



## ABERDEEN CITY COUNCIL

July 24, 2019

### COUNCIL MEETING AGENDA

7:15 PM – 3<sup>rd</sup> Floor, City Hall

### COMMITTEE OF THE WHOLE

- A. Guest Speakers
  - 1. Community Development- Update on Property Maintenance and Rental Inspection Program
- B. Department Heads
- C. Mayor's Report
- D. Non-Standing Committee Reports

### COUNCIL MEETING

#### I. ROLL CALL

#### II. FLAG SALUTE

#### III. APPROVAL OF MINUTES

#### IV. ADDITIONS / DELETIONS

#### V. PUBLIC COMMENT Re: **Agenda Action Items (Indicated by AI)** (Please limit your comments to 3 minutes)

#### VI. FINANCE COMMITTEE

- A. Committee Chair Report
- B. Approval of expenditures
  - 1. Recommend approval of expenditures and payroll.
- C. Public Hearings
- D. Reports & Communications
  - 1. (AI) Report from Finance and the Finance Director recommending that the City Council approve the Resolution authorizing investment of City monies in the Local Government Investment Pool ("LGIP") and identifying the Finance Director as the authorized individual to provide updates or other documentation on behalf of the City.
- E. Resolutions
  - 1. (AI) A resolution authorizing investment of the City of Aberdeen monies in the Local Government Investment Pool.
- F. Ordinances

#### VII. PUBLIC WORKS

- A. Committee Chair Report
- B. Public Hearings

C. Reports & Communication

1. (AI) Report from Public Works and the Public Works Director recommending that the City of Aberdeen adopt the 2019 Stormwater Management Manual for Western Washington published by the Washington State Department of Ecology as the current Stormwater Management standards for the City of Aberdeen.

D. Ordinances

**VIII. PUBLIC SAFETY**

A. Committee Chair Report

B. Reports & Communications

1. (AI) Report from Public Safety and the Community Development Director recommending that the City Council approve the Temporary Use Permit for the Temporary Alternative Shelter Location at City Hall for a period not to exceed 90 days (October 15, 2019).

**IX. SPECIAL AGENDA ITEMS**

A. Reports & Communication

1. (AI) Report from the Parks Director recommending that the City Council approve the de-accession of the items listed in the City's Museum Collection.
2. (AI) Report from the Parks Director recommending that the City Council approve the accession of some items into the City's Museum Collection.
3. (AI) Report from Ad Hoc City Council Committee on Homeless Planning recommending that the City Council approve an additional expenditure of \$10,000.00 for a total not to exceed \$40,000.00 for the operations of the Temporary Alternative Shelter Location at City Hall.
4. (AI) Report from Corporation Counsel recommending that the City Council adopt the resolution authorizing appointment of special deputy prosecuting attorney.

B. Resolutions

1. A resolution authorizing appointment of special deputy Corporation Counsel in case of conflict or appearance of conflict in criminal prosecution matters.

C. Ordinances

D. Appointments

1. Re-appointments of Randy Beerbower and Jamie Brand to the Board of Museum of History.

- X. PUBLIC COMMENT PERIOD (Please limit your comments to 3 minutes)
- XI. CITY COUNCIL COMMENT PERIOD
- XII. EXECUTIVE SESSION

The City of Aberdeen does not discriminate against or exclude anyone from participation in public meetings. Requests for assistance should be made by contacting the Finance Department at 360-537-3225, 48 hours in advance of the meeting. Thank you.

**LEGISLATIVE DEPARTMENT  
CITY OF ABERDEEN**

**Mr. Mayor:** Hon. Erik Larson

**The Members of:** Finance Committee

**To whom was Referred:** **Resolution authorizing investment of City of Aberdeen monies in the Local Government Investment Pool and identifying the Finance Director as the authorized individual to provide updates or other documentation on behalf of the City**

**Reports and Recommends as Follows:** After research, the Finance Director identified that information regarding City’s authorized individual for the Local Government Investment Pool (“LGIP”) is outdated by at least two years, and that the authorizing Resolution has not been updated for significantly longer. In order to provide information in a format compliant with current requirements of the Office of State Treasurer, a new Resolution and Authorization Form as attached to this Report is the most efficient means available. The City has no immediate plans to invest in the LGIP, but has done so in the past and may need intervening access to LGIP reports and information. City Council reviewed and approved the authorization form at the July 10, 2019 City Council meeting

*It is recommended that:* City Council approve the Resolution authorizing investment of City monies in the Local Government Investment Pool (“LGIP”) and identifying the Finance Director as the authorized individual to provide updates or other documentation on behalf of the City.

\_\_\_\_\_  
Reported by:  
Cliff Frederickson (Finance Director)

\_\_\_\_\_  
Committee Chair

\_\_\_\_\_  
Committee Vice-chair

Reported \_\_\_\_\_, 2019

\_\_\_\_\_  
Committee Member

Adopted \_\_\_\_\_, 2019

\_\_\_\_\_  
Committee Member

**RESOLUTION No. 2019 - \_\_\_\_\_**

**A RESOLUTION AUTHORIZING INVESTMENT OF CITY OF ABERDEEN MONIES IN THE LOCAL GOVERNMENT INVESTMENT POOL.**

**WHEREAS**, pursuant to Chapter 294, Laws of 1986, the Legislature created a trust fund to be known as the public funds investment account (commonly referred to as the Local Government Investment Pool (LGIP)) for the contribution and withdrawal of money by an authorized governmental entity for purposes of investment by the Office of the State Treasurer; and

**WHEREAS**, from time to time it may be advantageous to the authorized governmental entity, the City of Aberdeen (“governmental entity”) to contribute funds available for investment in the LGIP; and

**WHEREAS**, the investment strategy for the LGIP is set forth in its policies and procedures; and

**WHEREAS**, any contributions or withdrawals to or from the LGIP made on behalf of the governmental entity shall be first duly authorized by the Aberdeen City Council, (“governing body”) or any designee of the governing body pursuant to this resolution, or a subsequent resolution; and

**WHEREAS** the governmental entity will cause to be filed a certified copy of said resolution with the Office of the State Treasurer; and

**WHEREAS** the governing body and any designee appointed by the governing body with authority to contribute or withdraw funds of the governmental entity has received and read a copy of the prospectus and understands the risks and limitations of investing in the LGIP; and

**WHEREAS**, the governing body attests by the signature of its members that it is duly authorized and empowered to enter into this agreement, to direct the contribution or withdrawal of governmental entity monies, and to delegate certain authority to make adjustments to the incorporated transactional forms, to the individuals designated herein.

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ABERDEEN:** that the governing body does hereby authorize the contribution and withdrawal of governmental entity monies in the LGIP in the manner prescribed by law, rule, and prospectus.

**BE IT FURTHER RESOLVED** that the governing body has approved the Local Government Investment Pool Transaction Authorization Form (Form) as completed by the Finance Director of

the City of Aberdeen, Clifford Frederickson, and incorporates said form into this resolution by reference and does hereby attest to its accuracy.

**BE IT FURTHER RESOLVED** that the governmental entity designates the Finance Director (“authorized individual”) to authorize all amendments, changes, or alterations to the Form or any other documentation including the designation of other individuals to make contributions and withdrawals on behalf of the governmental entity.

**BE IT FURTHER RESOLVED** that this delegation ends upon the written notice, by any method set forth in the prospectus, of the governing body that the authorized individual has been terminated or that his or her delegation has been revoked. The Office of the State Treasurer will rely solely on the governing body to provide notice of such revocation and is entitled to rely on the authorized individual’s instructions until such time as said notice has been provided.

**BE IT FURTHER RESOLVED** that the Form as incorporated into this resolution or hereafter amended by delegated authority, or any other documentation signed or otherwise approved by the authorized individual shall remain in effect after revocation of the authorized individual’s delegated authority, except to the extent that the authorized individual whose delegation has been terminated shall not be permitted to make further withdrawals or contributions to the LGIP on behalf of the governmental entity. No amendments, changes, or alterations shall be made to the Form or any other documentation until the entity passes a new resolution naming a new authorized individual; and

**BE IT FURTHER RESOLVED** that the governing body acknowledges that it has received, read, and understood the prospectus as provided by the Office of the State Treasurer. In addition, the governing body agrees that a copy of the prospectus will be provided to any person delegated or otherwise authorized to make contributions or withdrawals into or out of the LGIP and that said individuals will be required to read the prospectus prior to making any withdrawals or contributions or any further withdrawals or contributions if authorizations are already in place.

**PASSED and APPROVED** this \_\_\_\_\_ day of June, 2019.

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Erik Larson, Mayor

ATTESTED:

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Clifford Frederickson, Finance Director

**LEGISLATIVE DEPARTMENT  
CITY OF ABERDEEN**

**MR. MAYOR:** Erik Larson

**THE MEMBERS OF  
YOUR COMMITTEE ON:** Public Works and the Public Works Director

**TO WHOM IT WAS REFERRED:** Recommendation to adopt the 2019 Stormwater Management Manual for Western Washington (2019 SWMMWW) published by the Washington State Department of Ecology.

**REPORTS AS FOLLOWS:** Historically the City of Aberdeen has adopted the Stormwater Management Manual for Western Washington developed by the Washington State Department of Ecology as the stormwater standards for the City of Aberdeen. The Department of Ecology updated and reissued the SWMMWW in July of 2019.

**IT IS RECOMMENDED:** That the City of Aberdeen adopt the 2019 Stormwater Management Manual for Western Washington published by the Washington State Department of Ecology as the current Stormwater Management standards for the City of Aberdeen.

\_\_\_\_\_  
Rick Sangder  
Public Works Director

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Dee Anne Shaw, Committee Chair

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Tim Alstrom, Vice-Chair

Reported \_\_\_\_\_, 2019

\_\_\_\_\_  
Margo Shortt, Member

Adopted \_\_\_\_\_, 2019

\_\_\_\_\_  
James M. Cook, Member

**LEGISLATIVE DEPARTMENT  
CITY OF ABERDEEN**

**Mr. Mayor:** Hon. Erik Larson

**The Members of:** Public Safety

**To whom was Referred:** **Temporary Use Permit**

**REPORT AND RECOMMEND AS FOLLOWS:**

The City of Aberdeen has established a Temporary Alternative Shelter Location at City Hall. Staff is anticipating that this use will need to remain on site for up to 90 days.

Therefore, it is recommended that the City Council approve the Temporary Use Permit for the Temporary Alternative Shelter Location for a period not to exceed 90 days (October 15, 2019).

\_\_\_\_\_  
Lisa Scott, CD Director

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Chair

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Reported July 24, 2019

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Adopted July 24, 2019

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**CITY OF ABERDEEN  
LEGISLATIVE DEPARTMENT**

**Mr. Mayor:** Hon. Erik Larson

**The Members of  
Your Committee On:** **Parks Director**

**In Reference To:** **Board of Museum & History Recommendation items for de-  
accession from the City's Collection**

***Reports and recommendations as follows:***

The City of Aberdeen Board of Museum and History met on Tuesday, July 2nd, 2019. At this meeting the Board approved a recommendation to the Aberdeen City Council to de-access the following items from the City's Museum Collection: Booth, Telephone (#84.001.025), condition of object is beyond repair; Seaman Duffle Ban (#84.001.026), destroyed in fire; two Milk Cans (#84.001.007), destroyed in fire; Milk Can #2 (#84.001.009), destroyed in fire/beyond repair;

***Recommend as follows:***

It is recommended that the City Council approve the de-accession of the items listed in the City's Museum Collection.

\_\_\_\_\_  
Stacie Barnum, Parks Director

Reported: July 24, 2019

Adopted: \_\_\_\_\_

**CITY OF ABERDEEN  
LEGISLATIVE DEPARTMENT**

**Mr. Mayor:** Hon. Erik Larson

**The Members of  
Your Committee On:** **Parks Director**

**In Reference To:** **Board of Museum & History Recommendation items for  
accession into the City's Collection**

***Reports and recommendations as follows:***

The City of Aberdeen Board of Museum and History met on Tuesday, July 2, 2019. At this meeting the Board approved a recommendation to the Aberdeen City Council to access the following items into the City's Museum Collection: Book, "Reach for the Sky", donated by Barbie Pearsall Burr; Disc with the book on the SS Aberdeen, donated by Paul Marlow.

***Recommend as follows:***

It is recommended that the City Council approve the accession of the items listed into the City's Museum Collection.

\_\_\_\_\_  
Stacie Barnum, Parks Director

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Reported: July 24, 2019

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Adopted: \_\_\_\_\_

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**LEGISLATIVE DEPARTMENT  
CITY OF ABERDEEN**

**Mr. Mayor:**

Hon. Erik Larson

**The Members of:**

Ad Hoc City Council Committee on Homeless Planning

**To whom was Referred:**

**Request for additional of funds to reduce exigent impacts from public camping**

**REPORT AND RECOMMEND AS FOLLOWS:**

At the end of the first week at the Temporary Alternative Shelter Location (“TASL”) at the City Hall parking lot, there are 43 shelter sites supporting 55 individuals. We are aware of at least 5 additional persons wanting to participate at the TASL. There are also 4 sani-cans, a potable water supply, and limited temporary electrical service to the “host shed” at the pedestrian entrance.

At the July 10, 2019 City Council meeting, the City Council approved up to \$30,000.00 to establish and operate the TASL for the first 30 days. The TASL site has not exceeded the approved budget to date. However, overly optimistic initial cost estimates combined with the opportunity to improve TASL operations and resources have identified a likely shortfall by the end of the anticipated 30 days of operations.

Expenses to date have been one-times costs of construction, and some operational costs. The majority of expense for operation is anticipated to be for 24/7 security at TASL.

Therefore, it is recommended that the City Council approve an additional expenditure of \$10,000.00, for a total not to exceed \$40,000.00 for the operations of the Temporary Alternative Shelter Location at City Hall.

/s/ LS  
\_\_\_\_\_  
Lisa Scott, CD Director

\_\_\_\_\_  
Chair

Reported July 25, 2019  
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Adopted July 25, 2019  
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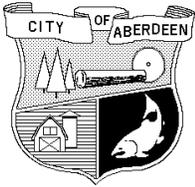
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## COST ESTIMATES FOR CITY HALL

ITEM	COST
Tents, tarps, sleeping bags, bike racks	\$ 5,781.92
Totes	\$ 317.00
Shed	\$ 3,557.00
Pallets	\$ 266.00
Plywood	\$ 2,849.00
Misc. materials (screws, nails, etc.)	\$ 160.00
Temporary Power	\$ 340.00
Security (24/7 x 30)	\$ 18,000.00
Sanicans (monthly)	\$ 400.00
Dumpster (monthly) + \$135.80 per dump	\$ 81.37
Temporary Fencing (6 months)	\$ 1,873.00
<b>TOTALS</b>	<b>\$ 33,625.29</b>

Items where purchases have been made.



**CITY OF ABERDEEN • M. PATRICE KENT, CORPORATION COUNSEL**  
200 East Market Street, Aberdeen, Washington 98520

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July 19, 2019

To: Mayor Larson  
Honorable Members Aberdeen City Council

RE: Proposed Resolution – Appointment Special Deputy Prosecuting Attorney

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Pursuant to Aberdeen City Charter Section 27, I respectfully submit the attached proposed Resolution authorizing appointment of special deputy prosecuting attorney in those instance where current Corporation Counsel or Deputy Corporation Counsel have a conflict, or apparent conflict, in criminal prosecution of specific defendants in the Aberdeen Municipal Court. The Resolution also proposes that, so long as the appointment does not exceed the annual operating budget of the office of Corporation Counsel, any compensation need not be brought back to the Council for approval.

**Background**

The Office of Corporation Counsel is charged with representing the City in all courts (Charter, Section 16) which includes acting as the Prosecuting Attorney in the Aberdeen Municipal Court. There are currently charges pending that present an appearance of conflict due for both myself and the current prosecutor. Apparently this has not occurred in the recent past (at least 11 years). In an abundance of caution, I propose the equivalent of “conflict counsel” to maintain the integrity of the office.

Washington State code is silent with respect to special prosecutors for cities in Aberdeen’s classification (first-class Charter city), and RCW 32.22.020 mandates such cities exercise the functions of government according to their charter. Aberdeen’s Charter states that Corporation Counsel represents the City “in all courts” (§16), and that Corporation Counsel may “appoint such deputies as necessary ... [with] compensation to be fixed by the City Council” (§ 27).

I anticipate that the City will be able to identify a no-cost special prosecutor with one of our neighbor jurisdictions, as we have assisted them in the recent past.

**RESOLUTION No. 2019 - \_\_\_\_\_**

**A RESOLUTION AUTHORIZING APPOINTMENT OF SPECIAL DEPUTY CORPORATION COUNSEL IN CASE OF CONFLICT OR APPEARANCE OF CONFLICT IN CRIMINAL PROSECUTION MATTERS.**

**WHEREAS**, the 1929 Charter of the City of Aberdeen, as amended (“Charter”) directs the Corporation Counsel of the City of Aberdeen (“City”) to represent the City “in all courts” (§ 16); and

**WHEREAS**, as part of its representation of the City, the office of Corporation Counsel acts as the Prosecuting Attorney in the Aberdeen Municipal Court; and

**WHEREAS**, from time to time a situation may arise under which attorneys in the office of Corporation Counsel may have conflicts or the appearance of conflict in criminal prosecution matters which require the Corporation Counsel to appoint alternative or special deputy prosecutors for those matters; and

**WHEREAS**, the Charter instructs that appointment of deputies of the Corporation Counsel must be approved by the City Council (§ 27); and

**WHEREAS**, Washington statutes are silent on appointment of prosecuting attorneys with respect to first-class charter cities, and only mandates that such cities exercise the functions of government, such as criminal prosecution, in accordance with their charter (RCW 32.22.020).

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ABERDEEN:** that the City of Aberdeen authorizes Corporation Counsel to appoint such deputy(ies) as needed to address conflict, or appearance of conflict, in criminal prosecution.

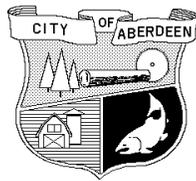
**BE IT FURTHER RESOLVED**, that so long as the expense to appoint such deputy(ies) is within the annually approved budget for the office of Corporation Counsel, no further approval for compensation need be sought.

**PASSED and APPROVED** this \_\_\_\_\_ day of June, 2019.

\_\_\_\_\_  
Erik Larson, Mayor

ATTESTED:

\_\_\_\_\_  
Cliff Frederickson, Finance Director



July 24, 2019

## APPOINTMENTS by Mayor Larson

To the Board of Museum and History:

**Randy Beerbower**, re-appointed for a one year term expiring on July 31, 2020

**Jamie Brand**, re-appointed for a one year term expiring on July 31, 2020

