

**CITY OF RUSTON  
REGULAR COUNCIL MEETING**

**Tuesday, March 15, 2022**

**The City Council of the City of Ruston met on this date via Virtual Teleconference**

**MEETING CALLED TO ORDER**

At 7:00PM Mayor Hopkins called the regular Council Meeting to order. Councilmembers present were Councilmember Syler, Councilmember Huson, and Councilmember Jensen. Councilmember Hedrick and Councilmember Kristovich were excused. Following the flag salute, Councilmember Huson moved to amend and approve the agenda adding Resolution 745 - On-Call Engineering Services Agreement and removing Payroll of March 20, 2022, with a second from Councilmember Syler, the agenda as amended passed 3-0.

**MINUTES** - Councilmember Huson moved to approve the minutes for the Regular Council meeting of March 1, 2022, with a second from Councilmember Syler, passed 3-0.

**STAFF REPORT** –

Ruston Police Officer Grubb – See attached.

Ruston Fire Chief Allen – See attached.

**GENERAL PUBLIC COMMENTS** – Nothing at this time.

**BUSINESS**

**ORD 1557 – Updating Ruston Personnel Policy Manual (2<sup>nd</sup> reading)** - The last significant revision of the City’s Personnel Policies occurred in December 2007. Since then, there have been significant developments in personnel laws that have warranted a new review and update. The City contracted with an attorney whose practice is focused on personnel issues. She reviewed and revised the personnel manual consistent with best practices and current legal standards.

The updates to the policies since 2007 include the following significant features:

- The Whistleblower Policy has been expanded consistent with the Local Government Whistleblower Protection Act, Chap. 42.41 RCW.
  
- The Leave policies have been substantially revised to incorporate Washington’s new Mandatory Paid Sick Leave and Paid Family and Medical Leave provisions; and to expand upon provisions related to Military Leave and Domestic Violence Leave;

- The Leave policies have been substantially revised to incorporate Washington’s new Mandatory Paid Sick Leave and Paid Family and Medical Leave provisions; and to expand upon provisions related to Military Leave and Domestic Violence Leave;
- The EEOC, anti-discrimination, and reasonable accommodation policies have been modified to better explain the rights available to employees and applicants and the processes in place for insuring such rights are protected;
- New polices have been added related to: Social Media Usage; Animals in the Workplace; and Drug-Free Workplace;
- There have also been several relatively minor changes to conform to current style standards and changes in wage and hour laws.

The personnel attorney, Beth McIntyre, recommends the City adopt the updated manual. This is being done by ordinance as the prior manual was adopted by ordinance and thus any revisions or repeal must likewise be done by ordinance. Councilmember Huson moved to approve Ordinance 1557, with a second from Councilmember Syler, passed 3-0.

**RES 745 – Contract Award for On-Call Engineering Services** – The City recently awarded an On-Call Civil Engineer contract via Resolution No. 738 on December 21, 2021. The City finds that it still needs a day-to-day engineering firm to cover its work as the firm performing On-Call work under the agreement awarded via Resolution No. 738 does not have the resources to do the day-to-day work. On February 17, 2022 the City published a “Request for Statement of Qualifications for On-Call Engineering Services” (“RFQ”) in its official newspaper, the Tacoma Daily Index and posted this notice on its website. The closing date for the request was established as March 4, 2022. This RFQ was made in accordance with State law which specifies a process for hiring engineers or architects as consultants.

### **1. General Process for Hiring Engineers or Architects.**

In order for the City to hire an architectural or engineering consultant, special bidding requirements are required. The City is required to publish an announcement when it is seeking of professional architectural or engineering services. Chapter 39.80 RCW requires that a city publish its need for architectural or engineering services in advance, concisely stating the general scope and nature of the project or work for which services are required. Compliance with this requirement may be accomplished by either: (1) publishing an announcement each time the service is needed; or (2) announcing generally to the public the city's projected requirements for any category or type of engineering or architectural service. Once the RFQ materials are received, Ruston evaluates the qualifications and performance data it has on file along with the information submitted regarding a proposed project. Following the

evaluation, the city invites one or more firms to meet with its officials to discuss the project and the relative benefits of various methods of providing the desired services. The city then selects the firm “most highly qualified” to provide the required services from among those firms. The price or cost of the service may not be considered by the city when determining which firm is the most highly qualified. After the most qualified firm has been chosen, the city negotiates a contract with that firm for the services at a price that it determines is fair and reasonable, considering the estimated value of the services to be rendered, as well as the scope and complexity of the project.

**2. Selection of JWM&A as the new City Engineer is recommended.**

Ruston received one response to the published RFQ. The Mayor has determined that JWM&A is the “most qualified.” The proposed contract is similar to the contract as had been in place previously with the prior City Engineer. A copy of the response to the RFQ is attached. The contract is for the firm to provide on-call professional civil engineering services, to the City for an amount not to exceed \$100,000 (one hundred thousand dollars) in any calendar year with the hourly rates set forth in Exhibit A. The contract commences immediately and expires on December 31, 2025. The contract with SCJ Alliance will remain in place and they will be utilized as needed for more complex work. By having two on-call engineering firms, the City is in a better position to respond to applications and projects more quickly and can choose which firm is best for a particular task. The contract requires that the firm provide to the City evidence, in the form of a Certificate of Insurance showing the contract limits set forth on page 4, before beginning work. The maximum contract price is \$100,000 per calendar year through the end of 2025. Councilmember Huson moved to approve Resolution 745, with a second from Councilmember Syler, passed 3-0.

**PAYROLL** – Councilmember Huson moved to approve Payroll of March 5, 2022, with a second from Councilmember Syler, passed 3-0.

**MAYOR’S TIME** – Mayor Hopkins shared that the City continues to look for ways to improve permitting services for our residents. The City is currently using a vendor by the name of MyGov for permits and have found this system cumbersome. Mayor Hopkins used the MyGov system personally and found it was not easy to navigate. City staff explored other permitting systems and found a vendor, Cloud Permits, which is a more viable solution. Staff are planning to migrate to this system in the next thirty days. Mayor Hopkins thanked staff for their work in finding other available options and was looking forward to using Cloud Permits with his next permit application, expecting marked improvements in permit approval turnaround time. There was discussion regarding in person council meetings. The City was waiting for The Governor’s

Office to lift the mandate requiring hybrid council meetings. The City will continue to monitor this closely. A hybrid council meeting it must be both in person and virtually based which requires a hardware upgrade to integrate the two. The City will evaluate the cost to do this. The City has a potential lessor interested in all the available space at the Ruston School. The interested party is a daycare and private preschool and would like to enter into a fifteen-year lease with the option for an additional fifteen years. This is currently under review. City Hall at 5117 N. Winnifred will relocate to the Ruston School at 5219 N. Shirley in April. The City is still waiting for technology parts.

**Councilmember Hedrick** – Excused.

**Councilmember Kristovich** – Excused.

**Councilmember Syler** – Nothing at this time.

**Councilmember Huson** – Had a conversation with Councilmember Jensen regarding in person meetings. In a joint effort, both Councilmember Huson and Councilmember Jensen were hoping to hold a Town Hall and Open House, either prior to or after the first in person council meeting. It would be a great way in bringing the community together.

**Councilmember Jensen** – Was excited about the new permitting system and thanked Mayor Hopkins for everyone’s efforts in identifying an improved permit system for Ruston residents. Councilmember Jensen also looked forward to working with Councilmember Huson on an Open House for residents at the first in person council meeting.

**MEETING AJOURNED** – At 7:19PM Councilmember Huson moved to adjourn, with a second from Councilmember Syler, passed 3-0.

ATTEST:

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Mayor Bruce Hopkins

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Judy Grams