



# McCleary City Council

## AGENDA

**January 22, 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, Interim Director of Public Works (Tab C)  
                                  Staff Reports (Tab D)

Old Business:           Ecology Revolving Loan for General Sewer Plan (Tab E)

New Business:           Amended Energy Conservation Agreement (Tab F)  
                                  Utility Service Improvement Costs (Tab G)  
                                  Gray & Osborne Amendment No. 6 (Tab H)  
                                  Jon Hinton, Gray & Osborne, Engineering Contracts (Discussion)

Ordinances:

Resolutions:           Power Rate Increase (Tab I)  
                                  Ecology Revolving Loan for General Sewer Plan Resolution (Tab J)

Vouchers  
Mayor/Council Comments  
Public Comment  
Executive Session       Potential Litigation  
Adjournment

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

Please Turn Off Cell Phones – Thank You

The City of McCleary is an equal opportunity provider and employer.  
La ciudad de McCleary es un proveedor de igualdad de oportunidades y el empleador.

**CITY OF MCCLEARY**  
**Regular City Council Meeting**  
**Wednesday, December 4, 2013**

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

ABSENT Mayor Dent was absent. Mayor Pro Tem Ator Chaired the meeting.

STAFF PRESENT Present at the meeting were Wendy Collins, George Crumb, Paul Nott, John Graham, Randy Bunch, Christiane Mercer, Colin Mercer, Todd Baun and Dan Glenn.

MAYOR'S COMMENTS Mayor Dent addressed the Council and community by speakerphone. He apologized for missing the meeting again but wanted to inform the Council he is suffering from cancer and is still controlling the government from the administrative side. His memo states he will not cut anything he won't have to. Wendy and George are working as his agents and can be contacted. He is not threatening to close down the police department. He wants everyone to try to relax and have a good meeting tonight. He wished everyone a good meeting.

PUBLIC COMMENT Helen Lake said she is upset the City didn't know they were in trouble. She questioned the property purchases and the police vehicle purchases. Helen Lake read from a page-long list of questions she prepared. Because the list contained items requiring research, Wendy Collins asked her for a copy of her list so she could research the questions and call her when she is prepared with responses.

Megan Wilkerson stated her concerns over a memo Mayor Dent wrote that made drastic statements about closing the library and museum if the levy fails. She wanted to know if those things will really happen. Wendy Collins responded stating the Mayor put out another memo addressing some of her concerns. Dan Glenn explained one of the options for financial relief would be a levy lift and explained the process. Councilmember Catterlin added that he was informed a levy lift is only good for one year and would cost approximately \$1.48 per \$1000. He also commented that nobody wants to close the library or the police department. He believes it's important the community knows what's going on and that we have to look down the road. He feels we need to find what level of service would be offered and at what cost, before making any decisions.

Steven Friederich, Editor of the Vidette, stated he was bothered by the Mayor's comment in his last memo about dismantling the police department. He thinks it is ridiculous that the Mayor was not present at the meeting to answer questions.

Councilmember Schiller commented that he has been asking what would police contracting for services cost and has not had any response. He has not received any facts about contracting services and the cost for running a levy. Councilmember Catterlin agreed that they wanted to know the contracting cost before asking for a levy.

MINUTES APPROVED **It was moved by Councilmember Catterlin, seconded by Councilmember Peterson to approve the minutes from the November 13, 2013 and November 20, 2013 meetings. Motion Carried 4-0.**

CITY ATTORNEY REPORT Dan Glenn shared his appreciation for MRSC and their support. He briefly described the services they provide. Councilman Catterlin has also found them very helpful.

DIRECTOR OF PUBLIC WORKS REPORT None.

JANITORIAL CONTRACT The Council agreed to have staff put the janitorial cost back in the budget and disperse it fairly throughout the funds and not just in current expense.

2014 BUDGET DISCUSSION Councilman Catterlin explained the budget process and how if one fund goes bankrupt, the whole city goes bankrupt. He said that is why they are very concerned about current/expense. Dan Glenn explained the process of how a city looks for solutions to bring a fund in the red back into the black and avoid bankruptcy. Interfund loans can be made but have to be paid back with interest. City's work hard to find alternatives in salvaging a depleting fund.

Councilman Schiller asked what Dan Glenn considers a surplus. Mr. Glenn responded it is dependent on what is needed in the foreseeable future. Mr. Schiller asked if it is a judgment call and Councilman Catterlin stated he does not know how you could know what is ahead as a foreseeable need. In his opinion, the reserve fund is for capital improvements and emergencies. He added that a fund isn't being managed very well if it has to pull from the reserve account for normal daily operating expenses.

Terry Franklin asked if the line for other utility taxes were from the city utilities and it was affirmed they are. She believes the utility taxes are too high. She made additional comments regarding the high wages of the union employees, especially light and power. She said the City employees are not feeling the pain of other companies like the Simpson Mill. Councilmember Schiller stated the Council does not have the privilege to negotiate union contracts.

Helen Lake stated there are a lot of people losing their jobs

Councilmember Schiller added that this is a bandaid for the 2014 budget. We will still have the same issue for 2015.

The Museum utilities will no longer be paid by the city. The original contract did not include the utilities. Mayor Dent took office, he was approached by Elsie Franklin about the City paying for the utilities because they were struggling. This was a verbal agreement and did not change the original contract. Mayor Dent had to include the cut because it is covered by current expense and two employees were losing their jobs over the state of the fund and another employee is having a stipend cut. Councilman Catterlin spoke to Mr. Carnell and he said if the museum closes, the house would go back to the Carnell family. He added that Tammy Antilla commented they may have to close the museum anyway because they can't find enough volunteers.

Councilman Catterlin asked Wendy Collins if the transfers in to current expense were changed. They now reflect \$55,000 will be transferred from both current expense reserve fund and light and power. Previously, all \$110,00 was budgeted to come out of the current expense reserve fund. Wendy Collins responded by stating the Mayor had originally budgeted \$120,000 to be transferred from light and power to the current expense fund for 2013. This transfer has not been made and may not be needed for the current year. Due to this fact, the Mayor decided to drop the amount of transfer from the current expense reserve fund for 2014 from the original amount in an effort to help sustain the reserve fund.

Councilman Schiller is frustrated over the transfers for the past four years. He also is upset over the purchasing of two police cars last year. He reminded the council the transfers have been budgeted the past few years just to stay afloat. John Graham stated the two cars that were replaced had over 150,000 miles on them and they were originally used sheriff cars. Sergeant Graham did some research and discovered only five police cars have been purchased in the last thirty years.

Chris Mercer asked if the cuts in the budget were to cut one police officer, the police clerk and cut the building official down to 8 hours to be able to balance the budget. The Council agreed. It was also stated the museum utilities were being cut. Helen Lake added the building official hours did not affect Colin's eight hours for his regular job, it only affected the out of class hours he receives for acting building official.

#### LEMAY CONTRACT

Dan Glenn confirmed the rates will go into affect on February 1, 2015. The item was tabled until the next meeting for Council's review. The City has to publish the rates to give appropriate notice to the residents.

#### APPROVAL OF VOUCHERS

Accounts Payable vouchers/checks approved were 37273 - 37314 including EFT's in the amount of \$77,157.91

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

#### PUBLIC COMMENT

Helen Lake asked if the employees took one day off without pay, would that help? Wendy Collins replied it would be minimal because the majority of the employees are spread out throughout the funds and the employees that would come of current expense, where we are short, are police employees, court and very little from other employees. The other funds are not in jeopardy.

EXECUTIVE SESSION

**At 7:57 PM, it was moved by Councilman Schiller, seconded by Councilmember Peterson to go into an executive session to discuss potential litigation for 15 minutes per RCW 42.30.110.**

The executive session ended at 8:07 PM. No action was taken.

Jeff Catterlin wanted to acknowledge thanks to Wendy Collins for her outstanding job. A lot has fallen on her shoulders. He has dropped in on her a number of times and she's always been helpful. Brent Schiller stated this fix this year is only a band aid and will not correct the deficit. We need to start working on permanent fixes. Wendy Collins stated we need to promote future business in the City.

Councilman Schiller stated this is a community of 1500 people. When infrastructure goes bad, how does 1500 people pay union contract wages to change a water line. We have to raise utility rates to pay for those fixes and it falls on the residents.

MEETING RECESSED

**It was moved by Councilmember Catterlin, seconded by Councilmember Schiller to recess the meeting at 8:15 PM. The next meeting will be December 11, 2013 at 7:00 PM. Motion Carried 4-0.**

**CITY OF MCCLEARY**  
**Regular City Council Meeting**  
**Wednesday, December 11, 2013**

ROLL CALL AND FLAG SALUTE Councilmember's Schiller, Reed, Catterlin and Peterson. Councilmember Ator arrived at 7:05 PM.

ABSENT None.

STAFF PRESENT Present at the meeting were Wendy Collins, George Crumb, Paul Nott, John Graham, Randy Bunch, Christiane Mercer, Colin Mercer, Todd Baun and Dan Glenn.

**PUBLIC HEARINGS**

PUBLIC HEARINGS ON MARIJUANA MORATORIUM AND MEDICAL MARIJUANA DISPENSARIES AND COLLECTIVE GARDENS **The Public Hearing opened at 7:01 PM.** Dan Glenn stated the current moratorium runs out at the end of the year. The issues keep getting more complex. Joy Iverson asked if there was a limit on how many moratoriums the council can pass on this subject and Dan Glenn responded no as long as there are appropriate reasons for the decision. The legislature still has a lot of work to do on this subject and Dan is hoping they will have something in place by next spring. **The Public Hearing ended at 7:06 PM.**

MINUTES APPROVED None.

CITY ATTORNEY REPORT None.

DIRECTOR OF PUBLIC WORKS REPORT None.

MAYOR'S COMMENTS Mayor Dent apologized for the sensationalism he has caused. He wants to make sure everyone understands how bad things theoretically could be. He said the City itself is not broke, it is the current expense fund that is in bad shape. The investment funds are part of the budget total, not separate. He said he is not going to impact the museum or the library in this budget other than the museum utilities. He added that current expense would not be in as bad of shape as it is if he hadn't discovered the fraud that was happening when he took office.

The City also pays \$90,000 a year to take care of a LEOFF1 retiree and the money comes right out of the police fund. This is something that is unavoidable and comes right off the top of the fund. The Mayor is eliminating one police officer and the police clerk. After that he will evaluate the performance and the value of other employees that may be impacted if he has to make further cuts. He said that is just a reality and he has to keep the city running. He will not declare the city bankrupt and said it will be a cold day in hell before he would do that. He will research police contracting next year. The budget he is proposing tonight is the best budget he can provide.

MEDICAL MARIJUANA DISPENSARIES & COLLECTIVE GARDENS Tabled.

Ben Ator arrived at 7:05.

LEMAY CONTRACT **It was moved by Councilmember Catterlin, seconded by Councilmember Reed to adopt Resolution 664 relating to public services; establishing and confirming fees; repealing Resolution 651, and providing for effective dates. Resolution Adopted 5-0.**

ORDINANCE NO. 799 MAIJUANA MORATORIUM **It was moved by Councilmember Catterlin, seconded by Councilmember Schiller to adopt Ordinance 799 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 ordinances 793 & 797. Roll call taken in the affirmative. Ordinance Adopted 4-0.**

## BUDGET PUBLIC COMMENTS

Helen Lake thanked Wendy Collins for contacting her to respond to her list of questions from the previous meeting. She said the answers made sense and she now understands things better and is willing to share with others. She urged the Mayor to please pay the museum utilities. Pauline Martin, McCleary Chamber of Commerce and owner of the Subway, has been talking to Tammy Antilla about coming up with a plan to take care of the museum utilities through the Chamber. She said there are options to use it as a chamber and a visitor center that can be considered.

Officer Randy Bunch asked if court would be cut. The Mayor said he will be going into negotiations with Elma for combined court services. Paul Nott asked if we combined the courts, would it be a substantial savings. Mayor Dent is hoping it can save the city a fair amount and Dan Glenn added that an analysis will need to take place before any real figures can be presented.

The Mayor was asked by a resident why he did not address the dire state of the budget sooner like he stated he will do next year. The Mayor responded that the cash balance was not bad this year and was not recognized as being dire until we started budgeting. Councilmember Schiller asked about the sewer fund balance because it looks really healthy.

Steven Friederich, Editor of the Vidette, asked what the impact will be on each customer for the Lemay increase. The rates are posted in the packet online for public to view and a notice will be published in the Vidette. The rate increase is scheduled to begin February 1, 2014.

Helen Lake asked if the sewer fund will be going up too and Mayor Dent stated the utilities will be going up 3% across the board and the utility taxes will remain the same. Helen was glad the 20% increase in water is over. Councilmember Catterlin commented that the 20% increase was for well improvements and that is why he is adamant about not using reserve funds for day to day expenses. If money had been steadily put into the reserve funds over the years, the city would not have had to increase the rates so high to pay for the improvements. Instead, we could have drawn from the reserve funds and saved the enormous rate increases. Helen Lake asked if the reason the rates went up is because of the fraud theft. She was informed the fraud did not impact the utility rates. Councilmember Schiller reminded her she has been at every meeting and should know this. The Mayor emphasized the rate increases were not to recover fraud.

Councilmember Catterlin stated the budget this year uses \$110,000 from reserves and transfers to balance the budget. He added, "Many of you that know me, know I don't favor using reserve funds to pay for day to day expenses. Reserves should be used for emergencies and capital improvement projects, therefore, before we vote on this budget", he addressed Mayor Dent and stated, "I need your word the Council will be included in preparations and negotiations for the levy and that we will start that process well before the levy is run so the voters will have all the information they deserve". Mayor Dent commented yes, that is correct and he has no problem with that. He told the crowd that Councilmember Catterlin is referring to the police maintenance and operations levy they plan on running. The city does not want to run it the same time as the school levy, which will run in February, so we will probably run ours in September and then rerun it in November. if we have to.

Councilmember Catterlin added that before they run the levy, he wants to let the voters know how much their taxes will increase before they vote on a levy to keep our police department at what level of service they want. Also, if the levy fails, they need to know what we can afford for the level of service they desire. Mayor Dent remarked that Councilmember Catterlin, and himself, may disagree on what is more cost effective between the City run police department or contracting with the County. Councilmember Catterlin does not want the voters to make a vote based on fear. Mayor Dent does not want to lose the police department. Councilmember Catterlin added he also wants the council to be included in searching out solutions for next years budget. He asked the Mayor if he has his word on these things. Mayor Dent replied that he will give his word that he will discuss these things but he must realize that the budget comes from the administration. He doesn't mind talking about it but the budget comes from him. He has no objection to this and the Clerk is always willing to work with the council too.

Councilmember Schiller stated he and Councilmember Catterlin have been very vocal about this budget and he would like to hear from the other three councilmember's what their comments are and what their take is on this budget. Councilmember Peterson stated he has been quiet because this is new to him and it's been difficult for everyone to go through when you start with nothing and end up with nothing. For him, it's been confusing for him until it's down in writing and he can see it. He thinks it's a good budget and we might as well take it. He believes it will be worse next year.

Councilmember Reed commented he has a good feeling about the administration of the city. He thinks the people that have done the work on this budget know what they are doing. There's been some adjustments and he thinks Councilmember Catterlin has been privy to a lot of that. Councilmember Catterlin added that the reason why he is asking the Mayor to let them be a part of the team is so that we don't have a crisis and so we don't get backed into a tough corner next fall. Mayor Dent commented he always thought they were a part of the team but in government there are separation of powers doctrines.

Councilmember Ator responded he thinks staff worked hard on the budget and has it where it will work for them and it will be okay.

Mayor Dent was asked by a resident what his level of service is for the police department. Mayor Dent replied that currently he has four officers and it will be cut to three officers next year, however, if things get better, he will bring an officer back. Councilmember Catterlin added that in comparing level of services, if a levy fails, we will have to take the amount of revenue that current expense will have and appropriate it for law enforcement when going into negotiations with the county. He won't dispute the fact it will probably be for a lesser level of service but we have to take the offer to the voters so they will know what they are voting on.

Pauline Martin stated this is all new to her and questioned the lay off's and running the levy. Councilmember Catterlin explained the levy lift restrictions and why we will be running one in September. Mayor Dent said he is holding on for Halo Steel to come in, he just doesn't know when. Pauline asked if the levy fails, will we not have a police force. Mayor Dent does not know the state of the budget later this year. Councilmember Schiller responded that current expense is taking from other funds to balance the budget. Pauline wants to know what other ideas the City has to increase revenues. Mayor Dent replied that current expense has a hard time finding revenues to support the budget and the best way to increase them is for growth to take place in the city. Pauline stated as a business owner, after losing the hospital and other businesses, she is cautious about doing too much with Elma and losing more dollars to Elma that should stay in McCleary. She loves McCleary and wants to do whatever it takes to keep McCleary going.

Councilmember Schiller asked about the money remaining in the sewer fund because \$55,000 is borrowed from light and power and they do not show as much ending cash. Todd Baun pointed out the amount left in the sewer fund is for the bond loan payment. Mayor Dent added this is not a line item budget, it is a fund level budget.

Terri Franklin stated people are not moving into town because the rates are so high and told the Council they have to start addressing this issue.

BUDGET ORDINANCE NO. 800

**It was moved by Councilmember Ator, seconded by Councilmember Reed to adopt Ordinance 800 adopting a budget for the calendar year 2014 and establishing salaries. Roll Call taken with 4 in the affirmative and Councilmember Schiller voting against. Ordinance Adopted 4-0.**

Councilmember Schiller made a final comment stating they had twenty days until this budget had to be passed, and truthfully, there hasn't been 100% effort in this budget tonight.

JUDGE BLAUVELT  
APPOINTMENT

**It was moved by Councilmember Ator, seconded by Councilmember Peterson to reappoint Judge Art Blauvelt. Motion Carried 5-0.**

APPROVAL OF VOUCHERS

None.

PUBLIC COMMENT

Mayor Dent wished everyone a nice Christmas.

EXECUTIVE SESSION

None.

MEETING RECESSED

**It was moved by Councilmember Catterlin, seconded by Councilmember Reed to adjourn the meeting at 7:52 PM until the first meeting in January and cancel the December 25, 2013 meeting. The next meeting will be January 8, 2014 at 7:00 PM. Motion Carried 5-0.**

**MEMORANDUM**

TO: MAYOR AND CITY COUNCIL, City of McCleary  
FROM: DANIEL O. GLENN, City Attorney  
DATE: January 17, 2014  
RE: LEGAL ACTIVITIES as of JANUARY 22, 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. **STATE DEPARTMENT OF ECOLOGY LOAN OFFER:** As has been noted in the past, there is both a desire and a need to update the current waste water treatment plan relating to the City's collection and, to a degree, treatment system. In that regard, DOE has offered a loan of up to \$65,000.00 to fund the necessary study and development. Of the \$65,000.00, one-half will be forgiven and the remainder will bear interest at the rate of 1.1% and be repaid in five equal installments, with the first to be made no later than one year after completion of the project. In effect, the revenue from the sewer fund is pledged as the basic source of the repayment funds.

I do not know the extent to which the Public Works Committee or the Finance Committee discussed this matter with Mr. Bird prior to his leaving his position with the City. I believe Mr. Baun will be providing additional information. However, if deemed appropriate, the relevant committees may want to review the matter further prior to taking action. In anticipation of the possibility that you may have already been provided adequate information, I have prepared a draft resolution which, if adopted, would accept the offer and authorize Mayor Dent and Ms. Collins to execute the necessary documents.

2. **SHORELINE MANAGEMENT PLAN:** Due to what apparently are some modifications is what is considered to be areas subject to the Shoreline Management mandates, the City is being required to undertake the necessary study and work, including obtaining public input, necessary to develop a plan so as to comply with



the applicable statutes and rules. Funding in the form of a grant in a maximum amount of \$50,000.00 has been tendered by DOE subject to execution of the necessary agreements and taking of the necessary steps. McCleary is not alone in this situation with Elma and Montesano also having to undertake the process.

At this stage, we are reviewing the associated documents. There is a possibility that the City, given the relatively minimal amount of area characterized as being subject to the Act, may wish to coordinate with the County or Elma in terms of the choice of a consultant and implementation of the plan development. My understanding is the County is further along in the process than we happen to be. I know that Elma is basically in the same position/stage as McCleary. We all have the same basic schedule, the project must be finished by the end of June, 2015.

As a side comment, I would note the DOE staff member assigned to aid the City has been very helpful in bringing us up to speed.

3. **CHILD'S ADVOCACY CENTER CONTRACT:** Bluntly, I do not know if the City has continued to participate in the annually renewed contract for the provisions of services by the Agency to the Police Department. However, if the City does, based upon the tendering to Elma and Montesano, it will have been sent to you. If McCleary does not participate, just skip the rest of this section and read about what seems to be one of our never-ending subjects.

The CAC's services basically relate to the interview and investigation of certain type of offenses involving minors as victims. It is a contract which effectively does not appear to be negotiable. The City is to receive a specified number of hours of service for th base fee. If cases referred by the Police Department exceed that base, we pay an hourly rate. If we use less than the base, there is no credit with the rationale being that the base funding is necessary to maintain the service.

I have previously checked with the SAO folks and they have no objection to the "use it or lose it" requirement. Candidly, I am certain we hope the number of incidents requiring the service are of such a number that we do lose a number of available hours.

4. **I-502:** The process continues. One element of the bases for imposition of the extension of the moratorium has now been cleared, at least temporarily. The Attorney General's Office issued its opinion in response to the LCB's request for

clarification on the extent to which I 502 preempted a city or county's right to control location and such matters. The opinion indicated that the initiative and any implementative legislation adopted did not make it specific there was an intent to preempt the local entity's discretionary authority. In short, you will be able to establish zoning and other mandates, including implementing the option, as some have done, to prohibit the licensing of any activity which violates federal or state law, or the growing, processing, and retail sale activities. You have already forbidden the issuance of business licenses to any for profit entity the activities of which would be violative of those laws.

However, the reality is that conclusion can be trumped very quickly by the Legislature if it desires to do so or a judicial decision finding the AG was incorrect. There was an article in *The Seattle Times* indicating the desire of a number of legislators to implement such a law even before the issuance of this opinion. Also, that one of the counsel associated with the ACLU and who apparently played a strong role in achieving the passage of I 502 indicated disagreement with the decision and the possibility of a legal challenge. Then, on Thursday there was an article in Gannett dailies indicating the same matters, plus one. That "one" was a suggestion by one legislator to amend the Act so that rather than all of the revenue generated by the growing, processing, and sales staying with the State a portion would go to the local governments. A second legislator would remove from any entity which bans the activities any revenue normally received from liquor sales. Perhaps they want nothing to prevent Washington from becoming the second Colorado in terms of "pot tours", etc.

For your easy reference, I have provided Wendy with a copy of the AGO and the newspaper article to attach to this report.

As soon as the Legislature takes whatever action it finds to be appropriate both as to I 502 matters and the medical marijuana situation, we will need to move forward quickly with the details of the development of the desired type of zoning process.

5. **ENERGY CONSERVATION AGREEMENT:** This matter was on before you some months ago. It is my memory the Council concurred with the funding of the moneys to Simpson for utilization in energy conservation steps. However, Mr. Bird wished to talk to them about certain refund situations. We are uncertain as to what the status of those talks, if they occurred, is at this time. Basically, the question is whether we should just go forward with preparation of a simple agreement or if you

wish to discuss with the Company some type of reimbursement if the Company makes certain business decisions.

Ms. Collins and Mr. Baun may have more in their reports.

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

DG/le

--- NEWS RELEASE ---

FOR IMMEDIATE RELEASE



**In response to request from Liquor Control Board Chair, AG's office releases formal opinion on marijuana businesses**

*Opinion states Initiative 502 does not prevent cities and counties from banning marijuana businesses*

**OLYMPIA** — In response to a request from Sharon Foster, chair of the Washington State Liquor Control Board, the Attorney General's Office today [released a formal Attorney General's Opinion](#) regarding local ordinances affecting new marijuana businesses in Washington.

Approved by voters in 2012, Initiative 502 legalized the possession and sale of recreational marijuana in Washington.

The formal opinion concludes I-502 as drafted and presented to the voters does not prevent local governments from regulating or banning marijuana businesses in their jurisdictions.

The opinion states:

*"Under Washington law, there is a strong presumption against finding that state law preempts local ordinances. Although Initiative 502 establishes a licensing and regulatory system for marijuana producers, processors, and retailers in Washington State, it includes no clear indication that it was intended to preempt local authority to regulate such businesses. We therefore conclude that I-502 left in place the normal powers of local governments to regulate within their jurisdictions."*

While I-502's drafters could have structured I-502 to require local governments to accept marijuana businesses, they did not do so. If the Legislature wants to change that, it can amend the law.

**Background on AGO opinions**

Attorney General Opinions are issued only at the request of members of the state legislature, statewide elected officials, appointed heads of state agencies, boards and commissions and county prosecuting attorneys.

Formal Attorney General's Opinions are statements of the Attorney General's official views on legal questions relating to the duties of a public officer. They are not binding on the courts, but are usually given careful consideration and respect.

When an opinion is requested the office first decides whether the request is appropriate for an opinion. If so, there is a lengthy research, drafting, and review process.

For formal opinions, the office publishes a notice in the state register and considers comments submitted by the public.

The opinions are carefully drafted by an assigned attorney, reviewed by Assistant Attorneys General, the Opinions Chief, the Solicitor General and the Attorney General.

The Office of the Attorney General is the chief legal office for the state of Washington with attorneys and staff in 27 divisions across the state providing legal services to roughly 200 state agencies, boards and commissions. Attorney General Bob Ferguson is working hard to protect consumers and seniors against fraud, keep our communities safe, protect our environment and stand up for our veterans. Visit [www.atg.wa.gov](http://www.atg.wa.gov) to learn more.

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This email was sent to [sheilag@awcnet.org](mailto:sheilag@awcnet.org) using GovDelivery, on behalf of: Washington State Attorney General · 1125 Washington St. SE, PO Box 40100 · Olympia, WA 98504 · 360-753-6200





## STAFF REPORT

To: Mayor Dent  
From: Todd Baun, Interim Director of Public Works  
Date: January 14, 2014  
Re: Current Non-Agenda Activity

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### DOH Sanitary Survey

The formal response to DOH was prepared and sent on December 27<sup>th</sup>, 2013. We got confirmation that all findings have been addressed on January 3<sup>rd</sup>, 2014.

### Well 2 & 3 Project

We have accepted this project as complete. We have forwarded the “Notice of Completion of Public Works Contract” form to the Washington State Department of Revenue, the Washington State Department of Labor and Industries, and the Washington State Employment Security Department. Once we have received confirmation from those three departments that the contractor has fulfilled his requirements to them, we will then be able to release the retainage to the contractor.

### PWTF Loan

Here is an update for the PWTF loan that was taken out for the Well Project. Here are some items we can accomplish to further reduce the interest rate that is currently 2%.

- If the loan is closed out by September 2014, the interest rate drops from 2% to 1.5%
- If the local match increases from 5% (as required for the loan) to 10%, the interest rate will drop an additional 1%, to 0.5%.
- In order to receive the 1% reduction in interest rate, the City will need to contribute \$122,293.97 of the before tax contract amount. This amount is inclusive of the \$59,144.25 (5%) local match that was a stipulation of the PWTF funding package.
- \$59,144.25 was originally budgeted as matching funds and by adding the \$52,996.00 in net change orders, we arrive at a to-date local contribution amount of \$112,140.25. Therefore, an additional project expenditure of \$10,153.72 is required to achieve a 10% local match amount.
- For 2014, we have budgeted \$15,000 for a reservoir level transducer and radio telemetry. The estimated cost for the reservoir level transducer and radio telemetry upgrades is approximately \$12,000 dollars; these upgrades would be a good candidate to satisfy the \$10,153.72 in additional local match.

### Emergency Generator for Well

I have looked into FEMA grants, but they will not be available to apply until spring of 2014. I'm also keeping an eye on the state and federal surplus programs for generators.

**TIB Main Street Application (SCAP)**

The City was not selected for this funding.

**TIB Ash Street Application (SCPP)**

The City was not selected for this funding.

**3rd Street Improvements Phase I**

A small progress bill (\$200) has been sent to WSDOT Local Programs. By sending this bill, it lets WSDOT know that we are active with our project and there is no need to re-allocate our funding to other agencies due to inactivity.

# STAFF REPORT

To: Mayor Dent  
 From: Colin Mercer  
 Date: January 3, 2013  
 Re: December Building Department

## Activities

- Submit copies of permits issued to Grays Harbor County Assessor's Office.
- Lexar Homes has one home in the finishing stage.
- High Definition Homes has two homes in the drywall finishing stage.
- New Garage permit at 330 E. Beck is in the framing stage.
- House numbering letters were sent out recently and 6 addresses have been installed as a result.
- Year End permit file archiving.

## Nuisance Issues in Progress

- 150 Wildcat Drive garbage nuisance, bank has been notified waiting on clean up.
- 126 W Simpson owners have been notified about falling shingles and the sign should be removed per the sign code since the premises is no longer occupied by that tenant.
- 119 S. 3<sup>rd</sup> St. signage violation, not removed after business is closed.

## Building Department Activity

ACTIVITY	MONTHLY TOTALS	YEAR TO DATE TOTALS	ACTIVITY EXPLANATION
Customer Service	33	521	Answer building department related questions in person or by phone, meeting with potential applicants.
Building Permits Issued	1	37	Remodels, new construction & additions, both residential and commercial.
Plan Reviews Performed	1	16	Reviewing plans for building code and municipal code compliance.
Inspections Performed	14	202	Field inspections, writing of corrections or approving work.
Finals or Certificates of Occupancies	0	6	Performing of the final inspection & issuing of certificate of occupancy allowing use of the structure.
Complaints Received	0	13	Investigate and address citizen or staff reported issues, obtain resolution or acceptable compromise.
Nuisance Letters Sent	6	60	Formal notice from the City informing citizens of violations and providing expectation of the City for compliance.
Lemay's Garbage Letters Sent	4	106	Formal notice from City after notification from Lemay that service has been stopped.
Building Department Revenue	\$266.50	*\$13663.68	Funds generated by the Building Department from permits, inspections, reviews etc.

- \* Year to date total includes corrected amount due to not reporting review fees accurately each month.



## **Conservation Program**

<b>Month</b>	<b>Applications Received</b>	<b>Conservation Permits Issued</b>	<b>Rebates Paid This Month</b>	<b>Total Rebates Paid To Date</b>
November	2	2	993.00	\$2393.00
December	1	0	70.00	\$2463.00

### **Comments:**

High Definition Homes is planning to apply for additional building permits after the first of the year as the two homes currently under construction will be close to final after the 1<sup>st</sup> of January. They anticipate applying for 5-6 new single family residence permits next year.

Lexar Homes has no current plans for additional permits until they have a buyer for an individual lot and home plan.

Phase 2 of the Beehive Harmony House project is scheduled to begin demolition the week of December 16th and then continue with the construction immediately after demo is complete.

Dragt Development has expressed interest in starting to build new homes on the Cedar Heights Plat in the spring, building two homes at a time.

All of the contractors currently building in McCleary have expressed concern regarding the reduction in Building Department availability. Their comments to me have been that they may choose to build in other jurisdictions where they can obtain a more timely response to their permit and inspection requests.

## STAFF REPORT

To: Mayor Dent  
From: Paul Nott, Light & Power  
Date: December 31, 2013  
Re: December Report



	<b>Monthly Statistics;</b>	<b>YTD Totals;</b>
<b>New Services;</b>	<b>0</b>	<b>9</b>
<b>System Outages;</b>	<b>1</b>	<b>8</b>
<b>Pole Replacements;</b>	<b>0</b>	<b>10</b>
<b>Maintenance Work Orders;</b>	<b>2</b>	<b>34</b>
<b>Billable Work Orders;</b>	<b>0</b>	<b>11</b>

### 2013 Accomplishments;

Re-conductor on Simpson Ave.  
Rebuild McConkey/Olin underground.  
Re-route Caille line.

Even though these were not planned for this year, these projects corrected some major power issues that we have been dealing with for the past several years. The McConkey/Olin underground was failing at a rate of one outage every month and a half. The Caille line has always been very difficult to not only maintain but to repair as well.

### 2014 Goals;

In 2014 the power crew plans on getting back on the cut over. We have every intention to have the East side of Third Street and South side of Mommsen section cut over in 2014. We also will have a scheduled outage for substation repairs in February or March to repair a nitrogen leak in the 12 KV substation and replace a transformer in the 4KV substation (if the leak will hold on for better weather). Along with these projects we will also be conducting our routine maintenance and any other projects that may be thrown our way.

We wish everybody a safe and happy New Year....

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: January 17, 2014**  
**RE: For January 22, 2014 Council Meeting**

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**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, contacts, or other officer generated incidents:

Close out for 2013 as 2556 Incident Histories Reported

\* 0091 Incident histories reported as of time of this report since new year.

- Speeding
- DWLS
- Speeding in School Zone
- Burglary
- Fire Response's
- Disorderly Conduct/Obstructing
- Traffic Stop's
- Harassment
- Weapons Offense
- Agency Assist's
- Drug Incidents
- Animal Complaints
- Curfew Violations
- Welfare Checks
- Trespass (Criminal)
- Suspicious Person/Vehicle/Circumstance
- Police Information or Referrals
- Alcohol Offense
- Suicide Attempt
- Insurance violation
- Traffic Offense/Reckless/Hazard
- Found-/Lost Property Reports
- Motorist Assist/Citizen Assist
- Theft Reports
- Death, report
- Juvenile Problems/Run-a-way/-missing
- Malicious Mischief
- Warrant Arrests/Search Warrant/Confirm
- 911 Open Line or Hang Up
- Domestic Violence
- Citizen dispute-/Civil-/Vio Pro Order-
- D.U.I.
- Audible Alarm
- Subject Stop
- Traffic Accident
- Noise Complaints
- Fraud
- Sex Offense
- Parking Complaint
- Vehicle Prowl
- No Valid Operator's License (NVOL)

**Discussion:** Open:.

The department will lose one police officer on 013114, and has lost 1/2 time police clerk.

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

Mayor Dent: Present / Not Present \_\_\_\_\_

Officer Reporting: Chief Crumb \_\_\_\_\_

## STAFF REPORT

To: Mayor Dent  
From: Todd Baun, Public Facilities Manager  
Date: January 17<sup>th</sup>, 2014  
Re: December Report

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The following items are the highlights of what the Public Works crew have been working on during the past month.

- I still have received no contact from Mr. and Mrs. Gravatt on the storm water issue affecting their property located at 311 W. Simpson Ave. We are in a holding pattern until we receive the legal documents that have been given to them by the city. The last I have heard anything on this issues is August 24th, 2010.
- The crew is still filling in many potholes throughout the City.
- We are continuing our maintenance of our equipment and vehicles.
- We are still looking to replace a section of 2” water line on 3<sup>rd</sup> Street. This line is currently an iron pipe that has failed multiple times. We will be waiting for a good weather window to accomplish this task.
- We are inspecting our manholes and catch basins in our stormwater system. We will make repairs as necessary.
- We are still flushing several hydrants weekly to help with water quality.
- When we have a weather window, we will be replacing a catch basin that is failing on 3<sup>rd</sup> and Mommsen.
- The cemetery now has cement corner markers on all sections of the cemetery. This assists the crew in marking correct locations of cemetery plots.
- We are also inspecting our manholes in the sewer system.
- We are locating “lost” water valves and bringing them up to grade.
- Hydrant flushing will be the week f Jan. 20<sup>th</sup>.
- And as always, we are trying to keep up on all our routine and daily maintenance of the parks, cemetery, streets, water, sewer, storm and buildings.

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

## **STAFF REPORT**

To: Mayor Dent  
From: Kevin Trehwella, Water & Wastewater manager  
Date: January 7, 2014  
Re: City Hall Rent

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Recently we had our drinking water tested to check for VOC's , which are manmade chemicals. The tests were performed by Water Management Laboratories. I am happy to report that the lab test show the VOC's were at non-detectable levels.

Last week I had a conversation with a member of Department of Ecology. We were discussing upsets at small waste water treatment plants here in Western Washington. The person told me that they had seen several small plants upset by somebody carelessly dumping something down the drain. Example: 1 Gallon of Anti-Freeze dumped down the drain, can wipe out our entire treatment plant here. Please remind your friends and neighbors how important it is to be careful and not just dump leftover Fats, Oils, Greases and other chemicals they have around the house.

Currently at the WWTP we have 2 Police cars that have been surplused to the city. Sitting there they are of no value to the city. We have 2 options; Auction or scrap.

### **Staff Recommendation:**

I recommend we send them out for scrap and put the funds we receive into current expense.

### **Action Requested:**

Give me permission to have these cars towed out for scrap.

## STAFF REPORT

To: Mayor Dent

From: Colin Mercer Webmaster

Date: January 3, 2013

Re: December Website & Help Desk

### Re-Occurring Website Activities

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

### New Website Activity

- Posted the Preliminary Budget and Public Hearing Notices on the website.
- Post and remove the budget workshop notice.
- Post the Marijuana Moratorium Public Hearing announcement.
- Post the revised Preliminary Budget and the Mayor's Message.
- Posted Fire Department Santa Food Drive and Route Map.
- Post adopted Budget.
- Post new Utility rates and connection fees for 2014.
- Post all 2014 Council Meeting dates to the events calendar.
- Post all 2014 Holidays to the events calendar.
- Posted the new Court Clerk hours.
- Posted the 2014 Development Fee Schedule.

### Additional Tasks

- Research different City's regulations on Food Truck vendors and zoning restrictions.
- Research GH County Health department regulations on Food Truck vendors.

### Help Desk Activity

Month	Number of Incidents Reported	Staff Reported / Closed / Open	Citizen Reported / Closed / Open
September	10	4 / 7 / 31	6 / 7 / 10
October	14	7 / 6 / 32	7 / 9 / 8
November	3	2 / 6 / 28	1 / 9 / 0
December	5	2 / 6 / 24	3 / 3 / 0

### Website Comments:

None this month

**Website Traffic December 1, 2013 through December 31, 2013 (Top visited pages shown only)**

Section	Page Views	Percent of Total
<a href="#">Default Home Page</a>	3379	39.4%
<a href="#">Events Calendar</a>	564	6.58%
<a href="#">Agendas and Minutes</a>	523	6.1%
<a href="#">City Jobs</a>	338	3.94%
<a href="#">City Departments</a>	278	3.24%
<a href="#">Utilities</a>	257	3%
<a href="#">Mayor and Council</a>	230	2.68%
<a href="#">Conservation Program</a>	183	2.13%
<a href="#">Police</a>	173	2.02%
<a href="#">Tell Us What You Think!</a>	157	1.83%
<a href="#">2008-14 Budget</a>	133	1.55%
<a href="#">Search Results</a>	129	1.5%
<a href="#">Municipal Code</a>	121	1.41%
<a href="#">Public Facilities</a>	114	1.33%
<a href="#">Administration</a>	109	1.27%
<a href="#">City Forms &amp; Documents</a>	108	1.26%
<a href="#">Water / Wastewater</a>	102	1.19%
<a href="#">Fire</a>	97	1.13%
<a href="#">Chamber of Commerce</a>	87	1.01%
<a href="#">City Photos</a>	85	0.99%
<a href="#">Light &amp; Power</a>	84	0.98%
<a href="#">Municipal Court</a>	74	0.86%
<a href="#">Planning Department</a>	72	0.84%
<a href="#">Development Services / Building</a>	68	0.79%
<a href="#">Helpful Links</a>	64	0.75%
<a href="#">Bear Festival</a>	60	0.7%
<a href="#">FAQ's Page</a>	58	0.68%
<a href="#">Home Page</a>	47	0.55%
<a href="#">Code, Ordinances &amp; Standards</a>	46	0.54%
<a href="#">Interlocal Agreements</a>	44	0.51%
<a href="#">Data Page</a>	34	0.4%
<a href="#">Previous Years Council Minutes</a>	26	0.3%
<a href="#">9.54 Malicious Mischief, Reckless Burning, Fire</a>	23	0.27%
<a href="#">Bear Festival Photos</a>	23	0.27%
<a href="#">65th Anniversary Photos</a>	21	0.24%
<a href="#">Flood Photos 2009</a>	19	0.22%
<a href="#">Christmas Photos 2007</a>	18	0.21%
<a href="#">Previous Years Council Agendas</a>	17	0.2%
<a href="#">Community Center</a>	16	0.19%
<a href="#">Park Project Photos</a>	15	0.17%
<a href="#">Title 5 Business Taxes, Licenses and Regulations</a>	13	0.15%
<a href="#">1.12 Official Newspaper</a>	12	0.14%
<a href="#">Title 17 Zoning Tab D - Staff Reports</a>	12	0.14%



## STAFF REPORT

To: Mayor Dent  
From: Todd Baun, Interim Director of Public Works  
Date: January 9, 2014  
Re: Ecology Revolving Loan for General Sewer Plan

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On November 2, 2012 we submitted an application for to complete a General Sewer Plan. This is the first step in obtaining grant funding from state and federal agencies for any construction project. The plan will focus on the sewer collection system, utilizing the I/I Study completed in 1998 as the starting point. Collection system capacities will also be evaluated and modeled. The total cost of the project is \$65,000, which was requested as part of the application. The total impact to the City is \$32,500 plus interest, as the City will receive hardship assistance which will “forgive” 50% of the loan amount. The remaining amount will be paid back over 5 years at approximately 1.1%, unless paid off early. This translates to an estimated debt service of \$7,463.12 annually.

### **Staff Recommendation:**

Staff recommends the City process Ecology Loan Program Agreement No. L1400016/L14S0016 City of McCleary General Sewer Plan.

### **Action Requested:**

Please consider authorizing the attached Ecology Loan Program Agreement No. L1400016/L14S0016 City of McCleary General Sewer Plan.





**ESTIMATED LOAN REPAYMENT SCHEDULE**

**ATTACHMENT 8**

<b>Loan Number</b>	L1400016	<b>Loan Amount</b>	\$ 32,500.00
<b>Recipient Name</b>	McCleary, City of	<b>Term of Loan</b>	9 Payments
<b>Amortization Method</b>	Compound-365 D/Y	<b>Annual Int. Rate</b>	1.100 %
<b>Project Completion Date</b>	12/31/2014	<b>Interest Compounded</b>	Monthly
<b>Initiation of Operations</b>		<b>Loan Date</b>	12/31/2014

<b>Loan Number</b>	L1400016	<b>Department of Ecology</b>
<b>Recipient Name</b>	McCleary, City of	<b>Date Created</b> 01/07/2014

Payment #	Due Date	Payment Amount	Interest	Principal	Balance
1	12/31/2015	\$3,731.55	\$356.83	\$3,374.72	\$29,125.28
<b>SubTotal</b>	<b>2015</b>	<b>\$3,731.55</b>	<b>\$356.83</b>	<b>\$3,374.72</b>	
2	06/30/2016	\$3,731.55	\$160.56	\$3,570.99	\$25,554.29
3	12/31/2016	\$3,731.55	\$140.87	\$3,590.68	\$21,963.61
<b>SubTotal</b>	<b>2016</b>	<b>\$7,463.10</b>	<b>\$301.43</b>	<b>\$7,161.67</b>	
4	06/30/2017	\$3,731.55	\$121.08	\$3,610.47	\$18,353.14
5	12/31/2017	\$3,731.55	\$101.17	\$3,630.38	\$14,722.76
<b>SubTotal</b>	<b>2017</b>	<b>\$7,463.10</b>	<b>\$222.25</b>	<b>\$7,240.85</b>	
6	06/30/2018	\$3,731.55	\$81.16	\$3,650.39	\$11,072.37
7	12/31/2018	\$3,731.55	\$61.04	\$3,670.51	\$7,401.86
<b>SubTotal</b>	<b>2018</b>	<b>\$7,463.10</b>	<b>\$142.20</b>	<b>\$7,320.90</b>	
8	06/30/2019	\$3,731.55	\$40.80	\$3,690.75	\$3,711.11
9	12/31/2019	\$3,731.57	\$20.46	\$3,711.11	\$0.00
<b>SubTotal</b>	<b>2019</b>	<b>\$7,463.12</b>	<b>\$61.26</b>	<b>\$7,401.86</b>	
<b>Grand Total</b>		<b>\$33,583.97</b>	<b>\$1,083.97</b>	<b>\$32,500.00</b>	



**Clean Water State Revolving Fund  
Federal Funding and Transparency Act (FFATA)  
&  
EPA Data Reporting Sheet (Data Reporting Sheet)**

**General Project Information**

Loan Agreement Number: **L1400016/L14S0016**

Project Title: **City of McCleary General Sewer Plan**

Name of Recipient Organization: **City of McCleary**

Recipient's Project Manager Contact Information (Name, Address, Telephone, Email):

**Todd Baun  
100 South Third Street  
McCleary, WA 98557  
(360) 495-3667  
toddb@cityofmccleary.com**

Ecology Project Contacts:

Project Manager:  
**Dave Dougherty**

Financial Manager:  
**Laurie Webster**

Project Start Date: **January 1, 2013**

Anticipated Project Completion Date: **December 31, 2014**

Anticipated Initiation of Operation Date (if applicable): **N/A**

Total Project Cost: **\$65,000**

Total Committed Ecology Loan Funding: **\$65,000**

**NOTE: Guidance document for the questions below can be found at:**

<http://www.ecy.wa.gov/programs/wq/funding/GrantLoanMgmtDocs/GuidanceSRFInitialReport.doc>

**Project Details**

Categories for the Project (choose all that are involved in the scope of work of this project. And the percentage, by cost, of the project work involved in each of those categories.) (See Guidance document for the Category descriptions):

Planning and Design Only

**Wastewater Treatment Works Categories**

Category I %

**Clean Water State Revolving Fund  
Federal Funding and Transparency Act (FFATA)  
&  
EPA Data Reporting Sheet (Data Reporting Sheet)**

- |  |   |
|--|---|
| <input type="checkbox"/> Category II   | % |
| <input type="checkbox"/> Category IIIA | % |
| <input type="checkbox"/> Category IIIB | % |
| <input type="checkbox"/> Category IVA  | % |
| <input type="checkbox"/> Category IVB  | % |
| <input type="checkbox"/> Category V    | % |
| <input type="checkbox"/> Category VI   | % |
| <input type="checkbox"/> Category X    | % |

Nonpoint Source Categories

- |   |   |
|---|---|
| <input type="checkbox"/> Category VII-A | % |
| <input type="checkbox"/> Category VII-B | % |
| <input type="checkbox"/> Category VII-C | % |
| <input type="checkbox"/> Category VII-D | % |
| <input type="checkbox"/> Category VII-E | % |
| <input type="checkbox"/> Category VII-F | % |
| <input type="checkbox"/> Category VII-G | % |
| <input type="checkbox"/> Category VII-H | % |
| <input type="checkbox"/> Category VII-I | % |
| <input type="checkbox"/> Category VII-J | % |
| <input type="checkbox"/> Category VII-K | % |
| <input type="checkbox"/> Category VII-L | % |

Population Served by the Recipient Organization:  
**1,653**

Population Served by the Project (Nonpoint/Activity projects skip this question):  
**1,653**

Population Served by the total System (Nonpoint/Activity projects skip this question):  
**1,653**

Wastewater Volume (Design Flow) for the Project, (in Millions of Gallons per Day, MGD)  
(Nonpoint/Activity projects skip this question):  
**0.57 MGD**

Wastewater Volume (Design Flow) for the total System, (in Millions of Gallons per Day, MGD)  
(Nonpoint/Activity projects skip this question):  
**0.57 MGD**

Check all that this project involves:

- Ocean Outfall
- Estuary/Coastal Bay
- Wetland
- Surface Water (Stream, River, Lake)
- Groundwater
- Land Application
- Eliminates Discharge

**Clean Water State Revolving Fund  
Federal Funding and Transparency Act (FFATA)  
&  
EPA Data Reporting Sheet (Data Reporting Sheet)**

- Involves No Change in Discharge
- Discharge is Seasonal
- No Discharge Involved

National Pollutant Discharge Elimination System (NPDES) Permit number (if applicable):  
**WA0024040**

Other Permit (as applicable), such as State Discharge permit, Phase I/Phase II Stormwater permit, etc  
Enter the type of permit and its number:

**Type:**                    **Number:**

Name of the most primary Receiving Waterbody (if applicable):  
**Wildcat Creek**

For Facility projects, identify the Latitude and Longitude (in Decimal Degrees) of the facility by its outfall location, or where it is impacting the primary Receiving Waterbody:

**Latitude: 47.054378    Longitude: -123.274784**

Primary Receiving Waterbody's Federal NHD 12-Digit HUC Code: **17100104**

(Important EPA reporting element. The following Internet page will allow you to drag over to Washington State and double-click to zoom in and locate the 12 digit HUC code for the area where the project is located:  
<http://viewer.nationalmap.gov/viewer/nhd.html?p=nhd> )

**Contribution to Water Quality**

(Please choose only one) - Project contributes to water quality

- Improvement
- Maintenance

(Please choose only one) – Project will allow the system to

- Achieve Compliance
- Maintain Compliance
- Progress Toward Achieving Compliance
- Not Applicable (for Nonpoint projects)

(Please choose only one) – The primary affected waterbody is

- Meeting Standards
- Impaired
- Threatened
- Not Yet Assessed

(Please choose only one) – Project allows the system to address

- Existing TMDL

**Clean Water State Revolving Fund  
Federal Funding and Transparency Act (FFATA)  
&  
EPA Data Reporting Sheet (Data Reporting Sheet)**

- Projected TMDL
- Watershed Management Plan

**Clean Water State Revolving Fund  
Federal Funding and Transparency Act (FFATA)  
&  
EPA Data Reporting Sheet (Data Reporting Sheet)**

**Designated Surface Water Uses This Project Helps Protect or Restore**

Identify the Designated Surface Water Uses, Other Uses, and Outcomes that this project helps to protect or restore. If the project maintains or improves water quality, or if it increases effluent loadings but meets its permit, it contributes to **protection** of the uses you find when matching pollutants. If the project reduces loadings of a pollutant that is impairing a designated use (303(d) list), the project contributes to **restoration** of that use.

**Select all applicable Uses and Outcomes (and if the project is Protecting it or Restoring it), and identify which one is the Primary one that the project is intended to protect or restore (check only one of them as the Primary):**

**Water Supply - Domestic**  
 Protect  
 Restore  
 **Primary**

**Water Supply - Industrial**  
 Protect  
 Restore  
 **Primary**

**Water Supply – Agricultural/Stock Watering**  
 Protect  
 Restore  
 **Primary**

**Salmonid Migration, Growth, and Harvesting**  
 Protect  
 Restore  
 **Primary**

**Other Fish Migration, Growth, and Harvesting**  
 Protect  
 Restore  
 **Primary**

**Clam, Oyster, and Mussel Growth and Harvesting**  
 Protect  
 Restore  
 **Primary**

**Crustaceans/Other Shellfish Growth and Harvesting**  
 Protect  
 Restore  
 **Primary**

**Wildlife Habitat**  
 Protect  
 Restore  
 **Primary**

**Clean Water State Revolving Fund (Revolving Fund)  
Federal Funding and Transparency Act (FFATA)  
&  
EPA Data Reporting Sheet (Data Reporting Sheet)**

**Primary Contact Recreation**

- Protect
- Restore
- Primary

**Secondary Contact Recreation, Boating**

- Protect
- Restore
- Primary

**Aesthetic Enjoyment**

- Protect
- Restore
- Primary

**Commerce and Navigation**

- Protect
- Restore
- Primary

**Infrastructure Improvement**

- Protect
- Restore
- Primary

**Regionalization/Consolidation**

- Protect
- Restore
- Primary

**Water Reuse/Recycling/Conservation**

- Protect
- Restore
- Primary

**Groundwater Protection**

- Protect
- Restore
- Primary

**Drinking Water Supply**

- Protect
- Restore
- Primary

**Other Public Health/Pathogen Reduction**

- Protect
- Restore
- Primary

**Clean Water State Revolving Fund (Revolving Fund)  
Federal Funding and Transparency Act (FFATA)  
&  
EPA Data Reporting Sheet (Data Reporting Sheet)**

Revolving Fund funding requires compliance with the Federal Funding Accountability and Transparency Act by both Ecology and recipients of Revolving Fund funding. The purpose of the Transparency Act is to make information available online for the public to see how recipients are spending federal funds. One key requirement is for your organization to have a Data Universal Numbering System (DUNS) number and to supply it via the FFATA reporting process. If you do not already have one, you may get a DUNS number free of charge by contacting Dun and Bradstreet at [www.dnb.com](http://www.dnb.com).

**Revolving Fund Loan Agreement Number: L1400016/L14S0016**

**Recipient Information**

1. Legal Name City of McCleary	2. DUNS Number 178607826																		
3. Address of Principle Place of Performance 100 South Third Street																			
3a. City McCleary	3b. State Washington																		
3c. Zip+4 98557	3d. Country Grays Harbor																		
<p>4. In the preceding fiscal year did your organization:</p> <p>a. Receive 80% or more of annual gross revenue from federal contracts, subcontracts, grants, loans, subgrants, and/or cooperative agreements; <b>and</b></p> <p>b. \$25,000,000 or more in annual gross revenues from federal contracts, subcontracts, grants, loans, subgrants, and/or cooperative agreements; <b>and</b></p> <p>c. The public does not have access to information about the compensation of the executives through periodic reports filed with the IRS or the Security and Exchange Commission per 2 CFR Part 170.330.</p> <p><input checked="" type="checkbox"/> NO. Skip to signature block, sign and date, complete page 2, and return.</p> <p><input type="checkbox"/> YES. You must report the following information for the five (5) most highly compensated executives in your organization. Sign, date and return.</p> <table border="1"> <thead> <tr> <th>Name Of Official</th> <th>Position Title</th> <th>Total Compensation Amount*</th> </tr> </thead> <tbody> <tr><td>1.</td><td></td><td></td></tr> <tr><td>2.</td><td></td><td></td></tr> <tr><td>3.</td><td></td><td></td></tr> <tr><td>4.</td><td></td><td></td></tr> <tr><td>5.</td><td></td><td></td></tr> </tbody> </table> <p><b>*Note:</b> "Total compensation" means the cash and noncash dollar value earned by the executive during the subrecipient's past fiscal year. (For more information, see 17 CFR 229.402 (C)(2)).</p>		Name Of Official	Position Title	Total Compensation Amount*	1.			2.			3.			4.			5.		
Name Of Official	Position Title	Total Compensation Amount*																	
1.																			
2.																			
3.																			
4.																			
5.																			

**By signing this document, the Authorized Representative attests to the information above.**

*To ask about the availability of this document in a format for the visually impaired, call the Water Quality Program at 360-407-6502. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.*



**Clean Water State Revolving Fund (Revolving Fund)  
Federal Funding and Transparency Act (FFATA)  
&  
EPA Data Reporting Sheet (Data Reporting Sheet)**

Signature of Authorized Representative	Print Name Gary Dent, Mayor	Date
--	--------------------------------	------

**Please submit these completed forms (FFATA & Data Reporting Sheet) using the instructions in your Revolving Fund Loan agreement ATTACHMENT #7. The Department of Ecology will not sign the Revolving Fund agreement without these forms properly completed and submitted loan agreement instructions.**

Revolving Fund Loan Agreement Number <b>L1400016/L14S0016</b>
Project Description ( instructions and example below)  <b>City of McCleary General Sewer Plan: The City of McCleary will prepare a General Sewer Plan, which will focus on the City's excessive Infiltration and Inflow (I&amp;I) into its sewer collection system. Evidence shows that I&amp;I contributes up to 50% of the flows currently treated at the Wastewater Treatment Plant. This project will develop a planning document which will identify problem areas through remote TV analysis and/or smoke testing, recommend solutions, prioritize sewer system repair projects, and discuss potential funding opportunities.</b>

**Instructions for Subaward Project Description:**

*To ask about the availability of this document in a format for the visually impaired, call the Water Quality Program at 360-407-6502. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.*

**Clean Water State Revolving Fund (Revolving Fund)  
Federal Funding and Transparency Act (FFATA)  
&  
EPA Data Reporting Sheet (Data Reporting Sheet)**

In the first line of the description, provide a title for the subaward that captures the main purpose of the subrecipient's work. Then, indicate the name of the subrecipient and provide a brief description that captures the overall purpose of the subaward, how the funds will be used, and what will be accomplished.

**Example of a Subaward Project Description:**

Increase Healthy Behaviors: Educational Services District XYZ will provide training and technical assistance to chemical dependency centers to assist the centers to integrate tobacco use into their existing addiction treatment programs. Funds will also be used to assist centers in creating tobacco-free treatment environments.

*To ask about the availability of this document in a format for the visually impaired, call the Water Quality Program at 360-407-6502. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.*

## **STAFF REPORT**

To: Mayor Dent  
From: Todd Baun, Interim Director of Public Works  
Date: January 14, 2014  
Re: Amended Energy Conservation Agreement

---

We have received Amendment No. 01 for our existing Energy Conservation Agreement, Contract No. 09ES-11074, from Bonneville Power Administration (BPA). This Amendment extends the expiration date of the Agreement by one year to September 30, 2015.

### **Staff Recommendation:**

We recommend that amendment be accepted and signed by Mayor.

### **Action Requested:**

Please consider authorizing the Mayor to execute Amendment No. 01 of the City of McCleary's Energy Conservation Agreement, Contract No. 09ES-11074.



**Department of Energy**

Bonneville Power Administration  
Seattle Customer Service Center  
909 First Avenue, Suite 380  
Seattle, WA 98104-3636

POWER SERVICES

January 13, 2014

In reply refer to: PSW/Seattle

The Honorable D. Gary Dent  
City of McCleary  
100 South Third Street  
McCleary, WA 98557

Dear Mayor Dent:

Enclosed are two originals of Amendment No. 01 to the City of McCleary's (McCleary) Energy Conservation Agreement (Agreement), Contract No. 09ES-11074. This Amendment No. 01 extends the expiration date of the Agreement by one year to September 30, 2015.

If McCleary finds this Amendment No. 01 offer acceptable, please sign and date both originals, and return them to me as soon as practicable but no later than February 28, 2014. I will sign and return a fully executed original for your records.

Please feel free to contact me at (206) 220-6762 or 1-800-241-4573 if you have any questions or concerns.

Sincerely,

A handwritten signature in cursive script that reads "R. Kirsten Watts".

R. Kirsten Watts  
Power Services Customer Account Executive

Enclosures

cc:

Todd Baun, City of McCleary  
Colin Mercer, City of McCleary  
Christiane Mercer, City of McCleary

**AMENDMENT**  
**executed by the**  
**BONNEVILLE POWER ADMINISTRATION**  
**and**  
**CITY OF MCCLEARY**

This AMENDMENT to Energy Conservation Agreement Contract No. 09ES-11074 (Agreement) is executed by the UNITED STATES OF AMERICA, Department of Energy, acting by and through the BONNEVILLE POWER ADMINISTRATION (BPA) and CITY OF MCCLEARY (McCleary).

This Amendment No. 01 (Amendment) between BPA and McCleary extends the expiration date of the Agreement by one year.

BPA and McCleary agree:

**1. EFFECTIVE DATE**

This Amendment shall take effect on the date executed by the Parties.

**2. AMENDMENT OF AGREEMENT**

BPA and McCleary amend the Agreement as follows:

(a) Section 1 of the Agreement shall be deleted and replaced by the following:

**"1. TERM**

This Agreement takes effect on the date signed by both Parties (Effective Date), and expires on September 30, 2015, unless terminated earlier as provided in section 6, Termination. Except as provided for in section 3(c), all liabilities shall remain until satisfied."

(b) Section 2(h) shall be deleted and replaced by the following:

"(h) "Implementation Period" means the period of time from the Effective Date through September 30, 2015."

**3. SIGNATURES**

The Parties have executed this Amendment as of the last date indicated below.

CITY OF MCCLEARY

UNITED STATES OF AMERICA  
Department of Energy  
Bonneville Power Administration

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_  
*(Print/Type)*

Name: R. Kirsten Watts  
*(Print/Type)*

Title: \_\_\_\_\_

Title: Account Executive

Date: \_\_\_\_\_

Date: \_\_\_\_\_

(PSW-S:\PM\CUST\_RKW\MC\EE\_2009\_11074\_ECA\AA#1\Mc\_11074\_20140113\_Amendment No. 1\_Final.docx) 01/13/2014

**STAFF REPORT**

To: Mayor Dent  
From: Todd Baun, Interim Director of Public Works  
Date: January 13, 2014  
Re: Utility Service Improvement Costs

---

In accordance with Resolution 507, we must revise our annual Utility Service Improvement Costs. The revised schedule is attached.

We have reviewed the unit price items displayed in the schedule and updated costs as appropriate. The next revision is scheduled for 2015.

**Action Requested:**

Please consider authorizing the attached Utility Service Improvement Costs, dated January 13, 2014, with an effective date of January 23, 2014.

Utility: Water

Labor	Unit	Unit Price
Public Facilities Manager	Hour	\$ 49.56
Utility Maintenance 2	Hour	\$ 38.70
Utility Maintenance 1	Hour	\$ 27.16

Equipment	Unit	Unit Price
Backhoe	Hour	\$ 45.00
Dump Truck	Hour	\$ 35.00

Material	Unit	Unit Price
3/4" Poly Pipe Class 200	LF	\$ 0.42
1" Poly Pipe Class 200	LF	\$ 0.70
6" Tapping Saddle w/ SS straps	EA	\$ 74.39
8" Tapping Saddle w/ SS straps	EA	\$ 87.25
3/4" Corporation Stop	EA	\$ 43.37
1" Corporation Stop	EA	\$ 53.55
3/4" Curb Stop	EA	\$ 39.28
1" Curb Stop	EA	\$ 68.55
Meter Setter	EA	\$ 143.72
Plastic Meter Box W/ plastic lid	EA	\$ 50.60
Concrete Meter Box W/ traffic lid	EA	\$ 173.13
Meter	EA	\$ 195.00
Gravel (Top Course)	TN	\$ 10.95
HMA	TN	\$ 165.00
Cold Patch (Winter Only)	TN	\$ 112.00
Compressor Rental	EA	\$ 108.00
Mole	EA	\$ 350.00
Tracer Wire	LF	\$ 0.14
3/4" Male x Poly Fitting	EA	\$ 8.19
1" Male x Poly Fitting	EA	\$ 13.43
3/4" Female x Poly Fitting	EA	\$ 10.55
1" Female x Poly Fitting	EA	\$ 17.81
Concrete Block	EA	\$ 7.00
Brass Reducer Bushing	EA	\$ 8.19

Notes:

1. This Schedule is intended to function as the schedule of record in accordance with Resolution 507 until superceded.
2. A 5% Administrative Fee and a 15% Overhead Fee will be included on all Estimates and Invoices.



**Utility: Light and Power**

**Labor**

	<b>Unit</b>	<b>Unit Price</b>
Senior Lineman	Hour	\$ 69.72
Lineman	Hour	\$ 62.89
Line Equipment Operator	Hour	\$ 48.22

**Utility: Light and Power**

**Equipment**

	<b>Unit</b>	<b>Unit Price</b>
Backhoe	Hour	\$ 45.00
Dump Truck	Hour	\$ 35.00
F-450 Flatbed	Hour	\$ 18.00
Boom Truck	Hour	\$ 50.00
Manlift	Hour	\$ 50.00

**Poles**

	<b>Unit</b>	<b>Unit Price</b>
75' CLASS H-1 DF POLE	EA	\$ 1,777.00
55' CLASS 2 POLE	EA	\$ 559.00
50' CLASS 2 POLE	EA	\$ 422.00
45' CLASS 4 POLE	EA	\$ 456.00
40' CLASS 4 POLE	EA	\$ 453.00
35' CLASS 4 POLE	EA	\$ 307.00
30' CLASS 4 POLE	EA	\$ 155.00

**Crossarms & Braces**

	<b>Unit</b>	<b>Unit Price</b>
8' CROSSARM	EA	\$ 31.45
10' CROSSARM	EA	\$ 45.00
12' CROSSARM	EA	\$ 30.00
APITONG CROSSARM BRACE ALU A6018	EA	\$ 13.89

**Notes:**

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Utility: Light and Power  
 Wire

	Unit	Unit Price
PIRELLI	LF	\$ 1.95
NO 2 15KV-EPR-22M-FCN-50MJ	LF	\$ 2.73
4/0 AAAC	LF	\$ 0.54
ACSR 4/0	LF	\$ 0.50
ACSR 2/0	LF	\$ 0.33
ACSR NO 2	LF	\$ 0.15
C.U. STR 2/0 INS THHN	LF	\$ 1.85
C.U. STR NO 2	LF	\$ 0.13
C.U. BARE NO 2	LF	\$ 1.17
C.U. BARE NO 4	LF	\$ 0.57
C.U. BARE NO 6	LF	\$ 0.47
C.U. BARE NO 8	LF	\$ 0.03
C.U. GROUND NO 4 200' SPOOL	LF	\$ 0.94
350-350-4/0 WESLEYAN	LF	\$ 2.80
250-250-3/0 PRATT	LF	\$ 1.34
4/0-4/0-2/0 SWEETBRIAR	LF	\$ 1.53
2/0 QUAD GRULLO	LF	\$ 0.98
1/0-1/0-2 JANTHINA	LF	\$ 0.89
2-2-4 COCKLE	LF	\$ 0.63
6-6-6 VOLUTA	LF	\$ 0.37
6-6 SHEPHARD	LF	\$ 0.21
2-2-2 CONCH	LF	\$ 0.21
#4 C.U. STR THHN	LF	\$ 0.26
#2 C.U. STR THHN	LF	\$ 1.39
#2 C.U. GND	LF	\$ 0.33
#6 C.U. STR THHN	LF	\$ 0.15
4/0 C.U. INS	LF	\$ 1.85
336 MCM AAC	LF	\$ 0.63
R3CA-48 3PH TERM-BRKT UNDG	LF	\$ 97.00
4/0 QYAD	LF	\$ 1.75
1/0 QUAD	LF	\$ 1.45
C.U. GND #2 125' SPOOL	LF	\$ 0.97
2/0 STRD BARE C.U.	LF	\$ 1.85
1/0 - 1/0-2 URD	LF	\$ 1.28
# 4 ACSR Swanate	LF	\$ 0.19

Notes:

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Utility: Light and Power

Sleeves & Connectors

	Unit	Unit Price
NICOPRESS C.U. SLEEVE NO 2	EA	\$ 2.30
NICOPRESS C.U. SLEEVE NO 4	EA	\$ 0.70
NICOPRESS C.U. SLEEVE NO 6	EA	\$ 0.65
NICOPRESS C.U. SLEEVE NO 2-4	EA	\$ 0.53
NICOPRESS C.U. SLEEVE NO 6-8	EA	\$ 2.10
NICOPRESS C.U. SLEEVE NO 8-8	EA	\$ 1.40
NICOPRESS C.U. SLEEVE NO 4-6	EA	\$ 3.34
AUTO SPOLICE C.U. NO 2	EA	\$ 3.87
AUTO SPLICE C.U. NO 2 GL 114	EA	\$ 5.60
AUTO SPLICE C.U. NO 4 GL 112	EA	\$ 3.85
AUTO SPLICE C.U.NO 6 GL 111	EA	\$ 3.75
AUTO SPLICE ACSR 4/0	EA	\$ 17.69
AUTO SPLICE ACSR 2/0	EA	\$ 10.50
AUTO SPLICE ACSR NO 2	EA	\$ 7.00
SLEEVE RS 2525 250/250	EA	\$ 14.21
SLEEVE IKL 69 4/0-4/0	EA	\$ 1.26
SLEEVE IKL 66 4/0-1/0	EA	\$ 2.22
SLEEVE IKL6 65 4/0-2/0	EA	\$ 2.69
SLEEVE IKL 47 2/0-2/0	EA	\$ 1.00
SLEEVE IKL 46 2/0-1/0	EA	\$ 1.85
SLEEVE IKL 45 2/0-2	EA	\$ 2.75
SLEEVE IKL 55 4/0-2 Compressed	EA	\$ 5.50
SLEEVE IKL 56 4/0-1/0 Compressed	EA	\$ 2.75
SLEEVE IKL 44 2/0-4	EA	\$ 2.69
SLEEVE TRI ACSR NO 2 TR-64	EA	\$ 1.56
SLEEVE TRI ACSR NO 4 TR-63	EA	\$ 4.56
SLEEVE TRI ACSR NO 6 TR-61	EA	\$ 1.41
WEDGE CLAMP 4/0-2/0	EA	\$ 4.28
WEDGE CLAMP 1/0	EA	\$ 2.28
WEDGE CLAMP 2-6	EA	\$ 1.35
FARGO CONN C.U. 4/0	EA	\$ 5.97
FARGO CONN C.U. NO 2	EA	\$ 2.75
FARGO CONN CU NO 4	EA	\$ 1.75
BLACKBURN 40 HPW 4/0 C.U.-AL	EA	\$ 28.17
BLACKBURN 20 HPW 2/0 C.U.-AL	EA	\$ 9.10
BLACKBURN 10 HPW 2/0 C.U.-AL	EA	\$ 5.19
BLACKBURN 1 HPW NO 2 C.U.-AL	EA	\$ 4.18
BLACKBURN 4 HPW NO 6 C.U.-AL	EA	\$ 2.84
ALCOA 3/0 3 BOLT CLAMP	EA	\$ 3.70
PTT 4-350 TRANS CONN	EA	\$ 13.90

Notes:

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2. A 5% Administrative Fee and a 15% Overhead Fee will be included on all Estimates and Invoices.

Utility: Light and Power

Sleeves & Connectors (Continued)

	Unit	Unit Price
PTT 4-250 TRANS CONN	EA	\$ 9.06
ILSCO 2 HOLE LUB AU 350	EA	\$ 9.47
BOLT SET STAINLESS	EA	\$ 1.94
GROUND PLATE	EA	\$ 2.25
GROUND ROD 4/8 X 8	EA	\$ 11.50
202 CC HOT STIRRUP C.U.	EA	\$ 21.70
GROUND ROD COPPER WELD 5/8 X 8	EA	\$ 7.67
BURNDY WCB 18PB 4/0-2/0	EA	\$ 5.75
BURNDY WCB 20PB 4/0-4/0	EA	\$ 5.75
BURNDY WCB 11PB 2/0-2/0	EA	\$ 5.75
BURNDY WCB 10 PB 2-2	EA	\$ 6.50
2/0 GRND LUG X FMR TTC2	EA	\$ 4.10
ALS24 450-500 2 HOLE COMP SEE CONN	EA	\$ 12.50
ALS32 600-636 2 HOLE COMP SEE CONN	EA	\$ 12.50
ALS18 350 3 HOLE COMP SEE CONN	EA	\$ 12.50
9265 AL HOT STIRRUP AL	EA	\$ 14.67
AUTO DE CL ACSR 4/0	EA	\$ 16.87
AUTO DE FLEX ACSR 4/0	EA	\$ 25.38
AUTO DE ACSR 20 CLEVIS UR FLEX	EA	\$ 12.00
AUTO DE FLEX ACSR NO 2	EA	\$ 11.98
AUTO DE CLEVIS ACSR NO 2	EA	\$ 12.91
AUTO DE CL C.U. STR NO 2 GD 515	EA	\$ 5.54
AUTO DE FLEX C.U. NO 2	EA	\$ 7.36
AUTO DE CL NO 2 GD 514	EA	\$ 14.19
AUTO DE CL C.U. NO 4	EA	\$ 4.00
AUTO DE FLEX C.U. NO4	EA	\$ 5.70
AUTO DE FLEX C.U. NO 6 GD 111	EA	\$ 9.00
AUTO DE C.U. NO 6 GD 511 CLEVIS	EA	\$ 9.06
DE SHDE 4/0-336 ACSR	EA	\$ 61.18
DE SHOE #4-4/0 ACSR	EA	\$ 12.50
DE SHOE #4-4/0 BRONZE	EA	\$ 12.50

Notes:

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Utility: Light and Power

Insulators

	Unit	Unit Price
SECONDARY SPOOL	EA	\$ 1.50
SECONDARY CLEVIS	EA	\$ 6.20
PRI PORC INSULATOR	EA	\$ 5.83
DE INSULATOR 4 IN	EA	\$ 10.20
INSULATOR PIN 5/8 J 207Z	EA	\$ 5.10
INSULATOR PIN 3/4	EA	\$ 1.40
POLE TOP PIN J 744Z	EA	\$ 4.78
SIDE MOUNT PIN	EA	\$ 0.95
MAST INSUALTOR J0588 1 1/4"-3	EA	\$ 3.30
SEC CLEVIS H1300	EA	\$ 4.95

Guying Supplies

	Unit	Unit Price
7' ROD J12255R.3 " W/TRIPEYE	EA	\$ 25.46
TRIPEYE J122585	EA	\$ 6.75
1.5" TRIPLE EYE	EA	\$ 33.70
7' ROD J12254R 3/4"	EA	\$ 14.98
7' ROD 1.5"	EA	\$ 88.69
3 1/2" ROD J12250R	EA	\$ 5.70
COUPLING	EA	\$ 4.40
ROD 3/4 X 8	EA	\$ 10.55
ANCHOR D HELIX 8000 LB	EA	\$ 60.00
1.5 TRIPPLE HELIX ANCHOR	EA	\$ 186.25
STRANDWISE 5102	EA	\$ 14.80
STRANDWISE 5102L	EA	\$ 9.20
STRANDWISE 5200 1/4	EA	\$ 5.22
STRANDWISE 5256 1/4 FLEX	EA	\$ 9.98
STRANDWISE 7/16	EA	\$ 36.44
PRE-FORM DE 3/8 GDE-1107	EA	\$ 1.98
PRE-FORM DE 1/4 GDE-1104	EA	\$ 1.29
PRE-FORM 7/16	EA	\$ 4.66
POLE EYE PLATE	EA	\$ 9.00
GUY HOOK	EA	\$ 2.20
GUY INSULATOR	EA	\$ 4.80
LG. GUY INSULATOR	EA	\$ 6.18
GLASS GUY INS 8' GCC 15-96RR	EA	\$ 22.00
96" 30KLB GLASS GUY INSULATOR	EA	\$ 54.50
7/16 GUY STRAND	LF	\$ 0.54
GUY GUARD 8- PG 5518	EA	\$ 4.08

Notes:

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2. A 5% Administrative Fee and a 15% Overhead Fee will be included on all Estimates and Invoices.

Utility: Light and Power

Miscellaneous

	Unit	Unit Price
FUSED CO 200A W/ARC SHIELD	EA	\$ 161.70
FUSED CO 100A W/ARC SHIELD	EA	\$ 101.46
FUSED CO 100A	EA	\$ 69.50
SURGE ARRESTOR 9KV	EA	\$ 35.95
SURGE ARESSTOR 3KV	EA	\$ 31.10
HOT-LINE CLAMP BH8-00	EA	\$ 7.50
HOT-LINE CLAMP AH4-CP	EA	\$ 7.45
LOAD BREAK ELBOW	EA	\$ 29.75
PARKING STAND	EA	\$ 36.25
3 POSITION LOADBREAK JUNCT	EA	\$ 161.25
4 POSITION LOADBREAK JUNCT	EA	\$ 172.00
PROTECTIVE END CAP	EA	\$ 22.95
OUTDOOR TERMINATOR #5641 3M	EA	\$ 20.48
OUTDOOR TERMINATOR #5601 3M	EA	\$ 29.00
STEM CONNECTOR 3M SC 0001	EA	\$ 3.90
5401 SPLICE KIT	EA	\$ 33.95
5411 SPICE KIT	EA	\$ 17.50
SPLICE KIT 3M 5411R CIR 21	EA	\$ 71.75
SPLICE KIT 3M 5411R CIR 1/0	EA	\$ 64.00
CONDUIT PVC SCH 80 6 IN X 10'	EA	\$ 38.00
CONDUIT PVC SCH 40 2 1/2" X 10'	EA	\$ 12.00
CONDUIT PVC SCH 80 2 1/2" X 10'	EA	\$ 17.10
CONDUIT PVC SCH 40 2" X 10'	EA	\$ 7.00
CONDUIT PVC SCH 80 2" X 10'	EA	\$ 10.60
CONDUIT RIDGID STEEL 2 1/2" X 10'	EA	\$ 585.00
CONDUIT RIDGID STEEL 2" X 10'	EA	\$ 19.00
BEND PVC 90 W/36" SWEEP 2 1/2" W/BELL	EA	\$ 14.25
BEND PVC 90 W/2 1/2" X 24" SWEEP W/BELL	EA	\$ 7.00
BEND PVC 90 2" X 36" SWEEP W/BELL	EA	\$ 10.00
BELL END 6"	EA	\$ 5.00
BELL END 2 1/2"	EA	\$ 1.85
BELL END 2"	EA	\$ 1.62
15" DIAMOND BACK STANDOFF	EA	\$ 10.00
HEAT SHRINK 3M ITCSN 1100-12 2-4/0	EA	\$ 8.76
HEAT SHRINK 3M ITCSN 1500-12 3/0-400MCM	EA	\$ 4.95
HEAT SHRINK 3M HSJ-1	EA	\$ 15.35
COLD SHRINK SEALING KIT 3M #8452	EA	\$ 9.40
VAULT #3642 W/COVER #1228	EA	\$ 474.00
VAULT #3642 VAULT ONLY	EA	\$ 227.00
VAULT #5545 W/COVER #1228 K.O.	EA	\$ 439.00

Notes:

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2. A 5% Administrative Fee and a 15% Overhead Fee will be included on all Estimates and Invoices.

**Utility: Light and Power**

**Miscellaneous (Continued)**

	<b>Unit</b>	<b>Unit Price</b>
STEEL LID	EA	\$ 487.00
TRIPLE TRANS RACK J6865	EA	\$ 115.00
TRIPLE TRANS RACK J6866	EA	\$ 157.00
FUSE BLOCK MOUNTING BRACKET #J24518	EA	\$ 10.75
14" EXTENTION LINK	EA	\$ 9.75
20" EXTENTION LINK	EA	\$ 10.95
ST LT ARM 8' CA 17108	EA	\$ 64.70
3 PHASE EQUIPMENT MOUNT	EA	\$ 138.80
FAULT INDICATOR	EA	\$ 174.20
WEATHERHEAD	EA	\$ 42.93
SEC PED	EA	\$ 82.00
SEC PED CONN WCOVER	EA	\$ 12.90
SEC PED COMPLETE	EA	\$ 135.00
Elastimold Bracket 1535AFB-1	EA	\$ 19.60

**Street Lights**

	<b>Unit</b>	<b>Unit Price</b>
STREET LIGHT 100 WATT	EA	\$ 68.00
STREET LIGHT 200 WATT	EA	\$ 108.35
BULB	EA	\$ 12.00
PHOTO CELL	EA	\$ 5.00
4' ARM	EA	\$ 30.00
8' ARM	EA	\$ 66.60
STREET LIGHT 100W COMPLETE W/4' ARM	EA	\$ 114.00
STREET LIGHT 100W COMPLETE W/8' ARM	EA	\$ 150.60
STREET LIGHT 200W COMPLETE W/4' ARM	EA	\$ 154.35
STREET LIGHT 200W COMPLETE W/8' ARM	EA	\$ 190.95
6" X 1000' ELECTRICAL CAUTION TAPE	EA	\$ 19.45
4/0 PIGTAIL CONN	EA	\$ 7.00

**Notes:**

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2. A 5% Administrative Fee and a 15% Overhead Fee will be included on all Estimates and Invoices.



**Utility: Light and Power**  
**Transformers**

	Unit	Unit Price
15 KVA Padmount Single	EA	\$ 896.00
15 KVA Padmount DX	EA	\$ 967.00
25 KVA Padmount Single	EA	\$ 1,142.00
25 KVA Padmount DX	EA	\$ 2,262.00
50 KVA Padmount Single	EA	\$ 1,048.00
50 KVA Padmount DX	EA	\$ 2,806.00
75 KVA Padmount Single	EA	\$ 1,176.00
75 KVA Padmount DX	EA	\$ 3,278.00
15 KVA Polemount Single	EA	\$ 406.00
15 KVA Polemount DX	EA	\$ 1,016.00
25 KVA Polemount Single	EA	\$ 499.00
25 KVA Polemount DX	EA	\$ 1,172.00
37 KVA Polemount Single	EA	\$ 439.00
37 KVA Polemount DX	EA	\$ 1,454.00
50 KVA Polemount Single	EA	\$ 510.00
50 KVA Polemount DX	EA	\$ 1,916.00
75 KVA Polemount Single	EA	\$ 650.00
75 KVA Polemount DX	EA	\$ 2,704.00
100 KVA Polemount Single	EA	\$ 850.00
100 KVA Polemount DX	EA	\$ 1,270.00
167 KVA Polemount Single	EA	\$ 1,595.00
167 KVA Polemount DX	EA	\$ 1,670.00
75 KVA 277/480 Polemount DX	EA	\$2,100.00

**Notes:**

1. This Schedule is intended to function as the schedule of record in accordance with Resolution 507 until superceded.
2. A 5% Administrative Fee and a 15% Overhead Fee will be included on all Estimates and Invoices.



**STAFF REPORT**

To: Mayor Dent  
From: Todd Baun, Interim Director of Public Works  
Date: January 14<sup>th</sup>, 2014  
Re: Gray & Osborne Amendment No. 6

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If the City chooses to receive the funds for the General Sewer Plan, it is recommended for the City to hire an engineering firm to complete the plan. Gray and Osborne has provided a scope and budget for the completion of the General Sewer Plan. The scope and budget are attached.

**Staff Recommendation:**

Staff recommends the execution of the proposed contract, not to exceed \$60,000.

**Action Requested:**

Please consider authorizing the City to execute Amendment No. 6 with Gray & Osborne.

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

THIS AMENDMENT, entered into this \_\_\_ day of January 2014, by and between the City of McCleary, Washington, hereinafter referred to as the Agency, and Gray & Osborne, Inc., hereinafter referred to as the Engineer, hereby modifies the contract for engineering services dated (by Agency) June 20, 2012, for engineering services related to the development of a General Sewer Plan.

**GENERAL SEWER PLAN  
SCOPE OF WORK**

The City of McCleary has received a \$65,000 funding packing from the Department of Ecology (including \$32,500 in forgivable principal) to complete a General Sewer Plan. The General Sewer Plan is intended to evaluate the City's existing sewer system based on existing and projected sewer flows and loadings and identify and prioritize improvements to the sewer system. The General Sewer Plan is also intended to identify and size new sewer mains to serve potential future development within the City's identified sewer service area. Gray & Osborne proposes to prepare a General Sewer Plan in accordance with WAC 173-240-050. The updated General Sewer Plan will include the following tasks:

**Task 1 – Collect and Review Existing Data**

- Obtain and review existing data and plans from the City and other sources including:
  - Previous General Sewer and Wastewater Facility Plans
  - Previous Infiltration and Inflow Studies
  - Land Use and Comprehensive Plans
  - Discharge Monitoring Reports
  - Lift Station Flow and Run Time Data
  - Sewer utility financial records for the last 3 years
- Conduct a review and inspection of existing City facilities with City staff.

**Task 2 - Characterize the Existing Sewer System**

- Identify the existing sewer service area.
- Work with City staff to identify a proposed sewer service area boundary that will become the City's Urban Service Boundary.
- Update the existing sewer base map with all existing sewer facilities.
- Describe the topography, water bodies, sensitive lands, and water systems, within the sewer service area.
- Describe land use and zoning within the existing sewer service area.
- Describe all existing facilities generating industrial wastewater and any impact they may have on the existing treatment facilities.

- Describe any nearby domestic or industrial wastewater treatment facilities.
- Describe the existing City wastewater treatment facilities.

**Task 3 – Assess Existing Sewer System Flows and Loadings and Develop Projected Sewer System Flows and Loadings**

- Review monthly discharge monitoring reports from 2008-2012.
- Describe historical flow and loading trends.
- Describe the capacity and performance of the existing treatment facilities over the last 5 years.
- Develop flow and loading factors per person and per equivalent residential unit.
- Evaluate current infiltration and inflow to the sewer system based upon historical flow records and water consumption records.
- Develop population projections for the sewer service area based upon historical data and available population forecasts.
- Develop updated wastewater flow and loading projections for the 20-year planning horizon.

**Task 4 – Assess the Condition and Capacity of the Existing Sewer System**

- Identify sewer basins.
- Assess the capacity of the existing trunk sewers for each basin using a spreadsheet model.
- Review previous infiltration and inflow evaluations.
- Identify key areas of the sewer system to conduct additional infiltration/inflow investigations.
- Complete video inspection of approximately 5,000 lf of key sewer areas to better assess pipeline condition.
- Prepare list of sewer system deficiencies.

**Task 5 – Prepare Capital Improvement Plan**

- Identify improvements to the existing sewer system to correct existing and projected deficiencies.
- Identify future sewer extensions.
- Develop preliminary cost estimates for improvement projects.
- Prioritize improvements and develop a preliminary improvement schedule.
- Prepare a map of proposed improvement projects.

**Task 6 – Complete Financial Analysis**

- Review sewer utility historical revenues and expenditures for the last 3 years.
- Review the current sewer rate structure.
- Develop a projected sewer budget for the next 5 years with and without proposed capital improvements.

- Identify any rate adjustments necessary to implement the proposed capital improvement plan.

**Task 7 – Prepare Environmental Documentation**

- Prepare SEPA Checklist
- Complete SERP Documentation

**Task 8 - Prepare Complete Draft Plan**

Prepare a complete draft plan and distribute for review and comment by the City and Ecology. (5 copies have been assumed)

**Task 9 - Prepare Complete Final Plan**

Prepare a complete final plan including all revisions and distribute to the City and Ecology. (5 copies have been assumed, along with one electronic .pdf file)

**Task 10 - Complete QA/QC Reviews**

Complete internal Quality Assurance/Quality Control review of all work products.

**Task 11 - Attend Meetings**

Meet with City staff and elected officials to review work products. Four meetings have been assumed.

**SCHEDULE**

The anticipated schedule for completing this project is as follows:

Notice to Proceed	October 10, 2013
Submit Complete Draft Plan	March 31, 2014
Submit Complete Final Plan	30 days after receipt of comments on Draft Plan

**DELIVERABLES**

Deliverables will be provided in the following format:

- 5 paper copies of draft General Sewer Plan
- 1 pdf file of draft General Sewer Plan
- 5 paper copies of final General Sewer Plan
- 1 CD with electronic files of final document in both native and pdf format

## **AGREEMENT**

The total compensation for services provided under this Contract Amendment shall not exceed \$60,000 as shown in the attached Exhibit "A" without prior written authorization from the Agency.

**EXHIBIT "A"**

**ENGINEERING SERVICES  
SCOPE AND ESTIMATED COST**

*City of McCleary - General Sewer Plan*

<b>Tasks</b>	<b>Principal Hours</b>	<b>Project Manager Hours</b>	<b>Civil Eng. Hours</b>	<b>CADD Tech. Hours</b>
1. Collect and Review Existing Data	2	6	8	
2. Characterize the Existing Sewer System	2	8	16	24
3. Assess Existing Sewer System Flows and Loadings and Develop Projected Sewer System Flows and Loadings	4	16	40	8
4. Assess the Condition and Capacity of the Existing Sewer System	4	16	40	8
5. Prepare Capital Improvement Plan	2	8	16	8
6. Complete Financial Analysis	2	8	24	
7. Prepare Environmental Documentation	1	4	32	4
8. Prepare Complete Draft Plan	4	8	24	16
9. Prepare Complete Final Plan	2	4	8	4
10. Complete QA/QC Reviews	8	4	4	
11. Attend Meetings	8	16	8	
<b>Hour Estimate:</b>	39	98	220	72
<b>Direct Labor Cost Billing Rate Range:</b>	\$35 to \$59	\$35 to \$56	\$24 to \$35	\$14 to \$27
<b>Estimated Hourly Rates:</b>	\$56	\$42	\$32	\$22
<b>Direct Labor Cost</b>	\$2,184	\$4,116	\$7,040	\$1,584

Subtotal Direct Labor:	\$ 14,924
Indirect Costs (180%)	\$ 26,863
Total Labor Cost:	\$ 41,787
Fee (15%):	\$ 6,268
Subtotal Labor & Fees:	\$ 48,055
Direct Non-Salary Cost:	
Mileage & Expenses (Mileage @ \$0.56/mile)	\$ 200
Printing	\$ 745
Subconsultant: Video Inspection	\$ 10,000
Subconsultant Overhead (10%)	\$ 1,000
<b>TOTAL ESTIMATED COST:</b>	<b>\$ 60,000</b>

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION RELATING TO RATES TO BE  
CHARGED FOR ELECTRICAL SERVICE,  
ESTABLISHING EFFECTIVE DATES, AND  
REPEALING RESOLUTION 652.**

**RECITALS**

1. Pursuant to M.M.C. Chapter 13.24.005, the Council is authorized to establish rates for utility service pursuant to Resolution. The rates were last modified in 2012 through the adoption of Resolution 652.

2. The Director of Public Works has carried forth a review of the rate modifications imposed by the Bonneville Power Administration since the adoption of the current rates. Based upon that review, the Director made recommendations based upon the available information.

3. A continuing review of the fiscal status of the electrical utility has confirmed to the Council and Mayor the necessity of modifying existing electrical utility rates for service delivered to the System's customers.

4. According to the information provided to the Mayor and Council by Director, the modifications made in the existing rates by the provisions of this resolution are appropriate in light of the duty to assure the long term fiscal stability of the Utility.

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

**SECTION I:** On and after the effective date stated in Section III, the following rates shall be charged and the following classifications shall be established:

#### **SCHEDULE 1**

#### **RESIDENTIAL RATES**

1.1: Availability: Applicable to domestic use of all residential customers, including single-phase motors with individual rate capacity of 7 ½ HP or less. Service under the Residential Rate shall apply to electric service in single-family and multi-family private dwellings, and their appurtenances, those uses set forth below, for general farm service, including water-heating, but not for resale to others.



The Residential Rate shall also apply to service for institutions such as clubs, fraternities, orphanages, or homes, recognized as rooming or boarding houses; the space in an apartment or other residential building primarily devoted to use as an office or studio for professional or other gainful purposes.

© The residential rate shall not apply to assisted care and living facilities, including nursing homes.

1.2: Rate:

Meter Service Charge - \$7.05 per meter per month

Consumption Charge - \$.0740 per KWH

Minimum Charge - \$15.00 per month (Includes meter service charge of \$7.05.)

Delivery Point - The above rates are based upon the supply of service to the entire premises through a single delivery and metering point. Separate supply for the same customer at other points of consumption, or at a different voltage or phase, shall be separately metered and billed. For the purpose of maintenance responsibility, the customer is responsible for the service line from the meter to the building.

**SCHEDULE 2**

## **LARGE RESIDENTIAL AND COMMERCIAL LIGHTING AND POWER RATES**

Availability: Applicable to all large residential (greater than 7 ½ Hp) and commercial light, heat, and power customers, including but not limited to facilities of municipal corporations including school districts and hospital districts, assisted care and living facilities, including nursing homes, as well as for religious organizations or other service organizations providing services at properties which qualify for exemption from real estate taxes. Energy supplied under this schedule shall not be submetered for resale or resold to others.

### A. Single-Phase Power:

Meter Service Charge - \$10.50 per month per meter.

Consumption Charge - \$.0787 per KWH.

Demand Charge - \$3.05 per KW.

Minimum Charge - \$20.50 per month (Includes meter service charge of \$10.50.)

### B. Three Phase Service:

Meter Service Charge - \$21.00 per month per meter

Consumption Charge - \$.0787 per KWH

Demand Charge - \$3.05 per KW.

Minimum Charge = \$36.00 per month (Includes meter service charge of \$10.50.)

Delivery Point - The above rates are based upon the supply of service to the entire premises through a single delivery and metering point. Separate supply for the same customer at other points of consumption, or at a different voltage or phase, shall be separately metered and billed except that where two or three points of delivery have already been installed in an old commercial building or where, in the opinion of the distributor's authorized representative, it would be impractical for the customer to alter his/her wiring to the extent necessary in an old commercial building, separate services requiring two or three meters may be billed as one meter.

For the purpose of maintenance responsibility, the customer is responsible for the service line from the meter to the building.

### **SCHEDULE 3**

#### **INDUSTRIAL LIGHTING AND POWER SERVICE**

Availability: Available to industrial consumers for light, heat, and power. Energy supplied under this schedule shall not be submetered for resale and resold to others.

A. Industrial Customer

Energy Charge = \$.0478 per KWH

Demand = \$6.01 per KW

1. Billing Demand: The billing demand shall be the higher of the following demands:

a. The measured demand.

b. 80 percent of the highest demand measured during the preceding eleven months.

2. Minimum Charge: The minimum monthly charge shall be \$30.70 for those customers with less than 65 KW installed capacity. For those customers with 65 kva installed capacity or more, the minimum monthly charge will be \$.72 per KW.

3. Determination of Demand: Demand measure shall be made by suitable instruments at the point of delivery during the 30-minute period in which the consumption of energy is greatest during the month for which determination is made.

4. Adjustment Demand Charge for Power Factor: All loads with installed capacities of 75 kva and above shall be billed for power factor by increasing the Measured Demand by 1 percent for each 1 percent or major fraction thereof by which the average power factor is less than .95 lagging. Unless specifically otherwise agreed, the Distributor shall not be

obligated to deliver power to the purchaser at any time at a power factor below .75 lagging.

5. Tax Additions: To the above rate proportional increases may be added to compensate for any gross revenue kilowatt hour or other form of tax hereafter imposed by any municipal, county, state, or federal taxing body.

6. Contract requirements: Customers whose measured demand is 100 KW or more may be required to execute a contract for a minimum term of five (5) years.

7. Delivery Point: The above rates are based upon the supply of service to the entire premises through a single delivery and metering point. Separate supply for the same customer at other points of consumption, or at a different voltage or phase, shall be separately metered and billed.

For the purpose of maintenance responsibility, the customer is responsible for the service line from the meter to the building.

#### **SCHEDULE 4**

#### **STREET LIGHTING RATE**

#### **(ON EXISTING POLES)**

Availability: To the City of McCleary.

Applicable: To overhead street lighting from dusk to dawn every day for lighting streets, alleys, thoroughfares, grounds, and parks.

Specifications: The system shall be of overhead construction consisting of poles, aerial circuits, mast arms, and standard luminaries. The charges below are for energy and re-lamping only.

Under grounding and new or replacement installations, except when such installation shall be required as part of a development, shall be paid for by the City of McCleary. Maintenance shall be by the Light and Power Department.

Monthly Rate:

<u>Lamp Rating</u>	<u>Lamp Type</u>	<u>Energy and Relamp Charge</u>
100 watt	HPS	\$4.18 per month
200 watt	HPS	\$6.49 per month

**SCHEDULE 5**

**SECURITY LIGHTING**

Availability: Available to all system users.

Specifications: The pole will be pressure-treated and manufactured and installed in accordance with City of McCleary's standards. The lighting hardware and equipment

will be provided by the City of McCleary Light and Power Department.

Monthly Rate - Flat Charge:

\$9.65 per month.

General Terms and Conditions: In addition to the monthly flat charge, as to any newly installed security lighting, the applicant shall also pay, at the time of application, an amount to be determined by the Director of Public Works as representing the costs of the pole and installation. For additional terms and conditions see above.

**SECTION II: EFFECTIVE DATE:**

The rates established by Section I of this Resolution shall become effective as to all power metered on and after the 16th day of \_\_\_\_\_, 2014, for billing on and after the 31<sup>st</sup> day of \_\_\_\_\_, 2014.

**SECTION III: REPEAL:**

Resolution Number 652 shall be and is hereby repealed as of the effective date for utilization of the new rates, as established in Section II. Such repeal shall not effect any obligation which arose under the provisions of that resolution.

PASSED THIS 8TH DAY OF JANUARY, 2014, by the City Council  
of the City of McCleary, and signed in approval therewith this  
\_\_\_\_\_ day of January, 2014.

CITY OF McCLEARY:

\_\_\_\_\_  
D. GARY DENT, Mayor

ATTEST:

\_\_\_\_\_  
WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

\_\_\_\_\_  
DANIEL O. GLENN, City Attorney



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION RELATING TO GOVERNMENTAL OPERATION, AUTHORIZING THE ACCEPTANCE OF A LOAN FROM THE WASHINGTON STATE DEPARTMENT OF ECOLOGY FOR SPECIFIC PURPOSES, & AUTHORIZING THE MAYOR & CLERK-TREASURER TO EXECUTE THE NECESSARY DOCUMENTS.

R E C I T A L S :

1. In the course of its governmental operations, the City operates a waste water collection and treatment system.

2. The Staff of the Utility have identified a variety of problems which primarily relate to infiltration and inflow of ground water into the collection system which have an impact upon the System's operational effectiveness.

3. It has been determined that in order to effectively deal with these problems, an extensive study of the system and the development of a plan to correct such problems as are identified is both necessary and appropriate.

4. The Washington State Department of Ecology (the Department) has tendered an offer for a loan of \$65,000.00 for the purposes of funding the necessary analysis and plan

development. Under certain conditions, one-half of that sum may be forgiven. A copy of Agreement under which the loan will be made, is on file with the Office of the Clerk-treasurer and shall be deemed to have been incorporated by this reference.

5. The acceptance of the loan and the implementation of the study and plan development are found to be in the best interests of the City and its citizens.

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

SECTION I: The City does hereby accept the Department's offer of the loan of funds for the specified conditions, all as set forth in the referenced Agreement and the attachments thereto, and authorizes the Mayor and Clerk-treasurer to execute the necessary documents required by the Department to acquire the loan.

SECTION II: A copy of this resolution shall be attached to the City's copy of the executed Agreement for purpose of easy reference in the future.

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

CITY OF McCLEARY:

\_\_\_\_\_  
D. GARY DENT, Mayor

ATTEST:

\_\_\_\_\_  
WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

\_\_\_\_\_  
DANIEL O. GLENN, City Attorney