



McCleary City Council

AGENDA

June 25, 2014

7:00 City Council Meeting

Flag Salute

Roll Call

Public Hearings: 6-Year Transportation Improvement Plan
Marijuana Moritorium Extension

Special Guest: Bear Festival

Public Comment:

Minutes: (Tab A)

Mayor's Report/Comments:

Staff Reports: Dan Glenn, City Attorney (Tab B)
Todd Baun, Director of Public Works (Tab C)
Staff Reports (Tab D)

Old Business:

New Business: APSCO Service Agreement (Tab E)
2015 STIP (Tab F)
Tenelco Contract (Tab G)
TIB Application (Tab H)
3rd Street Improvement Design (Tab I)

Ordinances: Marijuana Moritorium Extension (Tab J)

Resolutions: 6-Year Street Plan (Tab K)

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

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La ciudad de McCleary es un proveedor de igualdad de oportunidades y el empleador.

CITY OF MCCLEARY
Regular City Council Meeting
Wednesday, May 28, 2014

| | |
|--|---|
| ROLL CALL AND FLAG SALUTE | Councilmember's Reed, Ator, Catterlin and Peterson. |
| ABSENT | Councilmember Schiller was absent and asked to be excused. Mayor Dent and the Council excused his absence. |
| STAFF PRESENT | Present at the meeting were Todd Baun, Wendy Collins, George Crumb and Dan Glenn. Jon Hinton from Gray & Osborne attended. |
| PUBLIC COMMENT | Helen Hamilton announced there will be an Open House for the Children's Advocacy Center on June 18th and handed out fliers for the event. |
| MAYOR'S COMMENTS | Mayor Dent has been speaking with members of congress in regards to Halo Steel and things sound positive. That is all he is willing to say for now. |
| MINUTES APPROVED | It was moved by Councilmember Ator, seconded by Councilmember Reed to approve the minutes from the May 14, 2014 meeting. Motion Carried 4-0. |
| DIRECTOR OF PUBLIC WORKS REPORT | <p>Todd Baun reported the float shed is now demolished. Insect and damage was present.</p> <p>Mr. Baun also wanted to thank the City Crew for the great job they did in preparing the cemetery for Memorial Day. The grounds looked really nice and their effort is appreciated.</p> <p>Councilmember Catterlin asked Todd Baun about the Birindelli property and if it is zoned for a future fire station. Mayor Dent said it's a nine acre parcel purchased for the use of a future fire station. Councilmember Catterlin also asked if the float shed property is zoned for storing power poles. Todd confirmed yes, the float shed zoning is correct. The fire station property is zoned R3, which is a mobile home park zoning. He will double check the zoning to make sure what it should be for a fire station usage.</p> |
| CITY ATTORNEY REPORT | Dan Glenn has provided a report and is available if the Council has any questions. |
| G & O CONTRACT AND AMENDMENT #1 | No major changes were made to the proposed contract, other than the multiplier of the contract being increased from 1.71 to 1.8 due to inflation. Amendment #1 provides a cost sheet for the various services and minor engineering support G&O performs for the City. No changes were made from the previous Amendment #1 signed in 2012. It was moved by Councilmember Ator, seconded by Councilmember Catterlin to authorize execution of the 2014 contract and Amendment #1 with Gray & Osborne. Motion Carried 4-0. |
| ANNUAL FINANCIAL REPORT FOR 2013 | Each year the City is required to submit an annual report to the State Auditor's Office on the yearly financial activity of the City. Report requirements include beginning balances, expenditures, revenues, loans, grants and the end of the year employee compensated absences. It was moved by Councilmember Ator, seconded by Councilmember Catterlin to approve and authorize the Clerk-Treasurer to submit to the State Auditor's Office the 2013 Annual Financial Report. Motion Carried 4-0. |
| BPA REVISION NO. 2 TO EXHIBIT B OF POWER SALES AGREEMENT | BPA has provided updated information for the City's records. Todd Baun provided a copy of Revision #1 for the Council. No action is required at this time. |
| MICROSOFT VOLUME LICENSING | The City uses Microsoft Office for a variety of work related activities. It was discovered that a number of versions were installed from a bootlegged copy, which are not legal for the City to use. In addition, there are several computers that have versions of Microsoft XP still in use, which is now discontinued and software support is not longer available. In an effort to correct these issues, the City would like to take advantage of the State Contract T11-MST-579 and purchase volume licensing of Microsoft software. It was moved by Councilmember Catterlin, seconded by Councilmember Peterson to authorize the Mayor to sign the agreement for the Microsoft Volume Licensing and purchase the required software, not to exceed \$9,700. Motion Carried 4-0. |

APPROVAL OF VOUCHERS Accounts Payable vouchers/checks approved were 38024- 38072 including EFT's in the amount of \$270,893.66.

It was moved by Councilmember Catterlin, seconded by Councilmember Reed to approve the vouchers. Motion Carried 4-0.

PUBLIC COMMENT Councilmember Catterlin asked Mayor Dent if he is planning on having any public levy meetings and Mayor Dent responded that he is planning on it and has checked into the VFW Hall and the McCleary School. Councilmember Catterlin said one thing to consider is the acoustics in both buildings.

EXECUTIVE SESSION None.

MEETING ADJOURNED **It was moved by Councilmember Ator, seconded by Councilmember Peterson to adjourn the meeting at 7:18 PM. The next meeting is scheduled for June 25, 2014 at 7:00 PM. Mayor Dent reminded everyone we are now on the summer schedule starting in June and will only meet on the fourth Wednesday of the month for June, July and August. Motion Carried 4-0.**

MEMORANDUM

TO: MAYOR AND CITY COUNCIL, City of McCleary
FROM: DANIEL O. GLENN, City Attorney
DATE: June 20, 2014
RE: LEGAL ACTIVITIES as of JUNE 25, 2014.

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. **CANNABIS ISSUES:**

A. Current Status:

1. The draft ordinance: Mr. Aaland and Ms. Collins are working on scheduling the public hearing before Mr. Aaland, as the City' Hearing Examiner, on this matter. To make things fit time wise, it will be necessary to extend the moratorium. Thus, I have imposed upon Ms. Collins to post notice of a public hearing on the ordinance which would extend the moratorium for another six months, unless you repeal it earlier because you have regulations in effect.

Thus, the process tonight I would recommend in terms of action would be legally as follows.

A. Open the public hearing on the extension so as to receive public comment. If it is as was in Elma last Monday, supporters of legalization of the I 502 activities will be present to make certain that the moratorium is leading to a conclusion.

B. Upon closure of the hearing and at the regular ordinance section of the agenda, adopt the extension ordinance. It has an emergency clause in place since publication could not occur until later than the end of the month.

Mr. Aaland's holding of the public hearing will occur in the near future. It will be interesting if a group of folks appear as did in Elma. Generally, they urged adoption of an ordinance which would prohibit the location of activities tied to medical cannabis due to the lack of state regulation. As to I 502 activities, their position was the reverse contending that state regulation was adequate and thus zoning should allow the retail stores, growing and process activities.

In any event, adoption of the moratorium will allow you the time to fully consider the implications of the recommendations you do receive from Mr. Aaland, receive additional public input, and decide how you wish to move.

2. Information:

A. As the first point of information, litigation has recently been commenced against an eastern Washington city which had chosen to rely upon the portion of their business license ordinance which would allow issuance of licenses only so long as the applicant's business did not violate federal and state law. Since the activities authorized by I 502 are contrary to existing federal law, they had denied a business license to an entity which had received a license from the Liquor Control Board. The litigation is basically contending the city, being a state municipal corporation, can not rely upon federal law to deny a license for an activity authorized under state law.

B. The second point is that the City of Centralia, which adopted the total prohibition approach contained in our draft, has been sued. While the media report indicates that the challenge is to an ordinance which allegedly prohibits any RCW 61.51A or I 502 activity, I called Ms. Murphy, the City Attorney. She indicates that actually the contention is their moratorium has the effect of totally prohibiting such activities and that I 502 effectively prohibits the City from

even doing so during the course of a moratorium. In effect, that I 502 preempts the City's authority to exclude, even while it reviews the matter. This is contrary to the opinion issued by the Attorney General which concluded that it did not do so.

She indicated the Centralia Council had considered a draft ordinance which would have created zoning for certain uses and rejected it by a 4-3 vote. Their Planning Agency apparently is going to be conducting a public hearing on an ordinance similar to our draft which will then be referred to the Council for its consideration.

Such litigation is not a surprise. As the late Judge Kirkwood said on more than one occasion, if my memory serves me correctly, when someone cited an AGO with which he did not necessarily concur, the Attorney General and her or his assistants are just attorneys, not judges.

Both of these cases are likely to run on for many months, if not years, before a final decision.

2. **SIX YEAR STREET PLAN RESOLUTION:** Given the fact that you have to go through this process each year, you are now relative experts on this process. Given the statutory mandates and timing constraints, Mr. Baun has requested Ms. Collins to publish notice of the hearing for the receipt of public input on the updating of this plan which has been done. The annual updating, with associated public hearing, is mandated in order to conform with requirements for funding of projects through the Transportation Improvement Board. Prior to the this evening, I am certain Mr. Baun will have provided you his recommendations as to the updated listing of streets which will be on the City's "wish list" for improvement funding.

The Plan theoretically must be filed with the pertinent state agencies by the end of June in order to continue eligibility for funding through their programs. As I have noted in the past, the sequence of the projects on the draft plan does not govern or restrict the ability of the City to choose to seek funding for a project which is lower down the list before finishing the projects which are above it on the list. Further, if during the year the situation changes

and you need to add a different project, that can be done through the giving of the appropriate public notice and adoption of an amended resolution.

In any event, after the hearing and receipt of any public input, a resolution has been provided which would adopt the proposal by reference.

3. **BEAR FESTIVAL**: I notice that there is reference to the Festival on the agenda. I assume that this may lead to the necessity of written agreements. Given the timing, if there is not adequate timing to present them to you at the next regular meeting and you approve the request/s, I would recommend that any motion include not only approval of the request but also specific authority for the Mayor to execute the necessary contracts so long as he is satisfied with the draft/s I provide.

4. **PUBLIC RECORD AND OPEN PUBLIC MEETING TRAINING MANDATE**: As has been referenced in prior reports, the 2013 Legislature put in place legislation mandating the local elected officials undertake a program of training on compliance with those two acts. The mandates have been summarized as follows:

Open meetings: Every member of a governing body (including members of boards and commissions) of a public agency must complete open meetings training within 90 days after taking the oath of office or otherwise assuming official duties. Training must be completed every four years and may be completed remotely.

Public records and records retention: All elected officials, people appointed to vacancies in elected offices, and public records officers/managers must complete training in public records and record retention within 90 days after taking the oath of office or otherwise assuming official duties. The training must be consistent with the Attorney Generals model rules for compliance with the public records act and records retention. The training also must be completed every four years.

While the AG & SAO conducted training sessions in a number of more "centralized" locations, in spite of the request to consider doing a group one in Grays Harbor they could not do so. However, with assistance from AWC, there is an solution available to allow you to be in compliance.

A. A webinar was scheduled for June 20 between 10:30 am and noon. Obviously, it is too late to take advantage of that live show.

B. That being said, based upon contact I have had with the AWC representative, by July 1 that webinar will be accessible at any time on its website. Ms. Collins has been provided the web address.

In recognition of the impossibility of viewing the June 20th webinar, I would like to suggest you viewing the webinar. That could be done by you on your home internet connection, at City Hall, or as part of a training or work session. However, the choice is an individual choice. However, it must be accomplished in order to comply with the law.

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: Mayor Dent
From: Todd Baun, Director of Public Works
Date: June 19th, 2014
Re: Current Non-Agenda Activity

Shoreline Management Plan

The Watershed Company has provided draft documents for Task 3- Public Participation Plan and Task 4- Preliminary Assessment of the Shoreline Jurisdiction. I have attached both items for your review. Please let me know if you have any comments or changes that you would like to see.

Critical Area Ordinance (CAO)

I am still working with Dan to get a solution for this update.

Bear Festival

The Bear Festival is starting in a little over 2 weeks. The City crews are working extremely hard to get the City cleaned up and looking good. The Bear Festival has been great to work with this year. I expect another successful Bear Festival in 2014.

PUBLIC PARTICIPATION PLAN

City of McCleary Shoreline Master Program

Prepared for:

City of McCleary
100 S. 3rd Street
McCleary, WA 98557
(360) 495-3887
www.cityofmccleary.com



Prepared by:



750 Sixth Street South
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watershedco.com

Prepared with funding from:



June 2014

The Watershed Company Reference Number:
140103

The Watershed Company Contact Person:
Mark Daniel, AICP

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PUBLIC PARTICIPATION PLAN

CITY OF McCLEARY SHORELINE MASTER PROGRAM

1 INTRODUCTION

As required by State law, the City of McCleary (City) is beginning the process of updating its Shoreline Master Program (SMP). SMPs, which implement Washington State’s Shoreline Management Act (SMA) at the local level, regulate the use and development of “Shorelines of the State.” In McCleary, an unnamed waterbody partially located within the City qualifies as a Shoreline of the State (see Figure 1). Additionally, uplands in the City associated with Mox Chehalis Creek qualify as a Shoreline of the State (even though the creek itself is located outside of City limits).



Figure 1. Unnamed Shoreline of the State (at left) partially located in the City.

Under the SMA, all towns, cities and counties in Washington with Shorelines of the State must develop and adopt an SMP. While local SMPs include policies and regulations based on State laws and rules, every SMP is tailored to fit local conditions. Updating an SMP is a lengthy process: the City’s SMP update is expected to take more than two years.

This Public Participation Plan attempts to ensure active public involvement throughout the City’s SMP update. This plan identifies specific objectives, key

parties, outreach strategies, and a timeline for public participation activities. The contents of this plan may be updated during the project as needed.

2 OBJECTIVES

Listed below are the objectives of this Public Participation Plan.

In the objectives, as well as in subsequent sections of this document, the term “stakeholder” is frequently used. For the purposes of the City’s SMP update, a stakeholder is any individual or group that has an interest in the outcome of the City’s SMP process.

- **Objective 1:** Identify methods to inform potential stakeholders about the purpose, scope, process and progress of the SMP update, early and continuously.
- **Objective 2:** Identify methods to engage stakeholders to ensure that all parties who want to be involved in the SMP update are included in the process.
- **Objective 3:** Ensure that City officials, staff, and consultants can understand stakeholder concerns and can address those concerns in SMP products and decision making.
- **Objective 4:** Establish a process to produce and adopt an updated SMP that meets State guidelines and timelines, reflects local conditions, and gains the informed consent of stakeholders.

3 KEY PARTIES

This section identifies potential key parties for the SMP update.

- **Citizens.** Citizens might live, own property, conduct business or recreate along the City’s Shorelines of the State. Citizens do not necessarily need to reside in McCleary.
- **Businesses.** The SMP update may be of interest to some businesses. This Public Participation Plan seeks to reach any businesses interested in being involved. However, the City particularly intends to target any businesses that may have shoreline issues.

- **Interest groups.** There are numerous interest groups that may want to be involved in the SMP update. These groups include:
 - McCleary Chamber of Commerce
 - Capitol Land Trust
 - Olympia Master Builders, Grays Harbor Chapter
 - Chehalis Basin Fisheries Task Force
 - Chehalis River Basin Land Trust
 - Friends of Grays Harbor
 - Futurewise
 - The Nature Conservancy
 - Grays Harbor Association of Realtors
 - Trout Unlimited Grays Harbor
 - Grays Harbor Audubon Society
 - Grays Harbor Chamber of Commerce
 - Grays Harbor Tourism
 - Grays Harbor Conservation District
 - Wild Fish Conservancy

- **Governmental entities.** Local, State, federal, and tribal governments have significant and wide-ranging interests in shoreline management. They are often property owners and/or have a permitting interest. Governmental entities that may have an interest in the City of McCleary SMP update include:

Local Government

- Chehalis Basin Lead Entity
- Chehalis Basin Partnership
- Grays Harbor County
- Grays Harbor Council of Governments
- Grays Harbor Public Utility District
- Washington Coast Sustainable Salmon Partnership

State Government

- Department of Archaeology and Historic Preservation
- Department of Commerce
- Department of Ecology
- Department of Fish and Wildlife
- Department of Natural Resources
- Department of Transportation
- State Parks and Recreation Commission

Federal Government

- Army Corps of Engineers

- Fish and Wildlife Service
- NOAA National Marine Fisheries Service

Tribal Government

- Confederated Tribes of the Chehalis Reservation
- Northwest Indian Fisheries Commission
- Quinault Indian Nation

4 OUTREACH STRATEGIES

To accomplish the objectives of this Public Participation Plan set forth above in Section 2, the outreach strategies listed below are proposed.

- **Project webpages.** The City will develop and maintain webpages for the SMP update that can be accessed from the City's main website (<http://www.cityofmcclary.com/>). The webpages will allow stakeholders to access key information related to the SMP update and provide comments to the City.
- **Informational materials.** The City will post informational materials about the project at locations in the City where such materials are typically posted, including City Hall.
- **Mail.** The City will use mail as needed to engage the public. At least one mailing to shoreline property owners is anticipated.
- **Newspaper.** The City will place ads in The Vidette at strategic times.
- **Interested parties email list.** The City will send periodic emails to interested parties regarding the status of the SMP update. Any party may request to be on the interested parties email list.
- **Public open houses.** The SMP update will include two public open houses. One public open house will be held to conduct a community visioning process for the City's shorelines. A second open house will be held after the completion of the draft SMP.
- **Public meetings.** The public is welcome to attend public meetings (e.g. Planning Commission, City Council) connected to the SMP update and provide feedback according to local meeting protocols.

5 TIMELINE FOR PUBLIC PARTICIPATION

For each outreach strategy identified above in Section 4, Table 1 below identifies the anticipated timeline.

Table 1. Anticipated timeline for public participation by outreach activity.

| Outreach Activity | Anticipated Timeline |
|-------------------------------|---|
| Project webpages | Ongoing throughout project |
| Informational materials | Throughout project at key points |
| Mail | At least one mailing to shoreline property owners is anticipated to occur prior to the community visioning public open house expected to occur in Fall 2014 |
| Newspaper | Throughout project at key points |
| Interested parties email list | Throughout project at key points |
| Public open houses | Fall 2014 - Community visioning |
| | Spring 2015 - Draft SMP |
| Public meetings | Winter/Spring 2015 & Winter 2016 - SMP development |
| | Winter/Spring 2016 - Local adoption |

June 17, 2014

Todd Baun
Public Works Director
City of McCleary
100 South 3rd Street
McCleary, WA 98557
Via email: Toddb@cityofmcclary.com

Re: **City of McCleary Shoreline Master Program Update — Preliminary Shoreline Jurisdiction**

Dear Todd:

The Watershed Company has developed the accompanying Preliminary Shoreline Jurisdiction map as part of the City of McCleary (City) Shoreline Master Program (SMP) update. This letter describes the development of this map in detail.

OVERVIEW

The Preliminary Shoreline Jurisdiction map shows the City's minimum shoreline jurisdiction based upon the Shoreline Management Act (SMA), the Washington Administrative Code (WAC) and Washington Department of Ecology (Ecology) guidance documents.

Under the SMA, the following features in Washington are regulated as Shorelines of the State:

- Rivers and streams with over 20 cubic feet per second (cfs) mean annual flow;
- Floodway and contiguous floodplain areas extending 200 feet from the floodway;
- Marine waters;
- Lakes 20 acres or greater in size;
- Shorelands 200 feet landward from the ordinary high water mark (OHWM) of marine waters and jurisdictional rivers, streams, and lakes; and
- Associated wetlands that are hydrologically connected to any of the shorelines described above, located within 200 feet of a jurisdictional waterbody or floodway, or are entirely/partly located within a jurisdictional waterbody's 100-year floodplain.

SUPPORTING GIS DATA

A first step in developing the Preliminary Shoreline Jurisdiction map was to collect and compare existing GIS datasets. GIS datasets from several agencies were reviewed to determine

the most accurate data for the City. GIS datasets used for mapping shoreline jurisdiction are listed below.

Lake data

- Suggested Shoreline Polygons (Ecology 2010)

Stream data

- Suggested Shoreline Arcs (Ecology, 2010)

Wetland data

- National Wetlands Inventory (US Fish and Wildlife Service, 2010)

Flood data

- Preliminary Digital Flood Insurance Rate Map (Federal Emergency Management Agency [FEMA], 2013)

Please note that while the preliminary shoreline jurisdiction shown in the map is built on the best available data, the level of accuracy is limited and may require ground-truthing at the time of development action review. Each map depicting shoreline jurisdiction will therefore include the following disclaimer, derived from Ecology's recommendation:

All features depicted on this map are approximate. They have not been formally delineated or surveyed and are intended for planning purposes only. Additional site-specific evaluation may be needed to confirm/verify information shown on this map.

SHORELINE JURISDICTION

Lakes

The City features a portion (the other portion is located within Grays Harbor County) of an **unnamed waterbody** that appears to exceed the 20-acre size criterion needed for a Shoreline of the State. This waterbody is located to the south of State Route 8. This waterbody was mapped using Ecology's Suggested Shoreline Polygons dataset.

Streams

Ecology GIS data were consulted to verify the upstream limits of stream shoreline jurisdiction based on the US Geological Survey's study (2003)¹ of the 20 cfs cut-off.

Based on this information, the City has shoreline jurisdiction associated with **Mox Chehalis Creek**. The centerline of the creek was mapped using Ecology's Suggested Shoreline Arcs dataset. Although the creek itself is located outside the City, areas of the City within 200 feet of the creek are included as preliminary shoreline jurisdiction. Based on FEMA Preliminary

¹ http://www.ecy.wa.gov/programs/sea/pubs/USGS_reports/WRIR%2096-4208.pdf

Digital Flood Insurance Rate Map (DFIRM) data, near the City Mox Chehalis Creek has associated floodplain, but does not have associated floodway.

Wildcat Creek is not jurisdictional within the City. According to the aforementioned US Geological Survey study of the 20 cfs cut-off, the upstream limits of shoreline jurisdiction for Wildcat Creek are located to the west of the City (.17 mile west of the City for Wildcat Creek, East Fork; .38 mile west of the City for an unnamed tributary to Wildcat Creek, East Fork; and 1.23 miles west of the City for Wildcat Creek, West Fork). The upstream limits of shoreline jurisdiction for Wildcat Creek are shown below in Figure 1.

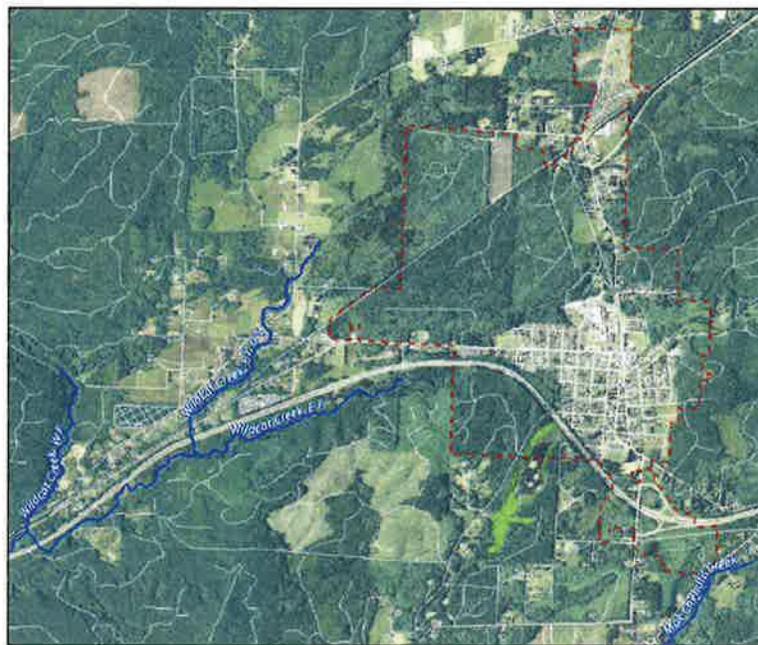


Figure 1: Proximity of upstream limits of shoreline jurisdiction for Wildcat Creek to the City of McCleary. Jurisdictional portions of creeks are shown in blue.

Associated wetlands

Existing wetland data in the National Wetlands Inventory were reviewed to identify any potentially associated wetlands. Ecology guidance states that an entire wetland is associated if any part of it lies within the area 200 feet from the OHWM or floodway of a Shoreline of the State. Further guidance states that wetlands that are hydraulically connected to a Shoreline of the State would also be considered associated, as well as wetlands within the 100-year floodplain. Wetlands that are separated by an obvious topographic break from the shoreline are not associated, provided they are outside the shoreland zone and provided that the break is not an artificial feature such as a berm or road. NWI wetlands surrounding the unnamed waterbody that appear to meet the above criteria were mapped as potentially associated wetland. These wetlands do not extend shoreline jurisdiction beyond the standard 200 feet.

Baun, T.
June 17, 2014
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OPTIONAL SHORELINE JURISDICTION BOUNDARIES

Under the SMA, the City has the option of expanding shoreline jurisdiction to include lands necessary for the entire 100-year floodplain and/or critical area buffers. The legislative intent for sole regulation under an updated SMP includes the caveat that if a local government's SMP does not include "land necessary for buffers for critical areas," then its critical areas ordinance (CAO) will continue to regulate critical areas and floodplain that are partly within the normal SMA jurisdiction and their buffers. The SMP also will apply within shoreline jurisdiction, resulting in dual coverage by both the CAO and SMP.

The City can voluntarily extend shoreline jurisdiction to include critical area buffers and/or floodplain that are beyond the minimum SMA jurisdiction (note that the current preliminary DFIRM data shows the 100-year floodplain as entirely within the minimum shoreline jurisdiction). Extending SMA jurisdiction can reduce regulatory duplication in the future. This is an issue that should be considered by the City. The attached maps currently do not include expanded shoreline jurisdiction to include critical area buffers or floodplain.

Please call if you have any questions.

Sincerely,



Mark Daniel, AICP
Associate Planner

Enclosure:
Preliminary Shoreline Jurisdiction map

City of McCleary

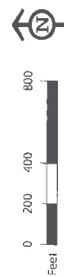
Preliminary Shoreline Jurisdiction



- SMP Stream ¹ECY
- SMP Waterbody ²ECY
- Preliminary Shoreline Jurisdiction ³TWC
- Potentially Associated Wetland ⁴NWI
- 100-year Floodplain ⁵FEMA
- Other Stream ⁶ND
- City Limit ⁶EC

Notes:
 1 Stream centerline from Suggested Shoreline Acs (ECY) 2010.
 2 Boundary of lake from Suggested Shoreline Polygons (ECY) 2010.
 3 Boundaries of shoreline jurisdiction are derived from the SMP Stream and Waterbody depicted on this map.
 4 All wetlands are from NWI data of 2010 and have not been field verified.
 5 Primary DFIRM flood data of 2013 provided by Grays Harbor County.
 6 Data Sources:
 ECY - Washington Department of Ecology
 FEMA - Federal Emergency Management Agency
 GHC - Grays Harbor County
 NHD - USGS National Hydrologic Dataset
 NWI - USFWS National Wetland Inventory
 TWC - The Watershed Company

Print Date: 6/17/2014



All features depicted on this map are preliminary. They have not been formally defined or surveyed and are intended for planning purposes only. Additional site-specific evaluation may be needed to confirm information shown on this map.



STAFF REPORT

To: Mayor Dent
 From: Colin Mercer
 Date: June 3, 2014
 Re: May Building Department

Activities

- Submit copies of permits issued to Grays Harbor County Assessor's Office.
- High Definition Homes has received a permit for 500 E. Huckleberry St.
- 216 E. Cedar, owner has applied for a remodel permit to continue with this project.
- 126 E. Cedar was issued a permit for a new deck.
- 409 W. Oak was issued a side sewer permit.
- 158 N. Summit the VFW was issued a permit to install a new T-Bar ceiling and wall panels.
- 721 W. Simpson the City of McCleary Float Shed was issued a demolition permit and has applied for an ORCAA permit.
- 320 N Summit Rd was issued a side sewer permit.

Nuisance Issues in Progress

- 126 W Simpson awning repairs are due to be complete by the end of May per the owner.
- 211 E Beck vehicle nuisance, owner has made improvements to the property in regards to the junk vehicles.
- 114 S 5th St. we have contacted the title holder of possible structural issues and property clean up issues.
- 349 S 1st St. Wells Fargo has been notified of the overgrown conditions at this property.
- 315 W Simpson, owner has been notified of the overgrown conditions.
- 832 N Summit Road owner has been notified of possible garage demolition with a permit.
- 503 S 3rd St. owner has been notified of the overgrown conditions.
- 412 S 2nd St. overgrown property letter sent to owner.
- 695 N Summit overgrown property letter sent to owner.
- 1487 N Summit overgrown property reported to Compliance Connections.
- 795 N Summit overgrown property reported to Compliance Connections.
- 709 W Simpson overgrown property reported to Compliance Connections.
- 655 W Maple St. owner and tenant have been notified of the overgrown conditions.
- Cedar Heights developer has been notified to eradicate the scotch broom on the undeveloped lots.
- Ten letters were sent out to property owners requesting them to clean up Scotch Broom.

Nuisances Resolved

- 500 W Oak St Address numbers installed
- 349 S 1st St. yard maintenance complete.
- 503 S. 3rd St. yard maintenance complete.
- 114 S 5th St. yard maintenance complete.
- 709 W Simpson yard maintenance complete.
- 412 S 2nd St. vacant lot cleaned up.
- 695 N Summit Rd. yard maintenance complete.
- 655 W Maple front yard maintenance complete.
- 413 S. 3rd St. yard maintenance complete all the way to Main St.

Conservation Program

| Month | Applications Received | Conservation Permits Issued | Rebates Paid This Month | Total Rebates Paid To Date |
|-------|-----------------------|-----------------------------|-------------------------|----------------------------|
| April | 1 | 1 | \$2,276.00 | \$13,461.00 |
| May | 1 | 1 | \$0.00 | \$13,461.00 |

Building Department Activity

| ACTIVITY | MONTHLY TOTALS | YEAR TO DATE TOTALS | ACTIVITY EXPLANATION |
|---------------------------------------|----------------|---------------------|--|
| Customer Service | 49 | 227 | Answer building department related questions in person or by phone, meeting with potential applicants. |
| Building Permits Issued | 8 | 19 | Remodels, new construction & additions, both residential and commercial. |
| Plan Reviews Performed | 3 | 5 | Reviewing plans for building code and municipal code compliance. |
| Inspections Performed | 13 | 72 | Field inspections, writing of corrections or approving work. |
| Finals or Certificates of Occupancies | 1 | 7 | Performing of the final inspection & issuing of certificate of occupancy allowing use of the structure. |
| Complaints Received | 2 | 6 | Investigate and address citizen or staff reported issues, obtain resolution or acceptable compromise. |
| Nuisance Letters Sent | 26 | 30 | Formal notice from the City informing citizens of violations and providing expectation of the City for compliance. |
| Lemay's Garbage Letters Sent | 4 | 20 | Formal notice from City after notification from Lemay that service has been stopped. |
| Building Department Revenue | \$3422.05 | \$4,631.63 | Funds generated by the Building Department from permits, inspections, reviews etc. |

Comments:

Compliance Connections is a free service I have signed up for. It was introduced to me through WACE, the Washington Association of Code Enforcement.

The system allows the code enforcement officer to look up and report violations on a specific property. We receive an email confirmation and a then a follow up with the results of their search for whom the responsible party is for that particular property, they also send notification to that party of the violation and request action.

I will be keeping track of the response we get using this service versus sending letters and doing the research ourselves.

STAFF REPORT

To: Mayor Dent
From: Paul Nott, Light & Power
Date: June 18, 2014
Re: May Report



| | Monthly Statistics; | YTD Totals; |
|---------------------------------|---------------------|-------------|
| New Services; | 0 | 1 |
| System Outages; | 1 | 7 |
| Pole Replacements; | 0 | 8 |
| Maintenance Work Orders; | 2 | 22 |
| Billable Work Orders; | 0 | 1 |

The month of May consisted of one underground fault, two maintenance work orders, a lot of brushing and assisting Public Works with a couple projects in preparation for Bear Festival.

The underground fault occurred on Bonnieview Rd. It is a section of cable that we are starting to have issues with due to age. Once again we were assisted by Mason Co. PUD with the locating of the fault.

This last month we trimmed and or removed numerous customer owned trees that were either in the right of way or a danger to our power lines. We still have more to do.

We assisted the Public Works crew with painting the park kitchen, there was also volunteered assistance from fire department personnel in completing the painting that evening.

We also assisted the Public Works crew with the preparation and finishing of the new slab behind the park kitchen. The old one was damaged and broken so it had to be removed and rebuilt.

The bucket truck lost a hydraulic pump at the beginning of the month and we ordered and replaced the faulty pump.

As always if you have any questions feel free to contact us...

In case of a power outage, please contact:

Light and Power Department 360-495-4533
City Hall 360-495-3667
Dispatch Non-Emergency 360-533-8765

Staff Report

To: Mayor Dent
From: George M. Crumb, Chief of Police
Date: June 20, 2014
RE: For June 25, 2014 Council Meeting

SUMMARY OF POLICE INCIDENTS / ACTIVITIES:

The below listed information are calls or contacts received by McCleary Police Officers either generated by Grays Harbor County dispatch 911 service, citizen reports, call in reports, contacts, or other officer generated incidents.

\$ written in bail amounts for Notice of Infractions and Criminal incidents.

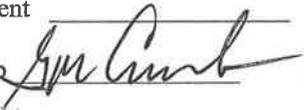
0817 Incident histories reported as of time of this report (062014/1555)(176 since last report)
(Incident History Log will be Available)

| | |
|---|---|
| 00-Speeding stops | 00-Traffic Offense-1/Reckless-0/Hazard-2 |
| 00-DWLS | 00-Found-2/Lost Property Reports |
| 00-Speeding in School Zone | 00-Motorist Assist-2/Citizen Assist-1 |
| 00-Burglary | 00-Theft Reports |
| 00-Fire Response's | 00-Death, report |
| 00-Disorderly Conduct/Obstructing | 00-Juvenile Problems-1/Run-a-way-0/missing-1 |
| 34-Traffic Stop's | 00-Malicious Mischief |
| 00-Harassment | 00-Warrant Arrests-/Search Warrant/Confirm- |
| 00-Weapons Offense | 00-911 Open Line or Hang Up |
| 00-Agency Assist's | 00-Domestic Violence/Verbal Argument-1 |
| 00-Drug Incidents | 00-Citizen dispute-1/Civil-2/Vio Court Order- |
| 00-Animal Complaints | 00-D.U.I. |
| 00-Curfew Violations | 00-Audible Alarm |
| 00-Assault | 00-Subject Stop |
| 00-Welfare Checks | 00-Traffic Accident |
| 00-Trespass (Criminal) | 00-Noise Complaints |
| 00-Suspicious Person/Vehicle/Circumstance | 00-Fraud |
| 00-Police Information | 00-Sex Offense |
| 00-Alcohol Offense | 00-Parking Complaint |
| 00-Suicide Attempt | 00-Vehicle Prowl/Prowler- |
| 00-Insurance violation | 00-No Valid Operator's License (NVOL) |
| 00-Public Works Assist | 00-Police Referral |
| 00-Extra Patrol/Request | 00-Missing Person |
| 00-Vehicle Lockout | 00-Abandon Veh. |
| 00-Sex offender Address Confirmation | |

Discussion: Open:

Council Members Present: ALL.... Mr. Catterlin-Position 1, Mr. Reed-Position 2,
Mr. Peterson-Position 3, Mr. Schiller-Position 4,
Mr. Ator-Position 5.

Mayor Dent: Present / Not Present _____

Officer Reporting: Chief Crumb  _____

STAFF REPORT

To: Mayor Dent

From: Kevin Trewhella, Water & Wastewater manager

Date: June 18, 2014

At the reservoir we have installed new equipment which is tied into the well system for the reservoir level controls. The equipment uses radio telemetry to communicate to the wells. We no longer have to rely on the telephone system to transmit signals from the reservoir to the well. The failures of the telephone lines had caused most of the reservoir overflows in the past.

The Waste Water Treatment plant currently has no operational issues. All equipment is functioning as it should.

STAFF REPORT

To: Mayor Dent
From: Colin Mercer Webmaster
Date: June 2, 2014
Re: May Website

Re-Occurring Website Activities

- Council Agenda/Packet posted online.
- Council Minutes posted online.

New Website Activity

- Create a separate Cemetery Page under public facilities.
- Remove request notice for on-call flaggers.
- Post Council summer meeting schedule.

Additional Tasks

- Completed the updates to the Cemetery Map with head stone photos.
- Prepare and mail out MRSC Small Works Roster notification flyers to all 2014 applicants.
- Research and prepare response to the Office of Financial Management regarding Annexation Ordinances that were never filed with them.
- Continue working on this year's WCIA Audit topic, "Land Use".

Website Comments:

None this month.

Website Traffic **May 1, 2014 through May 31, 2014 (Top visited pages shown only)**

| Section | Page Views | Percent of Total |
|---|------------|------------------|
| Default Home Page | 2428 | 29.27% |
| Municipal Code | 766 | 9.24% |
| Events Calendar | 441 | 5.32% |
| City Jobs | 408 | 4.92% |
| Agendas and Minutes | 379 | 4.57% |
| Utilities | 299 | 3.61% |
| City Departments | 266 | 3.21% |
| Conservation Program | 242 | 2.92% |
| Police | 219 | 2.64% |
| Search Results | 154 | 1.86% |
| Cemetery | 148 | 1.78% |
| Mayor and Council | 144 | 1.74% |
| Public Facilities | 131 | 1.58% |
| Bear Festival | 127 | 1.53% |
| Light & Power | 117 | 1.41% |
| City Forms & Documents | 117 | 1.41% |
| Water / Wastewater | 117 | 1.41% |
| City Photos | 103 | 1.24% |
| Administration | 96 | 1.16% |
| Planning Department | 93 | 1.12% |
| Chamber of Commerce | 86 | 1.04% |
| Fire | 81 | 0.98% |
| Helpful Links | 79 | 0.95% |
| FAQ's Page | 73 | 0.88% |
| Home Page | 59 | 0.71% |
| Development Services / Building | 57 | 0.69% |
| Municipal Court | 54 | 0.65% |
| Article III Theft and Possession of Stolen Property | 52 | 0.63% |
| 2008-14 Budget | 50 | 0.6% |
| Data Page | 43 | 0.52% |
| Bear Festival Photos | 40 | 0.48% |
| Interlocal Agreements | 38 | 0.46% |
| Rate Our Website | 37 | 0.45% |
| Missing Section | 32 | 0.39% |
| Previous Years Council Minutes | 31 | 0.37% |
| Flood Photos 2009 | 29 | 0.35% |
| 65th Anniversary Photos | 28 | 0.34% |
| Tell Us What You Think! | 27 | 0.33% |
| Title 1 General Provisions | 23 | 0.28% |
| Missing Section | 19 | 0.23% |
| Title 5 Business Taxes, Licenses and Regulations | 18 | 0.22% |
| Missing Section | 17 | 0.2% |
| 17.12 Definitions | 17 | 0.2% |
| Article I Definitions | 14 | 0.17% |
| Title 2 Administration and Personnel | 13 | 0.16% |

STAFF REPORT

To: Mayor Dent
From: Todd Baun, Director of Public Works
Date: June 18th, 2014
Re: WWTP Maintenance Contract with APSCO, LLC

We have Moyno pump at the Waste Water Treatment Plant (WWTP). This is the pump that pumps bio solids from the filter press to the disposal dumpster. This pump is vital to the WWTP running correctly. It requires higher maintenance procedures beyond changing the oil in it.

APSCO has the experience and tools to check these pumps and let us know of upcoming problems in the pumps. We can then make arrangements for repairing the pump before the pump completely fails.

This contract proposal is for 5 years, starting in 2014 and fulfilled in 2018. The initial service call will be \$1,750. Annual maintenance thereafter will be \$1,500 per year. Total for this contract will be \$7,750 before sales tax.

Staff Recommendation:

Kevin and I feel that this will be a good investment to protect our Moyno pump and give the pump a longer life span. APSCO is the only company in Western Washington that is certified to repair Moyno pumps.

Action Requested:

Please consider authorizing the City to execute the Contract with APSCO, LLC for maintenance of the pump identified in the contract, not to exceed \$7,750 before sales tax.



APSCO, LLC

PO Box 2639 • Kirkland, WA 98083-2639

Ph: (425)822-3335 • Fax: (425)827-6171

E-mail: apsco@apsco-llc.com

Quote #1332

To:

City of McCleary

Attn: Kevin Trehwella

360-470-9663

Kevint@cityofmccleary.com

Dear Kevin,

From:

APSCO, LLC

P.O. Box 2923

Kirkland, WA 98033

parts@apsco-llc.com

Thank you for your interest in APSCO, LLC. We are pleased to offer the following service agreement for your facility.

This service agreement is for: Moyno Pump Mod# 4E012G3M05 CDQ-X5AAA, SN# AS4922305

Duration of contract will last 5 years, and will be conducted in the winter of each year (January – March). The first service shall be conducted within 30 days of contract award, or at the direction of a representative of the City of McCleary.

1. Inspect and change oil in Speed Reducers / Gearboxes.
2. Inspect pump Stator, looking for signs of wear, damage, or flat spots.
3. Inspect pump Rotor, looking for signs of grooves or lost chrome.
4. Inspect Connecting Rod and Gear Joint Seals for signs of wear or damage.
5. Inspect Coupling components for signs of wear.
6. Inspect stuffing box for signs of leakage or required packing addition.
7. Inspect Bridge Breaker assembly for signs of wear or external leakage.
8. Inspect baseplate, supports, and housings for corrosion or damage.

After inspection is complete, a test run will be conducted to verify proper operation of pump system.

Service agreement includes oil, and applicable gaskets and o-rings. Any additional work required to correct for discovered damage will be quoted as a 'Repair Estimate' for pre-approval, and pricing will reflect a 10% discount on standard labor and parts pricing.

Call outs for any additional service will be quoted separately at the time of request.

Initial Service Call: \$1,750 (Inspection of system, evaluation of any pre-existing service requirements).

Annual Maintenance Thereafter: \$1,500/year - \$7,750 Total.

Sincerely,

Connie Murray parts@apsco-llc.com

STAFF REPORT

To: Mayor Dent
From: Todd Baun, Director of Public Works
Date: June 17, 2014
Re: 2015 STIP / Six Year Street Plan

The Six-Year Transportation Improvement Program (STIP) is an annual process for local jurisdictions to identify their potential future transportation improvement needs. RCWs 35.77.010 & 36.81.121 require that cities update their program annually and file a copy of the adopted program with the Washington State Department of Transportation before July 1st. Completion of this annual update makes the City eligible to apply for State and Federal grants for transportation project funding.

I have attached the 2015 STIP for your review. The 2015 STIP is the same as the 2014 STIP. I just rolled all the projects over from 2014 to 2015.

In the event project ordering is reconsidered during the public hearing, we will adjust the final document to coincide with the recommendation.

Staff Recommendation:

Adopt the 2015 STIP as recommended or adjusted. Please keep in mind that the final STIP must be submitted to the State no later than June 30.

Action Requested:

Using the resolution provided, please consider adopting the STIP as recommended at the Public Hearing.

2015-2021 STIP

| Priority Number | Name | Start and Ending | Description | Lenth in Feet | Estimated Cost |
|-----------------|---------------------------------|------------------------------------|--|---------------|-----------------|
| 1 | S. 3rd Street Phase 1 | Mox Chehalis Rd to East Oak Street | Instersction Improvements, resurface and repair, new curb and gutter, storm, sidewalks, and shared bike land | 1373 | \$ 2,454,700.00 |
| 2 | S. 3rd Street Phase 2 | East Oak Street to Simpson Ave | Resurface and Repair, New Curb and Gutter, storm, planter strip, sidewalk and bike lane. | 1320 | \$ 1,243,000.00 |
| 3 | Main Street Extension | 3rd Street to Main Street | Resurface, widen, New curb and gutter and sidewalk | 264 | \$ 195,000.00 |
| 4 | West Ash Street Phase 1 | N 9th St. to N. 7th St. | Resurface and Repair. | 686 | \$ 137,000.00 |
| 5 | West Ash Street Phase 2 | N. 9th St. to N. 10th St. | Resurface and Repair | 634 | \$ 117,000.00 |
| 6 | Intersection Simpson and Summit | Simpson Ave to Summit Rd | Intersection improvements, new curb and gutter, storm, sidewalks, landscaping, and bike lane | 106 | \$ 1,350,000.00 |
| 7 | Summit Rd. Phase 1 | Simpson Ave to Beck St. | Resurface, widen, new curb and gutter, storm, sidewalk, landscaping and bike lane | 1478 | \$ 1,424,000.00 |
| 8 | Summit Rd. Phase 2 | Beck St. to E. Wildcat Creek | Resurface, widen, new curb and gutter, storm, sidewalk, planter strip and bike lane | 1742 | \$ 1,721,000.00 |
| 9 | Summit Rd. Phase 3 | E. Wildcat Creek to SR 108 | Resurface, widen, new curb and gutter, storm, sidewalk, planter strip and bike lane | 1637 | \$ 1,590,000.00 |
| 10 | Summit Rd. Phase 4 | SR 108 to Bear St. | Resurface, widen, new curb and gutter, storm, sidewalk, planter strip and bike lane | 2218 | \$ 2,145,000.00 |
| 11 | S. 4th St. Phase 1 | Simpson Ave to W. Pine St. | Resurface, widen, new curb and gutter, storm, sidewalk, planter strip and bike lane | 1320 | \$ 1,297,000.00 |
| 12 | S. 4th St. Phase 2 | W. Pine St. to South City Limits | Resurface and Repair | 1531 | \$ 295,000.00 |
| 13 | W. Maple St. | S. 3rd St. to S. 5th St. | Resurface, widen, new curb and gutter, storm, sidewalk, planter strip and bike lane | 898 | \$ 868,000.00 |

| | |
|---------------------------------------|-------------------------|
| Local (City) Funds Needed | \$ 625,000.00 |
| Federal and State Funds Needed | \$ 14,211,700.00 |
| Total Funds Needed | \$ 14,836,700.00 |

Six Year Transportation Improvement Program From 2015 to 2020

Agency: McCleary

County: Grays Harbor

MPO/RTPO: SWW RTPO

N Inside

Y Outside

| Functional Class | Priority Number | A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description | B. STIP ID G. Structure ID | Hearing | Adopted | Amendment | Resolution No. | Improvement Type | Utility Codes | Total Length | Environmental Type | RW Required |
|------------------|-----------------|--|-----------------------------------|----------|----------|-----------|----------------|------------------|---------------|--------------|--------------------|-------------|
| 07 | 1 | / Z141(004) S. 3rd Street Phase 1 Mox Chehalis to Oak Street Intersection improvements, resurface and repair, new curb and gutter, storm, sidewalks and shared bike lane. | WA-05603 | 06/26/13 | 06/26/13 | | 660 | 04 | CG OPS TW | 0.260 | | No |

| Funding | | | | | | | | |
|---------------|-------|-------------------------|-------------------|------------------|-----------------|-------------|-------------|------------------|
| Status | Phase | Phase Start Year (YYYY) | Federal Fund Code | Federal Funds | State Fund Code | State Funds | Local Funds | Total Funds |
| P | CN | 2015 | STP(R) | 2,454,700 | | 0 | 0 | 2,454,700 |
| Totals | | | | 2,454,700 | | 0 | 0 | 2,454,700 |

| Expenditure Schedule | | | | | |
|----------------------|------------------|----------|----------|----------|-----------|
| Phase | 1st | 2nd | 3rd | 4th | 5th & 6th |
| CN | 2,454,700 | 0 | 0 | 0 | 0 |
| Totals | 2,454,700 | 0 | 0 | 0 | 0 |



Six Year Transportation Improvement Program From 2015 to 2020

Agency: McCleary

County: Grays Harbor

MPO/RTPO: SWW RTPO

N Inside

Y Outside

| Functional Class | Priority Number | A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description | B. STIP ID G. Structure ID | Hearing | Adopted | Amendment | Resolution No. | Improvement Type | Utility Codes | Total Length | Environmental Type | RW Required |
|------------------|-----------------|---|-----------------------------------|----------|----------|-----------|----------------|------------------|------------------|--------------|--------------------|-------------|
| 07 | 2 | S. 3rd Street Phase 2 S. 3rd Street Oak St to Simpson Ave Resurface and repair, New curb and gutter, storm, planter strip, sidewalk, and bike lane | WA-05604 | 06/26/13 | 06/26/13 | | 660 | 04 | C G O P S T W | 0.250 | | No |

| Funding | | | | | | | | |
|---------------|-------|-------------------------|-------------------|---------------|-----------------|------------------|---------------|------------------|
| Status | Phase | Phase Start Year (YYYY) | Federal Fund Code | Federal Funds | State Fund Code | State Funds | Local Funds | Total Funds |
| P | PE | 2015 | | 0 | TIB | 61,300 | 63,000 | 124,300 |
| P | CN | 2016 | | 0 | TIB | 1,118,700 | 0 | 1,118,700 |
| Totals | | | | 0 | | 1,180,000 | 63,000 | 1,243,000 |

| Expenditure Schedule | | | | | |
|----------------------|----------------|------------------|----------|----------|-----------|
| Phase | 1st | 2nd | 3rd | 4th | 5th & 6th |
| PE | 124,300 | 0 | 0 | 0 | 0 |
| CN | 0 | 1,118,700 | 0 | 0 | 0 |
| Totals | 124,300 | 1,118,700 | 0 | 0 | 0 |

Six Year Transportation Improvement Program From 2015 to 2020

Agency: McCleary

County: Grays Harbor

MPO/RTPO: SWW RTPO

N Inside

Y Outside

| Functional Class | Priority Number | A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description | B. STIP ID G. Structure ID | Hearing | Adopted | Amendment | Resolution No. | Improvement Type | Utility Codes | Total Length | Environmental Type | RW Required |
|------------------|-----------------|---|-----------------------------------|----------|----------|-----------|----------------|------------------|---------------|--------------|--------------------|-------------|
| 00 | 3 | Main Street Extension Main Street 3rd Street to Main Street Resurface, widen, New curb and gutter and sidewalk | WA-05605 | 06/26/13 | 06/26/13 | | 660 | 04 | O | 0.050 | | No |

Error: Subreport could not be shown.

| Expenditure Schedule | | | | | |
|----------------------|----------|----------|----------|----------|-----------|
| Phase | 1st | 2nd | 3rd | 4th | 5th & 6th |
| | 0 | 0 | 0 | 0 | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 |

Six Year Transportation Improvement Program From 2015 to 2020

Agency: McCleary

County: Grays Harbor

MPO/RTPO: SWW RTPO

N Inside

Y Outside

| Functional Class | Priority Number | A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description | B. STIP ID G. Structure ID | Hearing | Adopted | Amendment | Resolution No. | Improvement Type | Utility Codes | Total Length | Environmental Type | RW Required |
|------------------|-----------------|--|-----------------------------------|----------|----------|-----------|----------------|------------------|---------------|--------------|--------------------|-------------|
| 00 | 4 | West Ash Street Phase 1 West Ash St N 9th St to N 7th St Resurface and repair | WA-05607 | 06/26/13 | 06/26/13 | | 660 | 04 | | 0.130 | | No |

Funding

| Status | Phase | Phase Start Year (YYYY) | Federal Fund Code | Federal Funds | State Fund Code | State Funds | Local Funds | Total Funds |
|---------------|-------|-------------------------|-------------------|---------------|-----------------|----------------|--------------|----------------|
| P | ALL | 2015 | | 0 | TIB | 130,000 | 7,000 | 137,000 |
| Totals | | | | 0 | | 130,000 | 7,000 | 137,000 |

Expenditure Schedule

| Phase | 1st | 2nd | 3rd | 4th | 5th & 6th |
|---------------|----------------|----------|----------|----------|-----------|
| ALL | 137,000 | 0 | 0 | 0 | 0 |
| Totals | 137,000 | 0 | 0 | 0 | 0 |



Six Year Transportation Improvement Program From 2015 to 2020

Agency: McCleary

County: Grays Harbor

MPO/RTPO: SWW RTPO

N Inside

Y Outside

| Functional Class | Priority Number | A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description | B. STIP ID G. Structure ID | Hearing | Adopted | Amendment | Resolution No. | Improvement Type | Utility Codes | Total Length | Environmental Type | RW Required |
|------------------|-----------------|--|-----------------------------------|----------|----------|-----------|----------------|------------------|---------------|--------------|--------------------|-------------|
| 00 | 5 | West Ash Street Phase 2 Ash Street N 9th St. to N 10th St. Resurface and Repair | WA-05608 | 06/26/13 | 06/26/13 | | 660 | 04 | | 0.120 | | No |

| Funding | | | | | | | | |
|---------------|-------|-------------------------|-------------------|---------------|-----------------|----------------|--------------|----------------|
| Status | Phase | Phase Start Year (YYYY) | Federal Fund Code | Federal Funds | State Fund Code | State Funds | Local Funds | Total Funds |
| P | ALL | 2016 | | 0 | TIB | 111,000 | 6,000 | 117,000 |
| Totals | | | | 0 | | 111,000 | 6,000 | 117,000 |

| Expenditure Schedule | | | | | |
|----------------------|----------|----------------|----------|----------|-----------|
| Phase | 1st | 2nd | 3rd | 4th | 5th & 6th |
| ALL | 0 | 117,000 | 0 | 0 | 0 |
| Totals | 0 | 117,000 | 0 | 0 | 0 |

Six Year Transportation Improvement Program From 2015 to 2020

Agency: McCleary

County: Grays Harbor

MPO/RTPO: SWW RTPO

N Inside

Y Outside

| Functional Class | Priority Number | A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description | B. STIP ID G. Structure ID | Hearing | Adopted | Amendment | Resolution No. | Improvement Type | Utility Codes | Total Length | Environmental Type | RW Required |
|------------------|-----------------|--|-----------------------------------|----------|----------|-----------|----------------|------------------|------------------|--------------|--------------------|-------------|
| 06 | 6 | Intersection Simpson and Summit Simpson Ave Simpson Ave to Summit Rd Intersection improvements, new curb and gutter, storm, sidewalk, landscaping, and bike lane. | WA-05610 | 06/26/13 | 06/26/13 | | 660 | 04 | C G O P S T W | 0.020 | | No |

| Funding | | | | | | | | |
|---------------|-------|-------------------------|-------------------|---------------|-----------------|------------------|---------------|------------------|
| Status | Phase | Phase Start Year (YYYY) | Federal Fund Code | Federal Funds | State Fund Code | State Funds | Local Funds | Total Funds |
| P | PE | 2016 | | 0 | TIB | 67,000 | 68,000 | 135,000 |
| P | CN | 2017 | | 0 | TIB | 1,215,000 | 0 | 1,215,000 |
| Totals | | | | 0 | | 1,282,000 | 68,000 | 1,350,000 |

| Expenditure Schedule | | | | | |
|----------------------|----------|----------------|------------------|----------|-----------|
| Phase | 1st | 2nd | 3rd | 4th | 5th & 6th |
| PE | 0 | 135,000 | 0 | 0 | 0 |
| CN | 0 | 0 | 1,215,000 | 0 | 0 |
| Totals | 0 | 135,000 | 1,215,000 | 0 | 0 |

Six Year Transportation Improvement Program From 2015 to 2020

Agency: McCleary

County: Grays Harbor

MPO/RTPO: SWWRTP0

N Inside

Y Outside

| Functional Class | Priority Number | A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description | B. STIP ID G. Structure ID | Hearing | Adopted | Amendment | Resolution No. | Improvement Type | Utility Codes | Total Length | Environmental Type | RW Required |
|------------------|-----------------|---|-----------------------------------|----------|----------|-----------|----------------|------------------|------------------|--------------|--------------------|-------------|
| 06 | 7 | Summit Road Phase 1 Summit Rd Simpson Ave to Beck St Resurface, widen, new curb and gutter, storm, sidewalk, landscaping and bike lane | WA-05611 | 06/26/13 | 06/26/13 | | 660 | 04 | C G O P S T W | 0.280 | | No |

| Funding | | | | | | | | |
|---------------|-------|-------------------------|-------------------|---------------|-----------------|------------------|---------------|------------------|
| Status | Phase | Phase Start Year (YYYY) | Federal Fund Code | Federal Funds | State Fund Code | State Funds | Local Funds | Total Funds |
| P | ALL | 2017 | | 0 | TIB | 1,352,000 | 72,000 | 1,424,000 |
| Totals | | | | 0 | | 1,352,000 | 72,000 | 1,424,000 |

| Expenditure Schedule | | | | | |
|----------------------|----------|----------|------------------|----------|-----------|
| Phase | 1st | 2nd | 3rd | 4th | 5th & 6th |
| ALL | 0 | 0 | 1,424,000 | 0 | 0 |
| Totals | 0 | 0 | 1,424,000 | 0 | 0 |



Six Year Transportation Improvement Program From 2015 to 2020

Agency: McCleary

County: Grays Harbor

MPO/RTPO: SWW RTPO

N Inside

Y Outside

| Functional Class | Priority Number | A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description | B. STIP ID G. Structure ID | Hearing | Adopted | Amendment | Resolution No. | Improvement Type | Utility Codes | Total Length | Environmental Type | RW Required |
|------------------|-----------------|--|-----------------------------------|----------|----------|-----------|----------------|------------------|------------------|--------------|--------------------|-------------|
| 06 | 8 | Summit Road Phase 2 Summit Rd Beck St to E. Wildcat Creek Resurface, widen, new curb and gutter, storm, sidewalk, planter strip, and bike lane. | WA-05612 | 06/26/13 | 06/26/13 | | 660 | 04 | C G O P S T W | 0.330 | | No |

| Funding | | | | | | | | |
|---------------|-------|-------------------------|-------------------|---------------|-----------------|------------------|---------------|------------------|
| Status | Phase | Phase Start Year (YYYY) | Federal Fund Code | Federal Funds | State Fund Code | State Funds | Local Funds | Total Funds |
| P | ALL | 2018 | | 0 | TIB | 1,634,000 | 87,000 | 1,721,000 |
| Totals | | | | 0 | | 1,634,000 | 87,000 | 1,721,000 |

| Expenditure Schedule | | | | | |
|----------------------|----------|----------|----------|------------------|-----------|
| Phase | 1st | 2nd | 3rd | 4th | 5th & 6th |
| ALL | 0 | 0 | 0 | 1,721,000 | 0 |
| Totals | 0 | 0 | 0 | 1,721,000 | 0 |

Six Year Transportation Improvement Program From 2015 to 2020

Agency: McCleary

County: Grays Harbor

MPO/RTPO: SWWRTPO

N Inside

Y Outside

| Functional Class | Priority Number | A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description | B. STIP ID G. Structure ID | Hearing | Adopted | Amendment | Resolution No. | Improvement Type | Utility Codes | Total Length | Environmental Type | RW Required |
|------------------|-----------------|--|-----------------------------------|----------|----------|-----------|----------------|------------------|------------------|--------------|--------------------|-------------|
| 06 | 9 | Summit Road Phase 3 Summit Rd E Wildcat Creek to SR 108 Resurface, widen, new curb and gutter, storm, sidewalk, planter strip, and bike lane. | WA-05613 | 06/26/13 | 06/26/13 | | 660 | 04 | C G O P S T W | 0.310 | | No |

| Funding | | | | | | | | |
|---------------|-------|-------------------------|-------------------|---------------|-----------------|------------------|---------------|------------------|
| Status | Phase | Phase Start Year (YYYY) | Federal Fund Code | Federal Funds | State Fund Code | State Funds | Local Funds | Total Funds |
| P | ALL | 2018 | | 0 | TIB | 1,510,000 | 80,000 | 1,590,000 |
| Totals | | | | 0 | | 1,510,000 | 80,000 | 1,590,000 |

| Expenditure Schedule | | | | | |
|----------------------|----------|----------|----------|------------------|-----------|
| Phase | 1st | 2nd | 3rd | 4th | 5th & 6th |
| ALL | 0 | 0 | 0 | 1,590,000 | 0 |
| Totals | 0 | 0 | 0 | 1,590,000 | 0 |



Six Year Transportation Improvement Program From 2015 to 2020

Agency: McCleary

County: Grays Harbor

MPO/RTPO: SWW RTPO

N Inside

Y Outside

| Functional Class | Priority Number | A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description | B. STIP ID G. Structure ID | Hearing | Adopted | Amendment | Resolution No. | Improvement Type | Utility Codes | Total Length | Environmental Type | RW Required |
|------------------|-----------------|--|-----------------------------------|----------|----------|-----------|----------------|------------------|---------------|--------------|--------------------|-------------|
| 08 | 10 | Summit Road phase 4 Summit Rd SR 108 to Bear SL Resurface, widen, new curb and gutter, storm, sidewalk, planter strip, and bike lane. | WA-05614 | 06/26/13 | 06/26/13 | | 660 | 04 | | 0.420 | | No |

| Funding | | | | | | | | |
|---------------|-------|-------------------------|-------------------|---------------|-----------------|------------------|----------------|------------------|
| Status | Phase | Phase Start Year (YYYY) | Federal Fund Code | Federal Funds | State Fund Code | State Funds | Local Funds | Total Funds |
| P | ALL | 2019 | | 0 | TIB | 2,037,000 | 108,000 | 2,145,000 |
| Totals | | | | 0 | | 2,037,000 | 108,000 | 2,145,000 |

| Expenditure Schedule | | | | | |
|----------------------|----------|----------|----------|----------|------------------|
| Phase | 1st | 2nd | 3rd | 4th | 5th & 6th |
| ALL | 0 | 0 | 0 | 0 | 2,145,000 |
| Totals | 0 | 0 | 0 | 0 | 2,145,000 |

Report Date: June 17, 2014

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Six Year Transportation Improvement Program From 2015 to 2020

Agency: McCleary

County: Grays Harbor

MPO/RTPO: SWW RTPO

N Inside

Y Outside

| Functional Class | Priority Number | A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description | B. STIP ID G. Structure ID | Hearing | Adopted | Amendment | Resolution No. | Improvement Type | Utility Codes | Total Length | Environmental Type | R/W Required |
|------------------|-----------------|--|-----------------------------------|----------|----------|-----------|----------------|------------------|------------------|--------------|--------------------|--------------|
| 00 | 11 | S. 4th Street phase 1 S. 4th St Simpson Ave to W. Pine St Resurface, widen, new curb and gutter, storm, sidewalk, planter strip, and bike lane. | WA-05615 | 06/26/13 | 06/26/13 | | 660 | 04 | C G O P S T W | 0.250 | | No |

| Funding | | | | | | | | |
|---------------|-------|-------------------------|-------------------|---------------|-----------------|------------------|---------------|------------------|
| Status | Phase | Phase Start Year (YYYY) | Federal Fund Code | Federal Funds | State Fund Code | State Funds | Local Funds | Total Funds |
| P | ALL | 2019 | | 0 | TIB | 1,232,000 | 65,000 | 1,297,000 |
| Totals | | | | 0 | | 1,232,000 | 65,000 | 1,297,000 |

| Expenditure Schedule | | | | | |
|----------------------|----------|----------|----------|----------|------------------|
| Phase | 1st | 2nd | 3rd | 4th | 5th & 6th |
| ALL | 0 | 0 | 0 | 0 | 1,297,000 |
| Totals | 0 | 0 | 0 | 0 | 1,297,000 |

Six Year Transportation Improvement Program From 2015 to 2020

Agency: McCleary

County: Grays Harbor

MPO/RTPO: SWW RTPO

N Inside

Y Outside

| Functional Class | Priority Number | A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description | B. STIP ID G. Structure ID | Hearing | Adopted | Amendment | Resolution No. | Improvement Type | Utility Codes | Total Length | Environmental Type | RW Required |
|------------------|-----------------|--|-----------------------------------|----------|----------|-----------|----------------|------------------|---------------|--------------|--------------------|-------------|
| 00 | 12 | S. 4th Street phase 2 S. 4th St W. Pine St to South City Limits Resurface and Repair | WA-05616 | 06/26/13 | 06/26/13 | | 660 | 04 | | 0.290 | | No |

| Funding | | | | | | | | |
|---------------|-------|-------------------------|-------------------|---------------|-----------------|----------------|---------------|----------------|
| Status | Phase | Phase Start Year (YYYY) | Federal Fund Code | Federal Funds | State Fund Code | State Funds | Local Funds | Total Funds |
| P | ALL | 2019 | | 0 | TIB | 280,000 | 15,000 | 295,000 |
| Totals | | | | 0 | | 280,000 | 15,000 | 295,000 |

| Expenditure Schedule | | | | | |
|----------------------|----------|----------|----------|----------|----------------|
| Phase | 1st | 2nd | 3rd | 4th | 5th & 6th |
| ALL | 0 | 0 | 0 | 0 | 295,000 |
| Totals | 0 | 0 | 0 | 0 | 295,000 |

Six Year Transportation Improvement Program From 2015 to 2020

Agency: McCleary

County: Grays Harbor

MPO/RTPO: SWW RTPO

N Inside

Y Outside

| Functional Class | Priority Number | A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description | B. STIP ID G. Structure ID | Hearing | Adopted | Amendment | Resolution No. | Improvement Type | Utility Codes | Total Length | Environmental Type | RW Required |
|------------------|-----------------|---|-----------------------------------|----------|----------|-----------|----------------|------------------|------------------|--------------|--------------------|-------------|
| 00 | 13 | W. Maple Street W. Maple St S. 3rd St to S. 5th St Resurface, widen, new curb and gutter, storm, sidewalk, planter strip, and bike lane. | WA-05617 | 06/26/13 | 06/26/13 | | 660 | 04 | C G O P S T W | 0.170 | | No |

| Funding | | | | | | | | |
|---------------|-------|-------------------------|-------------------|---------------|-----------------|----------------|---------------|----------------|
| Status | Phase | Phase Start Year (YYYY) | Federal Fund Code | Federal Funds | State Fund Code | State Funds | Local Funds | Total Funds |
| P | ALL | 2019 | | 0 | TIB | 824,000 | 44,000 | 868,000 |
| Totals | | | | 0 | | 824,000 | 44,000 | 868,000 |

| Expenditure Schedule | | | | | |
|----------------------|----------|----------|----------|----------|----------------|
| Phase | 1st | 2nd | 3rd | 4th | 5th & 6th |
| ALL | 0 | 0 | 0 | 0 | 868,000 |
| Totals | 0 | 0 | 0 | 0 | 868,000 |

| | Federal Funds | State Funds | Local Funds | Total Funds |
|----------------------------------|------------------|-------------------|----------------|-------------------|
| Grand Totals for McCleary | 2,454,700 | 11,572,000 | 615,000 | 14,641,700 |

STAFF REPORT

To: Mayor Dent
From: Todd Baun, Director of Public Works
Date: June 19th, 2014
Re: WWTP Maintenance Contract with Tenelco Inc.

At our Waste Water Treatment Plant (WWTP), we produce a bio solid that has to be hauled off monthly. The company we used to take our bio solids is no longer taking our bio solids because we do produce enough for them to use. Kevin has done a lot of work to find another location that will take our bio solids. He found a company in Eastern Washington that will take our bio solids.

Tenelco Inc. is the hauling company that will take it to Eastern Washington for us. The cost will be less than \$100 more per trip than we are currently using.

Staff Recommendation:

Kevin and I feel that this is a good and reputable company and this is a service that we need in order to keep our WWTP running correctly.

Action Requested:

Please consider authorizing the City to execute the Contract with Tenelco Inc. for the hauling of our bio solids.

**Services Contract
For the
Transportation and Land Application of Biosolids
And
Other Related Services**

1. Parties. The parties to this contract are City of McCleary (Generator), and Tenelco Inc. (Tenelco), a private corporation registered in the State of Washington (UBI 601 553 220) that provides Biosolids Horticultural Services. Tenelco operates a Beneficial Use Facility, as defined in WAC 173-308-080. Tenelco has the ability to perform land application of biosolids in a lawful manner in appropriate sites, and has obtained all necessary permits to do so.

2. Biosolids Production and Use. The parties acknowledge and agree that:

- The generator produces sewage sludge in the form of Class B biosolids (biosolids) as a by-product of its sanitary sewage treatment processes.
- The generator desires that its biosolids be used beneficially as defined by WAC 173-350-100, i.e. in a manner that does not pose a threat to human health or the environment.

3. Contract to Transport and Apply Biosolids Beneficially. In consideration of the mutual promises and covenants in this contract, and on the terms and conditions of this contract, Tenelco agrees to receive, transport, and perform beneficial land applications of the generators biosolids in compliance with federal, state, and local laws, rules and regulations.

4. Scope of Services. Tenelco will manage and operate the class B land application program for the Generator, including but not limited to compliance requirements with federal, state, and local laws, rules and regulations necessary therefore. All management activities will be coordinated through the following person:

Cathy Tenold-Eldredge
PMB A-28 621 SR 9 NE
Lake Stevens, WA 98258
Phone 425-397-7770
Email: teri_tenelco@aol.com

5. Tenelco's Services. With respect to any Class B biosolids tendered by the Generator to Tenelco, Tenelco shall:

- Take possession of and transport the biosolids to Tenelco facilities or other locations for beneficial use through land application of the biosolids, which may include use thereof on agricultural lands, generally in Eastern Washington as a nutrient based soil amendment or compost ingredient;
- Provide and furnish at Tenelco's cost and expense, all materials, machinery, equipment, tools, superintendence, labor, insurance and other accessories and services necessary to provide the beneficial use services in strict conformance with the conditions and prices stated in this contract;
- Collect and test all necessary soil samples on application sites;
- Provide information to complete all biosolids reports, annual or otherwise, related to the land application as required by any governing agency, including, but not limited to, the State of Washington Department of Ecology (DOE) and the United States Environmental Protection Agency (USEPA);

- Tenelco will maintain in good standing all applicable and necessary permits, licenses and approvals of any federal, state, and local government, including and especially a permit operate a Beneficial Use Facility from the Washington State Department of Ecology;
- Pay all costs for mobilization, demobilization, transportation, and application. This will include all cost associated to fuel, labor, repairs, maintenance, permit fees, insurance and other associated costs.
- Tenelco will transport biosolids in trailers capable of hauling 23-29 wet tons.
- Prior to tender, test the tendered biosolids in accordance with testing procedures that are required by any applicable federal, state, and local law and regulations and provide Tenelco all information required by law or that otherwise necessary for Tenelco to use and manage application of the biosolids in a safe, consistent, and reliable manner. Such information may include test results that show on a dry ton basis, the level of trace metals and pathogens for which testing is required, the percent of solids by weight, and nitrogen content as expressed in terms of total Kjeldahl nitrogen (TKN), ammonium or ammonia and nitrates and nitrites, and a certification that the biosolids meet, at a minimum Class B standards and vector attraction reduction standards as set forth by DOE and USEPA.
- If for any reason the biosolids are tested and do not meet the minimum Class B standards and are deemed unsuitable for beneficial use and are loaded into a Tenelco trailer the Generator will be financially responsible for alternative methods of disposal.

6. Tender of Biosolids. The Generator will regularly tender all of its biosolids that, at the sole discretion of the Generator, are intended for land application as defined in WAC 173-308-080 to Tenelco. The Generator shall not be required to tender any biosolids that are not intended for land application. With respect to any biosolids tendered by the Generator to Tenelco, the Generator shall:

- Dewater the biosolids and properly and evenly load the biosolids into transport vehicles provided by Tenelco. The Generator shall use its best efforts to load the biosolids transport vehicles to maximum capacity. (see compensation section);
- Ensure that, at the time of tender, the tendered biosolids meet federal, state, and local standards that govern biosolids, as they currently exist or are hereafter amended;
- Generator will be responsible for any damages to Tenelco equipment during loading at their cost for repair.

7. Tenelco Warranties. Tenelco warrants and represents that it has sufficient facilities, equipment, and personnel, who are sufficiently trained, skilled, knowledgeable, and experienced to perform all functions that are reasonably necessary to lawfully and effectively transport biosolids, operate a beneficial use facility, and apply biosolids in a beneficial manner. Tenelco warrants that its equipment and facilities are and will be maintained in a safe condition, and that they are and will be fit for the particular purposes for which they are used or operated. Tenelco warrants that its personnel will work in a prudent and workmanlike manner. In addition, Tenelco warrants that it has a permit to operate a Beneficial Use Facility from the Washington State DOE, and that it shall maintain the permit in good standing. In the event Tenelco's permit is suspended or revoked for any reason without having other permitted options available for biosolids application, Tenelco shall notify the Generator within 48 hours of the time of suspension or revocation and the Generator shall have the option of terminating this Agreement immediately.

8. Initial Term and Renewal Term. The initial term of this Agreement shall commence on _____ 2014 through _____ 2016 or job completion. This Agreement shall automatically terminate, without liability to the Generator for breach or default for the termination, and without any recourse, remedy or compensation to Tenelco.

9. Compensation for Services. The Generator shall pay Tenelco \$50.00 and a fuel surcharge per wet ton for each scale ton of biosolids tendered by the Generator to Tenelco that Tenelco receives, transports, and beneficially applies pursuant to the provisions of this contract. In any instance where the Generator loads a transport vehicle with biosolids in excess of its rated maximum weight capacity, then the Generator may remove any excess biosolids, or pay any penalties that arise from the excess loading.

10. Adjustment of Compensation. On an annual basis, the parties may renegotiate the price for services on the basis of changes in the annual CPI for Urban Wage Earners and Clerical Workers. Any adjustments based on the CPI shall occur only in whole cents. In the event the parties cannot reach a mutually agreeable compensation adjustment, either party may, upon 180 day advance written notice to the other, terminate this Agreement without any recourse, remedy or compensation to the parties for the termination. During the 180 day termination period the compensation amounts shall not change.

11. Billing. Tenelco shall provide to the Generator, a billing statement that details the services provided hereunder, including the amount of the Generator's biosolids transported by Tenelco during the billing period, relevant load documentation, and any other information that the Generator may reasonably require. Tenelco shall retain records of billing, costs, and other charges pertaining to the Generators account under this agreement for inspection by representatives of the Generator for a period of three (3) years after final payment. Copies of said records shall be made available upon request.

12. Payment. The Generator shall pay Tenelco the above identified compensation within 30 days after Tenelco provides an invoice for such services to the Generator. Any payment not made when due shall accrue interest at the rate of one (1%) percent per month or the highest rate permitted by applicable law, whichever is less.

13. Taxes. Each party shall be responsible for the payment of all taxes of whatever nature and source; to the extent that each party is responsible of any such taxes pursuant to law.

14. Notices. All notices required under this contract shall be personally delivered or mailed by certified or registered mail, postage prepaid to the following address or to such other address as either party shall specify in written notice so given:

Tenelco Inc.:

Generator:

Tenelco Inc.
Cathy Tenold-Eldredge
PMB A-28
621 SR 9 NE
Lake Stevens, WA 98258
425-397-7770
teri_tenelco@aol.com

15. Safety. Tenelco shall comply with all applicable safety rules and regulations adopted by the United States Department of Labor Occupational Safety and Health Administration (OSHA) or the Industrial Commission of the State of Washington, whichever is more restrictive. The Generator assumes no duty to insure that Tenelco follows the safety rules and regulations.

16. Regulations, Orders and Conditions. Tenelco shall comply with all applicable state, federal, or local laws, regulations, rules, or any other sources of authority, including, but not limited to, court orders, administrative rulings, the regulations in WAC 173-308 and 40 CFR Part 503, the conditions of any applicable beneficial use permit, and so forth.

17. Insurance. Throughout the term of this agreement, Tenelco shall obtain and maintain sufficient levels of liability insurance for bodily injury, death and property damage, and any other insurance that is reasonably necessary to effectuate the purpose of this contract.

18. Assignment. Neither party shall voluntarily assign or otherwise transfer any of its rights, interests or obligations in, to or under this contract without the prior written consent of the other party.

19. Cumulative Rights. The rights and remedies of each party set forth in any provision of this contract are in addition to and do not in any way limit any other rights or remedies afforded to such party by law.

20. Survival. The obligations of the parties under the provisions of this contract that may reasonably be interpreted or construed as surviving the completion, termination or cancellation of this contract shall survive the completion, termination or cancellation of this agreement.

Tenelco Inc.

Dated _____

by: _____
Catherine A Tenold-Eldredge

Dated _____

by: _____

STAFF REPORT

To: Mayor Dent
From: Todd Baun, Director of Public Works
Date: June 19th, 2014
Re: TIB Small City Federal Match Program Application

The Transportation Improvement Board (TIB) has a program that gives small cities matching funds for federally funded projects. Our 3rd Street Improvement Phase 1 design project is a federally funded project and requires the City to have \$36,988 match. I would like to apply with the TIB for the matching funds (\$36,988) on our project. If we receive the funding through the TIB, we can then use our match as a contingency fund for this project or use it wherever needed.

Action Requested:

Please consider authorizing the Mayor to execute sign the application for the TIB Small City Federal Match Program.



Small City Federal Match Program Application for Funding

Agency Name City of McCleary

Federal Project No. STPR-Z141(004) Legislative District 35

Project Name 3rd Street Improvements Phase 1

Length in Miles 0.26 miles Average Daily Traffic _____

Contact Person Todd Baun Phone Number (360) 495-3667

Email Address toddb@cityofmccleary.com

Construction Start Spring 2015 Contract Completion Fall 2015

PROJECT ELIGIBILITY

Check all of the following that apply to your project

- Serves as a logical extension of a county arterial or state highway into the corporate limits
- Serves as a route connecting local generators such as schools, medical facilities, social centers, recreational areas, commercial centers or industrial sites
- Acts as a bypass or truck route to relieve the central core area

APPLICATION ATTACHMENTS

- 8-1/2" x 11" Vicinity Map clearly showing project limits
- Federal Prospectus
- WSDOT Fund Authorization Letter
- WSDOT Local Agency Agreement

PROPOSED IMPROVEMENTS

Briefly describe the project work. Include all components of work (i.e. drainage, landscaping, street lighting)

The required work for this project includes improvements to: 1. intersection of Mox Chehalis Rd/Third St, 2. intersection of Third St/S Main St, 3. reconstruction of Third St with parking, bike lanes, and new stormwater system, 4. new curb, gutter, sidewalk, and driveways to ADA standards, 5. replace water line, 6. extend sewer system, 7. underground McCleary Light and Power lines, 8. street lighting, 9. environmental documentation and permitting, 10. public involvement, 11. right-of-way acquisition, 12. construction management and inspection.

PROJECT BENEFITS

Briefly describe how the project impacts your community.

1. Increases safety for school children walking and bicycling to school by adding sidewalk to the east side of Third St.
2. Improves the ride on Third St by correcting issues caused by existing concrete pavement beneath existing asphalt pavement,
3. Improves sight-distance at two locations for vehicles turning onto Third St,
4. Provides for an upgraded entry to the City of McCleary.

CERTIFICATION

Certification is hereby given that the information provided is accurate and the applicable attachments are complete and included as part of the application package. The signature below must be of an Agency Official with legal authority to sign agency contracts.

Signature of Authorized Agency Official

Date Signed

Donald Gary Dent-Mayor

Printed or Typed Name

STAFF REPORT

To: Mayor Dent
From: Todd Baun, Director of Public Works
Date: June 18th, 2014
Re: 3rd Street Improvement Phase 1 design agreement

After meeting and talking with Gerry Smith, from Skillings Connolly, over the last several weeks, we have come up with cost that I think will work for us. Skillings Connolly has provided estimate and agreement for design and documents for our 3rd Street Improvement project.

With our federal funds we are limited to certain eligible items we can use the money on. On our design project, we can only use the federal money to design the following eligible items: intersection improvements, resurfacing and repair, new curb and gutter, storm lines, sidewalks and a shared bike lane.

The cost of the design of this project was estimated at \$280,000. Of that, federal funding we received for this project is \$237,000. The state will contribute \$5,000. Our matching funds will be \$36,988, which we are applying to TIB for the federal matching fund program.

The cost that Skillings Connolly estimates to design the eligible items is \$283,075.79.

That leaves additional items that should be incorporated in this project. Those items include water line replacement design, sanitary sewer system design, and moving power and communications underground. To design these additional items will cost \$42,101.61. That money breaks down as \$9,123.46 for Water, \$10,871.79 for Sewer and \$22,106 for Light and Power.

The total cost for including the additional items will make this project cost go to \$325,177.40.

We may be able to save some cost from Light and Power by working directly with Elcon Associates to design the underground electrical system.

Staff Recommendation:

I recommend that we design the whole project for \$325,177.40. It doesn't make sense to install a new road, sidewalk and storm improvements over old infrastructure. The old infrastructure is past its useful life and is working on borrowed time.

Action Requested:

Please consider authorizing the Mayor to sign Local Agency Standard Consultant Agreement with Skillings Connolly Inc.

ORDINANCE NO. _____

**AN ORDINANCE EXTENDING THE MORATORIUM
UPON MEDICAL MARIJUANA COLLECTIVE GARDENS
AND DISPENSARIES AND ESTABLISHMENTS
INVOLVED IN THE SALE, MANUFACTURING,
DISTRIBUTION, OR USE OF MARIJUANA IMPOSED
PURSUANT TO THE PROVISIONS OF ORDINANCE
797 AS EXTENDED BY ORDINANCE 799; &
DECLARING AN EMERGENCY.**

1. Through the adoption of Ordinance 797, the City imposed a moratorium upon the growing, processing, and retail sale of marijuana subject to authorization pursuant to the provisions of Initiative 502 and extended the moratorium upon specified activities authorized pursuant to the provisions of the Medical Cannabis Act, Chapter 69.51A RCW.

2. That moratorium was based upon factual findings set forth in the recitals, which are adopted in this ordinance by reference as if fully set forth.

3. As stated in Ordinance 799, moratoria adopted pursuant to the authority of applicable law are methods by which local governments may preserve the status quo so that new plans and regulations will not be rendered moot by intervening development.

4. RCW 69.51A.140 authorizes cities to adopt and enforce health and safety requirements related to cannabis, including medical cannabis, within their jurisdictions.

5. Since the adoption of the ordinances, the Washington State Liquor Control Board has issued its initial set of results as to applicants. While the at-large awardee for the east County has not indicated an intention to seek a location in McCleary, but rather southeast of the City in a rural area, the City continues to be concerned that marijuana-related land uses could become established within the corporate limits contrary to the objectives and goals the Council and Mayor have for the City.

6. The siting and location of facilities growing or dispensing marijuana has been and remains a significant public safety matter. This concern is shown by the Board's rules determining the maximum number of retail outlets that may be licensed in any specific county, and implementation of the requirement that one thousand foot buffers exist between licensed marijuana retailers and any school grounds, playground, recreation center or facility, child care center, public park, library, public transit center, or any game arcade which is open to persons under age twenty-one. The

legitimacy of this concern has been shown even more clearly by the robbery of one of the medical dispensaries established prior to the moratorium.

7. A clarification as to the extent of its authority as to medical dispensaries and collective gardens has been provided by the appellate decision involving regulatory action of the City of Kent. The same clarification as to a City's scope of regulatory authority in relation to activities authorized pursuant to I 502 has been provided through the issuance of an opinion by the State Attorney General.

8. The City Attorney has completed the preparation of a draft regulatory ordinance which would regulate these matters. A draft was provided to the Council and Mayor. It was forwarded to the Hearing Examiner for the holding of a public hearing and preparation of a report, with recommendations, being provided to the Council and Mayor.

Related land use and public safety issues include, but are not limited to, appropriate signage, taxes, licensing, applicable building codes, location restrictions, density, spacing requirements between marijuana-associated uses, appropriate zones for growing, manufacturing and distribution,

and separation from schools and other facilities where children are present.

9. Given these factors, the City desires to insure that its regulation of the covered activities will take into consideration all relevant facts and issues. Since these steps will not be subject to finalization until after receipt of the report from the Hearing Examiner and its review by the elected officials, the City Council finds it necessary and appropriate to extend the moratorium imposed pursuant to existing ordinances an additional six-month period beyond the current period to complete the appropriate analysis and to develop appropriate provisions regulating these activities.

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

SECTION I: Findings Adopted. The statements contained within the prior recitals and the findings set forth in the recitals and other portions of Ordinance 1122 which are hereby incorporated by reference, are hereby adopted as findings by the Council.

SECTION II: Moratorium Extended. The moratorium enacted pursuant to cited ordinances is hereby readopted and

extended to the date set forth in Section III. That moratorium prohibits in the City the establishment, location, operation, licensing, maintenance, or continuance of any medical marijuana collective garden or dispensary, whether for profit or not for profit, asserted to be authorized or actually authorized under the provisions of Chapter 181, Laws of 2011, Chapter 69.51A RCW, Initiative 502, or any other law of this State.

A. No building permit, occupancy permit, or other development permit or approval shall be issued for any of the purposes or activities listed in this section. Further, no business license shall be granted or accepted for such purposes while this moratorium is in effect.

B. Any land use approval, business license or other permit or license for any of these operations that may have been or are issued as a result of error or by use of vague or deceptive descriptions of the covered activity during the moratorium shall be null and void and thus without legal effect.

SECTION III: Effective Date & Term. This Ordinance being found necessary for the immediate preservation and protection of the public health and safety, an emergency shall

be and is hereby found and declared. The ordinance shall take effect immediately upon adoption; PROVIDED THAT, unless extended by further action of the Council, the moratorium extended by this ordinance shall automatically expire six months after the date of its adoption, unless subsequently extended or terminated by the Council.

SECTION IV: 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 V: Corrections by the Clerk-treasurer or Code Reviser. Upon approval of the Mayor and City Attorney, the Clerk-treasurer and the Code Reviser are authorized to make necessary corrections to this ordinance, including the

correction of clerical errors, references to other local, state, or federal laws, codes, rules, or regulations, or ordinance number and section/subsection numbering.

PASSED THIS _____ DAY OF JUNE, 2014, by the City Council of the City of McCleary, and signed in approval therewith this _____ day of June, 2014.

CITY OF McCLEARY:

D. GARY DENT, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

STATE OF WASHINGTON)

: ss.

GRAYS HARBOR COUNTY)

I, WENDY COLLINS, being the duly appointed Clerk-Treasurer of the City of McCleary, do certify that I caused to have published in a newspaper of general circulation in the City of McCleary a true and correct summary of Ordinance Number _____ and that said publication was done in the manner required by law. I further certify that a true and correct copy of the summary of Ordinance Number _____, as it was published, is on file in the appropriate records of the City of McCleary.

WENDY COLLINS

SIGNED AND SWORN to before me this _____ day of

_____, 2014, by WENDY COLLINS.

NOTARY PUBLIC IN AND FOR THE STATE OF

WASHINGTON, Residing at:

My appointment expires:

RESOLUTION NO. _____

A RESOLUTION ADOPTING A SIX-YEAR STREET PLAN FOR THE CITY OF McCLEARY.

R E C I T A L S :

1. The City Council and Mayor have received the recommendations of the Public Works Director in relation to the requirements and programming involved with the six-year street plan. The most recent update was accomplished by the adoption of Resolution 660.

A public hearing requesting input from the citizens was held on June 25 after the provision of appropriate notice.

The Council wishes to formally adopt those recommendations as they have been recommended by the Director subject to retained authority to authorize any modifications and expansions subsequently authorized by the Council as the result of changes in condition.

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

SECTION I: That certain listing of streets and the priorities established thereon, attached hereto as Attachment Number 1 and incorporated by this reference, shall be and is hereby adopted as the Six-Year Street Plan for the City of McCleary, as that plan is required and designated by the appropriate divisions and agencies of the State of Washington, including but not limited to the Department of Transportation. This plan shall remain in effect until subsequently amended or succeeded.

SECTION II: The provisions of Resolution 660 shall be deemed superseded by the adoption of this resolution.

SECTION III: The Clerk-Treasurer and the Director of Public Works shall provide such distribution of this Resolution as may be required by law or is found to be in the City's best interests from time-to-time.

PASSED THIS _____ DAY OF _____, 2013, by the City Council of the City of McCleary, and signed in authentication thereof this _____ day of _____, 2013.

CITY OF McCLEARY:

D. GARY DENT, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney