

- 0006 Mayor Pro Tempore Greg Marcil called the regular meeting of the Castle Rock City Council to order at 7:30 p.m., followed by the Pledge of Allegiance. The following councilmembers were present: Khembar Yund, Earl Queen, Jack Reilly and Mike Mask. Mayor Barbara Larsen was absent due to illness.
- 0058 Clerk-Treasurer Ryana Covington noted the October 12, 2009 meeting minutes need to be corrected to reflect that Councilmembers Queen and Reilly attended a budget committee meeting. Councilmember Mask did not attend.
- 0114 Councilmember Reilly made a motion, seconded by Yund to approve the minutes of the October 12, 2009 Regular Council Meeting with the noted correction. By roll call vote, unanimous Aye.
- 0129 Councilmember Yund made a motion, seconded by Reilly to approve the minutes of the October 15, 2009 Budget Workshop Meeting. By roll call vote, Councilmember Mask abstained, the rest Aye, motion passed.
- 0166 Judge Michael Evans provided a report on the upcoming Mental Health Court initiatives that will be implemented in January. The Mental Health Court has been titled SHRC for Stability, Hope and Recovery Court. The goals of SHRC are to foster stability, hope and recovery and to reduce recidivism and negative behavior through treatment, which will reduce costs to the criminal justice system. Although grant fund requests were unsuccessful, federal Medicaid funds are available for assessment and treatment costs.

Those eligible for SHRC must be diagnosed with a serious, persistent, Access 1 mental illness and charged with a misdemeanor or gross misdemeanor, nonviolent offense with no weapon involvement. Participates can be referred to the program by a variety of sources: a family member, the jail's mental health counselor, a defense attorney, a judge or a probation officer. This is a voluntary, post-plea program. Judge Evans explained the process and requirements that participants must meet. Participates will be regularly monitored by the probation department with monitoring increased or decreased as needed. The criminal conviction remains following graduation from the program.

Judge Evans provided examples of some of the delusional beliefs of a few chronic mentally ill individuals. The negative behavior of these individuals requires repeated police contact for minor crimes. Since resources are limited, this program initially will be restricted to ten participates. There will be no additional expense for the city, since participants will volunteer for this program through the regularly scheduled court docket. In addition, no additional prosecuting or defense attorney time will be needed. Costs could be incurred if a participant is expelled from the program and an attorney is then appointed to represent them. However, compliance will be encouraged and promoted. If participates receive

medication and treatment to relieve their symptoms, they should no longer require repeated police contact.

Councilmember Yund, Judge Evans confirmed that 80% of people with mental health issues also have chemical dependency issues that will be treated as part of this program.

In response to a question from Councilmember Mask, Judge Evans clarified that there will be no additional expense incurred by the city for this program, unless a participant is expelled from the program and a defense attorney is appointed. The treatment is federally funded with the participant paying filing fees, restitution and fines. The community will benefit with a reduction in negative behavior.

Judge Evans stated that each example he provided of an individual with delusional beliefs, lives in Cowlitz County. Although a diagnosis may not be easily obtainable, Judge Evans estimated there are easily 100 chronically mentally ill individuals in Cowlitz County that could qualify for the program.

In response to a question from Councilmember Mask, Judge Evans specified that the incentive for an individual to plead guilty and volunteer for the program is the choice between structured treatment with essential medications or serving time in jail for the offense. The participant must want to receive help and competency must also be established to be eligible for the program.

1086 Police Chief Bob Heuer requests the Police Chief’s cell phone stipend be increase to equal what the Police Sergeant receives. Heuer also requests that the department heads receive an increase in the sick leave bank from 360 hours to 840 hours and a monthly vacation accrual instead of annual accrual. This change would be to the same levels as the collective bargaining units receive.

1191 Public Works Director David Vorse reviewed the bid results for the Miscellaneous Flood Repair Project:

Triple S Excavation, LLC (Castle Rock, WA)	\$15,365.28
<b>Engineer’s Estimate</b>	<b>\$16,000.00</b>
Integrity Excavating (Battle Ground, WA)	\$18,937.60
Carney Construction (Toutle, WA)	\$23,107.10
North Fork Excavating (Woodland, WA)	\$23,409.46
C & R Tractor & Landscaping (Kalama, WA)	\$23,779.60
Five Rivers Construction (Longview, WA)	\$24, 735.09
RC Northwest, Inc. (Brush Prairie, WA)	\$25,339.80
Colf Landscaping (Vancouver, WA)	\$27,976.00
Kysar, LLC (Yacolt, WA)	\$29,969.51
Sloans Enterprise (Amboy, WA)	\$30,746.70

City Engineer Mike Johnson was unavailable to attend the meeting, however he supplied a letter regarding this bid: Triple S Excavation submitted the low bid of \$15,365.28. Each proposal was checked for correctness. Triple S inadvertently omitted page P-5 of the Proposal but provided that information following the bid opening. This omission should be considered a minor informality since it did not materially impact the bid amount or process. Triple S is a Washington State registered and licensed contractor and has met the responsibility criteria. Johnson recommends that this project be awarded to Triple S Excavation, LLC.

In response to a question from Councilmember Marcil, Vorse detailed that the Miscellaneous Flood Repair Project consists of three components:

1. Repair of the ditch along Old Highway 99;
2. Repair of the erosion under the trail and viewing/fishing platform on the east trail under the PH10 Bridge and
3. On the west trail, the section of gravel trail that was washed out will be graded and rocked.

The city has already received funding from FEMA based on the engineer's estimate of \$16,000.

In response to a question from Councilmember Mask, City Attorney Tom O'Neill considers the original omission of page P-5 as incidental, since it had no impact on the propriety of the bid process as there was no unfairness to other potential bidders. However, this is a decision for City Council. In response to a question from Councilmember Reilly, O'Neill clarified that although he is not familiar with the document, the letter from the city engineer states that Triple S has the relevant qualifications and experience, information that must have been contained in the Proposal. Vorse added that this original omission did not materially impact the bid process.

- 1394 Councilmember Mask made a motion, seconded by Queen to accept the proposal submitted by Triple S Excavation, LLC in the amount of \$15,365.28 for the Miscellaneous Flood Repair Project. By roll call vote, unanimous Aye.
- 1414 Vorse detailed that the Addendum to the Interlocal Agreement between the City of Castle Rock and Cowlitz County for the Transfer of West Castle Rock Utility Facilities specifies the dates that the various components of the transfer will occur.
- 1474 Councilmember Yund made a motion, seconded by Reilly to accept the Addendum to the Interlocal Agreement between the City of Castle Rock and Cowlitz County for the Transfer of West Castle Rock Utility Facilities. By roll call vote, unanimous Aye.
- 1488 Vorse reports that last Wednesday was the first pour of the in-place concrete ramp for the Boat Launch Project. This first of four pours was approximately 50 cubic

yards. The second pour will be next Wednesday. Vorse stated that volunteers are needed.

Over 1,000 plants have been planted behind Four Corners Farm & Garden as part of the Whittle Creek Mitigation component of the Boat Launch Project. Approximately 1,000 more plants will be placed at the boat launch site next Wednesday. High School students are helping with these plantings.

In response to a question from Councilmember Mask, Vorse explained that the digging on the bank of Whittle Creek near West Side Highway is for the installation of an irrigation system as part of Cowlitz County's project. Cowlitz County's wetlands restoration project abuts the City's project, but contains wetland plants that may require watering during the dry season.

1580 Vorse reports that the Levee Improvement Project should be completed next week. The trees designated for removal, were removed by volunteers. Vorse thanked Mayor Pro-Tempore Greg Marcil for organizing this volunteer effort. All but three stumps were removed today. The remaining stumps will be removed tomorrow.

1620 In response to a question from Councilmember Queen, Vorse confirmed that Vic Verhasselt, ABT Development, has met with him regarding an issue involving Cowlitz County regulations. The issue involves access from the development onto Powell Road. Councilmember Queen specified that originally Cowlitz County approved the access, but later disapproved. Cowlitz County should be encouraged to resolve this issue.

Vorse added that Community Action Program 'Self Help' housing project has applied for five building permits for the Field of Dreams Subdivision. In addition, the city installed one of the first radio read meters for that site.

1701 Councilmember Mask noted that Pioneer Avenue NE overlay work is a great improvement. Vorse stated that rock is being applied along the right-of-way to protect the pavement edge.

1712 Clerk-Treasurer Ryana Covington reviewed the Third Quarter Budgetary Comparison Report. The following funds have expenses exceeding revenues, requiring the use of beginning fund balances: General Fund, Exhibit Hall, Local Criminal Justice, DOT Spoils Site, Regional Sewer, Stormwater Management, Regional Water Capital Improvement and Sewer Operating Fund. She noted that City Council had voted to use a portion of the fund balance in the Regional Water Capital Improvement Fund for the Water Treatment Plant Improvement Project. The DOT Spoil Site Fund has a negative balance, however reimbursement for the boat launch project has been received in November.

Covington reviewed the General Fund Department Expenditure Comparison, noting that the year-to-date expenditures for each department are well under the reduced appropriated amounts. Most of the Non-Departmental expenses are due to LEOFF 1 obligations.

Councilmembers reviewed the third quarter Utility Comparison report. Covington pointed out that revenues for the Sewer Fund are supporting expenditures in October. Councilmembers noted that the majority of customers are using 600 cubic feet or less, of water each month.

- 1874 Librarian Vicki Selander reports that Spooky Fun Story Time will be held tomorrow at 3:30 p.m. for ages 8 and under, however any age is welcome.

In response to a question from Councilmember Yund, Selander noted that she authored a book entitled, "Images of America Castle Rock" which will be published on November 2<sup>nd</sup>. There will be a book signing of this pictorial history of Castle Rock on Saturday November 7<sup>th</sup> at the Exhibit Hall.

1933 Report of Meetings

Councilmembers Yund, Queen, Reilly and Mayor Pro-Tempore Marcil attended a Budget Workshop Meeting. Councilmembers Mask and Queen attended Collective Bargaining Negotiations for the clerical contract. Councilmember Mask also attended a Park Summit Meeting.

- 1959 Covington provided an outline of the budget process for fiscal year 2010. The budget must be adopted prior to December 31, 2009. Although councilmembers have not completed a detailed review of the utility budgetary funds, staff has been directed to present budgets that will not require any rate increase. On November 2, 2009, the Preliminary budget will be made available to the public. Upcoming dates include:

November 9, 2009:

- The first Public Hearing to set Ad Valorem taxes for fiscal year 2010. This requires a majority plus one vote. The tax rate must be adopted by November 30<sup>th</sup>.
- The first Public Hearing to take public testimony on the proposed 2010 Budget.
- The first Public Hearing for a Library Fund budget amendment. Due to donations, Library expenditures have exceeded the appropriated amount.
- Ordinances pertaining to the budget will be heard on first reading. This includes ordinances increasing utility taxes for gas, telephone, electric, water, sewer, and stormwater.
- First reading of the proposed 2010 Budget. This requires a majority plus one vote.

November 23, 2009:

- The second Public Hearing to set Ad Valorem taxes for fiscal year 2010.
- The second Public Hearing to take public testimony on the proposed 2010 Budget.
- The second Public Hearing for a Library Fund budget amendment.
- Ordinances pertaining to the budget will be heard on second reading.
- Second reading of the proposed 2010 Budget. This requires a majority plus one vote.

Covington stated that if Mayor Larsen is still unable to attend meetings, a full council quorum will be needed for the November meetings, so that Ad Valorem and budget issues can be acted upon. If voting requirements cannot be met, then a Special Meeting will be needed.

- 2103 Councilmember Yund made a motion, seconded by Queen to increase the Police Chief's cell phone stipend to remain equal to the cell phone stipend that the Police Sergeant receives. By roll call vote, unanimous Aye.
- 2159 Mayor Pro-Tempore Marcil adjourned regular session at 8:09 p.m. for a two separate executive sessions, estimated to last a total of twenty minutes. Topics for the sessions include personnel and land acquisition issues, with no action anticipated.
- 2197 Mayor Pro Tempore Marcil resumed regular session at 8:30p.m. and then adjourned regular session for an additional twenty minute executive session to discuss personnel issues.
- 2209 Mayor Pro Tempore Marcil resumed regular session at 8:52 p.m. There being no further business, the meeting was adjourned.

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Mayor Pro Tempore Greg Marcil

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Clerk-Treasurer