



**SPECIAL CITY COUNCIL
MEETING MINUTES**

**September 14, 2022
9:30 AM**

Location: City Council Chambers, 408 N. Spokane Street, Post Falls, ID 83854

SPECIAL MEETING – 9:30 am City Council Chambers

CALL TO ORDER BY MAYOR JACOBSON

PLEDGE OF ALLEGIANCE

ROLL CALL OF CITY COUNCIL MEMBERS

Kerri Thoreson, Josh Walker (Zoom), Joe Malloy (Zoom), Nathan Ziegler, Lynn Borders, Kenny Shove - **Present**

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:

AMENDMENTS TO THE AGENDA

Final action cannot be taken on an item added to the agenda after the start of the meeting unless an emergency is declared that requires action at the meeting. The declaration and justification must be approved by motion of the Council.

None

DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS

The Mayor and members of the City Council have a duty to serve honestly and in the public interest. Where the Mayor or a member of the City Council have a conflict of interest, they may need to disclose the conflict and in certain circumstances, including land use decisions, they cannot participate in the decision-making process. Similarly, ex-parte contacts and site visits in most land use decisions must also be disclosed.

None

1. UNFINISHED BUSINESS/RETURNING ORDINANCES AND RESOLUTIONS

This section of the agenda is to continue consideration of items that have been previously discussed by the City Council and to formally adopt ordinances and resolutions that were previously approved by the Council. Ordinances and resolutions are formal measures considered by the City Council to implement policy which the Council has considered. Resolutions govern internal matters to establish fees and charges pursuant to existing ordinances. Ordinances are laws which govern general public conduct. Certain procedures must be followed in the adoption of both ordinances and resolutions; state law often establishes those requirements.

ACTION ITEMS:

- a. Water Reclamation Facility Change Order with McMillen Jacobs Addressing Contract Timeframes and Pipe Liner Installation.

Andrew Arbini, Projects Division Manager presenting: This is actually a change order for the Outfall project. This project is to replace an existing 12-inch outfall pipeline with a 30-inch pipeline. When pressure tests were done on the part of the pipe going down the slope into the river it was found to have a slight leak. After months of talks with contractor, pipe manufacture we came to this solution.

In the Change Order 4 we want to use a cured in place pipe liner (CIPP) that would provide certainty in obtaining a watertight pipeline. We would also waive liquidated damages which would result in a reduction to the guaranteed maximum price \$527,600 (includes construction contingency). If this is approved the contractor will start mobilization on September 20,2022 with a substantial completion date of October 19, 2022.

Mayor: What do you need from Council, the additional time frame or is there additional costs?

Arbini: Approval of the installation of the pipe liner and that we are waiving the liquidated damages outlined in the contract.

Thoreson: You said they would start Monday; do they have all the materials on hand so that they are ready to go?

Arbini: Yes, they have the liner on order and the delivery date is holding for the last week in September. They anticipated a week to two weeks to prep and clean the pipe and get everything ready.

Ziegler: Once the liner is in place is the pressure test preformed to check it or is that necessary?

Arbini: We will do a pressure test.

Malloy: Has the City occurred any costs because this project is nine months late?

Arbini: We have some additional time with JUB and some staff time. On the operation side it is not causing any issues with our system.

Malloy: Do you think the cost in staff time and JUB time has been \$50,000 or less?

Arbini: It is hard to say. I do not think anybody is coming out whole on this. I would say it is in the ballpark. Our line items to date are tracking under what was originally planned. It is likely we will be under \$200,000 under the quantities.

Borders: So, what will happen if the liner doesn't solve the leak problem?

Arbini: The pressure test has indicated a small amount likely a pin hole.

Warren Wilson, City Attorney: We have been working on this since November. The concern was that if it is in the slope, you could have a problem down the line. If it is in the river, it was going there anyway. It is more for the integrity of the slope and not the river.

Mayor: So, the discharge if there was a leak would be the treated effluent is that correct?

Wilson: Correct.

Mayor: So, it is water that is going into the river anyway.

Malloy: If there are issues later in the project can we collect liquidated damages then?

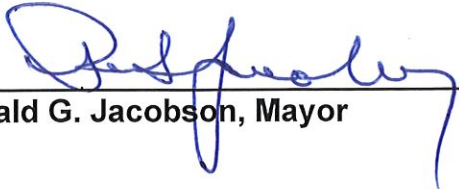
Arbini: We do. We are waiving the damages up to October 4th. If McMillen finishes by October 19th, we agreed not to collect damages from October 5th to 19th to give them some incentive to complete this on time.

Motion by Thoreson to approve the water reclamation facility change order #4 with McMillen Jacobs.

Second by Borders.

**Vote: Thoreson-Aye, Walker-Aye, Malloy-Aye, Ziegler-Aye, Borders-Aye, Shove-Aye
Motion Carried**

ADJOURNMENT 9:53 ^{AM} PM



Ronald G. Jacobson, Mayor





Shannon Howard, City Clerk

Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk, 408 Spokane Street or call 208-773-3511. City Council and City commission meetings are broadcast live on Post Falls City Cable on cable channel 1300 (formerly 97.103) as well as the City's YouTube Channel (<https://www.youtube.com/c/CityofPostFallsIdaho>).

Mayor Ronald G. Jacobson

Councilors: Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove

Mission

The City of Post Falls mission is to provide leadership, support common community values, promote citizen involvement and provide services which ensure a superior quality of life.

Vision

Post Falls, Idaho is a vibrant city with a balance of community and economic vitality that is distinguished by its engaged citizens, diverse businesses, progressive leaders, responsible management of fiscal and environmental resources, superior service, and a full range of opportunities for education and healthy lifestyles.

"Where opportunities flow and community is a way of life"