SUMMARY: The approved 2009 ERR budget shows replacement of a street sweeper. The current sweeper is a 2003 Elgin crosswind. The replacement will be a 2010 Elgin crosswind. King County has an open contract with Elgin for the Crosswind. The total cost is \$231,338.09 including sales tax. The authorized dealer is Owen Equipment Company of Portland, Oregon. The replaced sweeper will be retained in the fleet and used as a backup. This replacement is fully funded through the ERR 510 fund.

ATTACHMENTS: Owen Equipment option and pricing sheet and copy of interlocal agreement with King County

FISCAL IMPACTS (Include Budgeted Amount): Vehicle replacement is fully funded through the ERR fund.

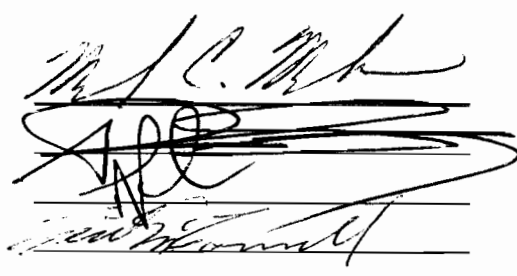
APPROVALS:

DEPARTMENT DIRECTOR: _____

CITY ATTORNEY: _____

FINANCE DIRECTOR: _____

MAYOR: _____



COMMITTEE CHAIR _____

COUNCIL PRESIDENT: _____

CONSENT AGENDA	<input type="checkbox"/>
GENERAL BUSINESS	<input type="checkbox"/>
PUBLIC HEARING	<input type="checkbox"/>

RECOMMENDED MOTION:

Move to approve the purchase of one sweeper from Owen Equipment of Portland, Oregon in the amount of \$231,338.09.

COUNCIL ACTION: Approve Deny Table Continue No Action

**OWEN EQUIPMENT COMPANY
KING COUNTY ITB 1352-08-OLB**

Company	Owen Equipment Company		
Contract #	King County ITB 1352-08-OLB		
Municipality	City of Bremerton		
Address	1000 Oyster Bay Road		
City, State, Zip	Bremerton, WA.		
Contact Name	Jim Orton		
Contact Phone #			
Contact Fax #			
PO Number			
Sales Representative	Dave Armstrong	Quote Date:	7/8/2009
Qty	Part #	DESCRIPTION	2/5/2009 Ext
1		Crosswind FSX	\$ 184,740.00 \$ 184,740.00
General Specifications (See Bid Specs for More Detail)			
		Elgin Crosswind FSX Airport Sweeper	
		Airport Style Pickup Head with Side Air Blast	
		UD 3300 Chassis	
		240 gallons water	
Non Standard Options Included in Price (With Deduction Amounts Listed)			
1		To convert to Standard Crosswind J (Replaces special pickup head with standard pickup head and removes the side airblast)	(6,405.00) \$ (6,405.00)
	1048703	Backup Alarm - Smart SA940	(245.00) \$ -
	1085883	RH Inspection Door & Step	(441.00) \$ -
	1085887	6" Hopper Drain	(511.00) \$ -
	1092227	Life Liner Hopper Sys w/Warranty	(3,731.00) \$ -
	1086486	Aux Hydraulic Pump	(745.50) \$ -
	0704050	JD 4045HF TR3 Parts Book	(38.50) \$ -
	0704051	JD 4045HF TR3 OP Manual	(28.00) \$ -
	0704052	JD 4045HF TR3 Tech Manual	(122.50) \$ -
	0701425	J+ Operators Manual TR3	(28.00) \$ -
	0702216	J+ Parts Book TR3	(38.50) \$ -
	0702430	J+ Service Manual TR3	(126.00) \$ -
	1087729	LH 36/42" Side Broom Tilt	(542.50) \$ -
	1087730	RH 36/42" Side Broom Tilt	(542.50) \$ -
	EW-124-3PL	Crosswind 3rd Year Parts/Labor Warranty	(2,166.50) \$ -
1	1070059	Air Purge for Water System	(213.50) \$ (213.50)
	1032484	25' Water Fill Hose	(105.00) \$ -
	1061652	Anti Siphon 2-1/2" Air Gap	(115.50) \$ -
	1086600	Front Spray Bar	(329.00) \$ -
	2200759	Debris Body Vibrator	(749.00) \$ -
		5 sets of Extra Keys	(84.00) \$ -
	2201218	Reflective Tape-top and sides only on rear door- makes upside down	(350.00) \$ -
1		First PM Filter Kit	(350.00) \$ (350.00)
UD 3300 CHASSIS DEDUCTIONS			
1		UD 3300 Chassis	(67,800.00) \$ (67,800.00)
1	1092182	5 year Extended Warranty	(1,537.00) \$ (1,537.00)

**OWEN EQUIPMENT COMPANY
KING COUNTY ITB 1352-08-OLB**

	1090605	AM/FM/CD Radio	(515.00)	\$ -
	1058390	Remote Heated Mirrors	(886.00)	\$ -
	1091289	Single Air Horn	(466.00)	\$ -
	700945	Service Manual CD Rom	(350.00)	\$ -
		TOTAL DEDUCTIONS		\$ (76,305.50)
Common Options				
1	1068972	Autolube - Sweeper Only	\$ 4,252.00	\$ 4,252.00
1	1088335	Dual Rear Flood Lights	\$ 352.00	\$ 352.00
1	1087829	PM-10 Water System	\$ 2,921.00	\$ 2,921.00
1	1086456	Variable Speed Side Brooms - Dual	\$ 3,388.00	\$ 3,388.00
	1086441	Hydraulic Wandering Hose	\$ 3,366.00	
	1066340	Battery Disconnect Switch for Aux Engine	\$ 517.00	
	1059209	Hopper Deluge - Water	\$ 957.00	
	1086589	H/P Washdown	\$ 4,378.00	
1	1088618	GMC T7500 Chassis (Option content may vary from UD 3300. Please verify which option content to add/deduct)	\$ 75,340.00	\$ 75,340.00
	1092768	Navistar 4300 Chassis (Option content may vary from UD 3300. Please verify which option content to add/deduct)	\$ 66,000.00	
	1090466	Freightliner M2 Chassis (Option content may vary from UD 3300. Please verify which option content to add/deduct)	\$ 66,000.00	
		For Other Available Options please review Options Tab		
1	1095548	Rear camera system	\$ 2,367.00	\$ 2,367.00
1	2200651	8 each LED light package (4) rear (2) midship (2) front	\$ 2,752.00	\$ 2,752.00
1	1075839	Additional 140 gallon water tank with catwalk	\$ 7,645.00	\$ 7,645.00
1	1088229	Rear LED arrowboard	\$ 1,485.00	\$ 1,485.00
2	1092159	12" convex mirrors	\$ 160.00	\$ 320.00
1		Outside push button controls for hopper and door	\$ 1.00	\$ 1.00
2	1081901	Spare tire and wheel Goodyear	\$ 957.00	\$ 1,914.00
1	1057586	AD-9 Air Dryer	\$ 732.00	\$ 732.00
1	2201219	Rear LED Strobe	\$ 580.00	\$ 580.00
1	1070639	LED stop turn & Tail	\$ 535.00	\$ 535.00
		TOTAL ADDITIONS		\$ 104,584.00
		Total Tag Price (Before Applicable Taxes)		\$ 213,018.50
			Tax Rate	
		Applicable Taxes	8.60%	\$ 18,319.59
		Total Tag Price		\$ 231,338.09

Delivery per the contract is 120 days after receipt of order

Cooperative Purchasing Agreement



Department of Executive Services
Finance and Business Operations Division
Procurement and Contract Services Section
Exchange Building, EXC-ES-0862
821 Second Avenue, 8th Floor
206-684-1681 TTY Relay: 711

In accordance with Chapter 39.34 RCW, King County and the City of Bremerton agree to a cooperative governmental purchasing agreement for various equipment and supplies using King County's competitively awarded contracts.

King County therefore extends the use of its contracts to the City of Bremerton to the extent provided by law and upon the following terms:

- (1) The vendor(s) agree to extend to the City of Bremerton the terms and conditions of King County's contract(s).
- (2) The City of Bremerton accepts responsibility for compliance with any additional or varying laws and regulations governing its purchases. Any purchases by the City of Bremerton shall be effected by a purchase order from the City of Bremerton and directed to the vendor.
- (3) King County accepts no responsibility for the performance of any of the purchasing contracts by the vendor.
- (4) King County accepts no responsibility for payment of the purchase price by the City of Bremerton.

This agreement may be revoked at any time in writing by either party.

Accepted for King County

Accepted for: City of Bremerton

David Leach

Name

Handwritten signature of David Leach in black ink.

Handwritten signature of a representative of the City of Bremerton in black ink.

Procurement Manager

Title

MAYOR

Date:

6/15/05

Date:

6/4/05

DATE SUBMITTED:

BILL # _____

AGENDA BILL
CITY OF BREMERTON
CITY COUNCIL

SUBJECT: Purchase of Temporary Easement from Raymond Gardner, Greg Hunt, and Joan Hunt for Pump Station SB-4 and Sewer Mains as part of the Gorst Sewerage Project.

Committee Meeting Date: August 12, 2009
COUNCIL MEETING Date: August 19, 2009
Department: PW&U, Engineering
Presenter: Tom Knuckey / Phil Williams
Phone: 473-2376 / 473-5315

SUMMARY: The Gorst Sewerage Project will construct a sewer main and pump station in the vicinity of "Hunt Homes," which fronts SR 16. A temporary construction easement is needed from the Hunt Homes property to allow the City's contractor to access the property while constructing the sewer main and pump station. Compensation for the 7026 square feet (sf) of temporary easement has been negotiated at 12.5% of the \$12.41/sf property value. Total compensation for the temporary easements is \$10,899.08.

ATTACHMENTS: 1. Council Summary; 2. Site and Vicinity Map;

FISCAL IMPACTS (Include Budgeted Amount): The 2009 Wastewater Fund Capital Budget is \$7,105,000. \$1,280,000 is included in the current budget for the Gorst Sewerage Project. Cost of temporary construction easement is \$10,899.08.

APPROVALS:

DEPARTMENT DIRECTOR: _____

CITY ATTORNEY: _____

FINANCE DIRECTOR: _____

MAYOR: _____



COMMITTEE CHAIR _____

COUNCIL PRESIDENT: _____

CONSENT AGENDA	<input type="checkbox"/>
GENERAL BUSINESS	<input type="checkbox"/>
PUBLIC HEARING	<input type="checkbox"/>

RECOMMENDED MOTION:

Move to approve purchase a temporary construction easement from Mr. Raymond Gardner, Greg Hunt, and Joan Hunt in the amount of \$10,899.08 (plus filing fees,).

COUNCIL ACTION: Approve Deny Table Continue No Action

COUNCIL SUMMARY

TEMPORARY CONSTRUCTION EASEMENT PURCHASE FOR PUMP STATION SB-4 AND COLLECTION SEWERS FOR THE GORST SEWERAGE PROJECT

Contract Summary

The Gorst Sewerage project will construct a sewer main and pump station adjacent to property owned by Raymond Gardner, Greg Hunt, and Joan Hunt. The property currently houses the "Hunt Homes" business which sells manufactured homes. The City's contractor will use portions of the Hunt Homes property for up to one year while constructing the sewer main and pump station. Typical values for temporary construction easements range from 0% to 25% of the property value.

Previously, City staff and the property owners had agreed on a value of \$12.41/sf for the Hunt Homes property. It was agreed the City would compensate the owners at 12.5% of the property value for the temporary construction easement. The 7026 sf easement size was therefore valued at \$10,899.08.

Fiscal Summary

Property purchases are not eligible for funding by the grants or loans offered for the project. The 2009 Wastewater Fund budget was increased to \$7,105,000 on May 20, 2009 to fund the Gorst Sewerage Project. This easement is included in the projected 2009 expense for the project.

Return Address: City Clerk
City of Bremerton
345 6th Street, Ste. 600
Bremerton, WA 98337

AUDITOR/RECORDER'S INDEXING FORM

Document Title(s): 1. Temporary Construction Easement
Reference Number(s) of Documents assigned or released: N/A
Grantor(s): 1. Raymond L. Gardner Jr. 2. Gregory B. Hunt 3. Joan M. Hunt <input checked="" type="checkbox"/> Additional names on page 3, 4, 5 of document.
Grantee(s): 1. The City of Bremerton <input checked="" type="checkbox"/> Additional names on page 2 of document.
Legal Description: A portion of the NW ¼ of the SE ¼, Sec. 32, T. 24N. R. 1 E., Kitsap County, WA. (abbreviated) Gladishore Garden Tracts Par. 1 Tr. 5, Par. 2 Tr. 6, Par. 3 Tr. 7, Recorded in Vol. 5, pg. 36 of Plats.. <input checked="" type="checkbox"/> Additional legal is on 6 of document.
Assessor's Property Tax Parcel/Account Number: 4539-000-005-0106
Project Name: Gorst Sewerage Project

TEMPORARY CONSTRUCTION EASEMENT

Raymond L. Gardner Jr., Gregory B. Hunt and Joan M. Hunt ("Grantor"), for and in consideration of mutual benefits derived and/or other valuable consideration receipt of which is hereby acknowledged by Grantor, conveys and grants to the **CITY OF BREMERTON**, a Washington municipal corporation ("Grantee"), a temporary easement to be used for the purpose of constructing a Sanitary Sewer Pump Station and associated Sewer Mains, over, under, through, across and upon the following described real property parcel(s), situated in Kitsap County, Washington, more particularly described as follows:

SEE EXHIBIT "A" ATTACHED

Grantee shall have the right, without prior institution of any suit or proceeding at law, at those times as may be necessary, to enter upon the above-described properties for the purpose of constructing a Sewer Pump Station, and associated Sewer Mains, including all necessary appurtenances, without incurring any legal obligation or liability; provided, however, that the Grantee shall complete this construction in such a manner that the existing improvements in the temporary easement shall not be disturbed or destroyed or, in the event that they are disturbed or destroyed, Grantee will substantially restore such improvements and the surface of the ground.

Grantee shall at all times exercise its rights under this easement in accordance with the requirements of all applicable statutes, orders, rules and regulations of any public authority having jurisdiction. Grantee accepts the easement area in its present physical condition, AS IS. Grantee does hereby release, indemnify and promise to defend and save harmless Grantor from and against any and all liability, loss, damage, expense actions and claims, including costs and reasonable attorneys' fees incurred by Grantor in connection therewith, arising directly or indirectly on account of or out of the exercise by Grantee, its servants, agents, employees and contractors of the rights granted in this easement.

The Temporary Construction Easement shall be a covenant running with the land and shall bind Grantor's successors and assigns and all future owners of the real properties affected by this easement until 180 days after Grantee declares Substantial Completion of the Gorst Sewerage construction project.

APPROVED AS TO FORM:

ROGER A. LUBOVICH
City Attorney

R:\Legal\Legal\Forms\Easements\Temporary Construction Easement.doc
T:\Gritton\Gorst Sewer\Gardner Temporary.doc

EXHIBIT "A"

Temporary Construction Easement Description for Pump Station

An easement located within Tract 5 of the Plat of Gladishore Garden Tracts according to the Plat recorded in Volume 5 of Plats on Page 36 in Kitsap County, Washington described as follows:

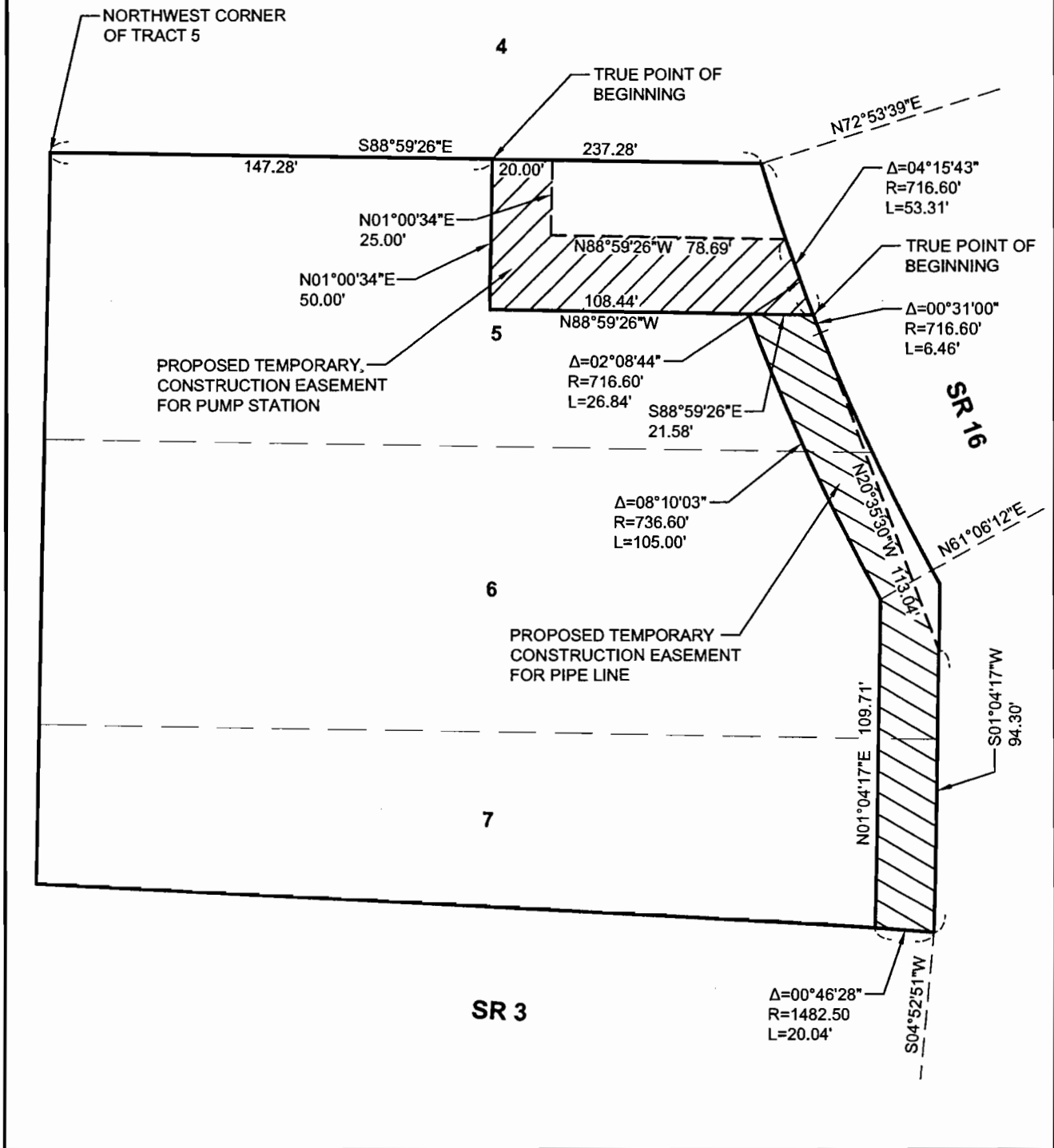
Commencing at the northwest corner of said Tract 5; thence along the north line of said Tract 5, South 88°59'26" East 147.28 feet to the True Point of Beginning; thence continuing along said north line, South 88°59'26" East 20.00 feet; thence South 01°00'34" West 25.00 feet; thence South 88°59'26" East 78.69 feet to the westerly right of way of State Highway SR 16 at an intersection with a 716.60 foot radius curve, the radius point of which bears North 70°46'40" East; thence southerly along said curve and along said right of way an arc distance of 26.84 feet through a central angle of 02°08'44"; thence leaving said right of way, North 88°59'26" West 108.44 feet; thence North 01°00'34" East 50.00 feet to the true point of beginning.

Temporary Construction Easement Description for Pipe Line

An easement located within Tract 5 and Tract 6 of the Plat of Gladishore Garden Tracts according to the Plat recorded in Volume 5 of Plats on Page 36 in Kitsap County, Washington described as follows:

Commencing at the northwest corner of said Tract 5; thence along the north line of said Tract 5, South 88°59'26" East 237.28 feet to the westerly right of way of State Highway SR 16 at an intersection with a 716.60 foot radius curve, the radius point of which bears North 72°53'39" East; thence southerly along said curve and along said right of way an arc distance of 53.31 feet through a central angle of 04°15'43" to the True Point of Beginning; thence continuing southerly along said curve and along said right of way an arc distance of 6.46 feet through a central angle of 00°31'00"; thence leaving said right of way, South 20°35'30" East 113.04 feet to said right of way; thence along said right of way South 01°04'17" West 94.30 feet to the northerly right of way of State Highway SR 3 at an intersection with a 1482.50 foot radius curve, the radius point of which bears South 04°52'51" West; thence westerly along said curve an arc distance of 20.04 feet through a central angle of 00°46'28"; thence North 01°04'17" East 109.71 feet to an intersection with a 736.60 foot radius curve, the radius point of which bears North 61°06'12" East; thence northerly along said curve an arc distance 105.00 feet through a central angle of 08°10'03"; thence South 88°59'26" East 21.58 feet to the true point of beginning.

EXHIBIT "A" cont.



Parametrix DATE: Jul 08, 2009 FILE: BR1896085-F21



Temporary Construction Easements
Across Hunt/Gardner Properties

DATE SUBMITTED: July 30, 2009

AGENDA BILL
CITY OF BREMERTON
CITY COUNCIL

SUBJECT: Assistant City Attorney 1 and
Prosecutor 1 Positions

Committee Meeting Date: _____
COUNCIL MEETING Date: August 5, 2009
Department: City Attorney's Office
Presenter: Roger A. Lubovich
Phone: 473-2345

SUMMARY: The City Attorney's Office is transitioning prosecution in-house. The prosecutors selected to staff the office are both seasoned attorneys. The individual selected for the Assistant City Attorney 1 position has six years experience handling prosecution cases. Staff is requesting authorization to hire the Assistant City Attorney 1 position at Payband 13, Rate 6 and the Prosecutor 1 position at Payband 7, Rate 2.

ATTACHMENTS:

FISCAL IMPACTS (Include Budgeted Amount): The City Attorney's Office 2009 budget contains adequate funds to fund these positions.

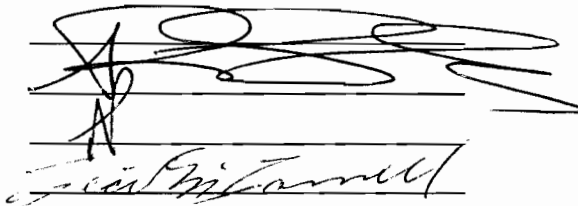
APPROVALS:

DEPARTMENT DIRECTOR: _____

CITY ATTORNEY: _____

FINANCE DIRECTOR: _____

MAYOR: _____



COMMITTEE CHAIR _____

COUNCIL PRESIDENT: _____

CONSENT AGENDA	<input type="checkbox"/>
GENERAL BUSINESS	<input type="checkbox"/>
PUBLIC HEARING	<input type="checkbox"/>

RECOMMENDED MOTION: Move to authorize the City Attorney to hire an Assistant City Attorney 1 at Payband 13, Rate 6 and a Prosecutor 1 at Payband 7 Rate 2.

FULL DISCUSSION ITEM NO. 5

**PROPOSED ORDINANCE CREATING
BREMERTON HARBORSIDE
REVITALIZATION AREA; AND
REPEALING ORDINANCE NO. 5052**

**WILL BE AVAILABLE AFTER
MONDAY, AUGUST 10TH ...**