



## **City Council Regular Meeting Agenda**

### **Monday, April 07, 2025, 7:00 PM**

### **Council Chambers, 616 NE 4th AVE**

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*NOTE: The City welcomes public meeting citizen participation. TTY Relay Service: 711. In compliance with the ADA, if you need special assistance to participate in a meeting, contact the City Clerk's office at (360) 834-6864, 72 hours prior to the meeting so reasonable accommodations can be made (28 CFR 35.102-35.104 ADA Title 1)*

#### **To observe the meeting** (no public comment ability)

- go to [www.cityofcamas.us/meetings](http://www.cityofcamas.us/meetings) and click "Watch Livestream" (left on page)

#### **To participate in the meeting** (able to public comment)

- go to <https://us06web.zoom.us/j/82525742145>

(public comments may be submitted to [publiccomments@cityofcamas.us](mailto:publiccomments@cityofcamas.us))

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### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

### **PUBLIC COMMENTS**

This is the public's opportunity to comment about any item on the agenda, including items up for final Council action.

### **CONSENT AGENDA**

*NOTE: Consent Agenda items may be removed for general discussion or action.*

1. [March 17, 2025 Camas City Council Regular and Workshop Meeting Minutes](#)
2. Automated Clearing House and Claim Checks Approved by Finance Committee
3. \$150,168.53 for December 2024 Emergency Medical Services (EMS) Write-off Billings for Monthly Uncollectable Balance of Medicare and Medicaid Accounts (Submitted by Cathy Huber Nickerson, Finance Director)
4. \$121,524.94 for January 2025 Emergency Medical Services (EMS) Write-off Billings for Monthly Uncollectable Balance of Medicare and Medicaid Accounts (Submitted by Cathy Huber Nickerson, Finance Director)
5. \$140,164.36 for February 2025 Emergency Medical Services (EMS) Write-off Billings for Monthly Uncollectable Balance of Medicare and Medicaid Accounts (Submitted by Cathy Huber Nickerson, Finance Director)

### **NON-AGENDA ITEMS**

6. Staff
7. Council

#### **MAYOR**

8. Mayor Announcements
9. [National Library Week Proclamation](#)

#### **MEETING ITEMS**

10. [2025 Citywide Hot Mix Asphalt Repairs Consideration of Bids](#)  
[Presenter: James Carothers, Engineering Manager and Shawn Macpherson, City Attorney](#)  
[Time Estimate: 5 Minutes](#)
11. [Ordinance 25-003 Utility Billing Revisions](#)  
[Presenter: Matthew Thorup, Assistant Finance Director](#)  
[Time Estimate: 10 minutes](#)

#### **PUBLIC COMMENTS**

#### **CLOSE OF MEETING**



**City Council Workshop Minutes - Draft**  
**Monday, March 17, 2025, 4:30 PM**  
**Council Chambers, 616 NE 4th AVE**

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*NOTE: Please see the published Agenda Packet for all item file attachments*

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**CALL TO ORDER**

Mayor Hogan called the meeting to order at 4:30 p.m.

**ROLL CALL**

Present: Council Members Marilyn Boerke, Tim Hein, Leslie Lewallen, John Nohr, Jennifer Senescu, and John Svilarich

Staff: Anita Ashton, Sydney Baker, James Carothers, Rob Charles, Carrie Davis, Chamerre Fonacier, Cliff Free, Jennifer Gorsuch, Jennifer Hertz, James Hodges, Cathy Huber Nickerson, Michelle Jackson, Robert Maul, Justin Monsrud, Shyla Nelson, Alan Peters, Madison Phillips, Doug Quinn, Bryan Rachal, Amee Rasmussen, Heidi Steffensen, Alicia Stevens Matthew Thorup and Connie Urquhart

Press: No one from the press was present.

**PUBLIC COMMENTS**

No one from the public wished to speak.

**WORKSHOP TOPICS**

1. Recognition of 35-Year Anniversary for James Hodges, Public Works Project Manager  
Presenter: James Carothers, Engineering Manager

This item was for Council's information only.

2. Clark County Tax Exemption Presentation  
Presenter: Holly Hill, Clark County

This item was for Council's information only.

3. Ordinance 25-003 Utility Billing Revisions  
Presenter: Matthew Thorup, Assistant Finance Director

An Ordinance for this item will be placed on the April 7, 2025 Regular Meeting Agenda for Council's consideration.

4. Staff Miscellaneous Updates  
Presenter: Doug Quinn, City Administrator

Charles gave an update on the Lower Prune Hill Reservoir.

## **COUNCIL COMMENTS AND REPORTS**

Nohr attended the Downtown Camas Association (DCA) meeting, RFA Open House and the Council Vacancy Ad Hoc Committee meeting. Nohr missed the Finance Committee meeting.

Svilarich commented about attending the upcoming Planning Commission meeting and a Climate Plan Action meeting.

Hein provided an update from the last Clark County Public Transit Benefit Area Authority (CTRAN) meeting. Hein commented on citizen comments regarding fluoride and CTRAN. Hein commented about a call from a citizen regarding management of Barlow Park.

Boerke commented about citizen comments regarding fluoride. Boerke recognized Carrie Schulstad for being awarded an Iris Award by the Greater Vancouver Chamber. Boerke commented about the Parks and Recreation Director interviews, the Camas Library Board, City/School Committee and the Council Vacancy Ad Hoc Committee.

Senescu attend the RFA Open House. Senescu thanked Jim Hodges for 35 years of service. Senescu thanked the Clerk's office and the Information Technology (IT) department. Senescu invited the public to the Ward 3 Town Hall and solicited topics.

Lewallen attended the CTRAN meeting. Lewallen commented about the RFA Open House and the Ward 3 Town Hall meeting and DCA nominations online for Business and Citizen of the Year. Lewallen commented about public comments on fluoride and the Regional Transportation Council (RTC) and City/School Committee.

Mayor Hogan commented about CTRAN.

## **PUBLIC COMMENTS**

Gary Gaskill, Camas, commented about the Regional Fire Authority (RFA) and the fire station.

## **CLOSE OF MEETING**

The meeting closed at 5:28 p.m.



**City Council Regular Meeting Minutes - Draft**  
**Monday, March 17, 2025, 7:00 PM**  
**Council Chambers, 616 NE 4th AVE**

*NOTE: Please see the published Agenda Packet for all item file attachments*

**CALL TO ORDER**

Mayor Hogan called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Present: Council Members Marilyn Boerke, Tim Hein, Leslie Lewallen, John Nohr, Jennifer Senescu, and John Svilarich

Staff: Sydney Baker, James Carothers, Rob Charles, Carrie Davis, Cliff Free, Jennifer Gorsuch, Cathy Huber Nickerson, Michelle Jackson, Shyla Nelson, Alan Peters, Doug Quinn, Bryan Rachal, Heidi Steffensen Alicia Stevens, Matthew Thorup and Connie Urquhart

Press: Kelly Moyer, Camas-Washougal Post Record

**PUBLIC COMMENTS**

Darcy Smith, Camas, commented about the fire department and taxes.

Mike Hamilton, Camas, commented about State taxes and thanked Council for the Interstate Bridge Replacement (IBR) Resolution.

**CONSENT AGENDA**

1. March 3, 2025 Camas City Council Regular and Workshop Meeting Minutes
2. \$1,799,190.35 Automated Clearing House 701849-701913 and Claim Checks 159978-160099 Approved by Finance Committee
3. Approve City of Camas Commute Trip Reduction Four-Year Plan Update: 2025-2029  
 (Submitted by James Carothers, Engineering Manager)

**It was moved by Svilarich, and seconded, to approve the Consent Agenda. The motion carried unanimously.**

**NON-AGENDA ITEMS**

*Minutes created by Alicia Stevens.*

#### 4. Staff

Quinn gave an update on the City Hall repair project.

#### 5. Council

Hein thanked those who attended and made comments at the Clark County Public Transit Benefit Area Authority (CTTRAN) meeting.

Lewallen agreed with Hein's comments.

Senescu commented about the upcoming Town Hall meeting.

### MAYOR

#### 6. Mayor Announcements

There were no Mayor comments.

### MEETING ITEMS

7. 2025-2027 Collective Bargaining Agreement between the City of Camas and Camas Police Officers' Association  
Presenter: Jennifer Gorsuch, Administrative Services Director

**It was moved by Boerke, and seconded, to approve to approve the 2025-2027 Collective Bargaining Agreement between the City of Camas and Camas Police Officers Association as presented and authorize the Mayor and City Administrator to sign this agreement. The motion carried unanimously.**

8. Public Hearing - Fluoride  
Presenter: Rob Charles, Utilities Manager

Mayor Hogan opened the public hearing at 7:16 p.m. The following residence provided testimony:

Gerri Rubano  
Darcy Smith  
Mike Hamilton  
Derek Kemppainen  
Phillip Mitchell  
Annette Garner  
Tyler Sanders  
Nels Walther  
Dale Larson

The public hearing closed at 8:15 p.m.

*Minutes created by Alicia Stevens.*

**It was moved by Lewallen, and seconded, to direct the City Attorney to draft an Ordinance removing fluoride from the City's water system.**

**Roll Call Vote:**

**Hein - Yes  
Senescu – Yes  
Nohr – No  
Lewallen – Yes  
Svilarich – No  
Boerke – Yes**

**PUBLIC COMMENTS**

Tyler Sanders, Camas, commented about the Commute Trip Reduction Plan and parking.

Darcy Smith, Camas, commented about parking lots, parks and bike lanes.

**MEETING ITEMS**

9. Executive Session - Topic: Network Security Matter (RCW 42.30.110)  
Time Estimate: 10 Minutes

The Council met in Executive Session to discuss a network security matter. No decisions were made. Those in attendance were Doug Quinn (City Administrator), Kelly Hickok (Assistant City Attorney), Michelle Jackson (Information Technology Director), and Council Members Boerke, Hein, Lewallen, Nohr, Senescu, and Svilarich.

10. Executive Session - Topic: Council Vacancy (RCW 42.30.110)  
Time Estimate: 10 Minutes

The Council met in Executive Session to discuss the council vacancy. Council members were asked to nominate one applicant to advance to the interview process. Those in attendance were Doug Quinn (City Administrator), Kelly Hickok (Assistant City Attorney), and Council Members Boerke, Hein, Lewallen, Nohr, Senescu, and Svilarich.

**Roll Call Vote:**

**Lewallen – Martin Elzingre  
Hein – James Roy  
Svilarich – Alison Livett  
Senescu – Gary Gaskill  
Boerke – Jill Walters  
Nohr – Colene Domenech**

**CLOSE OF MEETING**

The meeting closed at 8:54 p.m.

*Minutes created by Alicia Stevens.*

## ~ PROCLAMATION ~

WHEREAS, libraries provide the opportunity for everyone to pursue their passions and engage in lifelong learning;

WHEREAS, libraries have long served as trusted institutions for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity, or socio-economic status;

WHEREAS, libraries strive to develop and maintain programs and collections that are as diverse as the populations they serve and ensure equity of access for all;

WHEREAS, libraries adapt to the ever-changing needs of their communities, continually expanding their collections, services, and partnerships;

WHEREAS, libraries play a critical role in the economic vitality of communities by providing internet and technology access, literacy skills, and support for job seekers, small businesses, and entrepreneurs;

WHEREAS, libraries are accessible and inclusive places that promote a sense of local connection, advancing understanding, civic engagement, and shared community goals;

WHEREAS, libraries are cornerstones of democracy, promoting the free exchange of information and ideas for all;

WHEREAS, libraries, librarians, and library workers are joining library supporters and advocates across the nation to celebrate National Library Week;

NOW, THEREFORE, I, Steve Hogan, proclaim April 6<sup>th</sup> -12<sup>th</sup>, 2025, as

### ***“National Library Week”***

In the City of Camas. This week, I encourage all community members to visit their library to explore the wealth of available resources.

In witness whereof, I have set my hand  
and caused the seal of the City of Camas to  
be affixed this 7th day of April 2025.

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Steve Hogan, Mayor





## Staff Report

April 7, 2025 Council Regular Meeting

2025 Citywide Hot Mix Asphalt Repairs Consideration of Bids

Presenter: James Carothers, Engineering Manager and Shawn Macpherson, City Attorney

Time Estimate: 5 Minutes

Phone	Email
360.817.7230	jcarothers@cityofcamas.us

### SUMMARY:

On March 26, 2025 sealed bids were opened for the 2025 Citywide Hot Mix Asphalt (HMA) Repair contract. The engineering estimate was \$1,229,500. The City received five bids. The apparent low bidder, Granite Construction Company, provided a contract price of \$959,200. The second low bidder, Lakeside Industries, provided a contract price of \$1,030,444. The bid tabulations are attached for reference.

As noted in the Bid Tabulations, the apparent low bidder, Granite Construction Company, did not submit one document on the bid submittal checklist. At the time of bid opening Granite Construction did not provide a full and complete copy of their Memorandum of Understanding (MOU) issued by Homeland security. After the bid opening staff verified that Granite Construction Company does have a current MOU in place with Dept. Homeland Security effective April 20, 2020 (Company ID1579509). Granite submitted the MOU after the bid opening.

Council will be asked to decide whether Granite Construction's bid proposal has a minor or major irregularity. If Council deems that Granite Construction's bid has a major irregularity, Granite's bid must be rejected. If Council rules the irregularity as minor, Council must decide whether to accept or reject Granite's bid.

**RECOMMENDATION:**

Council has several options when considering potential award of a bid as outlined below:

<b>Option:</b>	<b>Result:</b>
If Council determines the omission is a <b>minor irregularity</b> , Council has two main options:	<p>Council may waive the minor irregularity and determine Granite Construction's bid to be responsive. Council may award to Granite Construction for \$959,200.</p> <p><b>OR</b></p> <p>Council may reject Granite Construction's bid as non-responsive due to the minor irregularity and award to Lakeside Industries for \$1,030,444</p>
If Council determines that the omission is a <b>major irregularity</b> :	Council must reject the low bid from Granite Construction Company determining it to be non-responsive. Council may award bid to Lakeside Industries for \$1,030,444.
The Council can reject all bids	Direct staff to readvertise for bids

**POTENTIAL CHALLENGES:** If all bids are rejected the project will need to be readvertised and a new bid opening scheduled. This delay could have impacts to schedule and pricing. Asphalt repairs can only be made during suitable weather (typically June-September).

**BUDGET IMPACT:** This project is fully funded by the Pavement Preservation Fund.



I, James E. Carothers, Engineering Manager, hereby certify  
that these bid tabulations are correct.

James E. Carothers, PE

Date

Signed by:  
*James E. Carothers*  
222ADA9D2B934F1...

3/31/2025

PROJECT NO. STR25002B				Engineer's Estimate: \$ 1,229,500.00		Granite Construction Company		Lakeside Industries		Western United Civil Group		KNL Industries Inc		Brix Paving NW	
						16821 SE McGillvray Blvd Ste 210B		8705 NE 117th Ave		PO Box 236		10672 S Macksburg Rd		PO Box 441	
DESCRIPTION: 2025 CITYWIDE HMA REPAIRS						Vancouver WA 98683		Vancouver WA 98662		Yacolt WA 98675		Canby OR 97013		Woodland WA 98674	
				Ent. By		<a href="mailto:bid.vancouver@gcinc.com">bid.vancouver@gcinc.com</a>		<a href="mailto:kenny-butcher@lakesideindustries.com">kenny-butcher@lakesideindustries.com</a>		<a href="mailto:josiah@westernucg.com">josiah@westernucg.com</a>		<a href="mailto:keithir@kandlindustries.com">keithir@kandlindustries.com</a>		<a href="mailto:JeffP@brixpaving.com">JeffP@brixpaving.com</a>	
DATE OF BID OPENING: 3-26-2025 @ 10:00 AM				MP		360-254-0978		360-718-0492		360-450-7378		971-201-6760		360-607-6323	
ITEM NO	DESCRIPTION	UNIT	QTY	UNIT	ENGRG	UNIT	CONTRACT	UNIT	CONTRACT	UNIT	CONTRACT	UNIT	CONTRACT	UNIT	CONTRACT
				PRICE	TOTAL	PRICE	TOTAL	PRICE	TOTAL	PRICE	TOTAL	PRICE	TOTAL	PRICE	TOTAL
1	Mobilization	LS	1	\$105,000.00	\$105,000.00	\$7,500.00	\$7,500.00	\$29,699.00	\$29,699.00	\$100,000.00	\$100,000.00	\$25,000.00	\$25,000.00	\$75,000.00	\$75,000.00
2	Flaggers	HR	700	\$90.00	\$63,000.00	\$86.00	\$60,200.00	\$80.00	\$56,000.00	\$68.00	\$47,600.00	\$1.00	\$700.00	\$95.00	\$66,500.00
3	Project Temporary Traffic Control	LS	1	\$20,000.00	\$20,000.00	\$13,000.00	\$13,000.00	\$28,000.00	\$28,000.00	\$8,000.00	\$8,000.00	\$79,300.00	\$79,300.00	\$20,000.00	\$20,000.00
4	Portable Changeable Message Board (2 Each)	DAY	30	\$300.00	\$9,000.00	\$100.00	\$3,000.00	\$200.00	\$6,000.00	\$112.00	\$3,360.00	\$500.00	\$15,000.00	\$170.00	\$5,100.00
5	Removal and Replacement Unsuitable Material Incl. Haul	CY	150	\$100.00	\$15,000.00	\$100.00	\$15,000.00	\$140.00	\$21,000.00	\$70.00	\$10,500.00	\$150.00	\$22,500.00	\$160.00	\$24,000.00
6	HMA CL 1/2" PG 64-22 w/ Fiber Reinforcement @ 1lb per	TON	5,400	\$145.00	\$783,000.00	\$145.00	\$783,000.00	\$122.50	\$661,500.00	\$134.00	\$723,600.00	\$150.00	\$810,000.00	\$150.00	\$810,000.00
7	Planing Bituminous Pavement	SY	33,600	\$4.00	\$134,400.00	\$1.50	\$50,400.00	\$5.55	\$186,480.00	\$3.15	\$105,840.00	\$4.00	\$134,400.00	\$6.00	\$201,600.00
8	Manhole Adjustment and Concrete Collar (RimRiser 16th	EA	13	\$3,000.00	\$39,000.00	\$1,000.00	\$13,000.00	\$985.00	\$12,805.00	\$1,500.00	\$19,500.00	\$3,500.00	\$45,500.00	\$3,250.00	\$42,250.00
9	Manhole Adjustment	EA	13	\$750.00	\$9,750.00	\$140.00	\$1,820.00	\$985.00	\$12,805.00	\$850.00	\$11,050.00	\$1,000.00	\$13,000.00	\$850.00	\$11,050.00
10	Valve Can Adjustment	EA	35	\$250.00	\$8,750.00	\$60.00	\$2,100.00	\$155.00	\$5,425.00	\$475.00	\$16,625.00	\$400.00	\$14,000.00	\$275.00	\$9,625.00
11	Minor Change (min bid \$5,000)	LS	1	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
12	Paint Line 4" (White Edge Line)	LF	3,200	\$2.00	\$6,400.00	\$0.40	\$1,280.00	\$0.45	\$1,440.00	\$0.40	\$1,280.00	\$1.25	\$4,000.00	\$0.45	\$1,440.00
13	Paint Line (Yellow Centerline)	LF	7,800	\$4.00	\$31,200.00	\$0.50	\$3,900.00	\$0.55	\$4,290.00	\$0.50	\$3,900.00	\$1.25	\$9,750.00	\$0.55	\$4,290.00
	Subtotal -				\$1,229,500.00		\$959,200.00		\$1,030,444.00		\$1,056,255.00		\$1,178,150.00		\$1,275,855.00
	Sales Tax (8.5%) EXEMPT				\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
	TOTAL CONSTRUCTION COST (BASIS OF AWARD)				\$1,229,500.00		\$959,200.00		\$1,030,444.00		\$1,056,255.00		\$1,178,150.00		\$1,275,855.00
						E-Verify MOU not included						E-Verify MOU not included		E-Verify MOU not included	



NORTH

SEGMENTS

- 1 NW 16TH AVE: BRADY RD TO HOOD ST
- 2 NW BRADY RD: 12TH LP TO MCINTOSH
- 3 NW BRADY RD: MCINTOSH SOUTHWEST TOWARDS GRAND RIDGE DR.
- 4 NW KLINKITAT ST TRAFFIC CIRCLE
- 5 NW ASTOR: NW 11TH TO 200' SOUTH NW 16TH
- 6 NW ASTOR ST: NW 16TH TO NW 18TH
- 7 NW ASTOR: NW 18TH TO NW 23RD AVE
- 8 NW LAKE RD: NW PARKER STREET TO NW LACAMAS DRIVE
- 9 NE INGLE ROAD: 450FT SW 92ND AVE TO 350 FT NW OF 92ND AVE
- 10 NE INGLE ROAD: 350 FT NW OF 92ND AVE TO CITY LIMIT LINE

NW 16TH AVENUE:  
MANHOLES TO BE  
ADJUSTED WITH  
RIMRISER CASTING. SEE  
PLAN SHEET DETAILS.

SEE SCHEDULE FOR  
TREATMENT AREAS AND HMA  
TONNAGE

START AND STOP LOCATIONS  
HAVE BEEN PAINTED IN FIELD.  
PANELS TO BE  
GRIND/INLAY/OVERLAY MARKED  
IN FIELD.

Map Legend

- Streets
- Streets
- State Route



## MEMORANDUM

TO: Curleigh Carothers

FROM: Shawn MacPherson

RE: Bid irregularity – Citywide HMA Repairs Project

DATE: April 3, 2025

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The apparent low bidder, Granite Construction Company, submitted a bid that varies from the instructions. Specifically, the specifications require that a copy of the E-Verify Program MOU be provided with the bid proposal. I understand the MOU showing their enrollment in the E-Verify Program was provided by to the City soon after the bid opening and the MOU shows enrollment by the contractor. Lakeside Industries, the second low bidder, has given preliminary indications they will contest the award to Granite, which will be discussed below.

The first step when the City obtains bids that vary from the bid specifications in some respect is to ascertain whether those irregularities are substantial and material or whether they are minor in nature. A material irregularity is defined as an irregularity giving the bidder a substantial advantage or benefit not enjoyed by other bidders. Any bid containing a material irregularity must be rejected. On the other hand, if the irregularity is deemed to be minor, then the City may either reject the bid, or waive the irregularity and accept the bid. *East Side Disposal Company v. Mercer Island*, 9 Wn. App. 667 (1973); *Gostovich v. West Richland*, Wn. 2d 583 (1969); and *Farmer Construction v. State*, 98 Wn. 2d 600 (1983).

In determining whether there is an undue advantage conferred upon a bidder, the courts principally look to whether the defect is such as would allow the bidder to avoid performing the contract. A bidder is found to have a substantial advantage if it has the option of deciding whether to perform or not, depending on how the other bids are submitted. In *AAB Electric v. Stevenson Public Schools*, 6 Wn. App. 887 (1971), the low bidder neglected to sign its bid. The school board awarded the contract to the second bidder, and the school board's action was upheld by the court, because the bidder, not having signed its bid, was in a position where it could decide whether or not to accept the award and perform the work. The court held that the omitted signature could only be considered to be a material defect, because the bid was not binding upon the bidder until properly signed by its corporate officers.

In both *East Side Disposal* and *Farmer Construction*, the low bidders signed the bid bond, but neglected to sign the bid proposal. The court in both cases held that the failure to sign the bid proposal was a minor irregularity that could be waived. The court held that, if it appears from

# MEMORANDUM

April 3, 2025

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Item 10.

examination of all the writings that the writing which was signed by the party to be charged was signed with the intention that it refer to the unsigned writing, and that the writings are so connected by internal reference an assigned writing to the unsigned one, they may be said to constitute one paper relating to the same contract. Thus, the irregularity was deemed minor, because the bidder could not get out of the contract, and the city had the option to accept the low bid and waive the irregularity, or to reject the low bid on the basis of the irregularity.

It is clear from reading the cases that questions of whether a bid variance is material are questions for the city council. *R.W. Rhine Company v. Tacoma*, 13 Wn. App. 597 (1975). So long as the council's determination is made in good faith, it should be upheld by the court.

Thus, in this case, the City Council would need to make the following determinations:

1. Is the irregularity in the bid substantial or minor? If it is substantial, then the bid must be rejected.
2. If you determine that the irregularity is minor, then you must decide whether to waive the irregularity and accept the bid, or to reject the bid on the basis of the minor irregularity.
3. Please note that the City always reserves the right to reject all bids and rebid the project.

As to the failure to submit the MOU, this appears to be a record keeping function which, while required, does not rise to the level of a substantial issue preventing the apparent low bidder from entering into the contract. Accordingly, the discretion as to whether to waive this irregularity as well is within the discretion of the Council. For guidance here the Council should note that this *exact same issue* arose in 2019, with the parties reversed. In that case Lakeside did not timely submit the MOU and Granite was the second low bidder. The Memorandum from that case has been provided here as well. In that case the Council also waived the irregularity and awarded the bid to Lakeside.

Accordingly, whether to waive this irregularity in the bid is within the discretion of the Council. If the Council determines that the irregularity is minor, then when deciding whether or not to waive the irregularity, it should remember that the purpose of competitive bidding is to provide for public contracts to be performed satisfactorily and efficiently, at the least cost to the public, while avoiding fraud and favoritism in the awarding of such contracts.



## Staff Report – Ordinance 25-003 Utility Billing Revisions

April 7, 2025 Council Regular Meeting

Ordinance 25-003 Utility Billing Revisions

Presenter: Matthew Thorup, Assistant Finance Director

Time Estimate: 10 minutes

Phone	Email
360.817.7021	mthorup@cityofcamas.us

**BACKGROUND:** Staff presented proposed changes to City Council at the December 2, 2024 workshop related to utility billing. General information was provided at this meeting, highlighting some upcoming changes for utility billing including changing to monthly utility billing and allowing tenant billing. These code changes were presented to City Council at the March 17, 2025 Workshop for review.

**SUMMARY:** Ordinance 25-003 revises Camas Municipal Code (CMC) Chapters 13.40, 13.44 and 13.64 for these changes.

**BENEFITS TO THE COMMUNITY:** A monthly utility bill provides several benefits to citizens, as we will be able to identify any potential leaks sooner with more frequent readings, monthly bills will be smaller than the current bi-monthly bill which means more stable and predictable bills, and smaller bills will lead to fewer disconnections for non-payment. Additionally, the ability for tenants to sign up for their own utilities will make for a more efficient utility billing process.

**POTENTIAL CHALLENGES:** The changes to the utility billing calendar may be a challenge as citizens get accustomed to a different billing cadence.

**BUDGET IMPACT:** These changes do not have any budget impact. However, a monthly billing cadence will improve the cash flow for the utility funds.

**RECOMMENDATION:** Staff recommends that Council consider the adoption of Ordinance No 25-003.

## ORDINANCE NO. 25-003

AN ORDINANCE OF THE CITY OF CAMAS, WASHINGTON,  
RELATED TO UTILITY BILLING AND AMENDING  
CHAPTERS 13.40, 13.44, AND 13.64 OF THE CAMAS  
MUNICIPAL CODE .

THE COUNCIL OF THE CITY OF CAMAS DO ORDAIN AS FOLLOWS:

### Section I

Section **13.40.020, Subsection B – Meter – Reading** is hereby amended to provide as follows:

B. Other than regularly scheduled reading of water meters, water meters may be read by the city on the day a notice of change of tenancy or ownership is delivered to the city or as close as possible to such day as required in CMC 13.44.040.

### Section II

Section **13.44.010, Subsections A. and D. - Charges – Metered Service – Billing intervals** is hereby amended to provide as follows:

A. All residential and most commercial water services shall be billed at regular intervals and shall be due and payable on the twenty-first day of each month following billing. Such billings shall be delinquent on the twenty-sixth day of the month following billing.

D. There shall be a penalty on all delinquent accounts assessed at the rate of five percent of the outstanding balance.

### Section III

Section **13.44.015, Subsection B. - Billing Liability – Rental Properties** is hereby amended to provide as follows:

B. Except as hereinafter provided, all billings for utility services provided by the city shall be mailed to the record owner of the subject property at the record owner's address. In the event that billings are sent to a tenant or agent of the owner, the billing will become the responsibility of the tenant or agent as well as the property owner, and each can be held jointly and severally liable for such billing.



## Section IV

### Section **13.44.020, Subsection A. – Nonpayment – Shutoff – Hearing – Disconnection**

**Fees** is hereby amended to provide as follows:

A. Whenever any charge for furnishing water and/or sewer services to any premises is not paid in full by the twenty-sixth day of the month following billing, the finance department shall give notice to the person or persons billed for such services at the address shown in the city's billing records of the city's intent to discontinue service if payment is not made. Such notice shall contain the following information:

1. The amount of the charges owing;
2. A statement that the person billed may request a hearing to contest the amount or validity of the charges;
3. A statement that if the charges are not paid in full or a hearing requested within ten days of the notice, the city will disconnect the service of water to such premises.

## Section V

Section **13.44.040, Subsection A. – Service Termination** is hereby amended to provide as

follows:

A. Each customer about to vacate any premises supplied with water service by the city shall give notice of their intended removal at least two days prior thereto; specifying the date change-in-ownership or tenancy actually occurred, otherwise, they will be responsible for all water supplied to the premises until the city water department has notice of such removal.

## Section VI

Section **13.64.060 – Sewer Volume Charges** is hereby amended to provide as follows:

The sewer volume charges for each residential customer from November 1 through February 28 shall be based upon that customer's actual water consumption during that period. The four billing cycles between November 1 through February 28 shall be the customer's "four billing cycle water consumption history." The sewer volume charges for each residential unit for the remainder of the year shall be based on the average water consumption in the previous "four billing cycle water consumption history." Zero water consumption in any of the four water consumption history billing periods shall not constitute a "complete four billing cycle water consumption history."

A. Residential customers that have a "complete four billing cycle water consumption history" as specified above shall be charged the applicable inside city or outside city monthly sewer charge and volume charge as set forth in the chart in Section 13.64.010 above.

B. Residential customers that do not have a "complete four billing cycle water consumption history" as specified above, shall be charged the applicable inside city or outside city monthly service charge set forth in Section 13.64.010 and a volume charge equivalent to seven hundred cubic feet of water usage as the monthly sewer billing rate.

C. Residential customers may apply for a reduction in sewer rates when, due to a qualifying leak as defined in Section 13.44.030, the sewer charge is substantially increased. The amount of the reduction shall be calculated in the same manner as a water leak credit as set forth in Section 13.44.030.

## Section VII

This ordinance shall take force and be in effect five (5) days from and after its publication according to law.

PASSED BY the Council and APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

SIGNED: \_\_\_\_\_  
Mayor

SIGNED: \_\_\_\_\_  
Clerk

APPROVED as to form:

\_\_\_\_\_  
City Attorney