



McCleary City Council

PROPOSED AGENDA

December 10, 2008

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
Department Heads

Old Business:

New Business: Contract Addendum # 6 – Gray & Osborne

Ordinances: Flood Hazard Construction Requirements

Resolutions: Water Rates

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

December 3, 2008

Final Public Hearing on the 2009 Proposed Budget.
Special Meeting Followed—Posted, Agendas Provided to Council
Members 3 Days in Advance, and 3 Newspapers Notified.

The Special Meeting of the Council was opened at 6:00 PM with the flag salute.

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

Staff Present: Attorney Glenn, City Administrator Nutley, City Clerk Rostedt, Police Chief Crumb, Building Official Schlenker, and Deputy Police Officer Bunch

Prior to opening the hearing, Administrator Nutley reminded members of the Finance Committee of their meeting on Thursday, December 4 at 10:00 AM, and invited the Mayor and Council to join with the employees for a holiday lasagna lunch on Wednesday, December 17 at noon at City Hall. She asked if there were any questions regarding the October financial statements and there were none.

The Public Hearing on the 2009 Proposed Budget was opened. Administrator Nutley went over the basics included in each fund. She pointed out the fact that estimated 2009 budget revenues in the Water Fund will not support the proposed expenditures, and the Council will be facing some difficult rate decisions. The City needs to keep in mind water projects defined in the Capital Improvement Plan which also includes some of the projects residents have said they want to see addressed, such as improving the smell in the water. But she said that the increase needed in the water rates is not just for system upgrades. Operation of the system has outpaced the existing rate structure. At this point, the estimate of a water rate increase from the rate study done by FCS Group is around 22% for the first year, 2009. She pointed out that the study calls for automatic increases over a 5 year period. Councilwoman Lake said she may want to revisit the issue each year, rather than adopting automatic increase over the next few years.

Questions were asked by Councilwoman Lake on the estimated 2009 Budget, such as the increased cost in cell phone bills and fuel costs. There being no further input from the public, the hearing was closed.

Back in the special meeting, it was moved by Councilman Vatne, seconded by Councilman Vessey, to authorize the Mayor to sign the 2009 Computer Software Maintenance Agreement with Visions. Carried.

Attorney Glenn has provided the Council with a draft of a Supplemental Budget Ordinance for 2008 for possible consideration at the December 10 regular meeting. The Clerk is going over the end of November financial statements to see if this will be necessary.

Ordinance No. 752, entitled AN ORDINANCE ADOPTING A BUDGET FOR CALENDAR YEAR 2009 AND ESTABLISHING SALARIES, was introduced. It was moved by Councilman Vatne, seconded by Councilman Vessey to read the ordinance by first and last lines only. Carried. Councilwoman Lake voted against. It was moved by Councilman Vessey, seconded by Councilman Vatne to adopt the ordinance. Carried. Roll call showed Council Members Vessey,

Vatne, Hays and Boling voting in the affirmative. Councilwoman Lake voted against.

Councilman Vessey reported that he met, purely by accident, with a gentleman who repairs the spokes and wheels of old vehicles, like the antique train and fire wagon displayed in Beerbower Park. Considering the conditions of the wheels, Councilman Vessey was told to get an estimate of cost. Administrator Nutley said that she was aware of the contact and that she had asked Public Facilities Manager Baun to follow up.

It was moved by Councilman Vessey, seconded by Councilman Vatne, to hold an executive session of approximately 20 minutes as relates to the continuing negotiations with Rural Fire District 5 for ambulance service, indicating there would be no formal action taken after the session. Carried.

Back in regular session at 7:05 PM, six members of the McCleary Volunteer Fire Department addressed the Council regarding the current negotiations going on between the City of McCleary, City of Elma, Fire District No.12 and Fire District No. 5 regarding contracting for ambulance service. There have been a number of false rumors regarding the ongoing negotiation, and the Volunteer Firemen are concerned about how the contract would affect them. They would like to be kept informed. Attorney Glenn said that all of the meetings, with exception of one, have been opened to the public, and he encouraged them to attend. Administrator Nutley said she would be glad to meet with the firemen at their next regular meeting on Monday, December 8 at 6:30 PM.

It was moved by Councilman Vatne, seconded by Councilman Boling, that the meeting be adjourned. Carried.

CITY OF McCLEARY
November 12, 2008

Regular Council Meeting

The regular meeting of the McCleary City Council was called to order at 7:00 PM with the flag salute.

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

Staff Present: Administrator Nutley, Attorney Kamerrer, Police Chief Crumb, Facilities Manager Baun, and Engineer Bird

It was moved by Councilman Vessey, seconded by Councilman Boling that the minutes of the October 22 meeting be approved as distributed. Carried.

There were no objections from the Council to the renewal of the liquor licenses at Rounders Tavern/Restaurant and Sam's Mini Mart.

Administrator Nutley thanked all who came to the earlier workshop on the Simpson Avenue sidewalk project. She thanked Councilman Vessey for his representation of the City in the application process for COG grants, and thanked Manager Baun and Engineer Bird for their work on the grant and their presentation this evening during the workshop.

Administer Nutley also reported that the Hawthorne trees in front of the businesses on Third Street should be coming down. The trees have grown very bushy, hiding the businesses from the street in front. They also drop berries in the fall. Pedestrians crush them while walking which is messy and which also releases a foul odor. They will be replaced with new trees with less negative attributes, or possibly planters. The Council had no objections to removing the Hawthorne trees.

A letter has been received from Waste Connections indicating that a garbage rate increase may be proposed.

The utility office at City Hall will soon be using a credit/debit card machine for customer payments. The machine is being obtained through Sterling Savings.

Three bids were received for replacement of the fire siren damaged in last year's storm. They were as follows:

Day Wireless	\$ 8,896.36
Kim-Torp-Pedersen	\$11,000.00
Parker Sales & Marketing	\$12,500.00

It was moved by Councilman Boling, seconded by Councilman Vatne, to accept the low bid from Day Wireless. Carried.

Following a report from Administrator Nutley on the recent staff meeting with representatives from BPA, it was moved by Councilman Vatne, seconded by Councilman Vessey, that the Mayor be authorized to sign a 20 year contract between the City and BPA for the purchase of electrical power. Carried. It was noted that the City and BPA can revisit the terms of the agreement in the future.

There was only one bid for the purchase of fault indicators for the Light/Power Department. That bid came from Westco in the amount of \$9,449.98. The other two companies sent bid specs did not respond.

It was moved by Councilman Vessey, seconded by Councilman Boling, that the City purchase these supplies from Westco. Carried.

A change order in their contract with the City has been received from Lakeside Industries for removal of a tree stump on Hemlock. It was moved by Councilman Vatne, seconded by Councilman Boling, to pay the additional \$581.00 for removal of the stump. Carried.

Ordinance No. 751, entitled AN ORDINANCE RELATING TO THE ESTABLISHMENT OF THE REGULAR TAX LEVY FOR THE YEAR 2008 FOR COLLECTION IN THE YEAR 2009; MAKING FINDINGS; AND RESERVING RIGHTS was introduced. It was moved by Councilman Vatne, seconded by Councilman Vessey, to read the ordinance 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 five members of the Council voting in the affirmative.

It was moved by Councilman Vatne, seconded by Councilman Vessey, that an executive session of approximately 20 minutes be held in relation to labor negotiations. Carried.

Back in regular session, it was moved by Councilman Vessey, seconded by Councilman Boling, authorizing the Mayor to sign a three year agreement between the City and the IBEW Union. Carried. Roll call showed all five members voting in favor of the contract. Carried.

It was moved by Councilman Vatne, seconded by Councilwoman Lake, that the vouchers be paid as audited. Carried.

It was moved by Councilman Vessey, seconded by Councilman Boling, that the second regular Council meeting in November be cancelled, as it is the night before Thanksgiving, and that the next meeting will be the Final Public Hearing on the Proposed 2009 Budget at 6:00 PM, December 3. Carried. Administrator Nutley reminded Council members to get in touch with her before December 3 with questions or comments on next year's proposed budget.

Councilwoman Lake thanked the utility crew and front office staff for their handling of the recent flooding problems during the first big rain of the winter.

It was moved by Councilman Vatne, seconded by Councilman Boling, that the meeting be adjourned. Carried.

STAFF REPORT

To: Mayor and City Council
From: Busse Nutley, City Administrator
Date: December 8, 2008
Re: Current Non-Agenda Activity

Ambulance Service

The Mayor and I met with representatives of Elma and Fire District 12, and Dan, on Thursday, December 4 to propose an acceptable level of service we would like Fire District 5 to provide for ambulance service. We reached agreement and sent a letter to the Fire District. We understand that Fire District 5's Commissioners will be considering that proposal at a special meeting on Monday, December 8. All four entities will meet again on Tuesday, December 9.

Bid Limits

On Friday, December 05, I attended a legislative hearing on bid limits. The House committee asked to hear from the various jurisdictions about whether the existing bid limits are adequate. The AWC lobbyist provided general information about the cities' request to raise the limits. Most other units of governments agreed that they needed to keep up with rising costs. Representatives of private contractors generally opposed any increases and believe that all construction, other than "ordinary maintenance" should be put out to bid. At the end of the hearing the Chair indicated that there may or may not be legislation this year, but thanked all for providing the information. I will keep tabs on the issue.

Wildcat Creek Aquifer

Now that the budget has been adopted, I can focus again on a few other issues. I will be meeting with Jim Arthur and Lee Napier (County) soon to finalize a draft interlocal agreement for joint management of the aquifer area. The County Commissioners have indicated that when the agreement has been completed that they would like to adopt it in a joint hearing with the City, perhaps at the Community Center. Jim, Lee and I will also work on the logistics of putting that together, as well.

Audit

The state's audit of our financial records was completed on Friday, December 05. You will be notified when the exit interview will be held.

MEMORANDUM

TO: MAYOR AND CITY COUNCIL, City of McCleary
FROM: DANIEL O. GLENN, City Attorney
DATE: December 8, 2008
RE: LEGAL ACTIVITIES as of DECEMBER 10, 2008

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. **FLOOD HAZARD AMENDATORY ORDINANCE**: Back in 1982 the City adopted an ordinance to comply with the then existing mandates of the flood hazard management. Since then, there have been a number of changes. It is my understanding that DOE has undertaken a review of our existing code sections (See Chapter 15.12 MMC) and has recommended a series of updates so as to comply with what is now likely their standard format.

It is my view that the impact of the updates is significant. However, it is likely we do not have a lot of discretion in these matters. As you will note, they have "recommended" extensive changes in how manufactured homes are handled, the review items that the administrator must consider in the permitting process, and, indirectly, increased the information to be provided by an applicant.

In any event, it does not make for easy reading.

2. **2008 SUPPLEMENTAL BUDGET**: In discussions with Donnie over the weekend, she has determined that it is likely not going to be necessary to adopt a supplemental budget since all of the funds are within their designated limits. (Since you adopt an ordinance by fund and not by line item, there are fewer problems as needs change during the year.) However, she will speak to that matter more fully in information she will provide to you.

3. **POSSIBLE INTERFUND LOAN:** Friday afternoon Busse contacted me in relation to the possible need for a resolution authorizing an update on the interfund loan necessary to fund the first few months of EMS services under the current contract. Pursuant to Resolution 557, adopted in February of this year, you authorized a loan of up to \$15,000.00. During the course of the discussions with Donnie referenced above, she is checking the actual fund levels transferred and felt there was a reasonable probability that no further fund transfer will be needed. However, that will be subject to change as the research is completed.

4. **WATER UTILITY RATE RESOLUTION:** Friday afternoon the consultants provided to Busse their recommendations as to rate changes, etc., involving the water utility. Over the weekend I have prepared a draft resolution which would implement those suggestions. I have suggested that the Mayor and Council be provided a copy of the existing resolution so it will be easy to review the suggested changes. I would note the recommendations include not only an increase in the base and overage rates, but also a reduction in the amount of water included within the base rate.

5. **EMS CONTRACT NEGOTIATIONS:** You are aware of the request directed to FD #5 as the result of the meeting held last Thursday. Hopefully, the response will lead to progress. If not, it would appear alternative approaches are likely to be a subject of discussion.

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

DG/le

STAFF REPORT

To: Council and Mayor
From: Colin Mercer Webmaster 
Date: 12-1-08
RE: November Website

RE-OCCURRING WEBSITE ACTIVITIES

Council Agenda/ Packet
Previous Council Meeting approved minutes
Planning Commission Agenda
Previous Planning Commission approved minutes

NEW WEBSITE ACTIVITIES

2009 Proposed Budget posted
Public information meeting regarding Simpson Ave sidewalk improvements posted
Post all Court & Jury Trial dates on the 2009 calendar
Post all City Council meeting dates on the 2009 calendar
Post the "Flood Damage Assessment Notice" from the State Emergency Operations Center at Camp Murray
Post a link to the GH County Emergency Management Agency's Damage Reporting Form
Posted Santa's Breakfast on the 2008 Calendar

WEBSITE TRAFFIC

November 1, 2008 through November 30, 2008

Page Views by Section		
Section	Page Views	Percent of Total
Default Page	1173	28.58%
Events	617	15.03%
City Jobs	218	5.31%
Agendas and Minutes	210	5.12%
City Staff	166	4.04%
City Departments	147	3.58%
FAQ's	140	3.41%
Code, Ordinances & Standards	119	2.9%
Police	117	2.85%
City Photos	116	2.83%
Mayor and Council	114	2.78%
Home	105	2.56%
Helpful Links	96	2.34%
Search Results	81	1.97%
Bear Festival	81	1.97%
Public Facilities	64	1.56%
Chamber of Commerce	61	1.49%
Water / Wastewater	55	1.34%
Community Center	53	1.29%
2008-09 Budget	52	1.27%
Tell Us What You Think!	52	1.27%
Fire	44	1.07%
Planning Department	40	0.97%
Light & Power	40	0.97%
Surveys & Questionnaires	39	0.95%
Administration	38	0.93%
Development Services / Building	35	0.85%
Municipal Court	31	0.76%
TOTAL	4104	100%

STAFF REPORT

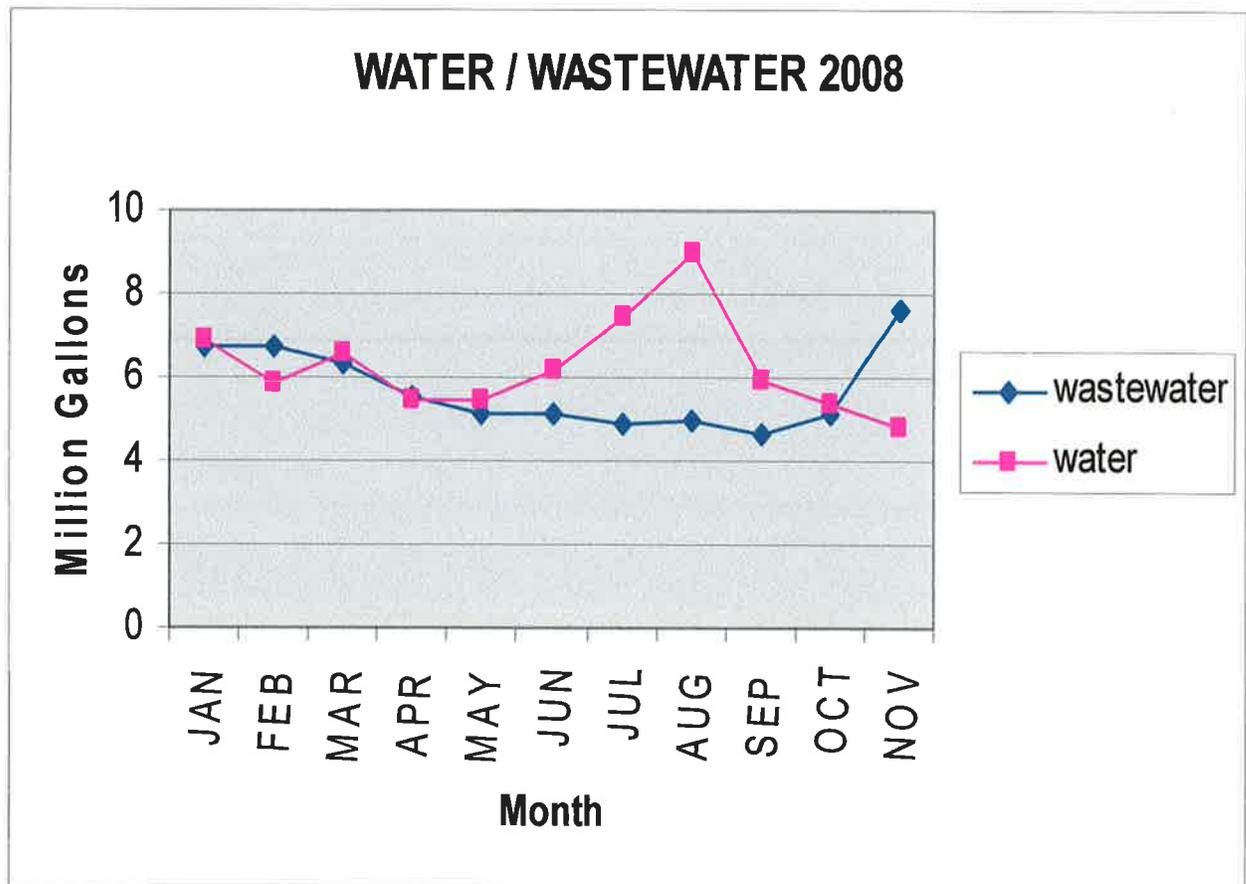
To: Mayor and City Council
From: Jennie Reed, Court Administrator *JR*
Date: December 8, 2008
Re: November Report

	Court Filings		Court Fines Paid	
	November	YTD	November	YTD
Traffic Infractions	14	168	\$1,552.21	\$26,539.69
Non Traffic Infractions	0	3	\$25.00	\$71.00
Criminal Traffic	9	74	\$960.00	\$9,061.46
Criminal Non Traffic	6	49	\$680.00	\$5,534.30
Collection Fees Collected				\$968.20
TOTAL ISSUED	29	294	\$3,217.21	\$42,174.65

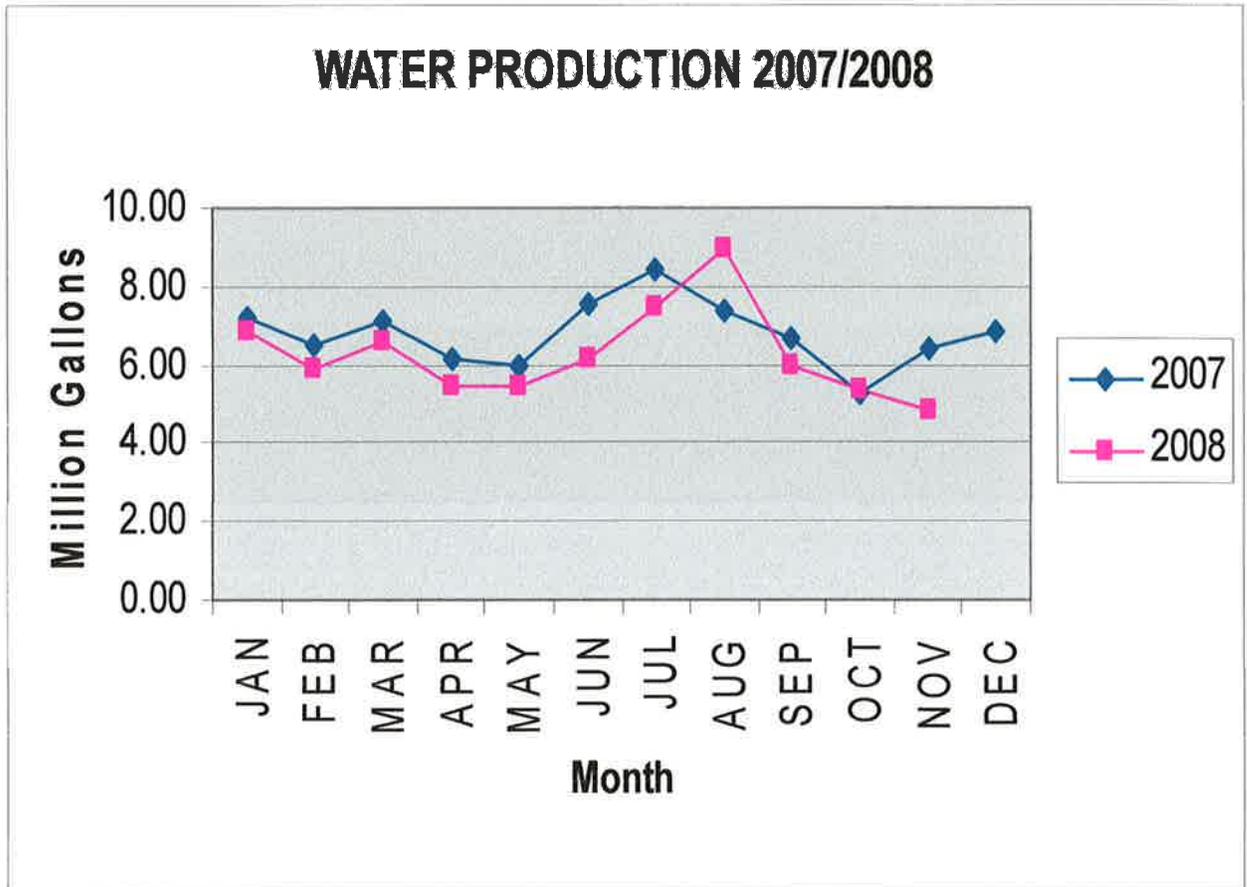
STAFF REPORT

To: Mayor and City Council
From: Water/Wastewater
Date: December 2008
Re: Monthly Council Report

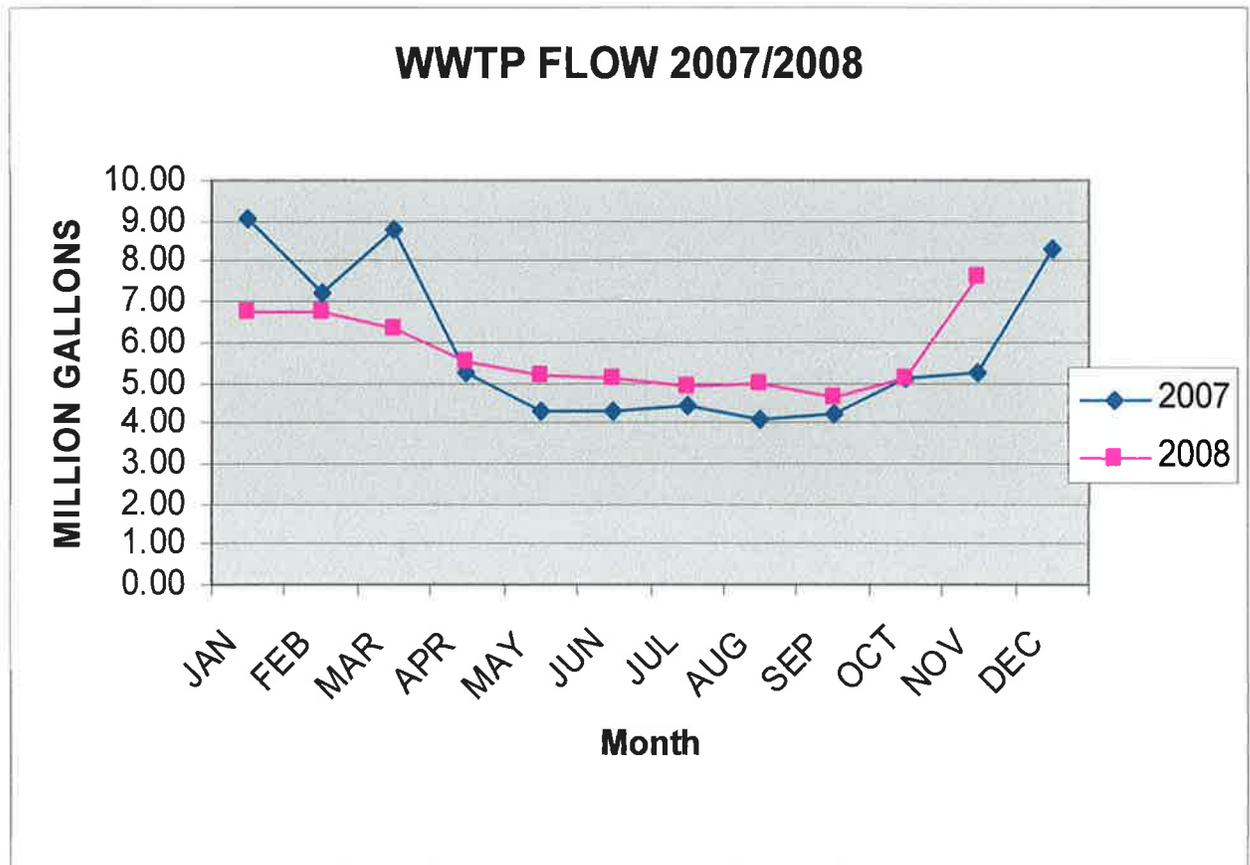
As we enter the final months of 2008, this first chart shows typical features. Notice when the weather warmed up in August that water consumption increased and how it is decreasing as the weather changes to cold. We can also see that we didn't have any major unaccounted for water losses. Wastewater flows show a decline in drier weather as well as an increase in extremely wet weather. November had over 18 inches of rain. This also shows there is still I/I work to be done in the collection system.



As we track just the water production, we can see that summer came later this year than last year. There were no major water loss spikes, which could be translated to faster response times to fix water leaks and/or our customers are conserving water. Overall water production is down from last year.



Wastewater flows stayed pretty normal. I/I is still the big mystery, where is it coming from? We keep looking for the big one as we fix the small ones along the way. We may find out that the cause of the I/I is nothing but multiple small problems in the collection system.



We are experiencing more and more maintenance issues at the treatment plant as it reaches 3 years old. The increased quantity of pumps, motors and electronic equipment is starting to show wear since it does run 24/7, unlike the old plant which started and stopped and had fewer components. Although it is nice to do all the maintenance ourselves in order to keep the costs down, limiting factors like manpower, expertise and specialty tools, there are things that are not practical to do ourselves. We will see more outside vendor charges for work on the treatment plant in 2009.

**McCLEARY POLICE DEPARTMENT
REPORT TO COUNCIL MEMBERS**

Reporting Date: 12-03-2008 Wednesday

Date of Last Report: 10-08-2008

The below is a list of activities and complaints occurring which were either reported to, generated by, responded to or assisted with by the McCleary Police Department.

SUMMARY OF INCIDENTS

2514 Incidents (As of Wednesday, 120308/1555)

72 Traffic Stops.

7 Speed Infractions-2 -DWLS-6 with court-, 7-Insurance Violation.

30 total infractions and citations(Total Bail / Fine: \$7896.00)(8 mandatory courts)(from 110308 only)

VIOLATIONS REPORTED OR INVESTIGATED

Abuse, Adult or Child	Civil Complaint(s)
Ambulance/9-Fire Response Broadcast	Sex Offense (Adult or Child)
Agency Assist Police	Court Order Service/ Violation)
Harassment	Subject Stop / Pedestrian Stop-
Aid Call	Citizen Assist
Hit & Run	Prowler
Juvi Problem /Found Child/Runaway	Defrauding Public Utility
Alarm(s)	Suspicious= , Vehicle, Circumstances.
Liquor Violation (MIP-minor in possession)	Death Report
Animal Complaint(1 dog bite)	Theft Complaint(s)
Malicious Mischief	DUI
Arrest(s) (Booked)	Threat Complaint(s)
Missing Person/Runaway Report	Disorderly Conduct/person
Arrest(s) (Warrant)	Trespassing Complaint
Man Down-intoxicated sub	Domestic Violence
Motorist assist	Traffic Hazard=/ Reckless / Offence
Arson Report	Unknown Problem
Noise Complaint	HAZMAT
Arrest Juvenile	Verbal Argument/Dispute
Open Window/ -Door	Dog Impounds
Attempted Suicide	DRUGS-VUCSA (Violation Uniform Controlled
Parking Violation/Complaints	Substance Act)
Assault Complaint(s)	Vehicle theft / Prowl / Recovered Stolen.
Possession of Drug Paraphernalia	Fight
Burning Violation(s)	Vehicle = Accident / Disabled- / Abandon
Possession of Stolen Property	Firearm/Weapons complaint
<u>Burglary Complaint(s)</u>	Warrant Service/Transfer
Police Information	Fraud complaint
Controlled Substance Violation(s)	Welfare Check
Public Works Assist (McCleary City)	Found- / Lost Property-
Custody Dispute(s)	911 Hang Up/Open Line
Referral	
Fire Response	

Discussion: Open

We are working with only 3 officers on staff, busy time of year. We have been advertising with little response.

Again; Grays Harbor Dispatch will monitor our after hour Hit Confirmation terminal and notify the officer on call of a requested confirmation. This will be done between 1600 to 0800 and all day on weekends for a trial period.

Elma PD is once again looking at one of our officer's

Council Members Present: ALL? Mr. Vessey, Mr. Vatne, Ms. Lake, Mr. Hays, Mr. Boling

Mayor Bentley: Present / Not Present

Officer Reporting : Chief Crumb _____

STAFF REPORT

To: Council and Mayor
 From: John Allardin, Maintenance Crew Foreman
 Date: December 03, 2008.
 RE: November Status Report

TASK	DESCRIPTION	MONTH		YEAR TO DATE	
		<u>NO.</u>	<u>HOURS</u>	<u>NO.</u>	<u>HOURS</u>
Building maintenance	Park, transit station restrooms, city compound, library, float shed & museum.		40.5		705
Meetings and appointments	Safety meeting, interviews, public works meetings, outside agencies and contractors.		3		197.5
Training	Professional growth classes			5	159
Water leaks	water leaks			16	152.5
Water complaints	Dirty, smelly or low water pressure.			7	6
Garbage collection	Down town, park, cemetery, city compound and city park trash cans.		8		122
Grounds maintenance	Gardening, hanging baskets, mowing, raking, baseball field maintenance and pressure washing		8		925.5
Motor pool maintenance	Motor pool maintenance in house and contract work	5	10	23	140
Pot hole program	patching potholes	12	57	162	120.5
Utilities locates	Locating underground utilities	1	.5	37	25
Meter reading	Three people task includes meter reading, shut off list and re-reads		36		535
Flagging traffic	Flagging for Light and Power crew			3	14
Citizen requests	Forms generated by requests from citizens	2	8	42	73
Valve exercising program	Checking for valve operation, location, and maintaining proper valve operation			70	81
Sanding streets and street sweeping	sweeping streets			3	15
Hydrant flushing program	Maintenance, flushing and exercising hydrants			21	56

STAFF REPORT

To: Mayor and City Council
From: Todd Baun
Date: November 24, 2008
Re: Month of November

Here are the projects I've been working on for November.

- The Surface Transportation Grant for additional funding on Simpson Avenue sidewalks has been turned into the Grays Harbor Council of Governments. The results of the funding will be decided at the Grays Harbor COG meeting on December 4th 2008.
- I was involved in the SEPA review of the proposal from M&M properties.
- The crew will be installing new (refurbished) stop and street signs at various locations around the city. The new signs are in compliance with WSDOT standards and make the streets safer.
- The Veterans Day flood caused several problems in town. Here are some of the problems that we ran into.
 - We had several areas where water went over the roadway.
 - The city crew pumped out 3 crawl spaces of homes where water was coming close to the floor joist.
 - We also sandbagged several areas to direct water away from some residences. We used approximately 150 sandbags.
 - We have one storm line main that is damaged. We won't know how bad it is until we run a camera up the line to see what the situation is. We cannot do that at this time because the pipe is full of water.
 - We did a temporary storm drainage fix on the alley between Hemlock and Oak Street. The residences have storm water coming off of our ally into their backyards and under their homes. We hopefully diverted the water good enough until we get the permanent fix in.
 - Nick (Gray and Osborne) and I are working with Mr. Gravatt and his storm water issue at one of his rentals on Simpson Ave. There are many complications with this particular issue and not a lot of information. We will be trying our best to get this issue resolved. More updates on this issue will follow.
- I'm still working on a new Right of Way form.
- The Beehive's 3 inch service line has been permanently repaired.
- I will be attending a road and street supervisor conference in SeaTac on December 9-11th. The conference will be having classes on L&I topics, backing safety, vegetation control, asphaltting, construction strategies and winter storm management. I plan on attending many of the classes and learning new things that I can bring back to the city.

If you have any questions, don't be afraid to ask. If you see something that needs attention or have any ideas that you would like me to pursue, my door is always open, so please come and talk to me.

STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator 
Date: December 8, 2008
Re: Engineering Contract Addendum #6

Earlier this year we contracted with Gray & Osborne for engineering services. Our agreement is that all specific tasks would be undertaken after a Scope of Work and Budget were prepared as Addenda to the general contract. No work that is not covered by a contract is billed to us. Several months have passed and now it is clearer how we use engineering services. We often have small, but important tasks that are time sensitive for completion. Without a mechanism to approve this work, the City is actually getting services without compensation.

Although we will continue to receive many unbilled benefits from Gray & Osborne, we actually should be paying for a number of these small assignments that are critical for many of our utilities.

Addendum #6 authorizes minor, miscellaneous engineering tasks of \$500.00 or less on a case-by-case basis, by email from the City Administrator. This addendum is for \$4,000.00 and would be charged to Parks, Water, Wastewater and Stormwater funds, depending on the work. Each of these funds has a budget amount for professional services.

Attached is a letter from Jon Hinton outlining this proposal, together with the Addendum and an email from Jon providing an update of the project status for all Addenda (except #2, which covers items billed to developers). Jon has also provided an update of work performed on grant applications, as well as a list of projects for which work was donated to the City.

Requested Action:

Authorize the Mayor to sign Addendum #6 with Gray & Osborne, Inc., in the amount of \$4,000.00.



CITY OF MCCLEARY

NOV 17 2008

RECEIVED

CITY OF MCCLEARY

NOV 17 2008

RECEIVED

November 13, 2008

Ms. Busse Nutley
City Administrator
City of McCleary
100 South Third Street
McCleary, Washington 98557

SUBJECT: PROFESSIONAL SERVICES CONTRACT AMENDMENT NO. 6
CITY OF McCLEARY, GRAYS HARBOR COUNTY, WASHINGTON
G&O #08259

Dear Ms. Nutley:

Please find enclosed two copies of Amendment No. 6 to our Professional Services Contract for your review and signature. As indicated in the Scope of Work, this amendment would allow the City Administrator to authorize minor miscellaneous engineering tasks of \$500 or less, on a case by case basis, by email.

The nine General City Engineering Tasks identified in Amendment No. 2 would still be billed using the "not to exceed" costs outlined in that amendment. Any other engineering tasks requested by the City that are not listed in Amendment No. 2 and exceed \$500 would be authorized by a separate amendment.

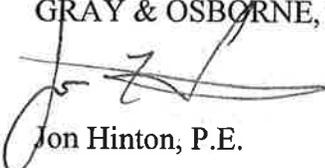
Based on the minor engineering services that have been requested by the City in the past four months (which have covered a variety of issues pertaining to water, wastewater, stormwater, roads and sidewalks) we estimate this \$4,000 budget should cover the next four or five months of addressing these minor issues that come up on a weekly (and sometimes daily) basis. Again, these tasks would be in addition to the nine major tasks outlined in Amendment No. 2.

If acceptable, please sign and date both copies, retain one copy for your records and return the second copy to our Seattle office at 701 Dexter Avenue N., Suite 200, Seattle, Washington 98109.

Please call me at (360) 292-7481 if you have any questions.

Very truly yours,

GRAY & OSBORNE, INC.



Jon Hinton, P.E.

JH/sp
Encl.

**AMENDMENT NO. 6
TO
CONTRACT FOR ENGINEERING SERVICES**

THIS AMENDMENT, made this day, by and between the City of McCleary, Grays Harbor County, Washington, hereinafter referred to as the Agency, and Gray & Osborne, Inc., hereinafter referred to as the Engineer, hereby modifies the contract for engineering services dated (by Agency) June 10, 2008, for additional services related to the General Engineering Services.

SCOPE OF SERVICES

The Agency has a variety of miscellaneous items that require engineering input or review during the course of any given month. The cost and time required to prepare a contract amendment for each of these items would be better spent directly addressing these issues. This Amendment provides a method for the City Administrator to authorize minor engineering support services on an as needed basis without incurring the cost of preparing a contract amendment.

When requested by the Agency, the Engineer shall provide miscellaneous engineering support services. Services that are specifically outlined in the nine tasks identified in Amendment No. 2 will be billed under a unique job number, according to the "not to exceed" costs outlined that Addendum. Services that are not identified in Amendment No. 2 and are estimated to cost more than \$500 will be authorized by separate contract amendment and invoiced under a unique job number. Minor engineering support services covered under this amendment would have an estimated cost of \$500 or less and may include, but are not limited to updating utility base maps and development activity maps, review of utility operational issues, assistance with meeting regulatory requirements, utility rate and SDC reviews, participation in meetings, review of variance requests or other minor support services requested by the Agency.

Costs for all minor engineering support services (\$500 or less per task) shall be tracked by a project number specifically issued for "Minor Engineering Support Services" and billed monthly with a description of the work provided for each engineering support task. The Engineer will provide an estimated cost for each minor engineering support service task to the City Administrator for approval at the time these services are requested. This work will be identified by fund (Water, Wastewater, Parks, Streets, and Stormwater) at the time of request and also in the monthly billing letter.

AGREEMENT

The Scope of Services above are hereby agreed to by the parties signed below. All terms and conditions of the April 2008 contract (dated June 10, 2008 by Agency) for engineering services shall be applicable to this amendment with the following exceptions:

- The current wage rates, overhead multiplier and mileage rate as shown on the attached Exhibit A shall be applicable to all invoices issued pursuant to this amendment.

Compensation for services provided under this Contract Amendment shall be authorized by the City Administrator on a case by case basis and shall not exceed \$500 per each authorized task. The aggregate amount of compensation for all minor engineering support services authorized by the City Administrator under this Contract Amendment shall not exceed **\$4,000** without further authorization from the Agency.

IN WITNESS WHEREOF, the parties hereto have executed, or cause to be executed by their duly authorized officials, this AMENDMENT to the Contract for Engineering Services in duplicate on the respective dates indicated below.

GRAY & OSBORNE, INC.

CITY OF MCCLEARY

By: Thomas M. Zerkel
(Signature)

By: _____
(Signature)

Name: Thomas M. Zerkel, P.E., President
GRAY & OSBORNE, INC.

Name: _____
(Print)

Date: November 10, 2008

Date: _____

"Equal Opportunity/Affirmative Action Employer"

EXHIBIT "A"

GRAY & OSBORNE

COMPUTATION OF OVERHEAD MULTIPLIER

Federal, State, and Local Taxes	23.87%
Insurance and Medical	19.27%
Professional Development and Education	6.32%
Vacations and Holidays	13.95%
Administration (Typing, CADD, GIS, Computer)**	46.92%
Rent, Utilities, and Depreciation.....	14.74%
Office Expenses	11.40%
Recruiting.....	1.18%
Professional Services	1.23%
Incentive & Retirement.....	31.57%
Facilities Cost of Capital.....	0.55%
TOTAL:	171%

PROFESSIONAL ENGINEERING SERVICES CONTRACT ENGINEER'S REPRESENTATIVE PAYROLL RATES THROUGH JUNE 15, 2009*

<u>Employee Classification</u>	<u>Payroll Rates</u>		
Draftsman/Technician/Engineering Intern	\$15.00	to	\$33.00
Design/Civil Engineers	18.00	to	36.00
Electrical/Structural Engineers	24.00	to	50.00
Environmental Tech./Specialist	27.00	to	38.00
Project Engineers	25.00	to	48.00
Principal Engineers/Project Managers	32.00	to	56.00
Field Inspectors/Resident Engineers	22.00	to	45.00
Field Survey Crew (2 Person)	43.00	to	75.00
Field Survey Crew (3 Person)	70.00	to	98.00
Professional Land Surveyor	33.00	to	42.00
Secretary/Word Processor		N/A	**

* Updated annually, together with the overhead.

All actual out-of-pocket expenses incurred directly on the project are added to the billing. The billing is based on direct out-of-pocket expenses; meals, lodging, laboratory testing and transportation. The transportation rate is \$0.58 per mile or the current maximum IRS rate without receipt IRS Section 162(a).

** Administration expenses include secretarial and clerical work; GIS, CADD, and computer equipment; owned survey equipment and tools (stakes, hubs, lath, etc.— Note: mileage billed separately at rate noted); miscellaneous administration tasks; facsimiles; telephone; and printing costs, which are less than \$150.

Busse Nutley

From: Jon Hinton [jhinton@g-o.com]
Sent: Monday, December 08, 2008 8:59 AM
To: Busse Nutley
Subject: Project Status Report

Hi Busse;

The following information is provided as an update of project status and action items remaining to be completed.

Addendum #3

Review of Park Plan & 6-year Transportation Improvement Plan Capital Improvement Projects. Provide recommendations and cost estimates. : **COMPLETED**

\$2,800 budget

Addendum #4:

Task 1&2: Beerbower Park parking lot design and drainage report review and value engineering. **COMPLETED**

Task 3: Design for frontage improvements for infill lots. **COMPLETED** (but additional study and recommendations requested by Planning and Council)

Task 4: Gravel Pit Evaluation: Research is complete, final letter needs to be typed and sent to Busse.

Task 5: Water Line Easement on Simpson Property: Research is completed; easement document needs to be prepared for review by Busse and Simpson.

\$2,660 budget (all tasks)

Addendum #5: Water System Capital Improvement Plan Review and Prioritization for Rate Study **COMPLETED**

\$1,750 budget

Other Action Items Required (not budgeted at this time)

1. Finalize schedule of work required at Beerbower Park (determine what must be bid and what is performed by staff as in-kind work)
2. Obtain video tape of 24-inch storm drain inspection under Gravatt property from City (Parametrix) and determine repair strategy.
3. Develop memo of understanding between Ecology and City for maintenance of Sam's Canal.
4. Stormwater Pond Maintenance by City.
5. Stop sign at intersection of Simpson Ave and Summit Road.
6. Water right change/relocation for Well #1 (versus rehab at existing location)

Outstanding Projects Awaiting Action by Developers:

1. Rossvale Plat
2. Wheel Chair ramp modifications for Cedar Heights Plat

Here is a list of donated work we have performed coming up to speed with City regulations, grant applications and trying to help out on fast track items.

Pay Period End	Donated Time	Grant Applications	Total Unbilled Time
5/3/2008	3.5	5	8.5
5/17/2008	12	0	12
5/31/2008	13.5	0	13.5
6/14/2008	9	0	9
6/28/2008	0.5	0	0.5
7/12/2008	0.5	0	0.5
7/26/2008	0	14	14
8/9/2008	0	3.5	3.5
8/23/2008	1	1	2
9/6/2008	3	14	17
9/20/2008	14.5	0	14.5

10/4/2008	7.5	18.5	26
10/18/2008	3	0	3
11/1/2008	18	2.5	20.5
11/15/2008	8	5.5	13.5
11/29/2008	5	0	5
12/13/2008	0	0	0
12/31/2008	0	0	0
TOTAL	99	64	163

Donated Time includes work on the following subjects:

- | | |
|--|------------------------------------|
| Code and Developer Standards Review | King Variance |
| 1st & Oak ROW Issues | ROW Permit |
| Cedar Heights ADA Ramp | Stormwater Pond Issues |
| Ackley Driveway | Water Rights Issues and Eval |
| Aquifer Review | Park Estimate |
| STIP | Stop Sign |
| Preparation | |
| Beerbower Park Review / Issues | WW Improvements |
| Rossvale Development Precon, Main Ext., Etc. | Class B Biosolids Review |
| Parking Lot Review and Discussions | Street Tree Issue |
| Water CIP Evaluation (prior to Amendment) | Street Signs Issue |
| Stormwater NOI | Water Rate Study Meetings & Review |
| Public Works Meetings | STP Funding Eval |
| Inspection Fees Evaluation | Simpson Ave Sidewalk Funding |
| GIS CD's | Gravatt Stormwater Problem |
| Bid Splitting Issues | WUE Measures |

Some of these items had budgets that we went over and felt we should not ask for additional money due to learning curves on City regulations; others were questions staff needed answers to and it was just too small a project to prepare a formal contract addendum for and a few were projects that were scoped as less involvement then was actually needed.

Hope this helps, let me know if you need further info on any of these issues.

Jon Hinton

STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator 
Date: December 8, 2008
Re: Flood Hazard Construction Requirements

The state Department of Ecology visited us recently to review the City's requirements for construction that may occur within designated flood hazard areas. Because there have been a number of state law changes, the Department is assisting local governments to review their local ordinances and to bring them into compliance.

The proposed amendments have been reviewed and approved by Ecology to comply with all current regulations.

Requested Action:

Adopt the Ordinance

ORDINANCE NO. _____

AN ORDINANCE RELATING TO CONSTRUCTION IN AND OCCUPATION OF AREAS DESIGNATED AS A FLOOD HAZARD AREA; ADDING NEW SECTIONS TO CHAPTER 15.12 MMC, AMENDING VARIOUS SECTIONS OF CHAPTER 15.12 MMC, PROVIDING FOR SEVERABILITY & AN EFFECTIVE DATE.

R E C I T A L S:

1. In 1982, pursuant to Ordinance 435, now codified in Chapter 15.12 of the Municipal Code, the City adopted standards in relation to construction, development, and occupancy of lands designated as being within the flood hazard area, as those areas are shown upon the Flood Insurance Rate Map issued by the State and Federal governments.

2. Since that time, various changes have occurred.

3. The City has received recommendations from the Department of Ecology as to updates which are necessary to bring the existing sections into compliance with new statutory provisions.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY:

SECTION I: There shall be added to Chapter 15.12 MMC a new section to read as follows:

"Basement" means any area of the building having its floor subgrade (below ground level) on all sides.

SECTION II: Section 15.12.060 shall be amended to read as follows:

"Development" means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment and/or materials located within the area of special flood hazard.

SECTION III: Section 15.12.130 MMC shall be amended to read as follows:

~~((Habitable floor.~~

~~"Habitable floor" means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor.")~~

"Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of section 60.3 of Appendix E of the NFIP Regulations.

SECTION IV: There shall be added to Chapter 15.12 MMC a new section to read as follows:

15.12.185 Substantial damage.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SECTION V: Section 15.12.190 shall be amended to read as follows:

Substantial improvement.

A. "Substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either:

1. Before the improvement or repair is started, or
2. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

B. The term does not, however, include either:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary or safety

code specifications which ~~((are solely necessary))~~ have been previously identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions,
or

2. Any alteration of a structure listed on the National Register of Historic Places.

SECTION VI: Section 15.12.220 shall be amended to read as follows:

Basis for establishing the areas of special flood hazard.

The area of special flood hazard identified by the flood insurance study and accompanying Flood Insurance Rate maps (FIRM) dated August 16, 1982(~~((, and any revision thereof is adopted by reference and declared to be a part of this chapter.))~~) The flood insurance study and FIRM is on file at the city of McCleary, City Hall. The best available information for flood hazard area identification as outlined in Section 4.3-2 shall be the basis for regulation until a new FIRM is issued and placed on file in the Office of the Clerk-treasurer that incorporates data utilized under Section 4.3-2.

SECTION VII: Section 15. 12.270 MMC is amended to read as follows:

Establishment of development permit.

A development permit shall be obtained before construction or development begins within any area of special

flood hazard established in Section 15.12.280. The permit shall be for all structures including mobile homes, as set forth in the "definitions," and for all other development including fill and other activities, also as set forth in the "definitions." Application for a development permit shall be made on forms furnished by the clerk-treasurer and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

A. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;

B. Elevation in relation to mean sea level to which any nonresidential structure has been floodproofed;

C. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 15.12.330(B); and

D. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

Section VIII: Section 15.12.290 shall be amended to read as follows:

Local administrator--Duties and responsibilities.

Duties of the local administrator shall include, but not be limited to:

A. Permit Review.

1. Review all development permits to determine that the permit requirements of this chapter have been satisfied;

2. Review all development permits to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required;

3. Review all development permits to determine if proposed development adversely affects the flood carrying capacity of the area of special flood hazard. For the purposes of this chapter, "adversely affects" means damage to adjacent properties because of rise in flood stages attributed to physical changes of the channel and the adjacent overbank areas;

a. If it is determined that there is no adverse effect, then the permit shall be granted consistent with provisions of this chapter without further consideration of these effects,

b. If it is determined that there is an adverse effect, then flood damage mitigation measures shall be made a condition of the permit.

C. Use of Other Base Flood Data. When base flood elevation data has not been provided in accordance with Section 15.12.220, the local administrator shall obtain, review and

reasonably utilize any base flood elevation data available from a federal, state or other source, in order to administer Section 15.12.330 (A) and (B).

D. Information to be Obtained and Maintained.

1. ~~((Obtain and record the actual))~~ Where base flood elevation data is provided through the Flood Insurance Study, FIRM or required as in Section 15.12.290(B), obtain and record (as-built) elevation (in relation to mean sea level) of the lowest ~~((habitable))~~ floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement;

2. For all new or substantially improved floodproofed nonresidential structures where base flood elevation data is provided through the FIS, FIRM, or as required in Section 15.12.290(B):

a. Verify and record the actual elevation (in relation to mean sea level) to which the structure was floodproofed; and

b. Maintain the floodproofing certifications required in Section 15.12.270(c);

3. Maintain for public inspection all records pertaining to the provisions of this chapter.

E. Alteration of Watercourses.

1. Notify adjacent communities and the Department of Ecology prior to any ~~((significant))~~ alteration or relocation of

a watercourse, and submit evidence of such notification to the Federal Insurance Administration;

2. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not ~~((unreasonably))~~ diminished.

F. Interpretation of FIRM or FHBM Boundaries.

Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards. (By way of example and not by way of limitation, where there appears to be a conflict between a mapped boundary and actual field conditions.)

SECTION IX: Section 15.12.320 shall be amended to read as follows:

General standards.

In all areas of special flood hazards the following standards are required:

A. Anchoring.

1, All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

2. All ~~((mobile homes))~~ manufactured homes shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be the following or an equivalent system approved by the local administrator:

a. Over-the-top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations, with mobile homes less than fifty feet long requiring one additional tie per side;

b. Frame ties be provided at each corner of the home with five additional ties per side at intermediate points, with mobile homes less than fifty feet long requiring four additional ties per side;

c. All components of the anchoring system be capable of carrying a force of four thousand eight hundred pounds; and

d. Any additions to the mobile home be similarly anchored.

3. An alternative method of anchoring may involve a system designed to withstand a wind force of ninety miles per hour or greater. Certification must be provided to the local administrator that this standard has been met.

B. Construction Materials and Methods.

1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

3. Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be

designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

C. Utilities.

1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;

2. Water wells shall be located on high ground that is not in the floodway.

3. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and

4. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

D. Subdivision Proposals.

1. All subdivision proposals shall be consistent with the need to minimize flood damage;

2. All subdivision proposals shall utilize such public utilities and facilities (such as sewer, electrical and water system) as are reasonably available which shall be located constructed to minimize flood damage;

3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and

4. Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least fifty lots or five acres (whichever is less).

E. Review of Building Permits.

Where elevation data is not available, either through the Flood Insurance Study, FIRM, or from another authoritative source, Section 15.12.290(c)(2), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above the highest adjacent grade in these zones may result in higher insurance rates.

SECTION X: Section 15.12.330 MMC shall be amended to read as follows:

Specific standards.

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 15.12.220 or 15.12.290(B), the following provisions are required:

A. Residential Construction.

1. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated (~~to or~~) one foot or more above base flood elevation.

2. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designated to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

b. The bottom of all openings shall be no higher than one foot above grade.

c. Openings may be equipped with screens, louvers, or other coverings or devices that permit the automatic entry and exit of floodwaters.

B. Nonresidential Construction.

New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

1. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;

2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

3. Be certified by a registered professional engineer or architect that ~~((the standards of this subsection are satisfied))~~ design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in Section 15.12.290(c)(2).

4. Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in Section 15.12.330 (A)(2).

5. Applicants who are floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building floodproofed to the base flood level will be rated as one foot below).

C. Encroachments.

Any proposed development shall be analyzed to determine effects on the flood carrying capacity of the areas of special flood hazard, as set forth in Section 15.12.290(A)(3).

D. ~~((Mobile Homes))~~ Manufactured Homes.

1. ~~((Mobile homes))~~ All manufactured homes to be placed or substantially improved on sites shall be elevated on a

permanent foundation such that the lowest floor of the manufactured home is elevated one foot or more above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. ((shall be anchored in accordance with Section 15.12.320(A).)) This applies to manufactured homes:

- a. Outside of a manufactured home park or subdivision;
- b. In a new manufactured home park or subdivision;
- c. In an expansion to an existing manufactured home park or subdivision; or
- d. In an existing manufactured home park or subdivision on a site which a manufactured home has incurred "substantial damage" as the result of a flood;

2. Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are not subject to the above manufactured home provisions be elevated so that either:

- a. The lowest floor of the manufactured home is elevated one foot or more above the base flood elevation; or
- b. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

~~((2. For new mobile home parks and mobile home subdivisions, for expansions to existing mobile home parks and mobile home subdivisions, for existing mobile home parks and mobile home subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds fifty percent of value of the streets, utilities and pads before repair, reconstruction or improvement has commenced, and for mobile homes not placed in a mobile home park or mobile home subdivision, require that:~~

~~----- a. Stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level;~~

~~----- b. Adequate surface drainage and access for a hauler are provided; and~~

~~----- c. In the instance of elevation on pilings, that:~~

~~----- i. lots are large enough to permit steps,~~

~~----- ii. Piling foundations are placed in stable soil no more than ten feet apart, and~~

~~----- iii. Reinforcement is provided for pilings more than six feet above the ground level.))~~

3. No mobile home shall be placed in a floodway, except in an existing mobile home park or existing mobile home subdivision.

E. Recreational Vehicles.

Recreational vehicles placed on sites are required to either:

a. Be on the site for fewer than 180 consecutive days;

(or)

b. Be fully licensed and ready for highway use, on its wheels or jacking system, and be attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; (or)

c. Meet requirements of Section 15.12.330 (D) above and the elevation and anchoring requirements for manufactured homes.

SECTION XI: Section 15.12.340 MMC is amended to read as follows:

Floodways.

Located within areas of special flood hazard established in Section 15.12.220 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

A. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer or architect is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with the standard

engineering practice that the proposed encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge;

B. Construction or reconstruction of residential structures is prohibited within designated floodways, except for (i) repairs, reconstruction, or improvements to a structure which do not increase the ground floor area; (ii) repairs, reconstruction or improvements to a structure, the cost of which does not exceed 50 percent of the market value of the structure either, (A) before the repair, or reconstruction is started, or (B) if the structure has been damaged, and is being restored, before the damage occurred. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or to structures identified as historic places, may be excluded in the 50 percent.

C. If subsection A of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article IV of this chapter;

D. Prohibit the placement of any mobile homes, except in an existing mobile home park or existing mobile home subdivision.

SECTION XII: Severability:

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases had been declared invalid or unconstitutional, and if for any reason this Ordinance should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

SECTION XIII: This Ordinance shall take effect upon the fifth day following date of publication.

PASSED THIS _____ DAY OF _____, 2008, by the City Council of the City of McCleary, and signed in approval therewith this _____ day of _____, 2008.

CITY OF McCLEARY:

WALLACE BENTLEY, Mayor

ATTEST:

DONNIE ROSTEDT, Clerk-Treasurer

STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator 
Date: December 8, 2008
Re: Water Rates

Earlier this year the long-awaited update of the City's Water System Plan was finally completed and adopted by the Council. It contains a Capital Improvement Program that lays out what improvements need to be made to the system in what order of priority. Ultimately, the projects selected will lead us to water treatment to rid us of smelly water.

The next steps toward constructing these improvements are to securing financing, and to assure adequate revenues to pay for the operation, maintenance and upgrade of the system. We contracted with FCS Group, our utility rate consultants, to provide us with recommendations for new water rates.

FCS worked with City staff and our engineers at Gray & Osborne to refine the CIP to be certain that we would only be asking ratepayers for just enough funds for the system. The rate study looked at the existing system and rates, the new Water System Plan CIP, and our budget to determine the best strategy.

The outcome was the news that to complete the projects for the next six years, we will need to increase the rates by 22% per year. Following that conclusion, the rate structure was examined and two alternatives were presented to the Council's Finance Committee on Thursday, December 6. After a full discussion, the Committee selected the option that charges a flat rate for the first 500 cubic feet of water and then another flat fee for each 100 cf in addition to the first 500. Currently, the rates are set for a flat fee for the first 1,000 cf, and many ratepayers, especially single-person households, use less than that amount. By setting the rate at 500, customers will have some control over the amount of their bills, and will be rewarded for conserving water.

The following table shows the comparison of the existing residential rates with the proposed new rates for 2009.

2009 Proposed Water Rates Compared with Existing Rates - Residential				
Usage (cubic feet)	Existing Monthly Bill	Proposed Monthly Bill	Monthly \$ Increase	Monthly % Increase
0	24.30	28.90	4.60	18.9%
500	24.30	28.90	4.60	18.9%
800	24.30	30.70	6.40	26.3%
1,000	24.30	31.80	7.50	30.8%
1,500	26.80	34.80	8.00	29.8%
2,000	29.30	37.80	8.50	29.0%
3,000	34.30	43.70	9.40	27.4%

The specific rates are shown below, compared with the existing rates. They are calculated by meter size. In general, residential meters are less than (<) 1 inch.

Existing and Proposed 2009 Water Rates				
Class / Meter Size	Existing		Proposed	
	Monthly Fixed (1,000 cubic feet)	Variable (100 cubic feet)	Monthly Fixed (500 cubic feet)	Variable (100 cubic feet)
Residential Non Metered	24.30		28.90	
Commercial	24.30	0.50	28.90	0.60
< 1" Inside City	24.30	0.50	28.90	0.60
< 1" City Accounts	24.30	0.50	28.90	0.60
> 1" Inside City	31.30	0.50	37.20	0.60
> 1" Commercial Outside City	36.40	0.50	43.20	0.60
< 1" Outside City	36.40	0.50	43.20	0.60
> 1" Outside City	48.30	0.50	57.40	0.60

The adopted Water System Plan's Capital Improvement Program envisions improvements to the system each year through 2013. The proposed water rates have been set to increase each year by 22% through 2013, although the Council may make a different adjustment, if need be.

Although it is difficult to compare water rates among different systems, as each system may have different improvements scheduled (or none at all). However, it is always good to know where the City ranks with other similar-sized or nearby jurisdictions.

City Residential Monthly Bill Comparisons	
Cosmopolis	45.66
Hoquiam	40.33
Olympia	31.90
Aberdeen	29.49
McCleary (2009 Proposed)	28.90
Shelton	27.16
McCleary (Existing)	24.30
Elma	23.00
Montesano	15.20

Requested Action:

Adopt the Resolution

Appendix A: Water CIP

Year	2008\$	Inflated
2008	20,000	20,000
2009	310,160	328,770
2010	326,000	366,294
2011	534,000	636,003
2012	909,000	1,147,592
2013	563,000	753,421
Total	2,662,160	3,252,079

Project	Cost	Year	Inflated
1 Main Replacements	\$ 23,000	2009	\$ 24,380
2 "	23,000	2010	25,843
3 "	23,000	2011	27,393
4 "	23,000	2012	29,037
5 "	23,000	2013	30,779
6 West Ash Street Improvements	168,000	2011	200,091
7 South 6th Street Improvements	181,000	2012	228,508
8 Well No. 3 and Well No. 3 Investigation	18,000	2009	19,080
9 Well No. 2 Improvements	142,000	2010	159,551
10 Well No. 3 Improvements	150,000	2010	168,540
11 Well No. 1 Relocation and Water Rights Transfer	59,000	2009	62,540
12 Well No. 1 Reinstallation	416,000	2013	556,702
13 150,000 Gallon Reservoir Interior Painting	133,000	2011	158,405
14 500,000 Gallon Reservoir Interior Painting	247,000	2012	311,832
15 Meter Replacement Program (Annual)	11,000	2010	12,360
16 "	11,000	2011	13,101
17 "	11,000	2012	13,887
18 "	11,000	2013	14,720
19 Meter Reading / Billing Software and Equipment	65,000	2009	68,900
20 Lynch Road Improvements Phase I	113,000	2013	151,219
21 Larsen Road	447,000	2012	564,327
22 West Simpson Water Extension Phase I	199,000	2011	237,012
23 Main St. to 4th St. Improvements	122,000	2009	129,320
24 2008 Budget Cap Outlay / Other Imp	20,000	2008	20,000
25 2009 Budget Cap Outlay / Building	189	2009	200
26 2009 Budget Cap Outlay / Other Imp	9,434	2009	10,000
27 2009 Budget Cap Outlay / Equipment	13,538	2009	14,350
	\$ 2,662,160		\$ 3,252,079

RESOLUTION NO. _____**A RESOLUTION RELATING TO PUBLIC SERVICES;
REPEALING RESOLUTION 493; ESTABLISHING RATES
CHARGED FOR WATER; PROVIDING FOR ADJUSTMENT;
AND PROVIDING FOR EFFECTIVE DATES.****R E C I T A L S:**

1. Pursuant to Resolution 493, adopted in 2003, the Council and Mayor set forth fees to be charged for the provision of water service to those served by the City's system. The fees were set after careful analysis by the Mayor and Council, after receiving the advice of City staff, as to the minimum levels necessary to adequately maintain and provide funding for the various services involved.

2. The necessity of the consideration of levels of fees and the mechanisms for their adjustment has been confirmed by the City Administrator during the most recent review of the financial affairs of the City. She has provided to the Council and Mayor the recommendations of the Consultant retained by the City to review its water rates.

3. It is the intention of the Mayor and Council, in the adoption of this resolution, to establish the minimum rates required to assure the fiscal stability of the utility system.

4. To aid in predictability and reduce the likelihood of the need for major adjustments to the rates, it is the intention to retain the mechanism implemented in Resolution 493 that adjusts the rates annually.

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

SECTION I: RATES:

On and after the effective date set forth below, the rates and charges set forth and continuing thereafter until changed, monthly water consumption rates shall be as follows:

A. For Services Within the City Limits

1. Basic Charge:

- (a) Meters of 1" or less: \$28.90
(including 500 cubic feet)
- (b) Meters over 1": \$37.20
(including 500 cubic feet)

2. Excess Charge: Any use in excess of the base amount shall be charged at the following rate per one hundred (100) cubic feet or portion thereof:

\$00.60.

B. For Services Outside The City Limits

1. Basic Charge:

- (a) Meters of 1" or less: \$43.20
(including 500 cubic feet)
- (b) Meters over 1": \$57.30
(including 500 cubic feet)

2. Excess Charge: Any use in excess of the base amount shall be charged at the following rates per one hundred (100) cubic feet or portion thereof:

\$00.60

C. UNMETERED SERVICE OR HYDRANT FILL UP:

Unmetered service or hydrant fill up provided on a temporary basis shall be charged at the flat rate of twenty-seven and 60/100 dollars (\$27.60) per month or per use, as is applicable.

Such services shall be authorized in advance of use by the City Administrator or his or her designee.

SECTION II: INTERPRETATION

A. TIMING:

The rates established by Section I shall be effective on and after the 15th day of January, 2009. The annual adjustment authorized pursuant to Section III shall occur as to water utilized on and after the 15th day of January of each year succeeding year through 2013.

B. CALCULATION:

1. In computing water consumption, meter readings ending in the number "1" through "5" shall be counted as "0" and meter readings ending in the numbers "6" through "9" shall be counted as "10".

2. If a meter serves more than one residential unit, the rate shall be determined by multiplying the base rate times the number of units served by that meter. To that sum, shall be added the excess usage. If the occupant of each unit has an

account with the City's utility, then the billing shall be divided pro rata among the units.

SECTION III: ANNUAL ADJUSTMENT

The rates set by Section I of this resolution shall be subject to an increase of twenty-two percent (22%) as of date set forth in Section II.A unless the Council sets a different rate of adjustment: PROVIDED THAT, the adjustment shall be rounded up to the nearest ten cents. By way of example, a adjustment resulting in a figure of \$22.44 shall be implemented at the rate of \$22.50.

PASSED THIS _____ DAY OF DECEMBER, 2008, by the City Council of the City of McCleary, and signed in authentication thereof this _____ day of _____, 2008.

CITY OF McCLEARY:

WALLACE BENTLEY, Mayor

ATTEST:

DONNIE ROSTEDT, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney