



McCleary City Council

AGENDA

May 14, 2014

7:00 City Council Meeting

Flag Salute
Roll Call
Public Hearings:
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: Mobile Food Units – Location (Tab E)
Ordinance 758 Discussion (Tab F)

New Business: Fireworks Permit (Tab G)
WA St. Dept. of Enterprise Svc. Master Contract Usage Agreement (Tab H)
Espresso Stand Alternative Methods Approval (Tab I)
Private Storm System Inspection (Tab J)

Ordinances:

Resolutions: LGIP Resolution (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

CITY OF MCCLEARY
Regular City Council Meeting
Wednesday, April 23, 2014

ROLL CALL AND FLAG SALUTE Councilmember's Schiller, Reed, Ator, Catterlin and Peterson.

ABSENT Mayor Dent was not in attendance. Mayor Pro Tem Ator Chaired the meeting.

STAFF PRESENT Present at the meeting were Todd Baun, Wendy Collins, George Crumb and Dan Glenn

PUBLIC COMMENT None.

MAYOR'S COMMENTS None.

MINUTES APPROVED **It was moved by Councilmember Catterlin, seconded by Councilmember Reed to approve the minutes from the April 9, 2014 meeting. Motion Carried 4-0.**

DIRECTOR OF PUBLIC WORKS REPORT
REPORT

Todd Baun thanked and recognized the Public Works and Light and Power crews for doing a great job during the power outage and the city-wide clean-up. He really appreciates their hard work.

Todd addressed the shoreline master plan. The City of Elma has the same company we are negotiating with. We may be getting close to a resolution on the contract. Dan Glenn stated that an issue with the contract is from the people who represent the watershed adding a clause allowing them to terminate the contract at any time. Dan is working with Elma on a mutual agreement so they can move forward and will use the same language for McCleary.

It was moved by Councilmember Peterson, seconded by Councilmember Reed to accept the Shoreline Master Plan. Motion Carried 4-0.

CITY ATTORNEY REPORT

Dan Glenn presented the summer schedule draft to the Council for discussion and possible approval. As in the past, the summer schedule cancels the first meeting for the months of June, July and August. Mr. Glenn also suggested canceling the November 26, 2014 meeting because it falls the day before Thanksgiving.

It was moved by Councilmember Catterlin, seconded by Councilmember Reed to accept the summer schedule, canceling the first meeting for the months of June, July and August, and the 2nd meeting in November. Motion Carried 4-0.

RECREATIONAL/MEDICAL MARIJUANA SALES

The Council discussed the fact that even though they have a moratorium on marijuana sales, a vendor can still open a shop in McCleary and the City would have to sue them to try to stop it. Dan Glenn reported that some cities have forbidden them and others have chosen to allow them but added a large 25% sales tax on their businesses. He said Oakville has two marijuana establishments and they have proven to be problematic and one was recently robbed. Mr. Glenn suggested the Council consider prohibiting sales altogether. Councilmember Catterlin stated his concerns about potential litigation costs for the City. The City of Rainier is prohibiting both medical and recreational sales. Dan Glenn is in support of complete prohibition and could prepare an ordinance and schedule a public hearing to address both types of sales.

It was moved by Councilmember Catterlin, seconded by Councilmember Peterson to move forward with scheduling the Hearing Examiner in regards to prohibiting both recreational and medical marijuana sales. Motion Carried 4-0.

IPI SEWER INSPECTION

It was moved by Councilmember Catterlin, seconded by Councilmember Reed to authorize the contract for sewer inspection of our current system for a lump sum of \$40,000; with \$30,000 of the cost to come out of our Sewer Capital Outlay system budget, and the other \$10,000 to come from the General Sewer Plan budget for Gray & Osborne. Motion Carried 4-0.

RESOLUTION NO. 669, REPEAL
RESOLUTION 410B, BANKING
AUTHORITY

The City's bank is Sterling Bank and they recently sold to Umpqua Bank. The Clerk-Treasurer and the Mayor would like to update the signatory rights so a signature is required by an elected official and an appointed official, which will help keep strong internal controls. Both Mayor and Mayor Pro Tem will be included along with the Clerk-Treasurer and Deputy Clerk Treasurer. **It was moved by Councilmember Peterson, seconded by Councilmember Reed to adopt Resolution No. 669, relating to banking authority; repealing resolution 410B, and providing an effective date. Resolution Adopted 4-0.**

FLOAT SHED DEMOLITION

Todd Baun received four bids for the demolition and removal of the float shed. The low bid was from Brumfield Construction with KD&S. **It was moved by Councilmember Catterlin, seconded by Councilmember Schiller to award Brumfield Construction the demolition of the float shed, with KD&S Environmental providing the asbestos abatement for a total cost of \$19,045.41, including tax. Motion Carried 4-0.**

3RD STREET IMPROVEMENT
PHASE I DESIGN

The City reviewed presentations and conducted interviews of four engineering firms to complete our 3rd Street Improvements Phase I Design. Based on the scoring criteria, it was agreed that Skillings Connolly had the best professional and technical expertise to accomplish the job. **It was moved by Councilmember Peterson, seconded by Councilmember Reed to authorize the City to move forward with negotiations with Skillings Connolly to the next steps of the process. Motion Carried 4-0.**

APPROVAL OF VOUCHERS

Accounts Payable vouchers/checks approved were 37894 - 37951 including EFT's in the amount of \$165,320.83.

Payroll checks approved were 37607 - 37687 including EFT's in the amount of \$147,944.53.

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

PUBLIC COMMENT

Councilmember Peterson commented about an animal complaint he is aware of. Someone gathered some goats and chickens and added them to the location that the emu resides. He wanted to know what the status is of the animal control situation. Dan Glenn said a draft resolution was prepared but has not been acted upon.

Councilmember Schiller requested to go into executive session for ten minutes but did not have the RCW that applies to the request. He wants to discuss issues of the executive of the City. Dan Glenn searched unsuccessfully to locate the appropriate RCW. Councilmember Schiller agreed to wait for another meeting to make his request.

Councilmember Catterlin reported the Finance Committee and department heads met with the Grays Harbor County Sheriff in regards to contracting police services in the event the levy fails. Mr. Catterlin said he is not here to pick sides and just wants to provide the people with good information so they can make an informative vote that is not based on fear. Joy Iverson would like to see the police levy meetings held in a bigger location such as the VFW or the Community Center to accommodate more attendees.

EXECUTIVE SESSION

None.

MEETING ADJOURNED

It was moved by Councilmember Peterson, seconded by Councilmember Reed to adjourn the meeting at 7:46 PM. The next meeting is scheduled for May 14, 2014 at 7:00 PM. Motion Carried 4-0.

CITY OF MCCLEARY
SPECIAL City Council Meeting
Wednesday, May 7, 2014

ROLL CALL AND FLAG SALUTE Councilmember's Schiller, Reed, Ator, Catterlin and Peterson.

ABSENT None.

STAFF PRESENT Present at the meeting were Wendy Collins, George Crumb, Dan Glenn, and John Graham.

PUBLIC COMMENT None.

PROPOSTION DISCUSSION Dan Glenn opened the meeting by stating during the last budget season there was a shortage for police revenue. The City is entertaining a \$170,000 proposition that will help the police department survive. There are many factors that complicate the issue. The fact that we are part of the Timberland Regional Library District is a factor and also RCW 84.50.55 makes it difficult, along with other things. A levy lift is limited because it's capped, which will produce approximately \$60,000. Then we had to look at an excess levy approach to try to collect another \$110,000. Because of the required two steps, the City will list these as separate propositions on the August 2014 ballot.

Proposition #1 is for an Excess Levy for \$110,000 and will be for one year only and 60% of voter approval is required to pass.

Proposition #2 is for a Levy Lift for \$60,000 and will last for six years. 50% of voter approval is required to pass.

Mayor Dent said we do not know when Halo Steel will come in but he is 99.9 % sure they will be coming. It will make McCleary a very wealthy town when they come in. There are also discussions with the Sheriff's office about contracting but he is not ready to consider that. The Mayor also added that two other things could impact the police fund; the police cars will be paid off in 2015 and Garth Jones caretakers situation can change at any time. He has made it clear, he wants to keep the City's police department. His biggest concern is response time from the County when a 911 call is made.

Councilmember Schiller asked if the Timberland Library tax is set or will it affect what we receive. Dan Glenn responded the library tax amount stays the same. Councilmember Schiller asked what the Mayor's contingency plan is if the levy doesn't pass. Mayor Dent said at this point, we are holding on. He is looking forward to the police cars being paid off and he is looking at other recourses. Councilmember Schiller commented that it sounds like the Mayor really doesn't have a contingency plan. Mayor Dent said he would not say that but he is not prepared to comment on that.

Jeff Catterlin pointed out to the audience what the levy requests mean to the voters. He said Proposition A would increase taxes \$114 on a \$100,000 home for one year. Proposition B would increase \$105 on \$100,000 for six years. The total for both props is \$219 on a \$100,000 home for the first year. The amount would double on a \$200,000 home. He said these are the real-life numbers people need to consider.

Joy Iverson asked if the money can only go to the police department. Dan Glenn said the excess levy is statutorily mandated to go to the police department and the levy lift is not statutorily mandated to go to the police department.

Mayor Dent said the Sheriff's department would not take on our LEOFF1 debt. Councilmember Schiller asked what the current police budget is now. Councilmember Catterlin said there is \$533,820. If both parts of the levies pass, the police budget next year would be \$640,820 for 2015 and \$531,820 for the subsequent 5 years after that. Mayor Dent said in salary comparisons, the light and power has 4 full-time employees who receive salaries with fringe benefits between \$130,000 to \$140,000 per year. Councilmember Schiller asked why the Mayor is picking on one department over the others. George Crumb said the focus is on the police department. Councilmember Schiller said we should look at all departments, not just one. Dan Glenn said Wendy Collins is in the position, to get this on the ballot for August and needs to get this resolution to the County by Friday, so we need to make a decision tonight.

It was moved by Councilmember Ator, seconded by Councilmember Reed to adopt Resolution 670 directing submission to the voters of the City of McCleary of propositions to be voted on the 5th day of August 2014, to authorize funds for the purpose of more adequately funding the police department. Roll Call taken in the affirmative. Resolution Adopted 5-0.

PUBLIC COMMENT None.

MEETING ADJOURNED **It was moved by Councilmember Ator, seconded by Councilmember Peterson to adjourn the meeting at 7:24 PM. The next meeting will be May 14, 2014 at 7:00 PM. Motion Carried 5-0.**

Tab B

MEMORANDUM

TO: MAYOR AND CITY COUNCIL, City of McCleary
FROM: DANIEL O. GLENN, City Attorney
DATE: May 9, 2014
RE: LEGAL ACTIVITIES as of MAY 14, 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. **LOCAL GOVERNMENT INVESTMENT POOL RESOLUTION:** This pool is a fund run by the State Treasurer's Office and into which municipal corporations can invest funds. Our City does with the Honorable Clerk-treasurer Ms. Collins having far more knowledge than I as to the extent to which we use it rather than the local bank.

Late last month, she received a notification from the management of the LGIP that they are requiring the cities to adopt updated resolutions authorizing the investment and associated matters. Thus, I have prepared a resolution which would confirm that authorization and provided the draft to Ms. Collins. However, one of the provisions they require is the statement that "the governing body acknowledges that it has received, read, and understood the prospectus as provided by the Office of the State Treasurer." Thus, my suggestion to Ms. Collins was that she download that document and provide it to you for your review which she has done. It is an exciting document and can be used in place of a sleep aid although it is only ten pages long. However, the representation is there for a reason.

To allow a reasonable time for you to do so, since the certified copy does not need to be filed with the State Treasurer until June 30, I have recommended the resolution be placed on the agenda for action at the next meeting since one does not want to make knowingly a representation which is incorrect.

MEMORANDUM - 1

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

2. Cannabis Prohibition: Pursuant to the discussion of last week, I am completing an ordinance which would prohibit both the activities authorized under I 502 and under the Medical Marijuana statute. I will provide it to you for your review. I am seeking to keep it very short and very clear. It will be provided early next week."

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: May 9, 2014
Re: Current Non-Agenda Activity

3rd Street Improvements Phase I

I'm still awaiting a scope of work and budget from Skillings Connolly.

Float Shed Demo

The asbestos abatement is scheduled for the week of May 19th. Brumfield Construction will be in the following week to remove the building and slab.

Critical Area Ordinance (CAO)

We have received many comments back from State agencies that reviewed our draft. I will be working with Dan to get a solution for this update.

Public Works Crew New Maintenance Crew Foreman

You will notice a new face working with the Public Works Crew. The City hired Steven Reedy as the new Maintenance Crew Foreman. He brings many years of experience in all aspects of public works construction. He has been a foreman/supervisor for over 30 years on a variety of projects. I believe that he is a great addition to the crew and would like to welcome him to the City of McCleary.

STAFF REPORT

To: Mayor Dent
From: Colin Mercer
Date: May 2, 2014
Re: April Building Department

Activities

- Submit copies of permits issued to Grays Harbor County Assessor's Office.
- High Definition Homes has submitted an application to construct a Single Family Home on Lot 77 in Summit Place II and has mentioned they plan to submit 2 more this month.
- Cedar Heights – Discussed building permit requirements with Dragt Development .
- The Beehive has poured the concrete slab.
- Evergreen Christian Church has completed the corrections and was given final approval for the egress stairs and landings.
- High Definition Homes has received Final Inspections on both new houses on E. Huckleberry Ct. in Summit Place II and received Certificates of Occupancy on both.
- Lexar Homes has received a final inspection and Certificate of Occupancy for 1573 N. 5th Street.
- Three properties have installed address numbers after receive notice from the Building Department.

Nuisance Issues in Progress

- 126 W Simpson owners have talked with the City about the required repairs and will be addressing those shortly.
- 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.

Nuisances Resolved

- Vehicle nuisance at 315 Mommsen has now been removed.

Conservation Program

Month	Applications Received	Conservation Permits Issued	Rebates Paid This Month	Total Rebates Paid To Date
March	3	3	\$3,070.00	\$11,185.00
April	1	1	\$2,276.00	\$13,461.00

Building Department Activity

ACTIVITY	MONTHLY TOTALS	YEAR TO DATE TOTALS	ACTIVITY EXPLANATION
Customer Service	40	178	Answer building department related questions in person or by phone, meeting with potential applicants.
Building Permits Issued	0	11	Remodels, new construction & additions, both residential and commercial.
Plan Reviews Performed	0	2	Reviewing plans for building code and municipal code compliance.
Inspections Performed	6	59	Field inspections, writing of corrections or approving work.
Finals or Certificates of Occupancies	4	6	Performing of the final inspection & issuing of certificate of occupancy allowing use of the structure.
Complaints Received	1	4	Investigate and address citizen or staff reported issues, obtain resolution or acceptable compromise.
Nuisance Letters Sent	0	4	Formal notice from the City informing citizens of violations and providing expectation of the City for compliance.
Lemay's Garbage Letters Sent	0	16	Formal notice from City after notification from Lemay that service has been stopped.
Building Department Revenue	\$118.00	\$1,209.58	Funds generated by the Building Department from permits, inspections, reviews etc.

Comments:

Olympic Christian Center has applied this year again for the fireworks stand to be placed on the City Right-of-Way next to Beerbower Park.

The Mobile Food Truck operator has contacted the building department about setting up in Beerbower Park, we have asked them to put their request in writing to submit to council for a decision.

STAFF REPORT

To: Mayor Dent
From: Paul Nott, Light & Power
Date: May 8, 2014
Re: April Report



	Monthly Statistics;	YTD Totals;
New Services;	1	1
System Outages;	1	6
Pole Replacements;	5	8
Maintenance Work Orders;	5	20
Billable Work Orders;	0	1

The month of April consisted of one (scheduled) outage, five pole replacements and five maintenance work orders.

The scheduled outage went as planned. We were re-energized at 7:00 am which was an hour earlier than scheduled. The repairs to the substation transformer are complete and the transformer is holding pressure normally. This is great news, not only do we not have to worry about moisture getting into the tank, but, we also have eliminated a \$1,000.00 per month cost purchasing nitrogen to keep the transformer under pressure. The crew performed outstanding completing the amount of work in under the specified amount of time. Also, thank you, to the public works crew for their assistance.

During the most recent weeks, we have been transferring the distribution and continuing on rebuilding Simpson Ave. in preparation to cut over that area to the 12KV substation. Once this work is complete we will return to the work on Mommsen and the 12 KV conversions on the East side of town.

Next week we will be assisting water/wastewater dept. with the installation of the radio float equipment at the reservoir and then returning to our cut over project.

As always we will also be cutting brush in numerous areas. Even though the brush cutting is not necessarily the most enjoyable job that we perform, it has proven to reduce outages for our customers.

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: May 9, 2014
RE: For May 14, 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.

\$674 written in bail amounts for Notice of Infractions and Criminal incidents.

0576 Incident histories reported as of time of this report (050914/1108) since new year.

01-Speeding	05-Traffic Offense-5/Reckless/Hazard-1
00-DWLS	01-Found-1/Lost Property Reports
00-Speeding in School Zone	09-Motorist Assist-1/Citizen Assist-8
01-Burglary	01-Theft Reports
17-Fire Response's	00-Death, report
04-Disorderly Conduct/Obstructing	00-Juvenile Problems-1/Run-a-way-0/missing-1
16-Traffic Stop's	01-Malicious Mischief
01-Harassment	05-Warrant Arrests-3/Search Warrant/Confirm-2
00-Weapons Offense	07-911 Open Line or Hang Up
31-Agency Assist's	00-Domestic Violence/Verbal Argument-1
02-Drug Incidents	03-Citizen dispute-1/Civil-2/Vio Court Order-
05-Animal Complaints	02-D.U.I.
00-Curfew Violations	02-Audible Alarm
	02-Subject Stop
03-Welfare Checks	04-Traffic Accident
01-Trespass (Criminal)	01-Noise Complaints
13-Suspicious Person/Vehicle/Circumstance	01-Fraud
06-Police Information	00-Sex Offense
00-Alcohol Offense	02-Parking Complaint
01-Suicide Attempt	08-Vehicle Prowl/Prowler-1
00-Insurance violation	00-No Valid Operator's License (NVOL)
00-Public Works Assist	02-Police Referral
01-Extra Patrol/Request	01-Missing Person
01-Vehicle Lockout	01-Abandon Veh.

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: May 8, 2014

Currently at the Waste Water Treatment Plant we have been able to complete concrete pad so that we have room for the large 30 yard, roll-off dumpsters that are used for hauling out our thickened Bio-Solids. The Public Works department will also be able to use the pad that was poured.

Up at the reservoir we have had concrete poured in preparation for setting up telemetry for the reservoir level controls.

We are coming up on 1 year of operation of the New Water Treatment Plant. At the startup of the plant we had some frustration with the hoses in the chemical pumps. The issue with the chemical pumps is resolved and the treatment facility runs excellently

This May already is about to reach the record books for one of the wettest May's and we are not yet half way through it. Because of all the I & I problems we have in this city we high flows can be anywhere from t to 6 times higher than dry weather flows coming into the WWTP.

STAFF REPORT

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

Re-Occurring Website Activities

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

New Website Activity

- The new Email Notification option has had several people sign up to be notified via email, we have not sent out any notices yet.
- Remove the Maintenance Crew Foreman Position from the Website.
- Remove Power Outage notifications from all pages.
- Post Police Levy Special Council Meeting.
- Post Light & Power Seasonal Laborer position.
- Post notice about server change out and no payments accepted at City Hall for those days.
- Post Food Bank date change from May 26th to the 19th due to Memorial Day.

Additional Tasks

- Updates to the Cemetery Map with head stone photos for easier identification and locating by family members.
- Research to find a new Help Desk system to replace the MRSC.

Website Comments:

Since implementing the Email notification sign up form on the City website, we have had seven people sign up to be notified via email if the City has pertinent information to get out to the public.

Notifications sent this month:

- Council Agenda - 2
- Hydrant Flushing - 1
- Power Outages - 0
- Special Events - 0

I would like to make our Cemetery map and name register more user friendly for the public by creating a separate Cemetery page on the website and providing an interactive map along with the name log of the people buried in our Cemetery for family and friends to locate online. This will be a fill in project as time allows.

Website Traffic April 1, 2014 through April 30, 2014 (Top visited pages shown only)

Section	Page Views	Percent of Total
Default Home Page	2850	25.14%
Events Calendar	1852	16.33%
Home Page	1207	10.65%
City Jobs	611	5.39%
Agendas and Minutes	437	3.85%
Conservation Program	352	3.1%
Utilities	268	2.36%
City Departments	253	2.23%
Light & Power	182	1.61%
Search Results	166	1.46%
Mayor and Council	155	1.37%
Police	147	1.3%
Public Facilities	138	1.22%
Municipal Code	131	1.16%
Administration	131	1.16%
City Forms & Documents	130	1.15%
Bear Festival	117	1.03%
Planning Department	95	0.84%
City Photos	93	0.82%
Water / Wastewater	92	0.81%
Development Services / Building	82	0.72%
Data Page	77	0.68%
Chamber of Commerce	77	0.68%
Fire	75	0.66%
FAQ's Page	69	0.61%
Helpful Links	66	0.58%
2008-14 Budget	51	0.45%
Municipal Court	51	0.45%
Interlocal Agreements	47	0.41%
Code, Ordinances & Standards	44	0.39%
Tell Us What You Think!	38	0.34%
Bear Festival Photos	36	0.32%
Flood Photos 2009	29	0.26%
Park Project Photos	28	0.25%
65th Anniversary Photos	27	0.24%
Previous Years Council Minutes	25	0.22%

STAFF REPORT

To: Mayor Dent
From: Todd Baun- Director of Public Works
Date: May 8, 2014
Re: Mobile Food Units-Location

The City has been approached by a mobile food vendor for permission to set up their operations on city property. They are requesting set up in the area of the park restrooms.

This issue of mobile food vendors has been discussed in council the past couple of months, but nothing has been approved as to handle mobile food vendors.

Action Requested:

Please discuss and give direction on how to handle the request for setting up on City property or Right of Way.

STAFF REPORT

To: Mayor Dent
From: Todd Baun- Director of Public Works
Date: May 8, 2014
Re: Ordinance 758 Discussion

The Washington State Office of Financial Management (OFM) was conducting a review of the boundaries of the City of McCleary. There is a small issue that needs to be taken care of.

In April of 2009 the Council approved an Ordinance to annex City owned land on the East Mox Chehalis Rd. Since the Ordinance was passed, nothing else was done.

I believe the next step in the process would be taking this proposed annexation to Grays Harbor County for review/approval. Then if approved by the county, we would file the annexation with OFM as required by law.

Action Requested:

Please discuss and let me know what avenue you would like to take.

ORDINANCE NO. 758

AN ORDINANCE ANNEXING CERTAIN LANDS HELD BY THE CITY OF McCLEARY FOR MUNICIPAL PURPOSES; PROVIDING FOR NOTIFICATION; AND SETTING AN EFFECTIVE DATE.

R E C I T A L S :

1. The City is organized pursuant to the provisions of RCW 35A.

2. RCW 35A.14.300 authorizes the City to annex lands owned by it for municipal purposes. The exercise of that authority requires the adoption of an ordinance by a majority vote of the City Council.

3. The City desires to exercise that authority in relation to a property it owns for municipal purposes, specifically a potential site for material storage or for other municipal purposes.

4. The exercise of this authority as related to the properties in question is found to be in the interests of the citizens of the City.

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

ORDINANCE - 1
4/22/2009
DG/1a

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

SECTION I: Being within the category of properties described in RCW 35A.14.300, specifically the storage of city owned materials, that certain property situate in the County of Grays Harbor, State of Washington, described as follows shall be and is hereby annexed to the City of McCleary:

Grays Harbor County Tax Parcel Number 180524210050.

SECTION II: The Clerk-treasurer shall give notice of this annexation to such governmental agencies as may be appropriate, including the Assessor of the County of Grays Harbor and the Office of Financial Management of the State of Washington.

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

ORDINANCE - 2
4/22/2009
DG/1e

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

SYNOPSIS OF ORDINANCE NO. 758

AN ORDINANCE ANNEXING CERTAIN LANDS HELD BY THE CITY OF McCLEARY FOR MUNICIPAL PURPOSES; PROVIDING FOR NOTIFICATION; AND SETTING AN EFFECTIVE DATE.

On the 22nd day of April, 2009, the City Council of the City of McCleary adopted Ordinance Number 758. The intent and purpose of the Ordinance was to annex certain municipally owned lands, formerly used as a gravel pit by the State. The parcel is described by the County Treasurer through the assignment of Tax Parcel Number 180524210050.

A complete copy of this Ordinance is available during regular business hours at the Office of the Clerk-Treasurer, City Hall, McCleary, Washington. The Ordinance will be made available for review without cost; a copy will be provided upon request without cost if such request is timely made. This Synopsis is published pursuant to the laws of the State of Washington.

DATED this 22nd day of April, 2009.



DONNIE ROSTEDT, Clerk-Treasurer

STAFF REPORT

To: Mayor Dent
From: Todd Baun- Director of Public Works
Date: May 8, 2014
Re: Firework Stand Permit

The Olympic Christian Center has applied for a fireworks stand permit and building permit as they have done for the last few years. Historically, the approval decision has been the City Council's as it relates to the sale of merchandise within the public right-of-way in conjunction with the Building Official's review for fire and safety inspections.

They are also asking permission to set up in the same area that they have set up the past several years.

In accordance with RCW 70.77.395, it is legal to sell fireworks from June 28 through July 5.

Action Requested:

Authorize the City to issue a fireworks stand permit allowing the sale of fireworks in accordance with RCW 70.77.395.

Authorize the set up of their stand in the parking lot along Summit Rd.



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



03-18-14 11:10 RCVD

APPLICATION
FOR RETAIL FIREWORKS STAND PERMIT

TO	Governing body of city, town, or county in which fireworks stand will be located.	DATE OF APPLICATION	3-18-2014
Applicant Name		Address, City, State	
Olympic Christian Center		P.O. Box 5 McCleary WA 98557	
Sponsor (If other than applicant)		Address, City, State	
Location of proposed fireworks stand [Enclose drawing of stand location]			
Beerbower Park / Parking lot			
Manner and place of storage prior, during, and after sales dates			
Prior: 7523 Chinook St NE, During: In Stand. After: Same as Prior			
State-Licensed Fireworks Supplier			
Thunder Fireworks			

FIREWORKS STAND PERMIT

For the Fireworks Sales Year of: 2014
(Must be conspicuously displayed at all times while the stand is open to the public)

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

Sales for July 4 th		Sales for December 31 st	
From:	<u>JUNE 28TH, 2014</u>	From:	<u>X</u>
To:	<u>JULY 5TH, 2014</u>	To:	<u>X</u>

Sponsor OLYMPIC CHRISTIAN CENTER

Location BEERBOWER PARK RIGHT OF WAY

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

Title ACTING BUILDING OFFICER Agency CITY OF MCCLEARY

Date _____ Permit Number 2014.021.FW001

Licensee Name OLYMPIC CHRISTIAN CENTER License Number WSPFL-00660

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

16077

Fireworks Stand License

Washington State Fireworks License

License is Non-Transferable and Valid for Only One Stand

Licensee Information

Olympic Christian Center
7523 Chinook Street Northeast
Olympia, WA 98516

License Number: WSPFL-00660



State Fire Marshal Signature
Detach this wallet card and carry with you for
verification of certification.

Stand Information

Contact Person: Norm Orffler
Phone Number: (360) 481-7000
County: Grays Harbor
Stand Number: SN-08502

Date of Expiration Date of Issue
January 31, 2015 March 6, 2014

Stand Location:

[Stand Location To Be Completed By Licensee]

3000-420-012 (R 9/05)

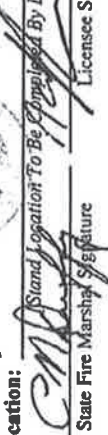
Washington State Patrol
Fire Protection Bureau
Office Of The State Fire Marshal

16077

ANNUAL FIREWORKS STAND LICENSE

Licensee: Olympic Christian Center
Contact Person: Norm Orffler
License Number: WSPFL-00660
Stand Number: SN-08502
Date of Expiration: January 31, 2015
Location: _____ [Valid For One Stand]

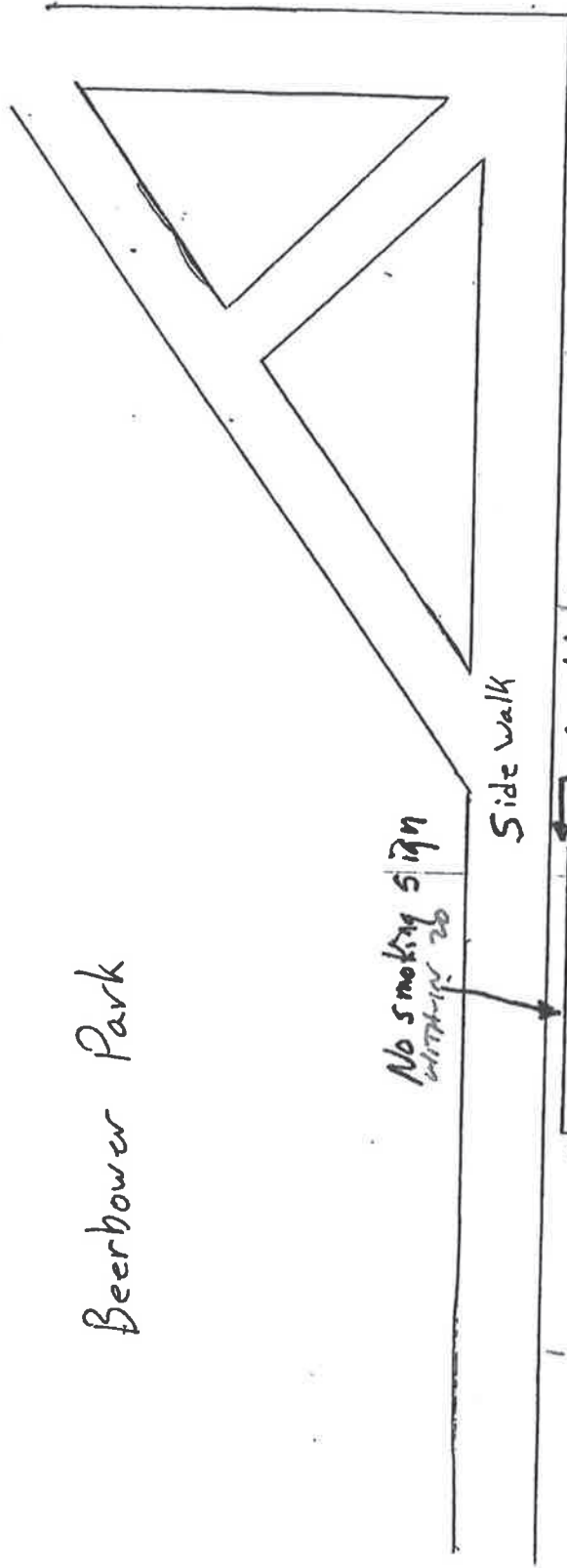
State Fire Marshal Signature
Detach this wallet card and carry with you for
verification of certification.



SITE PLAN (showing setbacks)

Bath Rooms

Beerbower Park



No smoking sign
WITHIN 20'

Side walk

5' setback

Fireworks Stand

(2) APPROVED PRESSURIZED 2 1/2 GAL. WATER TYPE FIRE EXTING.

No smoking signs
WITHIN 20'

*NO PARKING BOUNDARY
20'

RCW 70.77.270**Governing body to grant permits -- Statewide standards -- Liability insurance.**

(1) The governing body of a city or county, or a designee, shall grant an application for a permit under RCW [70.77.260](#)(1) if the application meets the standards under this chapter, and the applicable ordinances of the city or county. The permit shall be granted by June 10, or no less than thirty days after receipt of an application whichever date occurs first, for sales commencing on June 28 and on December 27; or by December 10, or no less than thirty days after receipt of an application whichever date occurs first, for sales commencing only on December 27.

(2) The chief of the Washington state patrol, through the director of fire protection, shall prescribe uniform, statewide standards for retail fireworks stands including, but not limited to, the location of the stands, setback requirements and siting of the stands, types of buildings and construction material that may be used for the stands, use of the stands and areas around the stands, cleanup of the area around the stands, transportation of fireworks to and from the stands, and temporary storage of fireworks associated with the retail fireworks stands. All cities and counties which allow retail fireworks sales shall comply with these standards.

(3) No retail fireworks permit may be issued to any applicant unless the retail fireworks stand is covered by a liability insurance policy with coverage of not less than fifty thousand dollars and five hundred thousand dollars for bodily injury liability for each person and occurrence, respectively, and not less than fifty thousand dollars for property damage liability for each occurrence, unless such insurance is not readily available from at least three approved insurance companies. If insurance in this amount is not offered, each fireworks permit shall be covered by a liability insurance policy in the maximum amount offered by at least three different approved insurance companies.

No wholesaler may knowingly sell or supply fireworks to any retail fireworks licensee unless the wholesaler determines that the retail fireworks licensee is covered by liability insurance in the same, or greater, amount as provided in this subsection.

[2002 c 370 § 22; 1997 c 182 § 8; 1995 c 61 § 14; 1994 c 133 § 6; 1984 c 249 § 13; 1961 c 228 § 31.]

NOTES:

Severability -- 2002 c 370: See note following RCW [70.77.126](#).

Severability -- Effective date -- 1997 c 182: See notes following RCW [70.77.160](#).

Severability -- Effective date -- 1995 c 61: See notes following RCW [70.77.111](#).

Severability -- Effective date -- 1994 c 133: See notes following RCW [70.77.146](#).

<http://www.mrsc.org/mc/rcw/rcw%20%2070%20%20title/rcw%20%2070%20.%2077%20...> 5/2/2012

WAC 212-17-21505 Retailers of fireworks -- General provisions. (1) The state of Washington hereby fully occupies the entire field of regulation relating to the construction and use of temporary and permanent structures for the retail sale and storage of fireworks including: The location of and areas surrounding, the operation of and the cleanup after the use of said structures, pursuant to RCW [70.77.270](#).

(2) The state of Washington hereby preempts the authority of local jurisdictions with respect to the retail sale and associated storage of consumer fireworks from temporary structures. This rule constitutes the entire and exclusive authority for regulation of all such matters. Subject to the limitations imposed by chapter [70.77](#) RCW, a city or county may ban fireworks; or a city or county may restrict the dates of sale, purchase, possession and use of fireworks; or a city or county may restrict the types of fireworks that may be sold and purchased within its boundaries. If a city or county allows the sale of fireworks classified as consumer fireworks from temporary structures these rules preempt that city's or that county's authority to enact or enforce any other regulations.

(3) Except as prescribed by this rule, the use of permanent structures or temporary structures over four hundred square feet for fireworks sales and storage shall be subject to the provisions of the International Fire Code and the International Building Code, and local ordinances.

(4) The use of temporary structures for the temporary sale or storage of consumer fireworks are exempt from the International Building Code, International Fire Code and local ordinances except that where a city or county ordinance regulates the sale or use of fireworks as a part of that city's or that county's building code or fire code, those provisions of that county's or that city's building code or fire code which are not in conflict with this rule are not hereby preempted or affected.

(5) Each license and permit shall be issued and shall remain valid and effective for the thirteen-month period beginning on January 1 of the year in which application is made and ending January 31 of the following year.

(6) Only Division 1.4G consumer fireworks, obtained from state-licensed wholesalers, not otherwise prohibited by chapter [70.77](#) RCW or local ordinance, and holiday related products incidental but related to these products, may be sold in retail fireworks stands.

(7) Except as limited by local ordinance, fireworks may be sold from 12:00 noon to 11:00 p.m. on June 28 through 9:00 p.m. on July 5. Fireworks may not be sold between the hours of 11:00 p.m. and 9:00 a.m. from June 28 through July 3. Fireworks may not be sold from 12:00 midnight on July 4 through 9:00 a.m. on July 5.

(8) Except as limited by local ordinance, fireworks may be sold from 12:00 noon to 11:00 p.m. on each day from the 27th of December through the 31st of December of each year.

(9) Licensees shall familiarize all persons working in a retail fireworks stand with the provisions of these rules.

(10) Failure to comply at any time with the provisions of this rule or any other applicable regulation shall constitute a violation of chapter [70.77](#) RCW and may result in the temporary suspension or immediate revocation of the license or permit, closure of the fireworks sales or storage structure, the seizure and/or forfeiture of some or all of the fireworks, and other criminal penalties as specified by law.

(11) The local authority having jurisdiction, with the concurrence of the state fire marshal, is authorized to modify any of the provisions of WAC [212-17-21509](#), [212-17-21511](#), [212-17-21513](#), [212-](#)

<http://www.mrsc.org/mc/wac/wac%20212%20%20title/wac%20212%20-%2017%20%20ch...> 5/2/2012

WAC 212-17-21509 Retailers of fireworks -- Location. (1) Activities or uses subject to this rule shall not be limited in location except where such activities or uses are prohibited or controlled by local development regulation, traffic safety or road construction standards.

(2) Temporary retail fireworks stands shall not be located more than one hundred fifty feet from a private way, fire department access road, public road, street or highway as measured by an approved route around the exterior of the stand. The minimum requirements for a private way shall be determined by the local authority having jurisdiction, but shall not exceed the requirements of locally adopted street, road and access standards.

(3) Any two retail fireworks stands shall be at least one hundred feet apart or shall be separated by a road, street or highway not less than thirty feet in width.

(4) Retail fireworks stands shall be located as required by Table 212-17-21509 in this section. The minimum required area surrounding the stand shall be marked or flagged, except that flagging and marking shall not block a sidewalk or pedestrian pathway. Flagging need not exceed twenty feet in any direction.

Retail Fireworks Stands - Minimum Clearances						
					Motor Vehicle Traffic PUBLIC ROAD*	Motor Vehicle Traffic PRIVATE WAY
	Buildings	Combustibles	Property Line	Parking		
BACK OF STAND	20 FT.	20 FT.	5 FT.	20 FT.	20 FT.	5 FT.
SIDE OF STAND	20 FT.	20 FT.	5 FT.	20 FT.	20 FT.	5 FT.
FRONT OF STAND	40 FT.	40 FT.	20 FT.	20 FT.	20 FT.	20 FT.
	20 FT.**	20 FT.**				

NOTE: Clearance distances are not cumulative

* Measured from the outer edge of the nearest traffic lane.

** If stand is equipped with 135 fusible links which will automatically close all sales doors in case of fire, or is equipped with a wire-mesh screen with openings of not more than one inch which covers not less than 90% of all sales openings.

(5) Retail fireworks stands shall not be located closer than one hundred feet from any motor vehicle dispensing station, retail propane dispensing station, flammable liquid storage, or combustible liquid storage. Retail fireworks stands shall not be located closer than three hundred feet from any bulk storage of flammable or combustible liquid or gas, including bulk plant dispensing areas.

EXCEPTION: 1. Fuel for generators as allowed by WAC [212-17-21513\(4\)](#)
2. Fuel within the tanks of motor vehicles.

[Statutory Authority: Chapters [43.43](#) and [70.77](#) RCW. 05-12-033, § 212-17-21509, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW [70.77.250](#) and chapters [70.77](#) and [43.43](#) RCW. 98-04-007, § 212-17-21509, filed 1/23/98, effective 2/23/98.]

<http://www.mrsc.org/mc/wac/wac%20212%20%20title/wac%20212%20-%2017%20%20ch...> 5/2/2012

WAC 212-17-21511 Retailers of fireworks -- Area around the retail fireworks stand. (1) The minimum areas around the retail fireworks stand specified in WAC [212-17-21509](#) shall be kept free of accumulation of dry grass, dry brush and combustible debris. No parking shall be permitted within this minimum area.

(2) No motor vehicle or trailer may be parked within twenty feet of a retail fireworks stand except when delivering, loading or unloading fireworks.

(3) Fireworks shall not be discharged within one hundred feet of a retail fireworks stand. Signs reading "NO FIREWORKS DISCHARGE WITHIN 100 FEET" in letters at least two inches high, with a principal stroke of not less than one-half inch, on contrasting background, shall be conspicuously posted on all four sides of the stand.

(4) No smoking shall be allowed within the retail fireworks stand or within the minimum flagged off area. Signs reading "NO SMOKING WITHIN 20 FEET" in letters at least two inches high, with principal stroke of not less than one-half inch, on a contrasting background, shall be conspicuously posted on all four sides of the stand.

[Statutory Authority: Chapters [43.43](#) and [70.77](#) RCW. 05-12-033, § 212-17-21511, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW [70.77.250](#) and chapters [70.77](#) and [43.43](#) RCW. 98-04-007, § 212-17-21511, filed 1/23/98, effective 2/23/98.]

<http://www.mrsc.org/mc/wac/wac%20212%20%20title/wac%20212%20-%2017%20%20ch...> 5/2/2012

WAC 212-17-21515 Retailers of fireworks -- Operation of retail fireworks stands. (1) A clear aisle or walkway not less than twenty-four inches wide shall be maintained inside the full length of the structure. Customers shall only be permitted inside a temporary retail fireworks stand that is greater than four hundred square feet and which meets minimum exit requirements of the International Building Code and International Fire Code, as now or amended hereafter.

(2) Each temporary retail fireworks stand must have at least two exits, at least twenty-eight inches in width, located at opposite ends of the structure. Exits must remain unlocked and unobstructed during the hours of operation or when the stand is occupied.

(3) Sleeping inside a retail fireworks stand or an associated temporary fireworks storage facility is prohibited.

(4) The location of the nearest permanently mounted telephone must be posted inside the retail fireworks stand and persons working in the stand shall be informed of that location.

(5) The local emergency telephone number shall be conspicuously posted inside the retail fireworks stand.

(6) Each retail fireworks stand shall be equipped with two approved, pressurized two and one-half gallon water-type fire extinguishers.

(7) No open flames nor any type of open flame equipment shall be allowed in any retail fireworks stand.

(8) Retail fireworks stands shall be secured when unoccupied and not open for business if fireworks are kept in the structure during these times. Retail fireworks stands shall never be locked when occupied. The fireworks may be removed and transferred to a temporary storage structure or location approved as a part of the license and permit.

(9) At least one adult person, eighteen years of age or older shall be present at all times in every retail fireworks stand during the hours of sale to the public and shall be responsible for supervision of the retail fireworks stand and its operation. No person, other than customers, under the age of sixteen shall be allowed within a retail fireworks stand when it is open to the public. Fireworks, except for prepackaged assortments, boxes, or similarly packaged containers of more than one item, whether of the same or different kind, must be displayed in a manner which prevents the fireworks from being handled by the public or a customer without the direct intervention of the licensee or his or her representative who shall maintain visual contact.

(10) Retail fireworks stands may be required to be inspected by the state fire marshal and/or the local jurisdiction issuing the permit prior to opening for business and other inspections may occur on other days as warranted but there shall be no additional charge for all such inspections.

(11) In order to obtain return of a clean-up bond if required by the local authority having jurisdiction as a condition of permit, the cleanup of debris associated with the retail fireworks activity and the removal of all structures authorized by the license and permit shall occur on or before the last day of the storage period specified in these rules.

(12) Fireworks retailers shall not knowingly sell fireworks to persons under the age of sixteen.

(a) A sign reading "no sale of fireworks to persons under the age of sixteen years. PHOTO ID

<http://www.mrsc.org/mc/wac/wac%20212%20%20title/wac%20212%20-%2017%20%20ch...> 5/2/2012

STAFF REPORT

To: Mayor Dent
From: Todd Baun, Director of Public Works
Date: May 8, 2014
Re: Master Contracts Usage Agreement

The Master Contracts Usage Agreement (MCUA) is a one-time agreement necessary to meet statutory requirements allowing qualifying organizations to use Washington State master contracts. Cooperative purchasing through state contracts provides organizations that have agreed to terms and conditions the opportunity to save millions of dollars annually by pooling resources to leverage the market through volume discounts. Authorized organizations are provided access to more than 700 contracts for goods and services to meet all the business needs of their organization at no cost.

Staff Recommendation:

I would recommend signing Master Contracts Usage Agreement.

Action Requested:

Please consider approval of the Master Contracts Usage Agreement.

MASTER CONTRACT USAGE AGREEMENT

This Master Contract Usage Agreement (the "Agreement") is made pursuant to Chapter 39.34 of the Revised Code of Washington, and other applicable laws, by and between the state of Washington (the "State"), acting by and through the Department of Enterprise Services ("DES"), an agency of the State, and _____,

Entity Name

a state agency, or local or federal agency or entity, or public benefit nonprofit corporation, or any tribe located in the State ("Buyer").

1. **Purpose:** The purpose of the Agreement is to establish the terms and conditions for when Buyer purchases or acquires goods and services for its direct use under contracts entered into by DES that permit such use ("Master Contracts").
2. **Duration:** This Agreement will become effective on date of execution, and will continue in full force and effect until thirty (30) days following receipt of written notice from either party cancelling this Agreement.
3. **Agreement Contact Information:** Contact person to whom contract documents and related communications are to be mailed or faxed.

Organization Name:		
Tax Identification Number:		
Unified Business Identifier <i>Required for Non-Profit:</i>		
Contact Name:		
Title:		
Address:		
City:	State:	Zip:
Phone Number:		
Email Address:		

4. **Cancellation of Agreement:** This agreement can be terminated by either party upon 30 days written notice provided to DES at:
 Email to: mcua@des.wa.gov OR Mail to: WA Dept. of Enterprise Services
 Attn: ACCO
 P.O. Box 41409
 Olympia, WA 98504-1409
5. **Financial Responsibility:** Buyer will deal directly with the Master Contract contractor, supplier, or service supplier ("Contractor") for any purchases Buyer makes pursuant to this Agreement and under a Master Contract. DES does not accept any responsibility, financial or otherwise, for any purchase Buyer makes under a Master Contract.

6. Compliance with Other Laws: Each of the parties will comply with all applicable federal, state, and local laws and regulations governing its own purchases.
7. Master Contract Audits: Buyer agrees to cooperate with DES, the Office of the State Auditor, federal officials, or any third party authorized by law, rule, regulation or contract, in any audit conducted by such party related to any Master Contract(s) that Buyer has made purchases from pursuant to this Agreement, including providing records related to any purchase from a Master Contract. In addition, Buyer agrees to provide, upon request from DES, documentation to confirm its eligibility to use Master Contracts.
8. Dispute Resolution: If there are any disputes between Buyer and a Contractor, Buyer agrees to (a) provide DES written notice of the nature of the dispute; and (b) unless otherwise provided in the Master Contract or as set forth below, work in good faith with the Contractor to resolve the dispute without the involvement of DES. DES may, upon request, review and assist in the resolution of a dispute, and if DES chooses to do so, the Buyer will cooperate with DES in that resolution process.

In its sole discretion, DES may, but is not obligated to, upon written notice to Buyer, resolve disputes with a Contractor on behalf of Buyer and all other state, local, and federal agencies, local governments, and public benefit nonprofit corporations with similar or related disputes with such Contractor.

9. No Separate Entity: No separate legal or administrative entity is intended to be created by, or for the administration of, this Agreement.
10. Hold Harmless: Each party agrees to defend, indemnify, and hold the other party harmless from any claim arising from such party's sole negligent, reckless, or willful misconduct.
11. Entire Agreement: This Agreement sets forth the entire agreement between the parties, and supersedes any other prior written agreements between the parties, with respect to the subject matter hereof.

IN WITNESS WHEREOF the parties having read this Agreement, agree to it in each and every particular, and have executed it below.

APPROVED

APPROVED

WASHINGTON STATE
 DEPARTMENT OF ENTERPRISE SERVICES

 Entity Name

 Signature

 Farrell Presnell, Assistant Director

 Name/Title

 Date

 Entity Name

 Signature

 Name/Title

 Date

 **DRAFT**

May 9, 2014

Mr. Todd Baun
City of McCleary
100 South Third Street
McCleary, Washington 98557

SUBJECT: 4TH STREET EXPRESSO ALTERNATIVES METHODS OR
CONSTRUCTION MATERIALS REQUEST
CITY OF MCCLEARY, GRAYS HARBOR COUNTY, WASHINGTON
G&O #13273.00

Dear Mr. Baun:

We have completed our review of the above-subject request and recommend approval of same with the following conditions:

1. The first bullet of the itemized request letter dated May 6, 2014, submitted for the Alternatives Methods or Construction Materials Request (AMCMR), requests relief from item #6 of our March 25, 2014 review letter which recommended: ***Provide a buffer/screen between the coffee stand and the residence to the south for a light barrier per MMC 17.28.080.*** The request for relief from this item is based on the surrounding properties being zoned commercial, the home to the south only having a small, mud room window on the first floor and the small 2nd story window that would not be affected by the espresso stand lighting. Staff opinion is that the home was constructed before the property was changed to a commercial zone classification and the requirement for light glare screening should be enforced.
2. The second bullet of the letter requests relief from item #9 of our review letter which recommended: ***Dumpster area shall be paved and screened.*** The request for relief from this item is based on there not being a standard for this requirement and that no other business in the City has been required to pave and screen a dumpster area. Staff opinion is that there are other businesses in town that have dumpsters on solid surfacing, some in enclosed areas. Lemay requires at least a compacted gravel surface and prefers a solid surface. Enclosures/screening around dumpsters aid in the aesthetics of commercial properties in town and help contain garbage in

Mr. Todd Baun
May 9, 2014
Page 2

the dumpster area by blocking wind, hindering animal access, etc. Staff feels this condition should still be required for the reasons stated above.

3. Bullets 3, 4 and 5 of the request letter have been further evaluated with regard to items 29, 30 and 36 of our review letter. We recommend waiving the requirements outlined in those items based on site specific conditions.
4. The last bullet of the request letter asks for two years to complete the HMA improvement due to financial hardship. My recommendation would be to get the cost of the HMA work bonded for three years, that way if the business folds before the improvements are completed, the City can use the bond to complete the work. The bond should be for 150% of the estimated project cost (to account for inflation and low estimates). We should also review and approve the cost estimate the bond is based on.

I recommend a conditional acceptance of the subject Alternatives Methods or Construction Materials Request after City Council reviews and discusses these items and the conditions stated above are modified as necessary to reflect Council's desires. Please feel free to contact me at (360) 292-7481 with any questions concerning these matters.

Sincerely,

GRAY & OSBORNE, INC.



Jon Hinton, P.E.

JH/sp

cc: Mr. Colin Mercer, City of McCleary

May 6th, 2014

Jon Hinton, P.E.
Gray & Osborne, Inc.
Olympia Office
2102 Carriage Drive SW, Bldg. I
Olympia, WA 98502

Subject: March 25th 4th Street Espresso site plan review Alternative Methods request

Dear Mr. Hinton,

Here are lists of items we are requesting Alternative Methods for.

- Page 2, #6- Variance requested because northern side of home has small widow on 1st floor for mud room and small 2nd story window that will not be affected by stand lighting. Espresso stand site and surrounding areas are also zoned commercial.
- Page 3, # 9- Variance requested to pave and screen dumpster area. There is no city standard for this requirement. No other business in city has been required to pave and screen dumpster area.
- Page 5, #29- Variance to have driveway exceeding 50% of property frontage. Proposal is 55% of property frontage. Due to property frontage being 110 foot and commercial driveways are required to be 60 per city standards.
- Page 6, #30- Variance for minimum spacing between driveways. Due to property frontage being 110 foot, cannot achieve the minimal driveway spacing of 150 foot.
- Page 6, #36- Point of water connection will be located at the same location as the previous service. Service will be fed from ¾" water line. ¾" line also feeds business across alley.
- Other- Allow a period of 2 years to complete HMA improvement on 4th Street. Due to size of HMA improvement area, it will create a financial hardship for new business. Would like time to save and plan for HMA.

Please feel free to contact us at anytime to address any concerns you may have about these variance requests. Misty's phone number is 360-470-8188 and Kristil phone number is 360-470-1423.

Sincerely,


Misty Tolentino


Kristil Baun



**Alternative Methods or
Construction Materials Request**
for
Engineering Design Standards

This form is required to be filled out by the applicant for consideration to vary from the City of McCleary's design standards and requirements for engineering design. The applicant should be aware the City of McCleary design standards and requirements are considered minimum requirements. These minimum requirements are considered by the City as fair, reasonable, and promote public safety. It will be up to the applicant to convince City staff this request is necessary, justifiable, and will not reduce public safety. For the request to be granted all impacted departments including: Engineering, Planning, Maintenance, Fire and Police must be in agreement.

(Department Use Only)

Case No.: _____ Date Submitted: _____
Application Fee: _____ Staff Assigned.: _____

1. Applicant:

Name: Misty Tolentino & Kristil Baum
Agency Name (if applicable): _____
Mailing Address: PO Box 479
Phone (day number): 360-470-4422 or 360-470-8388

2. Owner:

Name: _____
Agency Name (if applicable): _____
Mailing Address: _____
Phone (day number): _____

3. Location:

Assessor's Parcel No.: _____
Property Address: _____

Legal Description:

See Attached

Items 4-11 are issues and concerns that must be addressed by the applicant. If additional reports, supporting documents and attachments are necessary to clarify/support this request, material shall be listed in item 12 and referenced within items 4-11.

4. State Development Standard or City Code being altered:

See Attached

5. State why this is being requested:

U U W

6. Specify how the altered development standard will or will not affect public safety:

will not affect public safety

7. Has the applicant considered other options, if so, discuss these option(s) considered:

Yes Discussed with Jon Stanton.

8. Will this request impact other City facilities? If yes, please explain:

No

9. Will this request impact City or private maintenance operations?

No

10. What environmental impacts will this request generate?


None

11. If granted, would it impact future development? Please be specific:

No

12. List reports, supporting documents and attachments accompanying this request necessary to further address concerns and issues:

IMPACTED STAFF RECOMMENDATION	APPROVED	DENIED	DATE
Water/Wastewater			
Public Facilities			
Maintenance Crew			
Building Official			
Fire Department			
Police Department			

City Engineer:	 <u>APPROVED</u> ✓ <i>w/ CONDITIONS</i>	<u>DENIED</u>	<u>DATE</u> <i>5/9/14</i>
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CONDITIONS (if applicable): SEE ATTACHED

STAFF REPORT

To: Mayor Dent
From: Todd Baun- Director of Public Works
Date: May 8, 2014
Re: Private Storm Water System Inspections

I have noticed that there are several private businesses and developments that have some sort of storm water system that enters the City storm water system. I would like to have the City conduct maintenance inspections to ensure that these systems continue to operate as designed to protect private property, City infrastructure and the environment.

These inspections would be performed every 2 years. The process I would like to use is the following:

- **Notification:** A notification letter is mailed to the property owner. The inspection will be conducted within 30 days of the date of the letter. If the owner would like to be present, or if access to the property is restricted, please contact the Inspector to schedule an appointment.
- **Maintenance:** Shortly after the inspection, the property owner will be sent a report with the inspection results. If the system requires maintenance or repairs, the report will include a checklist with details, a property map, and a Drainage Contractor List.
- **Certification:** When the work is completed, the property owner is responsible for returning the completed checklist with the Contractor's invoice (if applicable) to the Inspector. The Inspector may return to verify the work.

I would like to also update our storm water maintenance standards. This will allow the inspections to be consistent and keep everyone with the same expectations.

Action Requested:

Please discuss and let me know if this is an issue to move forward with.

Tab K

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING INVESTMENT OF THE CITY OF McCLEARY'S MONIES IN THE LOCAL GOVERNMENT INVESTMENT POOL.

R E C I T A L S :

WHEREAS, pursuant to Chapter 294, Laws of 1986, the Legislature created a trust fund to be known as the public funds investment account (commonly referred to as the Local Government Investment Pool (LGIP)) for the contribution and withdrawal of money by an authorized governmental entity for purposes of investment by the Office of the State Treasurer; and

WHEREAS, from time to time it may be advantageous to the authorized governmental entity, City of McCleary, the "governmental entity", to contribute funds available for investment in the LGIP; and

WHEREAS, the investment strategy for the LGIP is set forth in its policies and procedures; and

WHEREAS, any contributions or withdrawals to or from the LGIP made on behalf of the governmental entity shall be first duly authorized by the City Council, the "governing body" or any

RESOLUTION -A- 1
05/07/2014
DG/le

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

designee of the governing body pursuant to this resolution or a subsequent resolution; and

WHEREAS the governmental entity will cause to be filed a certified copy of said resolution with the Office of the State Treasurer; and

WHEREAS the governing body and any designee appointed by the governing body with authority to contribute or withdraw funds of the governmental entity has received and read a copy of the prospectus and understands the risks and limitations of investing in the LGIP; and

WHEREAS, the governing body attests by the signature of its members that it is duly authorized and empowered to enter into this agreement, to direct the contribution or withdrawal of governmental entity monies, and to delegate certain authority to make adjustments to the incorporated transactional forms, to the individuals designated herein.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF that the governing body does hereby authorize the contribution and withdrawal of governmental entity monies in the LGIP in the manner prescribed by law, rule, and prospectus.

BE IT FURTHER RESOLVED that the governing body has approved the Local Government Investment Pool Transaction Authorization Form (Form) as completed by Wendy Collins, Clerk-

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05/07/2014
DG/ls

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

treasurer, and incorporates said form into this resolution by reference and does hereby attest to its accuracy.

BE IT FURTHER RESOLVED that the governmental entity designates D. Gary Dent, Mayor, the "authorized individual" to authorize all amendments, changes, or alterations to the Form or any other documentation including the designation of other individuals to make contributions and withdrawals on behalf of the governmental entity.

BE IT FURTHER RESOLVED that this delegation ends upon the written notice, by any method set forth in the prospectus, of the governing body that the authorized individual has been terminated or that his or her delegation has been revoked. The Office of the State Treasurer will rely solely on the governing body to provide notice of such revocation and is entitled to rely on the authorized individual's instructions until such time as said notice has been provided.

BE IT FURTHER RESOLVED that the Form as incorporated into this resolution or hereafter amended by delegated authority, or any other documentation signed or otherwise approved by the authorized individual shall remain in effect after revocation of the authorized individual's delegated authority, except to the extent that the authorized individual whose delegation has been terminated shall not be permitted to make further withdrawals or contributions to the LGIP on behalf of the governmental entity.

No amendments, changes, or alterations shall be made to the Form

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or any other documentation until the entity passes a new resolution naming a new authorized individual.

BE IT FURTHER RESOLVED that the governing body acknowledges that it has received, read, and understood the prospectus as provided by the Office of the State Treasurer. In addition, the governing body agrees that a copy of the prospectus will be provided to any person delegated or otherwise authorized to make contributions or withdrawals into or out of the LGIP and that said individuals will be required to read the prospectus prior to making any withdrawals or contributions or any further withdrawals or contributions if authorizations are already in place.

PASSED THIS _____ DAY OF _____, 2014, by the City Council of the City of McCleary, and signed in authentication thereof this _____ day of _____, 2014.

CITY OF McCLEARY:

D. GARY DENT, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

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05/07/2014
DC/1e

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557



JAMES L. McINTIRE
State Treasurer

State of Washington
Office of the Treasurer
Local Government Investment Pool

April 30, 2014

TO: LGIP Participants

FROM: Kari Sample
LGIP Administrator

REMINDER: Prospectus and Updated Resolution

In an effort to provide more clarity with respect to how the Local Government Investment Pool operates, and as a result of the recently amended WACs, we have created a prospectus and are distributing to all investors in the LGIP.

As a result of the release of this prospectus it is important that each local government investing in the LGIP completes an updated Resolution. Our goal is to have all resolutions updated by June 30, 2014. I will be tracking them to make sure that this goal is met.

If we have not received an updated resolution by the deadline and have not made other arrangements with you for an extension, we reserve the right to suspend your participation in the pool.

http://www.tre.wa.gov/documents/lqip_MoneyMktFundProspectus.pdf

<http://www.tre.wa.gov/lqip/forms.shtml>

Should you have further questions please feel free to contact me via email kari.sample@tre.wa.gov or by phone at 1-800-331-3284.

Kari Sample
LGIP Administrator

**LOCAL GOVERNMENT
INVESTMENT POOL**

Prospectus

January 2014



James L. McIntire
Washington State Treasurer

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I. The LGIP

The Local Government Investment Pool (the “LGIP”) is an investment pool of public funds placed in the custody of the Office of the Washington State Treasurer (the “State Treasurer”) for investment and reinvestment as defined by RCW 43.250.020. The purpose of the LGIP is to allow eligible governmental entities to participate with the state in the investment of surplus public funds, in a manner that optimizes liquidity and return on such funds. In establishing the LGIP, the legislature recognized that not all eligible governmental entities are able to maximize the return on their temporary surplus funds, and therefore it provided a mechanism whereby they may, at their option, utilize the resources of the State Treasurer to maximize the potential of their surplus funds while ensuring the liquidity of those funds.

The State Treasurer has established a sub-pool within the LGIP whose shares are offered by means of this Prospectus: The LGIP-Money Market Fund (the “LGIP-MMF” or the “Fund”). The State Treasurer has the authority to establish additional sub-pools in the future.

The Fund offered in this Prospectus seeks to provide current income by investing in high-quality, short term money market instruments. These standards are specific to the Fund, as illustrated in the following table. The LGIP-MMF offers daily contributions and withdrawals.

FUND SNAPSHOT

The table below provides a summary comparison of the Fund’s investment types and sensitivity to interest rate risk. This current snapshot can be expected to vary over time.

Fund	Investment Types	Maximum Dollar-Weighted Average Maturity for LGIP-MMF
LGIP-Money Market Fund	Cash	60 days
Current Investments (as of November 1, 2013)	Bank Deposits US Treasury bills Repurchase agreements US Government agency obligations	

Fees and Expenses

Administrative Fee. The State Treasurer charges pool participants a fee representing administration and recovery costs associated with the operation of the Fund. The administrative fee accrues daily from pool participants’ earnings prior to the earnings being posted to their account. The administrative fee will be paid monthly. In the event that there are no earnings, the administrative fee will be deducted from principal.

The chart below illustrates the operating expenses of the LGIP-MMF for past years, expressed in basis points as a percentage of fund assets.

**Local Government Investment Pool-MMF
Operating Expenses by Fiscal Year (in Basis Points)**

	2006	2007	2008	2009	2010	2011	2012	2013
<i>Total Operating Expenses</i>	1.12	0.96	0.84	0.88	0.64	0.81	0.68	0.87

(1 basis point = 0.01%)

Because most of the expenses of the LGIP-MMF are fixed costs, the fee (expressed as a percentage of fund assets) will be affected by: (i) the amount of operating expenses; and (ii) the assets of the LGIP-MMF. The table below shows how the fee (expressed as a percentage of fund assets) would change as the fund assets change, assuming an annual fund operating expenses amount of \$800,000.

Fund Assets	\$6.0 bn	\$8.0 bn	\$10.0 bn
Total Operating Expenses (in Basis Points)	1.33	1.0	.80

Portfolio Turnover: The Fund does not pay a commission or fee when it buys or sells securities (or “turns over” its portfolio). However, debt securities often trade with a bid/ask spread. Consequently, a higher portfolio turnover rate may generate higher transaction costs that could affect the Fund’s performance.

II. Local Government Investment Pool – Money Market Fund

Investment Objective

The LGIP-MMF will seek to effectively maximize the yield while maintaining liquidity and a stable share price of \$1.

Principal Investment Strategies

The LGIP-MMF will seek to invest primarily in high-quality, short term money market instruments. Typically, at least 55% of the Fund’s assets will be invested in US government securities and repurchase agreements collateralized by those securities. The LGIP-MMF means a sub-pool of the LGIP whose investments will primarily be money market instruments. The LGIP-MMF will only invest in eligible investments permitted by state law. The LGIP-MMF will not be an SEC-registered money market fund and will not be required to follow SEC Rule 2a-7. Investments of the LGIP-MMF will conform to the LGIP Investment Policy, the most recent version of which will be posted on the LGIP website and will be available upon request.

Principal Risks of Investing in the LGIP-Money Market Fund

Counterparty Credit Risk. A party to a transaction involving the Fund may fail to meet its obligations. This could cause the Fund to lose the benefit of the transaction or prevent the Fund from selling or buying other securities to implement its investment strategies.

Interest Rate Risk. The LGIP-MMF’s income may decline when interest rates fall. Because the Fund’s income is based on short-term interest rates, which can fluctuate significantly over short periods, income risk is expected to be high. In addition, interest rate increases can cause the price of a debt security to decrease and even lead to a loss of principal.

Liquidity Risk. Liquidity risk is the risk that the Fund will experience significant net withdrawals of Fund shares at a time when it cannot find willing buyers for its portfolio securities or can only sell its portfolio securities at a material loss.

Management Risk. Poor security selection or an ineffective investment strategy could cause the LGIP-MMF to underperform relevant benchmarks or other funds with a similar investment objective.

Issuer Risk. The LGIP-MMF is subject to the risk that debt issuers and other counterparties may not honor their obligations. Changes in an issuer's credit rating (e.g., a rating downgrade) or the market's perception of an issuer's creditworthiness could also affect the value of the Fund's investment in that issuer. The degree of credit risk depends on both the financial condition of the issuer and the terms of the obligation. Also, a decline in the credit quality of an issuer can cause the price of a money market security to decrease.

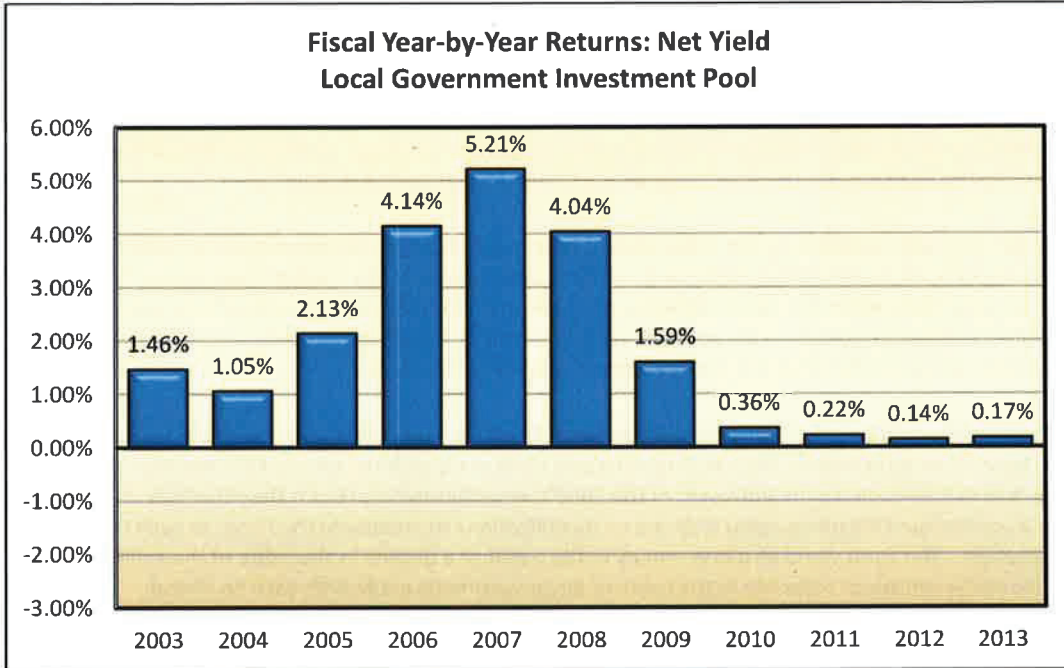
Securities Lending Risk and Reverse Repurchase Agreement Risk. The LGIP-MMF may engage in securities lending or in reverse repurchase agreements. Securities lending and reverse repurchase agreements involve the risk that the Fund may lose money because the borrower of the Fund's securities fails to return the securities in a timely manner or at all or the Fund's lending agent defaults on its obligations to indemnify the Fund, or such obligations prove unenforceable. The Fund could also lose money in the event of a decline in the value of the collateral provided for loaned securities or a decline in the value of any investments made with cash collateral.

Risks Associated with use of Amortized Cost. The use of amortized cost valuation means that the LGIP-MMF's share price may vary from its market value NAV per share. In the unlikely event that the State Treasurer were to determine that the extent of the deviation between the Fund's amortized cost per share and its market-based NAV per share may result in material dilution or other unfair results to shareholders, the State Treasurer may cause the Fund to take such action as it deems appropriate to eliminate or reduce to the extent practicable such dilution or unfair results.

An investment in the LGIP-MMF is not a bank deposit and is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. Although the Fund seeks to preserve the value of investments at \$1 per share, pool participants could lose money by investing in the LGIP-MMF. There is no assurance that the LGIP-MMF will achieve its investment objective.

Performance

The following information is intended to address the risks of investing in the LGIP-MMF. The information illustrates changes in the performance of the LGIP-MMF's shares from year to year. Returns are based on past results and are not an indication of future performance. Updated performance information may be obtained on our website at www.tre.wa.gov or by calling the LGIP toll-free at 800-331-3284.



Local Government Investment Pool-Money Market Fund

Average Accrued Net Yield

<u>1 Year</u>	<u>3 years</u>	<u>5 years</u>	<u>10 years</u>
0.17%	0.19%	.52%	1.94%

Transactions: LGIP-MMF

General Information

The minimum transaction size (contributions or withdrawals) for the LGIP-MMF will be five thousand dollars. The State Treasurer may, in its sole discretion, allow for transactions of less than five thousand dollars.

Valuing Shares

The LGIP-MMF will be operated using a net asset value (NAV) calculation based on the amortized cost of all securities held such that the securities will be valued at their acquisition cost, plus accrued income, amortized daily.

The Fund's NAV will be the value of a single share. NAV will normally be calculated as of the close of business of the NYSE, usually 4:00 p.m. Eastern time. If the NYSE is closed on a particular day, the Fund will be priced on the next day the NYSE is open.

NAV will not be calculated and the Fund will not process contributions and withdrawals submitted on days when the Fund is not open for business. The time at which shares are priced and until which contributions and withdrawals are accepted is specified below and may be changed as permitted by the State Treasurer.

To the extent that the LGIP-MMF's assets are traded in other markets on days when the Fund is not open for business, the value of the Fund's assets may be affected on those days. In addition, trading in some of the Fund's assets may not occur on days when the Fund is open for business.

Transaction Limitation

The State Treasurer reserves the right at its sole discretion to set a minimum and/or maximum transaction amount from the LGIP-MMF and to limit the number of transactions, whether contribution, withdrawal, or transfer permitted in a day or any other given period of time.

The State Treasurer also reserves the right at its sole discretion to reject any proposed contribution, and in particular to reject any proposed contribution made by a pool participant engaged in behavior deemed by the State Treasurer to be abusive of the LGIP-MMF.

A pool participant may transfer funds from one LGIP-MMF account to another subject to the same time and contribution limits as set forth in WAC 210.10.060.

Contributions

Pool participants may make contributions to the LGIP-MMF on any business day. All contributions will be effected by electronic funds transfer to the account of the LGIP-MMF designated by the State Treasurer. It is the responsibility of each pool participant to pay any bank charges associated with such electronic transfers to the State Treasurer. Failure to wire funds by a pool participant after notification to the State Treasurer of an intended transfer will result in penalties. Penalties for failure to timely wire will be assessed to the account of the pool participant responsible.

Notice. To ensure same day credit, a pool participant must inform the State Treasurer of any contribution over one million dollars no later than 9 a.m. on the same day the contribution is made. Contributions for one million dollars or less can be requested at any time prior to 10 a.m. on the day of contribution. For all other contributions over one million dollars that are requested prior to 10 a.m., a pool participant may receive same day credit at the sole discretion of the State Treasurer. Contributions that receive same day credit will count, for earnings rate purposes, as of the day in which the contribution was made. Contributions for which no notice is received prior to 10:00 a.m. will be credited as of the following business day.

Notice of contributions may be given by calling the Local Government Investment Pool (800-331-3284) OR by logging on to State Treasurer's Treasury Management System ("TMS"). Please refer to the [LGIP-MMF Operations Manual](#) for specific instructions regarding contributions to the LGIP-MMF.

Direct deposits from the State of Washington will be credited on the same business day.

Pricing. Contribution requests received in good order will receive the NAV per unit of the LGIP-MMF next determined after the order is accepted by the State Treasurer on that contribution date.

Withdrawals

Pool participants may withdraw funds from the LGIP-MMF on any business day. Each pool participant shall file with the State Treasurer a letter designating the financial institution at which funds withdrawn from the LGIP-MMF shall be deposited (the "Letter"). This Letter shall contain the name of the financial institution, the location of the financial institution, the account name, and the account number to which funds will be deposited. This Letter shall be signed by local officials authorized to receive and disburse funds, as described in WAC 210-10-020.

Disbursements from the LGIP-MMF will be effected by electronic funds transfer. Failure by the State Treasurer to wire funds to a pool participant after proper notification to the State Treasurer to disburse funds to a pool participant may result in a bank overdraft in the pool participant's bank account. The State Treasurer will reimburse a pool participant for such bank overdraft penalties charged to the pool participant's bank account.

Notice. In order to withdraw funds from the LGIP-MMF, a pool participant must notify the State Treasurer of any withdrawal over one million dollars no later than 9 a.m. on the same day the withdrawal is made. Withdrawals for one million dollars or less can be requested at any time prior to 10 a.m. on the day of withdrawal. For all other withdrawals from the LGIP-MMF over one million dollars that are requested prior to 10 a.m., a pool participant may receive such withdrawal on the same day it is requested at the sole discretion of the State Treasurer. No earnings will be credited on the date of withdrawal for the amounts withdrawn. Notice of withdrawals may be given by calling the Local Government Investment Pool (800-331-3284) OR by logging on to TMS. Please refer to the LGIP-MMF Operations Manual for specific instructions regarding withdrawals from the Fund.

Pricing. Withdrawal requests with respect to the LGIP-MMF received in good order will receive the NAV per unit of the LGIP-MMF next determined after the order is accepted by the State Treasurer on that withdrawal date.

Suspension of Withdrawals. If the State Treasurer has determined that the deviation between the Fund's amortized cost price per share and the current net asset value per share calculated using available market quotations (or an appropriate substitute that reflects current market conditions) may result in material dilution or other unfair results, the State Treasurer may, if it has determined irrevocably to liquidate the Fund, suspend withdrawals and payments of withdrawal proceeds in order to facilitate the permanent termination of the Fund in an orderly manner. The State Treasurer will distribute proceeds in liquidation as soon as practicable, subject to the possibility that certain assets may be illiquid, and subject to subsequent distribution, and the possibility that the State Treasurer may need to hold back a reserve to pay expenses.

The State Treasurer also may suspend redemptions if the New York Stock Exchange suspends trading or closes, if US bond markets are closed, or if the Securities and Exchange Commission declares an emergency. If any of these events were to occur, it would likely result in a delay in the pool participants' redemption proceeds.

The State Treasurer will notify pool participants within five business days of making a determination to suspend withdrawals and/or irrevocably liquidate the fund and the reason for such action.

Earnings and Distribution

LGIP-MMF Daily Factor

The LGIP-MMF daily factor is a net earnings figure that is calculated daily using the investment income earned (excluding realized gains or losses) each day, assuming daily amortization and/or accretion of income of all fixed income securities held by the Fund, less the administrative fee. The daily factor is reported on an annualized 7-day basis, using the daily factors from the previous 7 calendar days. The reporting of a 7-day annualized yield based solely on investment income which excludes realized gains or losses is an industry standard practice that allows for the fair comparison of funds that seek to maintain a constant NAV of \$1.00.

LGIP-MMF Actual Yield Factor

The LGIP-MMF actual yield factor is a net daily earnings figure that is calculated using the total net earnings including realized gains and losses occurring each day, less the administrative fee.

Dividends

The LGIP-MMF's dividends include any net realized capital gains or losses, as well as any other capital changes other than investment income, and are declared daily and distributed monthly.

Distribution

The total net earnings of the LGIP-MMF will be declared daily and paid monthly to each pool participant's account in which the income was earned on a per-share basis. These funds will remain in the pool and earn additional interest unless withdrawn and sent to the pool participant's designated bank account as specified on the Authorization Form. Interest earned will be distributed monthly on the first business day of the following month.

Monthly Statements and Reporting

On the first business day of every calendar month, each pool participant will be sent a monthly statement which includes the pool participant's beginning balance, contributions, withdrawals, transfers, administrative charges, earnings rate, earnings, and ending balance for the preceding calendar month. Also included with the statement will be the monthly enclosure. This report will contain information regarding the maturity structure of the portfolio and balances broken down by security type.

III. Management

The State Treasurer is the manager of the LGIP-MMF and has overall responsibility for the general management and administration of the Fund. The State Treasurer has the authority to offer additional sub-pools within the LGIP at such times as the State Treasurer deems appropriate in its sole discretion.

Administrator and Transfer Agent. The State Treasurer will serve as the administrator and transfer agent for the Fund.

Custodian. A custodian for the Fund will be appointed in accordance with the terms of the LGIP Investment Policy.

IV. Miscellaneous

Limitation of Liability

All persons extending credit to, contracting with or having any claim against the Fund offered in this Prospectus shall look only to the assets of the Fund that such person extended credit to, contracted with or has a claim against, and none of (i) the State Treasurer, (ii) any subsequent sub-pool, (iii) any pool participant, (iv) the LGIP, or (v) the State Treasurer's officers, employees or agents (whether past, present or future), shall be liable therefor. The determination of the State Treasurer that assets, debts, liabilities, obligations, or expenses are allocable to the Fund shall be binding on all pool participants and on any person extending credit to or contracting with or having any claim against the LGIP or the Fund offered in this Prospectus. There is a remote risk that a court may not enforce these limitation of liability provisions.

Amendments

This Prospectus and the attached Investment Policy may be amended from time to time. Pool participants shall receive notice of changes to the Prospectus and the Investment Policy. The amended and restated documents will be posted on the State Treasurer website: www.tre.wa.gov.

Should the State Treasurer deem appropriate to offer additional sub-pools within the LGIP, said sub-pools will be offered by means of an amendment to this prospectus.

LGIP-MMF Contact Information

Internet: www.tre.wa.gov Treasury Management System/TMS

Phone: 1-800-331-3284 (within Washington State)

Mail:

Office of the State Treasurer
Local Government Investment Pool
PO Box 40200
Olympia, Washington 98504
FAX: 360-902-9044