

**Transcription: Excerpt from Sultan's May 12, 2004 Council Meeting:
Barclays North's Donnie Belk's reading of their recent letter to the City of Sultan
(see note)**

Donnie Belk Land Development Project Manager, Barclays North. I'd like to read a letter into the record. I've provided copies for the council. This letter is regarding Sky Harbor construction plan approval, specifically road section, bonding requirements and inspection fees.

"Dear Honorable Council:

We would like to make you aware of our continued frustration with the City's final construction plan approval process. The original plant (sic) construction start date of May 3rd has come and gone without any portion of our plans approved because there are three issues that the City is requiring us to do before staff approval. City staff's requiring the following prior to construction plan approval. Uh...they would like us to increase our road section from 18 inches to 28 inches in depth; provide a bond in the amount of 115% of the total construction cost, up front; provide a \$25,000 deposit to cover the costs of a full-time inspector to be onsite for the entire duration of the project at a rate of \$50 per hour, for a project total cost of approximately \$65,000. Regarding the road section, we submitted our construction plans on March 4, 2004 and received our first review on April 19th. We were given a, um, reason for the 20-inch--23-inch road section, uh, of poor soils and high water table, none of which corresponds with the geo-tech report prepared by Terra Associates or with two additional memos prepared by Terra Associates and stamped by their licensed engineer. We submitted our geo-tech reports to staff and were told that an outside consultant would need to review the road section before a decision was made. In the meantime, we revised our plans per the comments made by the city engineer, and we submitted our plans on April 15th, along with memos from Geotech Associates dated March 25th and April 23rd that scientifically supports the original road section design. We made several attempts via phone, fax and email to determine when the third party consultant would have an answer on the road section. Finally, after a phone call on May 4th, we received a fax from the city engineer, with the pavement design recommendation from pavement engineers. We were instructed to revise our plans according to pavement design recommendations. We do not agree with the pavement engineer's recommendation, and we have [*unintelligible*] geo-tech consultant who responded with a third memo dated May 12th. We requested the City provide us with the test results that the pavement designer used to determine the design recommendations. We received a fax on May 6th from the city engineer with the information we requested. We learned that Cascade Testing dug test pits on our private property without written or verbal permission to do so. This has serious im--implications. We do not let any contractor or consultant on our site unless they have the proper insurance in place in case of accidents and to avoid lawsuits that many times follow accidents. We have requested that the city provide information on who gave permission to Cascade Testing to enter the

property. We have yet to receive a response on this issue of trespassing. As part of a public record request, we were able to review the last five approved projects in the City of Sultan and learned that they were all approved with only 11-inch road sections. Quickly, on bonding, the city has required that we provide a bond in the amount of 115% of the total construction costs and a two-year maintenance bond in the amount of 15% of the total construction costs before construction plans will be approved. These amounts are not specifically required in code, and bonds for a project are to be required by council. Council has not directed us to provide bonds. We would like to know why we are being asked to provide such large bonds when the codes do not specifically require it, and council has not asked for it. Furthermore, no other jurisdiction requires a bond of this size issued up front prior to issuance of approval of construction plans. Lastly, inspections, we have been told that a full-time inspector will be required onsite at a rate of \$50 per hour with a deposit up front. We do not agree with this type of inspection schedule and have never had a jurisdiction require a full-time inspector. We provide a full-time superintendent to oversee the construction of the project, and believe that inspector would be required in average of 10 hours per week."

Thank you.

Note: *We have placed several public information requests to the City, as follows, to obtain various pieces of correspondence referred to during council meetings that have not been fulfilled, forcing us to transcribe the contents of Mr. Belk's letter so it could be shared with everyone.*

Public requests filed, which have neither been fulfilled or given any written explanation, as required by law:

- *March 24th: Fax from Barclays North which contained their comments on Sultan's Comp plan hearing on 3/23/04*
- *April 15th: Barclays' April 14th letter read to council during 4-14 meeting*
- *May 17th: "Correspondence received from Barclays North since January, 2004."*