



McCleary City Council

PROPOSED AGENDA

April 22, 2009

6:30 Worksession

7:00 Council Meeting

Flag Salute
Roll Call
Minutes
Public Comment
Mayor's Report
Staff Reports:

Busse Nutley, City Administrator
Dan Glenn, City Attorney
March Financial Report

Old Business: MOU with Teamsters for Overtime Clarification
Interlocal Agreement – WA Coast Sustainable Salmon Partnership

New Business: Application for USDA Rural Development Funds – Water System
Fireworks Stand Permit – Olympic Christian Center
Bid Award – Basketball System for Beerbower Park

Ordinances:

Resolutions: Grant Administration and Authority – Emergency Management
Employee Handbook – Credit Card Protocols

Vouchers
Mayor/Council Comments
Public Comment
Executive Session
Adjournment

Americans with Disabilities Act (ADA)
Accommodation is Provided Upon Request

Please Turn Off Cell Phones – Thank You

CITY OF McCLEARY
April 8, 2009
Regular Council Meeting

The regular meeting of the Council was called to order by Mayor Wally Bentley with the flag salute.

Roll Call: Mayor Wally Bentley
Council Members: Lake, Boling, Hays, Vessey and Vatne

Staff Present: Attorney Glenn, Administrator Nutley, Police Chief Crumb, Clerk-Treasurer Rostedt, Facilities Manager Baun, and Engineer Hinton of Gray and Osborne

It was moved by Councilman Boling, seconded by Councilman Vessey, that the minutes of the last regular meeting be approved as distributed. Carried.

It was moved by Councilman Boling, seconded by Councilman Vessey, to confirm the Mayor's appointment of Randall Tremain to the McCleary Planning Commission. Carried.

Administrator Nutley reported that a number of the goals the Council have set for staff are being completed. She especially thanked Public Facilities Manger Baun for his work on three major projects. When asked by Councilwoman Lake if there was any chance the Council would be asked to raise water rates because of these projects during 2009, Administrator Nutley said they would not.

Engineer Hinton reported on the progression of the parking lot project next to the park, providing the Council members with plans.

Ordinance No. 756 entitled, AN ORDINANCE ADOPTING A SUPPLEMENTAL BUDGET FOR THE CALENDAR YEAR 2009; AMENDING ORDINANCE 752 AS TO A PARTICULAR ELEMENT; AND DECLARING AN EMERGENCY, was introduced. It was moved by Councilman Vessey, seconded by Councilman Vatne, that the ordinance be read by first and last lines only. Carried. It was moved by Councilman Vessey, seconded by Councilman Vatne, that the ordinance be adopted. Carried. Roll call showed all members of the Council voting in the affirmative.

Ordinance No. 757, entitled AN ORDINANCE RELATING TO ADMINISTRATION, CLARIFYING RESPONSIBILITIES AS TO LAND USE REVIEW IN CERTAIN CIRCUMSTANCES, AMENDING SECTION 2.28.050 MMC & ORDINANCE 376 SECTION 5, AS LAST AMENDED BY ORDINANCE 678 SECTION 3, AMENDING SECTION 2.30.130 MMC & ORDINANCE 576 SECTION 13, AS LAST AMENDED BY ORDINANCE 678 SECTION 7, & PROVIDING AN EFFECTIVE DATE, was introduced. It was moved by Councilman Vatne, seconded by Councilman Boling, that the ordinance be read by first and last lines only. Carried. It was moved by Councilman Vessey, seconded by Councilman Boling, that the ordinance be adopted. Carried. Roll call showed all five members voting in the affirmative.

It was moved by Councilman Vessey, seconded by Councilman Boling, to add to the rules and regulations regarding installation of street banners the provision that banners must be provided to the City at least five days in advance of installation. Carried.

At the last Council meeting, the Council authorized the staff to proceed with its proposal to replace the 2" water line at the north end of the City Hall parking lot with 6" line. The other part of the project was the possibility of installing an underground conduit and service in the same trench to enhance the electrical possibilities for the park and to complete part of the cutover project. An estimated cost of \$2,897.03 from Hometown Electric would increase the amp service needed for future electrical circuits in the park. A second estimate from CSI, in the amount of \$4,364.83, would add three more power pedestals that could be used by groups like Bear Festival. It was agreed that it would be good

if both projects could be completed before the lot is paved. It was moved by Councilman Vatne, seconded by Councilman Vessey, to call for bids for both projects. Carried.

Since a decision was made at the last meeting not to pursue federal stimulus funding for the Simpson Avenue Sidewalk Project, both WSDOT and COG staff have encouraged the City to take another look. The engineers believe that recalculations and additional information have adequately addressed major concerns. After some discussion, it was moved by Councilman Vessey, seconded by Councilman Boling, to accept \$134,000.00 in Federal funds, and to authorize the Mayor to sign all paperwork required to finalize the awarding of funds. Carried.

At the March 11, 2009, Council meeting, the Council voted unanimously to offer payment to Fire District 5 for ambulance service. The following evening, Fire District 12 authorized the exact same offer. The City of Elma tabled the proposal at its meeting until Monday, April 6. In the meantime, Fire District 5 met (March 25) and proposed a counteroffer to the three entities. The Council was provided with a comparison of the two offers. It was moved by Councilman Vessey, seconded by Councilman Vatne, to stand firm on the City's offer and to give Fire District 5 until 5:00 PM on April 14 to accept it as proposed. Carried.

Two bids were received for fencing the athletic fields at Beerbower Park: Signature Fencing at \$9,733.29 and Highland Products Group at \$11,299.27. It was moved by Councilman Vatne, seconded by Councilman Boling, to accept the low bid of Signature Fencing. Carried.

One of the first steps the City needs to do for the refurbishment of the athletic fields at Beerbower Park is to undertake a topographical survey for the placement of the new ball field fencing. Three bids were received for this professional service: Andresen Surveying at \$2,300.00, Lenherr Surveying at \$2,360.00, and Bluhn & Associates at \$3,410.00. It was moved by Councilman Boling, seconded by Councilman Vatne, to award the bid to Andresen Surveying. Carried.

Only one bid was received for 30-35' power poles, and 30-45' power poles. Stella Jones bid \$32,684.94. No bids were received from Oeser and Cascade McFarland. It was moved by Councilman Vatne, seconded by Councilwoman Lake, to accept the bid from Stella Jones. Carried.

After some discussion, it was agreed to table a decision on the issue of WA Coast Sustainable Salmon Partnership until the next meeting.

Councilwoman Lake asked if a decision was ever made to post the US Cellular pole rent to the Park/Cemetery Fund. The money has been posted to the Current Expense Fund. Clerk Rostedt said she would go back through the minutes and take a look.

It was moved by Boling, seconded by Councilman Vatne, to adjourn the meeting.

STAFF REPORT

To: Mayor and City Council
From: Busse Nutley, City Administrator
Date: April 20, 2009
Re: Current Non-Agenda Activity

Ambulance Service Contract

At long last an agreement for ambulance service has been reached! On Saturday, April 11 the Fire District 5 Board of Commissioners voted to accept the joint offer from McCleary, Elma and Fire District 12.

Parking Lot Pavement

The crew spent last week digging the trench for the water line replacement and ran into all sorts of interesting issues and things, including a 24-inch storm line, a storm vault, and a brick manhole (buried about 8 inches beneath the asphalt), to name but a few of the relics. They should finish sometime this week.

The advertisement for the paving bids will be published this week; if the Council wants to get going as soon as possible, the April 22 meeting should be continued to May 6.

Simpson Sidewalks

There is a flurry of activity as our engineering consultant and city staff draft, review, and finalize quite a number of forms, applications and agreements to bring the federal stimulus money into the project. Getting this initial paperwork together has consumed a lot of time during the past two weeks.

Save the Date!

Friday, June 26 at 5:00 pm is the selected date and time for Donnie's retirement party. Please be sure to mark your calendar for that evening at the Community Center. You won't want to miss celebrating Donnie's 35 ½ years' service to the McCleary community!

MEMORANDUM

TO: MAYOR AND CITY COUNCIL, City of McCleary
FROM: DANIEL O. GLENN, City Attorney
DATE: April 20, 2009
RE: LEGAL ACTIVITIES as of March 25, 2009

THIS DOCUMENT is prepared by the City Attorney for utilization by the City of McCleary and its elected officials and is subject to the attorney-client privileges to the extent not inconsistent with laws relating to public disclosure.

1. **EMS CONTRACT:** As you are aware, at their Saturday meeting of April 11, the Commissioners of FD #5 decided by a 2 to 1 vote to accept the offer tendered by McCleary, Elma and District #12. When I was informed of that on Sunday, I prepared a contract for submission to the entities in furtherance of what was now the proverbial offer/acceptance and forwarded the draft to the representatives of the three entities for their review. (Mayor Bentley, Ms. Nutley, Commissioner Banks, Mayor Osgood, and Council Member Sorenson.) While they were reviewing the draft, Brad Peckham delivered to Elma a contract executed by two of the three commissioners. (To the extent that any of you have a question on the matter, the contract was signed by two of the three Commissioners, a majority. Thus, the fact that one Commissioner "opted out" would not affect their decision to accept the offer made by the three entities.) Both drafts, which in most respects are identical are available. I am certain, if any of you would like a copy, Busse will provide it.

When I took a look at the draft provided by the District, there was language in the material (Section 2.1.D) which seemed to change the level of performance required. That concerned me since it was not discussed. It may be insignificant, but I assume there was a reason for its inclusion. As to a couple of the other changes, such as their responding to major fires when requested, that we can clarified by an addendum.

As to the draft I prepared, it is my understanding Mayor Bentley and Commissioner Banks have executed four copies

which have been delivered to the City of Elma for review and action. I can indicate that each Council Member of Elma's Council had received copies of both contracts and my comments and recommendation on them. It would seem important to all to get the major contract in place and, if there are minor points they now desire to clarify, we can work them through in the manner I have indicated above.

2. **THEATER DEMOLITION LIEN**: As you will remember, when the theater building burned, the then owners took no steps to set up protective barriers or, in the end, clean it up. This was in spite of repeated notices issued by Mick as part of his duties of enforcing the applicable code. In the end, the City had to do that. A request for those moneys was made upon the then owners without positive response. Thus, an action was commenced to collect the moneys.

At that stage, a new purchaser acquired the land. He took it in the name of a corporate entity. However, his ownership was subject to the lien of the City for the moneys expended, as it showed upon on his title report. He contacted the Mayor and requested a meeting. The meeting occurred and he, in effect, summarized plans he had for the property and gave indications that he would deal with the outstanding moneys. He requested the City take no further action. Well, years have passed and no steps have been taken to either use the land or pay the City its funds. Thus, to avoid the case being dismissed for lack of action, I have had to go forward with the matter.

To say that it is an interesting ownership situation is a reality. The entity in the name of which he took ownership does not seem to appear in the records of the Secretary of State nor the Department of Revenue. However, it is the entity which shows as owner of record at the Treasurer's Office. (The taxes are delinquent.) In any event, I will keep you informed.

3. **MOU WITH TEAMSTERS**: I have received a modified draft of this MOU. I imposed upon PSPE to undertake a modification after receiving a copy at the recent meeting of the Council. The modifications dealt with my drafting concerns.

As it now stands, it will insert a clause as modifying the contractual clause covering compensatory time. In the discretion of the Mayor, if the overtime is worked as the result of a call back for storm damage and similar events, compensatory time may be accrued at two hours for each hour worked. Further, if the Mayor determines it appropriate, the compensatory time may be "paid out" at the two times the employee's normal rate of pay.

As I understand it, the goal is to provide the Teamster's unit the same benefit which the IBEW negotiated for their unit. I am unaware of what the potential fiscal impacts are anticipated to be since technically it is not limited to situations in which an entity such as FEMA will provide reimbursement.

4. GRANT ADMINISTRATION RESOLUTION: Provided for your consideration is a draft resolution on this subject. It has as its purpose meeting the Government's mandates as to confirmation of delegation of authority for execution of documents related to grants. You have been required to adopt a similar resolution in the past. To avoid any concern that the Government may have about the individual to whom the authority is delegated (the Mayor) signing the resolution, I have drafted it so that the Mayor pro tem would sign.

5. RAISING A POINT OF ORDER: It has been my observation over a period of time that frequently Council members have a question on how they can raise a question about the particular process without being either impolite or incorrect.

In a not too far distant MRSC publication, there was an interesting article on how this can be handled. It is entitled "Raising a Point of Order", which is the tool good old Roberts would prefer that we use.

Thus, I am attaching a copy of that for your easy reference and use in the future.

As always, this is not meant to be all inclusive. If you have any questions or comments, please direct them to me.

DG/le

Raising a Point of Order

By Ann G. Macfarlane, Registered Parliamentarian, Jurassic Parliament

Over the years of working with parliamentary procedure, I've found that there is a lot of confusion about the motion "point of order." In essence, when a person says "point of order," he is making a claim that there has been some procedural mistake. In his view, something has been done incorrectly, and it ought to be straightened out. The normal way this happens is that a member of the body makes the claim. She seeks recognition and may interrupt someone speaking to do so. Once she has been given the floor, she says, "I rise to a point of order." The presiding officer - chair, mayor, president - replies, "State your point." She then explains the issue. Once the issue is clear, the presiding officer gives a ruling - "The point is well taken," if he agrees; or "The point is not well taken," if he does not.

As an example, if an ordinary motion was made and seconded, and then the presider immediately called for a vote, it would be appropriate for a member to make a point of order. The point would be that the members have the right to discuss the motion before they vote on it. It's important for everyone to air their views in order for the body to make a good decision. In such a case, the presider should respond, "The point is well taken," and then open discussion.

A point of order must be made in a timely manner. Members must raise the point as soon as the offense occurs. If they fail to raise it immediately and other business takes place, it is then too late to raise it (with a few exceptions).

While presiding over a meeting, I am grateful when someone raises a point of order. Running a good meeting takes a lot of energy and concentration. Occasionally, I make procedural slips.

Most of us do. Knowing that members are paying attention and care enough to mention an error when they see one, is a great comfort. It also reinforces the reality that everyone, not just the presider, bears responsibility for the meeting.

Robert's Rules of Order Newly Revised gives councilmembers the right to make this motion, but I believe it is also good for a council to empower staff to raise points of order. I once heard a tale of how a new mayor, emerging from executive session called to consider candidates to fill a vacancy on the council, immediately administered the oath of office to the appointee. This is not good! Newly-elected officials often need help if they are to fulfill their duties properly. A clerk or other staff person should be empowered, by custom or policy, to say, "Point of order, Mr. Mayor. Under the Open Public Meetings Act, council must vote in public to appoint this candidate before the oath may be administered."

In some cities, the clerk serves as parliamentarian, so he may already be authorized to speak. If your council does not have this arrangement, authorization can be included in the rules of procedure. There are many benefits to doing this. By virtue of their job and experience, clerks are very familiar with the rules. They can help elected officials act properly and protect the municipality from liability. Even more, under the *Revised Code of Washington*, clerks are themselves public officials. They have a duty not only to their employer, but also to the public and the state of Washington. Making it easy for them to speak up will benefit your city, help create a climate of transparency and openness, and assist mayor and councilmembers in doing their job.

On the other hand, I heard of one city where a citizen would stand up two or three times during a council meeting and shout "point of order." This hyper-vigilant individual was going beyond his rights and should have been politely but firmly squashed. Members of the public-at-large have the right to attend public meetings and to offer comment as prescribed. They do not have the right to behave like a public nuisance and disrupt the proceedings with inappropriate exclamations of pseudo-correctness.

As always, the presider will have the duty of maintaining order and ensuring that standards of politeness and correct procedure are followed. If that means ordering someone to leave the room, she should be prepared to do so. In his June 2008 *Council/Commission Advisor* column, "Balancing the Council's Right to Manage Meetings with Expectations of Citizens," Attorney Steve DiJulio provides helpful guidance in this regard.

In general, in my experience, laxity is more harmful than too much strictness. So be prepared, encourage councilmembers, staff and clerks to speak up, and establish a culture in which "point of order" is a useful tool for better council functioning. ▶

Ann G. Macfarlane is a Registered Parliamentarian. She created Jurassic Parliament <http://www.jurassicparliament.com> to make parliamentary procedure easy to learn and use. Her site provides training on leadership, meeting management, parliamentary procedure and organizational development across the U.S.

STAFF REPORT

To: Finance Committee
From: Busse Nutley, City Administrator
Date: April 20, 2009
Re: March Financial Report

We continue to struggle with the idiosyncrasies of our accounting software (however, the Request for Proposals is out and we will have a new vendor for you to consider at your next meeting).

This month's information will only be Year-To-Date because the expenditures were inadvertently posted at the wrong time; the software will not allow us to print a report for the March expenditures, even though it dutifully added them into the year's totals.

In addition, there were other problems and the entire report could not be finished in time for the Council packet deadline. If all goes well, the financial report will be available for the Council meeting on Wednesday. Toni Nelson, the Small Cities Specialist from the State Auditor's Office is helping.

Good news: sales tax revenue is nearly double what we expected at this point in time. This is no doubt due to the change in how sales tax is distributed. It is now given to the jurisdiction where the product was delivered. The previous system gave the point-of-sale entity the income.

Bad news: the Water Fund is still limping along, and I expect things to look worse before they improve later this year. We anticipate the new apartment building will be constructed this summer and the connection fees will put the fund back into balance. We will not be relying on as much on development in future budgets as the City has been doing for a number of years.

STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator 
Date: April 20, 2009
Re: Teamsters Overtime MOU

When we negotiated the new Teamsters contract we included a provision that they could earn double overtime when they worked during a FEMA disaster. FEMA does not like that provision at all, although they are sympathetic with what we were trying to accomplish. When the Light & Power crew restores power due to an outage during non-working hours, they receive double overtime. During big storms, such as the one a year ago, most of the Public Works crew helped Light & Power with debris removal and flagging. The Public Works crew received only time and a half overtime pay.

The solution is to amend the Teamsters contract and remove any reference to FEMA. The Memorandum of Understanding amends the language in Section 8.5 and is attached.

Requested Action:

Authorize the Mayor to sign the MOU with the Teamsters to amend Section 8.5.

MEMORANDUM OF UNDERSTANDING
TO THE
AGREEMENT
BY AND BETWEEN
CITY OF McCLEARY
AND
TEAMSTERS LOCAL NO. 252

It is understood and agreed by the parties signatory hereto that Section 8.5 shall be amended as follows:

SECTION 8.5 OVERTIME – When an employee is required by the Employer to work in excess of the established work week, the Employer shall authorize compensatory time accrual. Compensatory time shall be accrued at the rate of one and one-half (1½) hours for each hour worked in excess of the standard forty (40) hours per week. All overtime due to storms or other natural events, as determined by the Mayor, shall be accrued at two (2) hours for each hour worked in excess of the standard forty (40) hours per week, or, if approved by the Mayor, at two (2) times the employee’s base rate of pay. Use of compensatory time off shall be subject to the approval of the Employer, and may only be used in increments of no less than one (1) hour at a time.

DATED this _____ day of _____, 2009.

FOR THE CITY OF McCLEARY

INTERNATIONAL BROTHERHOOD OF TEAMSTERS,
LOCAL 252

Mayor Wallace Bentley

Darren O’Neil, Secretary-Treasurer

Attest:

City Clerk

STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator 
Date: April 20, 2009
Re: Interlocal Agreement – WA Coast Sustainable Salmon Partnership

At the last Council worksession, Nancy Allison from the Partnership asked the Council to join the Partnership to promote preservation of salmon before the species declines to the point of being endangered. Dan raised some questions about exactly how the Partnership works, and the Council decided to wait for additional information before moving forward.

Ms. Allison sent the attached letter to clarify the definition and roles of the “Lead Entity” and the “Lead Entity Group.”

If McCleary joins the Partnership, the City is entitled to appoint a representative who would attend meetings, participate in policy discussions and receive information about grant opportunities.

Requested Action:

Authorize the Mayor to sign the interlocal agreement with the Washington Coast Sustainable Salmon Partnership.

Appoint either a Councilmember or Todd Baun as McCleary’s representative.



WASHINGTON COAST SUSTAINABLE SALMON PARTNERSHIP

**P.O. Box 2392
114 E. Chance A La Mer NE
Ocean Shores
Washington 98569**

360 289 2499

Interim
Advisory Committee

Dave Bingaman
April Boe/Eric Delvin
Ed Bowen
Bob Burkle
Lonnie Crumley
Doug Fricke
Nicole Hill
Mike Johnson
Katie Krueger
Key McMurry
Kathryn Moore
Lee Napier
Rich Osborne
John Sims

Nancy Allison
Executive Director
nancya@wcssp.org

J. Miles Batchelder
Program Assistant
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Dana Dietz
Administrative Assistant
danajd@wcssp.org

April 14, 2009

Ms. Busse Nutley
City Administrator
City of McCleary
100 South 3rd Street
McCleary, WA 98557

Dear Busse,

Thank you for providing me the opportunity to address the McCleary City Council last week regarding the Interlocal Agreement for the Washington Coast Sustainable Salmon Partnership (WCSSP). Since your City Attorney had questions about terminology, I would like to take this opportunity to differentiate between the terms, "Lead Entity Group" and "Lead Entity." I will also provide clarification on how voting would occur on issues relating to the Partnership and how the four Lead Entity Groups would cast votes if consensus is not possible.

The Lead Entity Program was established in 1998 by the Washington State Legislature (RCW.77.85) for the purpose of salmon recovery. Operational funding for "Lead Entity Groups" is provided from the Salmon Recovery Funding Board (SRFB) to the "Lead Entity" as the fiscal agent for the Lead Entity Group. Eligible grant recipients as a Lead Entity for a Lead Entity Group include non-profits, tribes, or local governments, and they must be designated as the Lead Entity through a letter or resolution by all the governmental entities in the affected geographic area. The "Lead Entity Group" is made up of local stakeholders including other interested local governments, tribes, non-profit groups, and private citizens interested in salmon recovery. The participants of the Lead Entity Group then compete for funding provided through the SRFB for salmon restoration projects in their local watersheds.

Grays Harbor County is the "Lead Entity," or fiscal agent, for the Grays Harbor Lead Entity Group. The area covered by this lead entity group is far greater than the county boundaries. The geographic area includes Water Resource Inventory Areas 22 and 23, the Upper and Lower Chehalis Basin, which includes parts of Grays Harbor, Mason, Thurston, Cowlitz, and Lewis Counties.

/cont.

With the establishment of the WCSSP in 2007 as the salmon recovery region for the coastal watersheds, it was once again necessary to determine a fiscal agent to receive operational funding for the organization. Grays Harbor County offered to provide that service and all four Lead Entity Groups in the region agreed. The fiscal agent has no authority to obligate any signatories of the Interlocal Agreement to financial responsibility of any kind. Specific operating procedures, including voting procedures, will be enumerated in by-laws adopted by the membership and Board of Directors of the Partnership. Until that time, if a vote is necessary, each Lead Entity Group will caucus amongst its membership, come to consensus, and bring that consensus to the table as one vote.

Finally, since the language in the Interlocal Agreement as it relates to "Lead Entity" vs. "Lead Entity Group" is used incorrectly in a number of places in the document, an addendum will be provided that both defines the terms and ensures the proper usage. Thank you for the opportunity to provide this clarification and we look forward to working with the City of McCleary as a participant in the Washington Coast Sustainable Salmon Partnership. If the City decides to sign the Agreement, we ask only that someone be designated as the representative from the City to the Partnership.

Sincerely,

Nancy K. Allison
Executive Director

...service community
that span all
Healthy salmon
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Washington State.



ION AND COMMUNITIES

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PROTECTING AND SUPPORTING COAST

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coastal watershed
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among the healthiest
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Coast Region
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graphic locations w
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may cause some
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recovery achieved
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if more coastal pop
as Endangered Spe
In addition, salmon

NORTH PACIFIC COAST LEAD ENTITY GROUP
WRIA 20
Rich Osborne, Lead Entity Coordinator
(360) 417 2569
rosborne@co.clallam.wa.us

QUINAUULT LEAD ENTITY GROUP
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GRAYS HARBOR LEAD ENTITY GROUP
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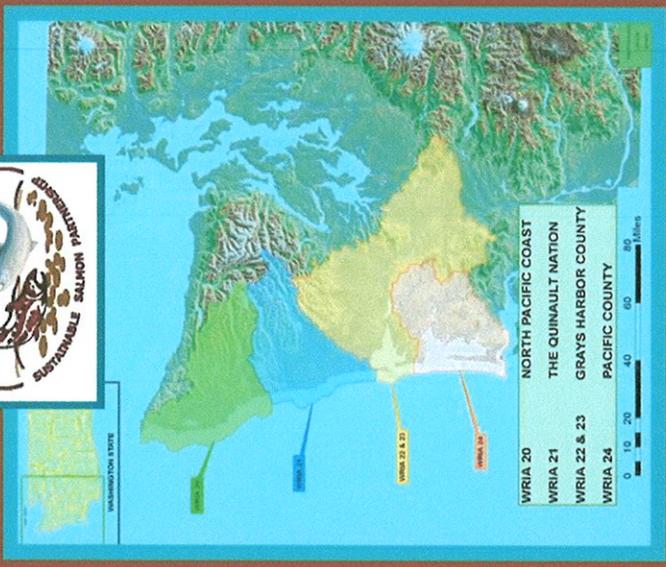
PACIFIC LEAD ENTITY GROUP
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WASHINGTON COAST SUSTAINABLE SALMON PARTNERSHIP
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Nancy Allison, Executive Director
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Dana Dietz, Administrative Assistant
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WASHINGTON COAST SUSTAINABLE SALMON PARTNERSHIP

"Protect the best and restore the rest"

LEAD ENTITY GROUPS and the WASHINGTON COAST SUSTAINABLE SALMON PARTNERSHIP

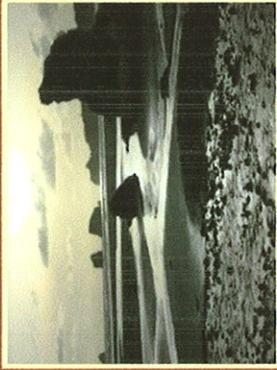
In 1998, the Washington State Legislature enacted HB2496 to empower citizens at the community level to engage in salmon recovery. The legislation recognized that active local participation is the key to ensuring public involvement in, and support for, salmon recovery.

The Lead Entity Groups, formed as a result of the legislation, solicit salmon habitat projects and establish priorities for projects that are submitted to the Salmon Recovery Funding Board for funding from within their watersheds.

To help facilitate a holistic view of the Coast Region and more fully develop the infrastructure and capacity for



salmon recovery and protection in our coastal watersheds, the Washington Coast Sustainable Salmon Partnership (WCSSP) was formally designated in September 2007 as the regional salmon recovery organization for the coast by the Governor's Salmon Recovery Office. The WCSSP coordinates the salmon recovery functions of the four Lead Entity Groups (LEGs) within the coast region, and advocates for regional policies and partnerships to complement the LEG's ongoing restoration efforts.



LEAD ENTITY GROUP STRATEGIES and a REGIONAL PLAN

Each of the four Lead Entity Groups in the Coast Region has their own unique strategy for salmon restoration and preservation, appropriate for their particular watershed. This diversity is important given the biological, cultural, geographic, economic and political differences of each watershed.

Despite the strength that this diversity brings to salmon sustainability, it also makes it difficult to discuss and assess the results of these efforts in relation to the coast-wide ecosystem. In order to address this concern, one of the priority goals for WCSSP is the development of a locally driven, long term strategic plan for salmonid protection and restoration within the Region.

This plan is in the process of being developed, and we welcome public participation. It will be based on both community need and the best science currently available. Our goal is to create a Regional Action Plan that will strengthen the four Lead Entity Group Strategies, as well as provide a more coordinated and region wide approach.

GET INVOLVED

The best way to become involved with salmon recovery, restoration and preservation is to contact your local Lead Entity Group. See contact information on back of this brochure.



Lead Entity Groups are composed of a wide range of participants: project sponsors, committee members, agencies providing technical and process support, and on-the-ground volunteers.

The complementary roles of each Lead Entity's technical and citizen committees are essential to ensure that science and community priorities intersect. In this manner the highest priorities of the watershed rise to the top and the projects chosen are the most cost effective and balance technical science and community values.



STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator 
Date: April 20, 2009
Re: Application for USDA Grand/Loan – Water System

Nick and I have completed pulling all the information together for the grant/loan application to Rural Development to purchase software and equipment for automated meter reading and to investigate the status of the casings for wells 2 and 3.

The total request is for \$161,000. There is a possibility of a grant up to 45% of the total, with the remainder as a loan at 3.75% interest for 20 years. If the grant portion is not approved by USDA we have the option of reducing the size of the request to fit our ability to handle the debt service.

The application process requires that the Council hold a public “meeting” about applying for the grant/loan and to invite the public to speak.

Requested Action:

Authorize the Mayor to sign documents necessary to apply for a \$161,000 grant/loan from the US Department of Agriculture for water system improvements.

STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator 
Date: April 20, 2009
Re: Olympia Christian Center Fireworks Stand Application

Independence Day is upon us! The Olympia Christian Center has applied for a fireworks stand permit.

Requested Action:

Approve the permit.



FIRE PROTECTION BUREAU
 FIREWORKS LICENSING PROGRAM
 PO Box 42600
 Olympia WA 98504-2600
 (360) 596-3914 FAX: (360) 596-3934



**APPLICATION
 FOR RETAIL FIREWORKS STAND PERMIT**

TO	Governing body of city, town, or county in which fireworks stand will be located.	DATE OF APPLICATION	3/29/09
Applicant Name		Address, City, State	
Olympic Christian Center		PO Box 5 Mc Cleary WA 98557	
Sponsor (If other than applicant)		Address, City, State	
Location of proposed fireworks stand [Enclose drawing of stand location]			
Beerbower Park in parking lot			
Manner and place of storage prior, during, and after sales dates			
Prior: 7523 chinock st NE Oly, During: In Stand After: Same as Prior			
State-Licensed Fireworks Supplier			
Thunder Fireworks			

FIREWORKS STAND PERMIT

For the Fireworks Sales Year of: _____
 (Must be conspicuously displayed at all times while the stand is open to the public)

By virtue of having been granted a license by the State of Washington and this permit from _____ as the local governing authority, the named person, firm or organization is hereby authorized to sell U.N. 0336 1.4G Consumer fireworks at the location designated herein between the following date and times:

Sales for July 4th

Sales for December 31st

From: _____

From: _____

To: _____

To: _____

Sponsor _____

Location _____

/s/ _____ /s/ _____
 Signature of Official Granting Permit Signature of Applicant

Title _____ Agency _____

Date _____ Permit Number _____

Licensee Name _____ License Number _____

Washington State Patrol
Fire Protection Bureau
Office Of The State Fire Marshal

10008

Fireworks Stand License

Washington State Fireworks License

License is Non-Transferable and Valid for Only One Stand

Licensee Information

Olympic Christian Center
7523 Chinook Street Northeast
Olympia, WA 98516

License Number: WSPFL-006660

Stand Information

Contact Person: Norman Orffer
Phone Number: (360) 481-7000
County: Grays Harbor
Stand Number: SN-04059

Date of Expiration: January 31, 2010
Date of Issue: March 12, 2009

Stand Location:

[Stand Location To Be Completed By Licensee]

3000-420-012 (R 9/05)



State Fire Marshal Signature

Detach this wallet card and carry with you for verification of certification.

Washington State Patrol
Fire Protection Bureau
10008

Office Of The State Fire Marshal
ANNUAL FIREWORKS STAND LICENSE

Licensee: Olympic Christian Center
Contact Person: Norman Orffer
License Number: WSPFL-006660
Stand Number: SN-04059
Date of Expiration: January 31, 2010
Location: *[Valid For One Stand]*

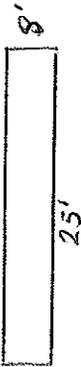
[Stand Location To Be Completed By Licensee]



State Fire Marshal Signature License Signature

City Hall

Beerbower Park



Fireworks Booth

Contact Person: Norm Orffer
360/481-7000

STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator 
Date: April 20, 2009
Re: Bid Award – Basketball System for Beerbower Park

We continue to move ahead with the Beerbower Park athletic fields restoration project. New basketball backboards, hoops and nets are important components.

Bids were received as follows:

Play*Creation	\$ 2,983.60
	<u>247.64</u> tax
	\$ 3,231.24
Cascade Recreation, Inc.	\$ 2,544.17
	<u>211.17</u> tax
	\$ 2,755.54
Sitelines	\$ 2,364.00
	<u>196.21</u> tax
	\$ 2,560.21

Requested Action:

Award the bid for a basketball system for Beerbower Park to Sitelines in the amount of \$2,560.21, including Washington State sales tax.

STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator 
Date: April 20, 2009
Re: Emergency Management Grant Administration and Authority

The City receives funding from FEMA and the state Department of Emergency Management to assist in paying for the costs of damage from major storms. Each disaster requires a new set of paperwork, including Council authorization for the Mayor and the City Administrator to prepare, execute and submit all required documentation for funding requirements.

This Resolution will cover the snow storm/flood of December 2008 and January 2009.

Requested Action:

Adopt the Resolution

RESOLUTION NO. _____

A RESOLUTION GRANTING AUTHORITY IN
RELATION TO THE CITY'S APPLICATION FOR
GRANTS FOR EMERGENCY AND DISASTER
ASSISTANCE FUNDS FROM FEDERAL AND STATE
AGENCIES.

R E C I T A L S :

1. The Council has been made aware that funding may be available in the form of grants administered by federal agencies, including FEMA, and agencies of the State of Washington in relation to federal or state emergency or disaster assistance funds.

3. One of the pre-conditions for submission of certain of these grants is the clarification of authority in terms of submitting and, if granted, administering the grant.

4. It is the intention of the Council to comply with that requirement.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

SECTION I: In relation to the submission of any application to any federal or state agency requesting emergency and disaster assistance funds and the administration of any grant received thereafter, Wallace Bentley, Mayor, is hereby designated as the Authorized Representative/Agent of the City and Busse Nutley, City Administrator, as the alternate Representative/Agent of the City. Within the scope of that designation, they shall have the following authority in relation to actions upon behalf of the City:

A. Prepare, execute, and submit all required documentation for funding requirements, including any and all necessary applications and supporting materials in relation thereto.

B. Execute all necessary contracts, certifications, requests for payments, and receipts therefor in relation to any grant awarded.

SECTION II: The Clerk-treasurer shall provide certified copies of this resolution to any agency which requires the same.

PASSED THIS ____ DAY OF APRIL, 2009, by the City Council of the City of McCleary, and signed in authentication thereof this _____ day of _____, 2009.

CITY OF McCLEARY:

CHRIS VESSEY, Mayor Pro Tem

ATTEST:

DONNIE ROSTEDT, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

I, DONNIE ROSTEDT, the duly appointed clerk-treasurer of
the
City of McCleary, certifies that this document is a true
and correct copy of a resolution adopted unanimously by the
City
Council of the City of McCleary at its regular meeting held on
the ___ day of April, 2009.

DONNIE ROSTED



STATE OF WASHINGTON
MILITARY DEPARTMENT
EMERGENCY MANAGEMENT DIVISION

MS: TA-20 Building 20
Camp Murray, Washington 98430-5122
Phone: (253) 512-7000 • FAX: (253) 512-7200

CITY OF MCCLEARY

APR 10 2009

RECEIVED

April 7, 2009

The Honorable Wallace Bentley
Mayor
City of McCleary
100 S. 3rd St.
McCleary WA 98557

RE: State No. D09-490
Disaster No. 1825-DR-WA

Dear Mayor Bentley:

The City of McCleary submitted a Request for Public Assistance (RPA) for disaster repair funding following the December 12, 2008 to January 5, 2009, Severe Winter Storm and Record and Near Record Snow event, disaster 1825-DR-WA. Project Worksheet teams met with each applicant in this disaster, and prepared Project Worksheets (PWs) for eligible costs involved with this event. PWs were completed and approved for disaster assistance funding for City of McCleary.

During a recent review of your funding request, it was noted that the following required documentation has not been received from the City:

1. Designation of Applicant's Agent Resolution. The form provided may be used, or you may submit a letter from the chief executive officer of the City designating an agent and alternate. *Applicant Agent can not appoint themselves.*

Enclosed please find copies of the requested documentation, which need to be completed and returned to the following address by May 7, 2009:

Lisa Barbier
Public Assistance Program
Washington Military Department
Building 20-B, MS: TA-20
Camp Murray, Washington 98430-5122

Until these documents are submitted to this office, neither the PW approvals, nor any related payments will be released. If your agency has decided not to pursue funding under this disaster event, then a letter noting that decision would allow us to close your grant funding request.



If you have questions regarding the completion of these documents, please contact Lisa Barbier, Program Assistant, at (253) 512-7422 or l.barbier@emd.wa.gov.

Sincerely,



Gerard Urbas
Deputy Public Assistance Officer
Public Assistance

GU:dw

Enclosure

**Designation of Applicant's Agent
Resolution**

Be it resolved by _____ of _____
(Governing Body) (Public Agency)

_____, _____ is hereby designated the authorized
(Name of New Agent) (Title)

representative and _____, _____ is designated
(Name of Alternate) (Title)

the alternate for and in behalf of _____, a public
(Public Agency Name)

agency established under the laws of the state of Washington.

The purpose of this designation as the authorized representative is to obtain federal and/or state emergency or disaster assistance funds. These representatives are authorized on behalf of the _____ to execute all contracts, certify completion of projects, request payments, and prepare all required documentation for funding requirements.

Passed and approved this _____ day of _____, 20_____.

_____, _____, _____, _____
(Signature) (Title) (Signature) (Title)

_____, _____, _____, _____
(Signature) (Title) (Signature) (Title)

_____, _____, _____, _____
(Signature) (Title) (Signature) (Title)

Certification

I, _____, duly appointed and _____ of _____,
(Name) (Title) (Public Agency)

do hereby certify that the above is a true and correct copy of a resolution passed and approved by
the _____ of _____ on the _____ day of _____, 20_____.
(Governing Body) (Public Agency)

Date: _____

(Official Position)

(Signature)

STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator 
Date: April 20, 2009
Re: Employee Handbook – Credit Card Protocols

The City is changing its credit card, and it will change how employees use the City's card. Currently, the City holds two cards in the City's name and they are checked out by employees who may need to purchase goods from suppliers that do not bill. After the purchase, the cards are returned to the Clerk's Office.

Several years ago when the City first obtained these cards, it had to place \$5,000 in a CD at Sterling Savings. This is not a good way for the City to invest its funds.

Donnie has checked around and has learned that no financial institutions will issue credit cards to the City only, they all require that each employee be assigned a card to use.

To protect both the City and the employee, the cards would still be held by the Clerk's Office and would have to be checked out. The cards would not impact the employee's credit rating. In no event can personal items be purchased with the card; this could possibly result in termination of employment.

The Employee Handbook should be amended to reflect the specific policies that are required to administer this program, and to include the agreement that employees would have to sign in order for them to be able to purchase with the City's credit card. If an employee does not want a card, they do not have to have one.

Because I did not get this to Dan in time for a Resolution to be in your packets, I have attached the proposed new language and the agreement for your consideration.

Requested Action:

Adopt the Resolution.

2.28 City Credit Cards

The City's credit card program is a convenience that carries responsibilities with it. Although the card is issued in your name, it should be considered city property and should be used with good judgment. The city credit card is provided to employees based on their need to purchase city related goods and services. A card may be revoked at any time based on change of assignment or location. The card is not an entitlement; nor reflective of title or position. The card is for city related purchases only; personal charges are not to be made to the card.

Any personal charges on the card could be considered misappropriation of city funds, since only the city can make payments on the account. Improper use of the card can be considered misappropriation of city funds which may result in disciplinary action, up to and including termination.

Cardholders must comply with internal control procedures in order to protect city assets. This includes obtaining approved purchase orders for purchases over \$ 100.00, keeping receipts, reconciling the monthly statements with the accounts payable clerk, and following proper card security measures. No internet purchases will be allowed on the credit card. All internet purchases will be performed by the purchasing clerk.

A cardholder must surrender his or her card upon termination of employment (i.e. retirement or voluntary/involuntary termination). At this point, no further use of the account is authorized.

City credit cards are not reported to the credit reporting agencies. The bank does not pull credit reports on the additional cardholders, only on the authorized signers (person(s)) who have the authority to enter the city into a debt contract with the bank.

City of McCleary Credit Cardholder Agreement

Your participation in the City of McCleary's credit card program is a convenience that carries responsibilities with it. Although the card is issued in your name, it should be considered city property and should be used with good judgment.

Agreement

1. The city credit card is provided to employees based on their need to purchase city related goods and services. A card may be revoked at any time based on change of assignment or location. The card is not an entitlement; nor reflective of title or position.
2. The card is for city related purchases only; personal charges are not to be made to the card.
3. You are the only person entitled to use the card and are responsible for all charges made against the card.
4. Improper use of the card can be considered misappropriation of city funds which may result in disciplinary action, up to and including termination.
5. All charges are billed directly to and paid directly by the city. Any personal charges on the card could be considered misappropriation of city funds, since only the city can make payments on the account.
6. Cardholders must comply with internal control procedures in order to protect city assets. This includes obtaining approved purchase orders for purchases over \$ 100.00, keeping receipts, reconciling the monthly statements with the accounts payable clerk, and following proper card security measures.
7. A lost or stolen card should be reported immediately by contacting the Lost/Stolen number at 1-866-809-8412 and also be reported to the Deputy City Clerk as soon as possible.
8. A cardholder must surrender his or her card upon termination of employment (i.e. retirement or voluntary/involuntary termination). At this point, no further use of the account is authorized.
9. City credit cards are not reported to the credit reporting agencies. The bank does not pull credit reports on the additional cardholders, only on the authorized signers (person(s)) who have the authority to enter the city into a debt contract with the bank.
10. No internet purchases will be allowed on the credit card. All internet purchases will be performed by the purchasing clerk.

11. The credit cards will be kept in the clerk/treasurer's office in the safe and will need to be checked out with signatures ensuring the correct individual took possession of the card.

Signature

Your signature below verifies that you understand and agree to comply with the city business card program and guidelines outlined above. Your signature below also confirms and evidences your acceptance of the terms and conditions of this Agreement.

Cardholder Printed Name

Cardholder Signature

Date

Approval Signature – City Administrator

Date